

Planning Committee

Agenda 06 December 2024

10.00am

The King's Centre, 63-75 King Street, Norwich, NR1 1PH

John Packman, Chief Executive – Friday 29 November 2024

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

Introduction

1. To receive apologies for absence
2. To receive declarations of interest (see [Appendix 1](#) to the Agenda for guidance on your participation having declared an interest in the relevant agenda item)
3. **To receive and confirm the minutes of the Planning Committee meeting held on 08 November 2024** (Pages 4-14)
4. To note whether any items have been proposed as matters of urgent business
5. Chairman's announcements and introduction to public speaking
Please note that public speaking is in operation in accordance with the Authority's [Code of Practice for members of the Planning Committee and officers](#).
6. Request to defer applications included in this agenda and/or vary the order of the agenda

Planning and enforcement

7. **To consider applications for planning permission including matters for consideration of enforcement of planning control:**
 - 7.1. BA/2024/0245/FUL - Carlton Marshes Visitors Centre, Burnt Hill Lane, Carlton Colville (Pages 15-24)
 - 7.2. BA/2024/0246/FUL - Salhouse Broad, Lower Street, Salhouse (Pages 25-34)
 - 7.3. BA/2024/0249/FUL - Car Park At, Ferry Inn, Ferry Road, Reedham (Pages 35-43)

8. **Local Enforcement Plan and amendments to Scheme of Delegation** (Pages 44-66)
Report by Development Manager
9. **Enforcement update** (Pages 67-73)
Report by Development Manager

Tree Preservation Orders

10. **BA/2024/0013/TPO Nicholas Everitt Park, Bridge Road, Lowestoft** (Pages 74-80)
Report by Historic Environment Manager
11. **BA/2024/0015/TPO The Island, Yarmouth Road, Thorpe St Andrew - Site visit**
(Pages 81-88)
Report by Historic Environment Manager

Policy

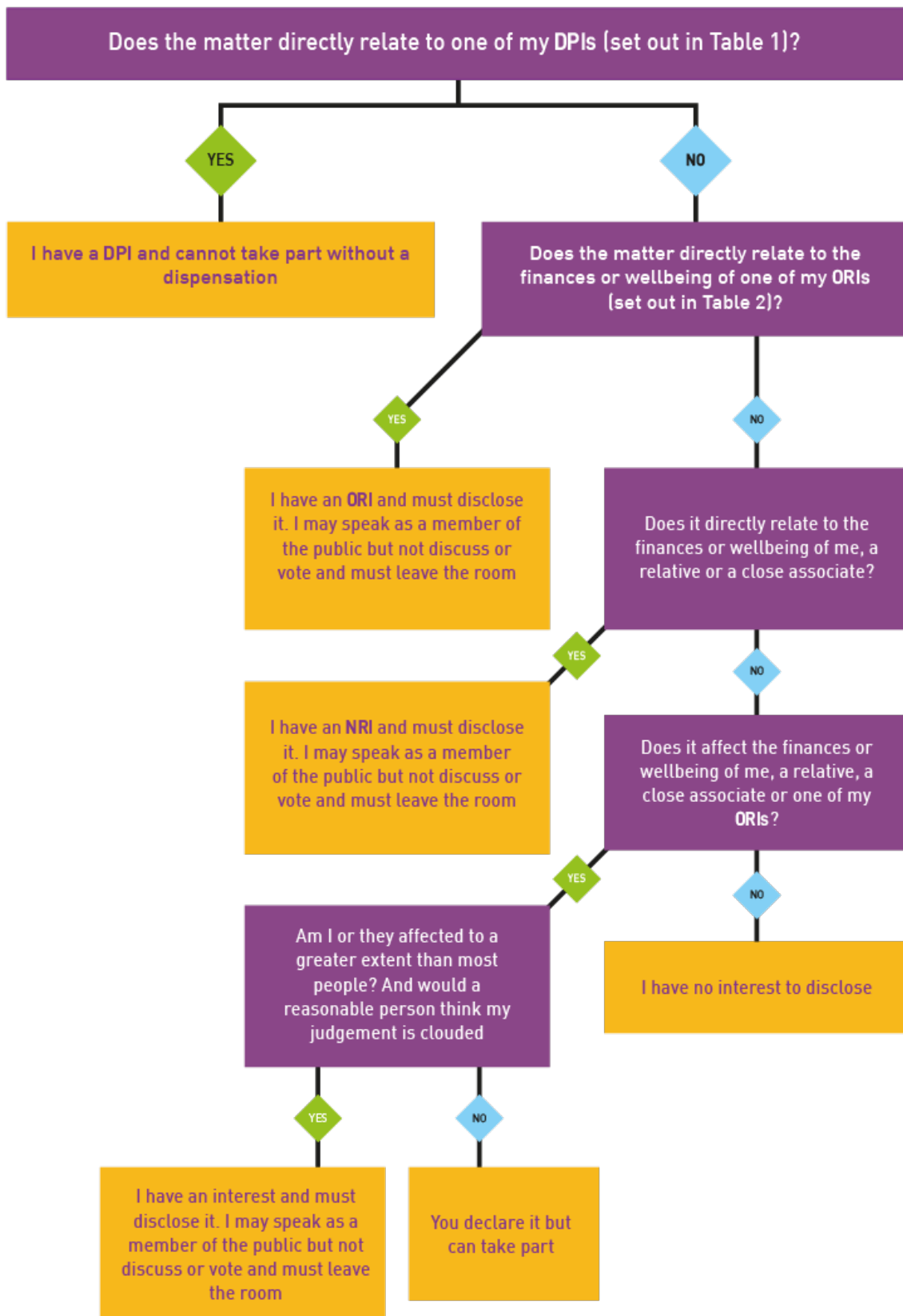
12. **Carlton Colville Neighbourhood Plan – Agreeing to re-consult** (Pages 89-132)
Report by Planning Policy Officer
13. **Norfolk and Waveney Planning in Health Protocol - Update** (Pages 133-169)
Report by Planning Policy Officer
14. **Norfolk Recreational Impact Avoidance and Mitigation Strategy - Delivery management** (Pages 170-184)
Report by Planning Policy Officer
15. **Consultation responses** (Pages 185-189)
Report by Planning Policy Officer
16. **Annual Monitoring Report and Infrastructure Funding Statement** (Pages 190-237)
Report by Planning Policy Officer

Matters for information

17. **Appeals to the Secretary of State update** (Pages 238-241)
Report by Development Manager
18. **Decisions made by Officers under delegated powers** (Pages 242-245)
Report by Head of Planning
19. **To note the date of the next meeting – Friday 10 January 2025 at 10.00am at The King’s Centre, 63-75 King Street, Norwich, NR1 1PH**

For further information about this meeting please contact the [Governance team](#)

Appendix 1 – Extract from the Local Government Association Model Councillor Code of Conduct



Planning Committee

Minutes of the meeting held on 08 November 2024

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Present

Tim Jickells – in the Chair, Harry Blathwayt, Stephen Bolt, Andrée Gee, Tony Grayling, James Harvey, Martyn Hooton, Leslie Mogford (from item 8), Gurpreet Padda, Matthew Shardlow, Vic Thomson and Fran Whymark

In attendance

Natalie Beal – Planning Policy Officer (items 9-12), Jason Brewster – Governance Officer, Nigel Catherall – Planning Officer (item 7), Steve Kenny – Development Manager, Kate Knights – Historic Environment Manager (item 12), Ruth Sainsbury – Head of Planning and Sara Utting – Senior Governance Officer

Members of the public in attendance who spoke

Members of the public Mrs Dawn Yates and Mr Callum Yates, as applicants for item 7.1, BA/2023/0315/FUL - Silsden, Ropes Hill, Horning.

1. Apologies and welcome

The Chair welcomed everyone to the meeting.

Apologies were received from Melanie Vigo di Gallidoro

Openness of Local Government Bodies Regulations 2014

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

2. Declarations of interest and introductions

Members indicated that they had no further declarations of interest other than those already registered.

3. Minutes of last meeting

The minutes of the meeting held on 11 October 2024 were approved as a correct record and signed by the Chair.

4. Matters of urgent business

There were no items of urgent business

5. Chair's announcements and introduction to public speaking

The Chair welcomed Gurpreet Padda, Norwich City Council appointee, to the Planning Committee.

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

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

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

7. Applications for planning permission

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

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

(1) BA/2023/0315/FUL - Silsden, Ropes Hill, Horning

Proposed replacement dwelling

Applicant: Mr & Mrs C Yates

The Planning Officer (PO) provided a detailed presentation of the application that would replace the existing single storey dwelling at Silsden, Ropes Hill, Horning with a 1.5 storey dwelling on the same location within the site although with an extended footprint. In addition, the proposal sought to replace the existing metal piling and timber quayheading on a like-for-like basis, a widening of the mooring cut by 90cm and the removal of the slipway at the far end of the cut.

The PO indicated that the application was before the committee as the Ward member of the District Council had "called in" this application.

The presentation included location maps, a site map, two aerial photographs with the site marked, a view of the site as viewed from a vantage point Horning, photographs of the site from various vantage points in the neighbouring area, photographs of the neighbouring properties, the proposed site plan, a diagram depicting the proposed floor plans and a diagram depicting the proposed elevations.

The PO confirmed that no further consultations had been received since the report had been prepared.

In assessing the application, the PO addressed the key issues of the principle of development; the design and impact on the landscape; neighbour amenity; waste water flows to Horning Knackers Wood Water Recycling Centre (WRC) and flood risk.

In response to a question the PO confirmed that the application had been reviewed by the Authority's ecologist and that a Habitat Regulations Assessment was not applicable for this application.

A Member noted the reasons for the application being called in and the objection raised by the parish council and asked if these matters had been addressed. The PO confirmed that the design and scale of the building were consistent with Local Plan policy DM40 (Replacement Dwellings). In relation to overshadowing of neighbouring properties, the development sought to minimise this and there would be no overshadowing for most of the day and no objections had been received from neighbouring property owners.

Members were concerned about the proposed change of use from a holiday home or secondary home to a primary home and the resulting impacts to waste water flows to Horning Knackers Wood WRC. The PO indicated that the proposal was to replace a 1 bed unit with a 1 bed unit, confirmed that the 2003 Certificate of Lawful Use permitted the existing property to be occupied throughout the year, that there were no water efficiencies imposed on the existing use and that the conditioned water efficiencies for the replacement dwelling would, on balance, be an improvement.

Members were worried about enforcing the conditions relating to a one bed unit and water efficiencies. The PO confirmed that site inspections could be undertaken at any time with no prior warning, this monitoring would occur at least every four years and monitoring of similar conditions at other sites was undertaken by the Authority. The Development Manager (DM) indicated that the frequency of monitoring could be increased to annually or biennially. The DM added that any discrepancies from the agreed water measures would need to be rectified and explained the possible steps available to the Authority to address a breach of condition. To aid monitoring of the site it was agreed to condition the installation of a water meter.

Mrs Dawn Yates, the applicant, provided a statement referring to the design of the replacement dwelling being in character with the surrounding area adding that materials had been chosen to be consistent with other properties in the vicinity and consideration had been given to avoid overshadowing of neighbouring properties. Mrs Yates highlighted that none of the neighbours had objected to the application and that the proposed water usage was consistent with the 110 litres/person/day stipulated by the Broads Local Plan.

A Member asked for further detail regarding the water efficiency measures. The PO responded that the submitted measures totalled 108.9 litres/person/day and were conformant with Building Regulations. The Member asked if the water efficiency condition would apply to future owners of the property and the PO confirmed that this condition would apply in perpetuity.

A Member asked if the applicants had any historical information relating to the occupancy of the property. Mr Callum Yates, the applicant, responded that the property had been

unoccupied in recent years although there was anecdotal evidence to indicate that it had previously been occupied extensively during the summer and more generally throughout the year.

A Member asked if the application had included consideration for climate change mitigation and adaptation. Mr Yates responded that the materials had been chosen for their sustainability and steps had been taken to improve the energy and thermal efficiencies of the property.

Members believed the development was an enhancement to the area, however there were reservations regarding the resulting impacts to wastewater flows to the Horning Knackers Wood WRC. A Member believed the proposed change of use would result in an increase in waste water flows to the WRC and therefore they could not support the application. Other Members believed that the conditioned water efficiency measures would, on balance, result in an improvement to the existing situation.

Tony Grayling proposed, seconded by Martyn Hooton

It was resolved by 9 votes for, 1 against and 1 abstention that planning permission be granted subject to the following conditions:

- **Time limit**
- **In accordance with plans and documents**
- **In accordance with FRA, including Appendix A - Void Maintenance Plan**
- **Details of materials and large scale details of joinery**
- **Details of solar panels**
- **Provision of water measures**
- **Water consumption rate of no more than 110 litres/person/day**
- **Reuse of peat within 7 days and to be kept wet**
- **Sign up to Flood Warnings**
- **No additional sleeping accommodation (e.g. office)**
- **No external lighting without prior written permission**
- **Provision of two Summer Roost/ Nursery Bat boxes**
- **Provision of three Woodcrete Swallow nesting cups**
- **Removal of Permitted Development rights (Part 1 all relevant, and Part 2 Class A)**
- **Installation of a water meter**

Leslie Mogford joined the meeting.

8. Enforcement update

Members received an update report from the Development Manager (DM) on enforcement matters previously referred to the Committee. Further updates were provided at the meeting for:

Holly Lodge, Church Loke, Coltishall (Unauthorised replacement windows in listed building)

– The DM confirmed that the enforcement notice would be served imminently.

The meeting adjourned at 11:05am and reconvened at 11:10am.

9. Consultation Responses

The Planning Policy Officer (PPO) introduced the report, which documented the response to the Brownfield Passport: Making the Most of Urban Land issued by the Ministry of Housing, Communities and Local Government and the Broadland & South Norfolk Design Code produced by Broadland and South Norfolk Councils.

The PPO explained that the Brownfield Passport paper proposed to define criteria for brownfield development that would simplify the associated decision making process, discussed the wider use of Local Development Orders and the need to retain appropriate local oversight for these developments. The PPO acknowledged the aims of the criteria based approach, however these criteria could potentially conflict with the Broads Local Plan. Appendix 1 of the report detailed responses to the consultation questions and the PPO highlighted one facet of her response relating to the biodiversity of brownfield sites and the implications for Biodiversity Net Gain associated with their development.

Members supported the proposed response and asked if the response could be updated as follows:

- Request clarification regarding the terminology used in the paper and in particular what constitutes an urban area.
- Ask whether the proposals would take precedence over existing legal requirements such as Nutrient Neutrality.
- Clarify how these proposals would relate to protected landscapes
- Request a further consultation on a later iteration of this paper to enable a full assessment of potential impacts on the Broads Local Plan.

The PPO agreed to incorporate these items into the response and, given the consultation deadline, proposed updating the recommendation to enable the subsequent amendments to the Brownfield Passport consultation responses to be agreed by the Head of Planning and the Chair of the Planning Committee.

The PPO explained that the response to the Broadland & South Norfolk Design Code as well as seeking some clarifications had requested the inclusion of lighting.

Stephen Bolt proposed, seconded by Matthew Shardlow

It was resolved unanimously to endorse the nature of the proposed response to the Broadland & South Norfolk Design Code and, subject to subsequent changes being agreed by the Head of Planning and the Chair of the Planning Committee, the nature of the proposed response to the Brownfield Passport paper.

10. Local Plan - Preparing the Publication Version

The Planning Policy Officer (PPO) presented the report which included the Great Yarmouth Gypsy and Traveller Accommodation Assessment Addendum and Whole Local Plan Viability Appraisal. The PPO proposed to discuss each section of the report in turn and welcomed members' feedback.

Great Yarmouth Gypsy and Traveller Accommodation Assessment Addendum

The Great Yarmouth Gypsy and Traveller Accommodation Assessment (GTAA) incorporated two Local Planning Authority (LPA) areas, Great Yarmouth Borough and the Broads, and the outcomes of the GTAA had been delineated between these two discrete LPA areas. The PPO provided an overview of the report's findings in relation to the Broads.

Within the Broads area of Great Yarmouth, the current need was determined to be 22 pitches and the future need was 4 pitches. The PPO explained that to meet the current need the Authority was assessing aerial imagery of the Cobholm Island site and meeting with representatives on site. This work was ongoing and the Authority were continuing to work with Great Yarmouth Borough Council (GYBC). The future need would be addressed by the criteria stated in Local Plan policy DM45 (Gypsy, Traveller and Travelling Show People).

The PPO proposed to repeat the call for sites as part of the consultation on the Publication Version of the Local Plan.

In response to a question, the PPO confirmed that she was reviewing the situation with the help of consultants.

There was a discussion regarding the suitability of the Cobholm Island site in terms of relationship to different nearby land uses and the PPO reminded Members that this was not a permitted site and people had chosen to use this location.

Members were supportive of this work and thanked officers for their time and patience in this matter.

Leslie Mogford proposed, seconded by Gurpreet Padda

It was resolved unanimously to endorse the Great Yarmouth Gypsy and Traveller Accommodation Assessment Addendum as evidence for the Local Plan.

Whole Local Plan Viability Appraisal

The PPO explained that consultants had been engaged to ensure that Local Plan policies do not impact the viability of development within the Broads. The PPO explained some proposed changes to the Local Plan, detailed in section 3 of the report, which had resulted from the

viability assessment. The assessment had concluded that, even with the inclusion of Building Regulations standards for accessible and adaptable dwellings when site constraints allow and a 10% of affordable homes to be designed to be wheelchair accessible plus lower thresholds for off-site affordable housing schemes, there was remaining headroom to mitigate nutrient enrichment.

In response to a question the PPO confirmed that the thresholds for off-site affordable housing schemes was a monetary amount that reflected the policies and thresholds and standards of the relevant district council as Housing Authority. The Broads Authority was not a housing authority and as such would liaise with neighbouring Local Planning Authorities to achieve the resulting contributions.

Harry Blathwayt proposed, seconded by Andrée Gee

It was resolved unanimously to endorse the Whole Local Plan Viability Appraisal as evidence for the Local Plan.

Harry Blathwayt proposed, seconded by Andrée Gee

It was resolved unanimously to endorse:

- **the amendment to the Local Plan to include the lower thresholds for off-site affordable housing schemes: Brownfield schemes located on the waterfront: 3-9 dwellings, Other brownfield schemes: 5-9 dwellings and Greenfield schemes: 3-9 dwellings.**
- **the amendment to the Local Plan to include Building Regulations M4(2) standard (accessible and adaptable dwellings) when site constraints allow**
- **the amendment to the Local Plan to include Building Regulations M4(3) standard (10% of affordable housing designed to be wheelchair accessible)**

11. Local Plan for the Broads Publication Version - Agreeing to consult

The Planning Policy Officer (PPO) presented the report which contained the Publication version of the Local Plan ready for consultation, the supporting consultation material (Sustainability Appraisal and Habitats Regulation Assessment), the proposed consultation approach and, acknowledging that a revised National Planning Policy Framework (NPPF) may be published before the Local Plan consultation, some likely scenarios to clarify the circumstances under which the consultation could or could not proceed. Since the report was published the PPO had updated the policy DM21 (Renewable and low carbon energy). The PPO proposed to discuss updated policy DM21 and each section of the report.

Updated policy DM21 (Renewable and low carbon energy)

The PPO presented a summary of the changes made to the Renewable and low carbon energy policy and indicated that the draft policy would be circulated to Members for comment. The updates included:

- The satisfactory decommissioning of renewable energy infrastructure when it had ceased operation
- The possible impacts of renewable energy infrastructure on birds and bats and to take action to avoid or mitigate these impacts
- The inclusion of micro wind turbines (0-15m in height) and associated references to the relevant Local Plan policies to avoid or reduce their impact on the landscape and nature.

A Member asked if the impact on peat soils when locating renewable energy infrastructure had been considered. The Member added that pale coloured turbines attracted moths which in turn attracted other species that preyed on moths which were then in danger of being harmed by the turbine. The PPO acknowledged that the policy had no reference to these topics and she agreed to liaise with the Authority's Environment Policy Adviser to determine how to include them in the policy.

Habitats Regulations Assessment and Sustainability Appraisal.

The PPO indicated that the Habitats Regulation Assessment (HRA) was an assessment of the Local Plan policies with respect to their potential impacts on protected habitat sites which concluded that the Local Plan was acceptable.

The Sustainability Appraisal (SA) was a form of assessment that considered the social, environmental and economic effects of implementing a particular plan or planning policy document and was broadly supportive of the Local Plan.

The PPO indicated that the HRA consultants had attempted to clarify Natural England's feedback, during the Preferred Options consultation, regarding increased traffic and air pollution however Natural England had not provided a response. The PPO confirmed that air pollution was addressed in the Local Plan through a specific policy (Pollution and Hazards in Development and Protecting Environmental Quality policy) and in general through the promotion of sustainable transport.

Timeline

The PPO provided an overview of the delivery of a new version of the NPPF, its possible impacts on the previously agreed plan-making system transitional arrangements (as detailed in the Levelling-up and Regeneration Act 2023) and three possible scenarios for progressing the Local Plan depending on the timing of the new NPPF and the scale and complexity of the changes (as per section 6 of the report).

The PPO confirmed the intention was, if possible, to submit the Local Plan for examination before the end of June 2025 to meet previously agreed new plan-making system transitional arrangements. To meet this deadline there would be an 8 week consultation period from 14 February 2025 which then provided a six week period to review and respond to the consultation responses.

A Member asked what would happen if the new NPPF was delivered while the Local Plan was being examined and it proved to be substantially different. The PPO believed that it was very unlikely that the new NPPF would be significantly different especially in relation to protected landscapes. The Authority had previous experience of this situation as the current Local Plan was being assessed when a new version of the NPPF was delivered in 2019. There was no reason to believe that the quality of the Local Plan would be compromised under these circumstances and the PPO pointed to the Authority's recent history of appeals being dismissed as indicative of this quality.

The PPO indicated that officers were proposing that the recommendations in the report be rationalised by combining the three NPPF scenarios into one recommendation and then replacing the final catch-all recommendation to the Broads Authority by incorporating a discrete "recommend to the Broads Authority" element into each of the remaining recommendations.

Members supported the report and thanked the PPO for her hard work in preparing the Publication version of the Local Plan.

Harry Blathwayt proposed, seconded by Leslie Mogford

It was resolved unanimously to endorse:

- **The Local Plan for the Broads, Habitats Regulations Assessment and Sustainability Appraisal for consultation and recommend to the Broads Authority to do the same.**
- **The consultation approach and recommend to the Broads Authority to do the same.**
- **To endorse the three proposed NPPF scenarios and recommend to the Broads Authority to do the same.**

12. Broads Authority Design Guide and Code

The Historic Environment Manager (HEM) presented the report on the Broads Authority's Design Guide and Code. The HEM provided the background of the Design Guide (section 1 of the report) and outlined the progress made on this document since it was brought to Planning Committee on 24 June 2022 (section 2 of the report).

Since the report was published the HEM explained that more information had become available that implied the Design Guide and Code could be treated as a Supplementary Planning Document (SPD) rather than within the Local Plan (as stated in section 3 of the report). The use of an SPD would be beneficial for a number of reasons: firstly, it bypassed the need to be included in the Local Plan examination and therefore would be available for use in a timely fashion (six months rather than upwards of 18 months). Secondly, the ongoing maintenance of an SPD was more flexible. Finally, a standalone SPD would be easier to use and its exclusion from the Local Plan would reduce the size of that document.

A Member asked whether the use of an SPD for the Design Guide rather than its inclusion within the Local Plan would impact its importance and whether SPDs were still to be

decommissioned as part of ongoing planning system changes. The HEM confirmed that the SPD would carry the same weight as the Local Plan. Regarding the discontinuation of SPDs, the HEM confirmed this was still intended to occur however the deadline had been extended and their use would be permitted for a good number of years.

In response to a question the HEM confirmed that the consultation on the Design Guide was no longer tied to the Local Plan consultation and it might be preferable to consult separately.

Fran Whymark proposed, seconded by Martyn Hooton

It was resolved unanimously to endorse and recommend the Design Guide and Code to the Broads Authority for public consultation.

13. Circular 28/83 Publication by Local Authorities of information about the handling of planning applications – Q3 (1 July to 30 September 2024)

The Head of Planning (HoP) introduced the report, which provided the development control statistics for the quarter ending 30 June 2024. The HoP highlighted paragraph 1.2 which demonstrated that the department achieved 100% in relation to targets met and was performing well.

The report was noted.

14. Appeals to the Secretary of State

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

15. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 30 September 2024 to 25 October 2024 and any Tree Preservation Orders confirmed within this period.

16. Date of next meeting

The next meeting of the Planning Committee would be on Friday 06 December 2024 10.00am at The King's Centre, 63-75 King Street, Norwich.

The meeting ended at 12:30pm.

Signed by

Chair

Planning Committee

06 December 2024

Agenda item number 7.1

BA/2024/0245/FUL- Carlton Marshes Visitors Centre, Burnt Hill Lane, Carlton Colville

Report by Assistant Planning Officer

Proposal

Installation of 3 no. electric cycle charging boxes

Applicant

Broads Authority

Recommendation

Approve subject to Conditions

Reason for referral to committee

Broads Authority development

Application target date

13 December 2024

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1. Description of site and proposals

- 1.1. The visitor centre and car park serve the Carlton Marshes Nature Reserve, which is located to the north of the centre. Carlton Marshes lies within the Waveney Valley at the southern edge of the Norfolk Broads and forms part of the Suffolk Broads. The reserve is a rich mosaic of habitats, including grazing marshes, fens, peat pools, short fen meadow, tall fen (referred to as 'tall litter fen'), dykes, pools, and scrub. These habitats, mostly man-made, have evolved through centuries of traditional land management and are now home to a diverse range of specialized wildlife.
- 1.2. In 2019, the National Lottery Heritage Fund contributed over £4 million to the vision of expanding the reserve, which aims to create 1,000 acres of wildland. This funding was matched by donations from Suffolk Wildlife Trust supporters and donors. The visitor centre and its associated facilities are an integral part of this ongoing conservation effort, which is focused on preserving and enhancing the natural heritage of the area.
- 1.3. The site is an area of land located on the existing car park that serves the Suffolk Wildlife Trust's Carlton Marshes Visitor Centre. The area to the north of the car park currently contains a timber-clad enclosure, while the southern area is an open grassland, positioned immediately to the west of the access driveway leading from the public highway to the car park. The site is situated at the northern end of Burnt Hill Lane, on the west side of the road, with residential properties located to the east.

2. Site history

- 2.1. BA/1986/6061/HISTAP - Conversion of barn for field study centre – Approved
- 2.2. BA/1992/5256/HISTAP - Non-illuminated information panel – Approved
- 2.3. BA/1996/6065/HISTAP - Single storey extension and alterations- Refused
- 2.4. BA/1996/6067/HISTAP - Alterations and extension to visitors' centre – Approved
- 2.5. BA/1999/5257/HISTAP - Non-illuminated hanging sign – Approved
- 2.6. BA/2008/0179/FUL - Construction of an easy access path on an existing public footpath to complete an easy access route linking the Suffolk Wildlife Trust Nature Reserve at Carlton Marshes to Nicholas Everitt Park at Oulton Broad - Approved

- 2.7. BA/2008/0303/FUL - Installation of a Solar panel (hot water, solar thermal) – Approved
- 2.8. BA/2011/0335/FUL - Installation of roof mounted solar PV - Approved
- 2.9. BA/2017/0405/FUL - Visitor centre building with viewing deck and outdoor play area, including a shop and cafe, and short-term living accommodation for interns working with the Trust. Parking area with access from Burnt Hill Lane. Change of use of education centre to dwelling and conversion of car park to part domestic garden and carparking associated with new dwelling, remainder reverting to agricultural land. – Approved

3. Consultations received

Parish Council

- 3.1. No response received.

BA Landscape Officer

- 3.2. Good consideration has been given to the location of the charge points within the existing carpark. They support a sustainable alternative to cars. The palette states ‘dark brown wood grain finish’. The colour is suitable to match the existing visitor centre. I would like further information on the composite material used for the walls, in terms of quality and sustainability. For example, natural wood would be preferable; sustainable, recycled materials would be a reasonable alternative. UPVC would not be a suitable material due to issues of sustainability and appearance. Otherwise, no objections from a landscape perspective.

BA Historic Environment Manager

- 3.3. While the principle is supported, I require some clarification in order to comment fully. I have taken a look through the application, and we will need a bit more information to clarify exactly where they will be positioned. We have a photograph but a plan showing its location and orientation, or alternatively a marked-up photo, preferably to scale or with a tape measure / string showing the dimensions. We also have a plan showing ‘dimensions of a power pod’, which I understand to be a single charging station. It is stated on the application form that there will be three together to make a single construction. Please could we have information to show this configuration. We need to be sure exactly what is proposed. I would also re-iterate the Landscape Officer's comments on the cladding proposed - a timber to match the existing cladding on the main building would be preferred.
- 3.4. Further to our site visits at Salhouse Broad and Carlton Marshes Visitor Centre I can confirm the following: In order to fully understand the proposal and its context it would be useful to have more background information to the project. Our preference would still be for timber cladding, which would give a higher quality finish and help the ‘pods’ to blend into the landscape. If this is not possible due to security of the units, the mid brown colour for Carlton Marshes would on balance be acceptable and the dark brown-black colour acceptable for Salhouse. It would be useful to have some more information

on the design and why the pods have been designed as they have. There are concerns regarding the size of the units, in particular the width at 2.7m and the height at 1.6m, which will make the units very large and prominent – particularly at the Carlton Marshes site. Is there any scope to reduce these dimensions? In particular the 1.6m height is taller than most bikes but not tall enough for users to enter and so it would be useful to know why the unit needs to be that tall. Could the width be reduced by reducing the number of charging points? Can we have information on the black frame? What material will that be? How will the structure and charging point be maintained? Will this be on an ongoing basis? One of the images provided shows the ‘Power pod with sign placement’. Will there be a sign on the door and what will the design of this sign be and what material will it be made from? Will the door of each pod (e.g. all 3) have a sign?

- 3.5. In terms of the material, I agree with the Landscape Officer and the Heritage Planning Officer that a natural timber cladding to the pods would be preferable. However, I appreciate the points made by the applicant regarding security, given the use of the pods. I think it is also the case that as a non-traditional structure a composite would in principle be more acceptable. The proposed composite cladding is made from wood and recycled material which is positive. I understand the mid-brown sample is proposed for this location in order to match as closely as possible the brown timber cladding on the visitor centre. I do have some concerns regarding the visual appearance of this sample. Although I would normally encourage consistency, in this instance the ‘wood effect’ pattern on the mid-brown sample is unrealistic and as such I would suggest that the darker colour be used. Although it will not match the visitor centre as closely in colour, the darker colour has a better finish and should also mean it is more visually recessive.
- 3.6. No objection to the amended plans.

Suffolk County Council Highways

- 3.7. Notice is hereby given that the County Council as Highways Authority does not wish to restrict the grant of permission due to the application not having a detrimental effect on the adopted highway.

4. Representations

- 4.1. Broads Society – supports.

5. Policies

- 5.1. The adopted development plan policies for the area are set out in the [Local Plan for the Broads](#) (adopted 2019).
- 5.2. The following policies were used in the determination of the application:
- DM11 – Heritage Assets

- DM15 – Renewable Energy
- DM16 – Development & Landscape
- DM21 – Amenity
- DM29 – Sustainable tourism and recreation development
- DM43 – Design

6. Assessment

- 6.1. The main issues to be considered include the principle of the development, the impacts on neighbouring amenity, the landscape and the design of the proposed development. This report will also include an assessment of the potential tourism and recreation improvements, along with the renewable energy benefits.

Principle of development

- 6.2. The installation of electric bike charging pods aligns with the Broads Authority's commitment to promoting sustainable transport options and reducing carbon emissions in the region. Given the increase in the use of electric cycles, particularly on rural routes within the Broads, the provision of these charging facilities supports an evolving industry that encourages environmentally friendly travel alternatives.
- 6.3. The Local Plan places an emphasis on enhancing sustainable infrastructure that minimises ecological impact while promoting tourism and accessibility within the area. The charging pods would enable cyclists to extend their journeys, thereby increasing accessibility to the Broads' natural and cultural attractions, without reliance on motor vehicles. This provision aligns with the Authority's sustainability objectives by reducing fossil fuel dependency and supporting eco-tourism initiatives.
- 6.4. Furthermore, the installation of electric bike charging pods is consistent with policies that encourage alternative modes of transportation, particularly those that are low in environmental impact. By enabling longer journeys, these facilities contribute to the region's sustainable tourism objectives and provide additional utility for both residents and visitors. The principle of this development is therefore considered acceptable.

Design and Heritage Assets

- 6.5. Policy DM43 states that all development will be expected to be of a high design quality and should integrate effectively with its surroundings, reinforce local distinctiveness, and landscape character and preserve or enhance cultural heritage. Policy SP5 states that the historic environment of the Broads will be protected and enhanced. Policy DM11 continues this and states that all development will be expected to protect, preserve, or enhance the significance and setting of historic, cultural and architectural heritage assets and elements of the wider historic environment that give the Broads its distinctive character. The pods themselves are reasonably large in size, and this is for a practical purpose to allow an electric cycle inside and remain locked up and safe.

- 6.6. The material pallet has been reviewed in detail to ensure it is appropriate. Originally, it was requested that the cladding material be natural timber; to retain a soft, natural appearance. Following this request, a fire safety test was carried out and details of this were provided. There are numerous reports of electric cycles catching fire during charging, the structural components of the pods must therefore be able to withstand a fire if this was to occur. The fire safety results demonstrated that the plastic mock timber cladding was able to contain fire significantly more than timber cladding. The timber cladding could catch fire and potentially cause the fire to spread. The plastic cladding is non-flammable, meaning that the fire would not spread beyond the unit. Whilst the plastic mock timber cladding does not retain the natural, soft appearance of genuine timber, the benefits of fire safety outweigh the harmful impacts caused by the plastic cladding and the material has been considered acceptable.
- 6.7. The cladding is proposed in a brown colour to match the cladding on the visitor centre and, after discussion of other colours on site it is considered unacceptable.
- 6.8. The roof of the pods is to be a slight curved solar panel, and this will provide additional power to the running of the pod. This will improve the environmental credentials of the pods and reduce the carbon footprint of the pod. This is a modern design element, however as the units are functional units, it is considered appropriate in this case. The pods will be placed on a type 1 surface and fixed into the ground. There will be a door using the same materials on the front that can be locked to keep the bike safe inside whilst charging.
- 6.9. The location has been reviewed throughout the application process. The proposed location was next to the existing cycle racks however, as you enter the car park, you would see the pods and this location would interfere with the view of the centre. Following consultation with the manager of Carlton Marshes Visitor Centre, a revised location was agreed, on the north-west side of the carpark, next to the existing timber clad shipping container. In this location the pods read as part of the existing works area and do not impact on the views of the centre. The Carlton Marshes Visitor Centre is a non-designated heritage asset which means that it needs to be protected. The pods are a modern form of development however, they are some distance from the centre. Following this amendment, it is not considered that the pods will have a negative impact on the heritage asset and is considered acceptable in terms of Policy DM43 and Policy DM11.

Amenity

- 6.10. Policy DM21 requires that all new development must ensure a satisfactory level of amenity for occupiers and users. In addition, development will not be permitted if it would result in an unacceptable impact on the amenity of existing or future neighbouring properties or uses. In this case, the proposed pods are situated in a corner of the car park, screened by a timber clad shipping container, and an earth bank with a back drop of trees. While the pods will be visible from the road and the public car park, they are at a sufficient distance to mitigate visual impact. The proximity of

adjacent footpaths also ensures safe, convenient access to the pods. Accordingly, the proposal is considered to comply with Policy DM21 – Amenity.

Renewable Energy

- 6.11. Policy DM15 supports renewable energy technology. The proposed cycle charging pods are minor in scale compared to traditional renewable energy developments like solar farms or wind turbines. Located within the car park, they align with the policy's preference for utilising previously developed sites. This location minimises the visual impact on the distinctive landscape and preserves the recreational experience of the Broads. The pods will not require extensive ancillary infrastructure like power lines or storage buildings, which the policy stipulates should be evaluated in proposals. Since these pods are compact and do not interfere with sensitive biodiversity areas or cultural heritage, they do not compromise the Broads' environmental or visual character. Given the pods' scale and location, they meet the intentions of DM15 by supporting renewable energy infrastructure without altering the landscape's distinctive qualities.

Sustainable Tourism and Recreation Development

- 6.12. Policy DM29 deals with sustainable tourism and recreation development, and consideration must be given to both the locational and design principles laid out in the policy. The proposed pods are sited within an existing car park associated with a visitor attraction. This aligns with criterion (ii) of the policy, which supports development that is closely associated with existing visitor sites. Additionally, the pods offer sustainable access, being specifically intended to support cyclists, which aligns with the policy's requirement that developments be accessible by sustainable means of transport. The charging pods meet several key principles for sustainable development: Given the compact size of the pods and their siting within an established car park, they are unlikely to create significant additional demand on the highway network. There is also sufficient existing parking for both cars and cycles, meeting criteria (vi) and (vii).
- 6.13. The placement of the pods does not impact dark skies, as they do not include bright lighting, and they are carefully sited to avoid harm to the landscape character or local wildlife habitats. By supporting eco-friendly transportation, the pods also contribute positively to the area's environmental quality, aligning with criterion (viii).
- 6.14. The design and scale of the pods are appropriate to their setting, aligning with criterion (ix). They are small, non-intrusive structures that do not affect navigation or the open nature of the surrounding landscape, meeting the requirement for compatibility with local character.
- 6.15. The installation of the pods is compatible with the objectives and detailed requirements of Policy DM29. Their location within an existing car park and their support for sustainable tourism enhance accessibility for cyclists without detracting from the unique qualities of the Broads landscape.

Landscape

- 6.16. The proposed pods are small in scale, appropriately sited within a car park bordered by a shipping container clad in timber, and an earth bank. This layout effectively conserves the local landscape, as the pods are positioned to minimize visibility from surrounding areas, preserving the overall visual experience and the traditional, open character of the Broads landscape. Additionally, the car park is a public space where traffic and cyclists moving are a common sight. The Broads Authority Landscape Officer raised no objections to the proposals and it is considered that the application is acceptable in terms of Policy DM16 – Development and Landscape.

Other issues

- 6.17. The installation of electric cycle charging pods represents a positive step forward in supporting sustainable transportation options within the Broads. As an evolving industry, electric cycle charging infrastructure is becoming increasingly important for promoting eco-friendly travel. Intelligen has outlined plans to expand this network, installing additional charging pods in sites across the Broads network and beyond, which would enhance accessibility for cyclists and encourage a shift toward greener forms of transport in the area. The installation of these pods in the current location is a sensible and forward-thinking measure that aligns with the Authority's sustainable tourism objectives and broader environmental goals. Given this context, the installation of these pods is considered acceptable.

7. Conclusion

- 7.1. In conclusion, the proposed electric cycle charging pods have been assessed against policies DM15 (Renewable Energy), DM16 (Landscape), DM21 (Amenity), and DM43 (Design). The pods are strategically located within an existing car park. This siting minimises their impact on both the landscape and visual amenity, ensuring compatibility with the key landscape characteristics of the Broads as outlined in Policy DM16. The design is in keeping with the area's character, meeting the high-quality design expectations set out in Policy DM43 and ensuring the development respects the traditional features of the landscape.
- 7.2. The sustainable nature of the pods supports the broader environmental goals of the Broads Local Plan, contributing positively to tourism infrastructure while encouraging eco-friendly transport options. The proposals are therefore considered acceptable.

8. Recommendation

8.1. Approved subject to conditions:

1. Three Year timeframe for commencement
2. In accordance with the approved plans and material details
3. Prior to installation, all external materials to be confirmed

9. Reason for recommendation

- 9.1. The placement of three electric cycle charging pods in the north-west corner of the Carlton Marshes Visitor Centre carpark is in accordance with NPPF guidance and Policy DM11, DM15, DM16, DM21, DM29, DM43 of the Local Plan for the Broads and is considered acceptable.

Author: Callum Sculfor

Date of report: 01 November 2024

Appendix 1 – [Location map](#)

Appendix 1 – Location map

BA/2024/0245/FUL - Carlton Marshes Visitors Centre, Burnt Hill, Carlton Colville



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Planning Committee

06 December 2024

Agenda item number 7.2

BA/2024/0246/FUL- Salhouse Broad, Lower Street, Salhouse

Report by Assistant Planning Officer

Proposal

Installation of 3 no. electric cycle charging boxes

Applicant

Broads Authority

Recommendation

Approve Subject to Conditions

Reason for referral to committee

Broads Authority development

Application target date

13 December 2024

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1. Description of site and proposals

- 1.1. The application site is adjacent to Salhouse Broad which is privately owned and managed. Salhouse Broad contains reedbed, wetland, woodland and the Broad itself. This Broad is unique in that majority of the Broads were man made, dug for peat soils, however, Salhouse Broad was excavated for its gravel. As described in the Broads Authority Salhouse Conservation Character Statement (2013) “The eastern fringe especially, contains many mature trees surrounding the footpath to the Broad, which is both well used and maintained and is a delightful pathway to and from the water’s edge. This footpath through mature mixed woodland is significant as it is the main approach into the village for holiday makers mooring on Salhouse Broad.” It also notes that “Salhouse Broad is privately owned and from its southern bank, a lower area bordering the water itself, the ground rises up to heath-like land at higher level. There are seats and some information about the Broad and local wildlife on display and the whole provides a pleasant recreational area for visitors and residents.”
- 1.2. The application site is currently a vacant grass area, which sits west of the main footpath and immediately adjacent to the darker skies viewing platform which was granted consent in 2022. Behind the application site to the north is a wooded area.
- 1.3. The site is located within the Salhouse Conservation Area.

2. Site history

- 2.1. BA/1985/8031/HISTAP - Construction of quay heading – Approved
- 2.2. BA/1992/4750/HISTAP - Alder pole piling – Approved
- 2.3. BA/1995/4488/HISTAP - Construction of boardwalk and installation of bank protection – Approved
- 2.4. BA/2007/0284/FUL - Repair work and replacement of quay heading – Approved
- 2.5. BA/2011/0410/SCREEN - Screening opinion in relation to an environmental impact assessment for the project related works of Salhouse Spit Restoration, Phase 1 – EIA Not required.

- 2.6. BA/2012/0077/SCREEN - Screening opinion in relation to an Environmental Impact Assessment for the project related works of Salhouse Spit Restoration, Revised Proposal Phases 1 and 2 combined – EIA Not required.
- 2.7. BA/2012/0086/FUL - Restoration of spit using newly created reed bed – Approved
- 2.8. BA/2015/0366/FUL - Replacement of timber quay heading with 3-4m corrugated steel sheet quay heading. – Approved
- 2.9. BA/2020/0365/FUL - Erection of children's play equipment – Approved
- 2.10. BA/2021/0414/FUL - for Extension to car park & improvements to cycle parking – Approved
- 2.11. BA/2022/0323/FUL - Hard standing including viewing platform, 3 information boards, 1 information column, 1 map plinth, 1 bench & a telescope pier area – Approved

3. Consultations received

Parish Council

- 3.1. No response received.

BA Landscape Officer

- 3.2. Good consideration has been given to the location of the charge points in the corner of an existing car park and will provide improved access to the existing dark sky pod feature. They support a sustainable alternative to cars. Whilst the materials palette states 'natural wood/wood grain finish', it appears from the image that this may be a composite material rather than wood itself. An artificial material will not weather in the same way as the existing dark sky pod and therefore may not blend in as well as wood. Natural wood would be preferable. Sustainable, recycled materials would be a reasonable alternative. UPVC would not be a suitable material due to issues of sustainability and appearance. Otherwise, I have no objections from a landscape perspective.

BA Historic Environment Manager

- 3.3. On balance it is considered that the proposed location for the charging pod is acceptable. I initially had some concerns as this area is starting to look rather visually cluttered. However, it does provide useful facilities and is largely screened from the wider area due to the tree belts around it and so some of the potential harm is mitigated. In terms of the material, I agree with the Landscape Officer that a natural timber cladding to the pods would be preferable. However, I appreciate the points made by the applicant regarding security, given the use of the pods. I think it is also the case that as a non-traditional structure a composite would in principle be more acceptable. The proposed composite cladding is made from wood and recycled material, which is positive, but I do have some concerns regarding the visual appearance of the lighter sample which I understand is proposed for this location in order that there is some consistency in colour with the Dark Skies platform. Although I

would normally encourage uniformity, I think in this instance the ‘wood effect’ pattern on the lighter sample is unrealistic and as such I would suggest that the darker colour be used. Although it will not match the Dark Skies platform as closely, the darker colour should also mean it is more visually recessive, and it should match more closely picnic tables in the area.

3.4. Re-consultation on amended details; no objection.

4. Representations

4.1. Broads Society - Supports

4.2. Third party - I am very much against this application. Your photograph is taken at Salhouse Broad next to the Existing Dark Sky Platform. In a conservation area. The footpath to Salhouse Broad has always been a footpath only, bicycles are not allowed, there is currently a bicycle park at the entrance to the footpath. By allowing electric cycles to use the footpath you will be encouraging everyone to cycle down the footpath to Salhouse Broad. This will include adults and children, BMX & Mountain bikes who will feel that that they can then cycle through the woodland area and make it into a cycle track / BMX hill. If you wish to install cycle charging boxes then I suggest that you install them in the car park and not encourage any kind of cycling down to the broad.

5. Policies

5.1. The adopted development plan policies for the area are set out in the [Local Plan for the Broads](#) (adopted 2019).

5.2. The following policies were used in the determination of the application:

- DM11 – Heritage Assets
- DM15 – Renewable Energy
- DM16 – Development & Landscape
- DM21 – Amenity
- DM29 – Sustainable tourism and recreation development
- DM43 – Design

6. Assessment

6.1. In terms of the assessment of this application the main issues to be considered include the principle of the development and the impacts on neighbouring amenity, the landscape and the design of the proposed development. This report includes an assessment of the potential tourism and recreation improvements, along with the renewable energy benefits.

Principle of development

- 6.2. The installation of electric bike charging pods aligns with the Broads Authority's commitment to promoting sustainable transport options and reducing carbon emissions in the region. Given the increase in the use of electric cycles, particularly on rural routes within the Broads, the provision of these charging facilities supports an evolving industry that encourages environmentally friendly travel alternatives.
- 6.3. The Local Plan places an emphasis on enhancing sustainable infrastructure that minimises ecological impact while promoting tourism and accessibility within the area. The charging pods would enable cyclists to extend their journeys, thereby increasing accessibility to the Broads' natural and cultural attractions, without reliance on motor vehicles. This provision aligns with the Authority's sustainability objectives by reducing fossil fuel dependency and supporting eco-tourism initiatives.
- 6.4. Furthermore, the installation of electric bike charging pods is consistent with policies that encourage alternative modes of transportation, particularly those that are low in environmental impact. By enabling longer journeys, these facilities contribute to the region's sustainable tourism objectives and provide additional utility for both residents and visitors. The principle of this development is therefore considered acceptable.

Design and Heritage Assets

- 6.5. Policy DM43 states that all development will be expected to be of a high design quality and should integrate effectively with its surroundings, reinforce local distinctiveness, and landscape character and preserve or enhance cultural heritage. Policy SP5 states that the historic environment of the Broads will be protected and enhanced. Policy DM11 also states that all development will be expected to protect, preserve, or enhance the significance and setting of historic, cultural and architectural heritage assets and elements of the wider historic environment that give the Broads its distinctive character. The pods themselves are reasonably large in size; however, this is in order to allow an electric cycle inside and remain locked up and safe.
- 6.6. The materials have been reviewed in detail to ensure they are appropriate. Originally, it was requested that the cladding material be natural timber; to retain a soft, natural appearance. Following this request, a fire safety test was carried out and details of this were provided. There are numerous reports of electric cycles catching fire during charging, given the purpose of the pods, the structural components must be able to withstand a fire if this was to occur. The fire safety results demonstrated that the plastic mock timber cladding was able to contain fire significantly more than timber cladding. The timber cladding could catch fire and potentially cause the fire to spread. The plastic cladding is non-flammable, meaning that the fire would not spread beyond the unit. Whilst the plastic mock timber cladding does not retain the natural, soft appearance of genuine timber, the benefits of fire safety outweigh the harmful impacts caused by the plastic and the material is acceptable.

- 6.7. The roof of the pods is to be a slight curved solar panel, and this will provide additional power to the running of the pod. This will improve the environmental credentials of the pods and reduce the carbon footprint of the pod. This is a modern design element, however as the units are functional units, it is considered appropriate in this case. The pods will be placed on a type 1 surface and fixed into the ground. There will be a door using the same materials on the front that can be locked to keep the bike safe inside while charging.
- 6.8. The site lies within the Salhouse Conservation Area, and the Heritage Asset policy is relevant for any proposed development in this location. The proposed electric cycle charging pods are to be positioned adjacent to the dark skies platform, which was installed in 2022. This site is a grassed area bordered by dense woodland, and the land slopes steeply down towards the broad, with the woodland providing effective screening from the water. A footpath runs alongside the site, frequently used by walkers and cyclists, and is bordered by hedging facing the proposed location of the pods.
- 6.9. The pods are designed to be unobtrusive, and their placement will not negatively impact on the character or visual amenity of the conservation area. The thick woodland and existing hedging provide natural screening, and their low profile ensures that they will not disrupt the setting of the dark skies platform or the broader heritage context of the area. Given the careful siting and the fact that no significant heritage assets are impacted, the proposal is considered to be acceptable in terms of Policy DM11 and will not detract from the historical or cultural value of Salhouse Broad or its surroundings.

Amenity

- 6.10. The proposed charging pods are intended to enhance sustainable transportation options at Salhouse Broad, providing a valuable amenity for cyclists and walkers. Located near the dark skies platform, the pods are positioned in an area that is frequently used for recreational purposes, ensuring that they serve the needs of local users without disrupting their experience.
- 6.11. The pods are designed with a minimalistic, unobtrusive aesthetic, ensuring that they blend into the environment without negatively affecting the enjoyment of the site. Their placement near the existing footpath ensures easy access, supporting the amenity of users without creating any additional barriers or inconvenience.
- 6.12. The proposed electric cycle charging pods at Salhouse Broad comply with Policy DM21, as they provide a valuable amenity for users without adversely affecting the amenity of any neighbouring properties or the natural surroundings. The design and location of the pods ensure that they blend into the environment, and they will enhance, rather than disrupt, the experience for visitors. Therefore, the proposal is considered to be acceptable in terms of amenity impact.

Renewable Energy

- 6.13. The proposed cycle charging pods are minor in scale compared to traditional renewable energy developments like solar farms or wind turbines. Located within the car park, they align with the policy's preference for utilising previously developed sites. This location minimises the visual impact on the distinctive landscape and preserves the recreational experience of the Broads. The pods will not require extensive ancillary infrastructure like power lines or storage buildings, which the policy stipulates should be evaluated in proposals. Since these pods are compact and do not interfere with sensitive biodiversity areas or cultural heritage, they are unlikely to compromise the Broads' environmental or visual character. Given the pods' scale and location, they meet the intentions of DM15 by supporting renewable energy infrastructure without altering the landscape's distinctive qualities.

Sustainable Tourism and Recreation Development

- 6.14. Policy DM29 deals with sustainable tourism and recreation development, and consideration can be given to both the locational and design principles laid out in the policy. The proposed pods are sited within a grassed area, away from the broad itself, next to the darker skies platform which is an associated visitor attraction. This aligns with criterion (ii) of the policy, which supports development that is closely associated with existing visitor sites. Additionally, the pods offer sustainable access, being specifically intended to support cyclists, which aligns with the policy's requirement that developments be accessible by sustainable means of transport. The charging pods meet several key principles for sustainable development. Given the compact size of the pods and their siting within an established area, they will not create significant additional demand on the highway network.
- 6.15. The placement of the pods does not impact dark skies, as they do not include bright lighting, and they are carefully sited to avoid harm to the landscape character or local wildlife habitats. By supporting eco-friendly transportation, the pods also contribute positively to the area's environmental quality, aligning with criterion (viii).
- 6.16. The design and scale of the pods are appropriate to their setting, aligning with criterion (ix). They are small, non-intrusive structures that do not affect navigation or the open nature of the surrounding landscape, meeting the requirement for compatibility with local character.
- 6.17. The installation of the pods is compatible with the objectives and detailed requirements of Policy DM29. Their location within an existing tourist area and their support for sustainable tourism enhance accessibility for cyclists without detracting from the unique qualities of the Broads landscape.

Landscape

- 6.18. The placement of the pods will not significantly alter or disrupt the visual landscape. The existing woodland and hedging will effectively screen the pods from view from the

broad and the surrounding area, ensuring that the landscape's key characteristics are preserved. The pods are designed to be low-profile and unobtrusive, minimizing their visual impact on the broader landscape. The proposed development respects the natural features of the site, including the woodland and hedging, by utilising these existing elements to shield the pods from the broader landscape. This approach aligns with the policy's requirement to conserve and enhance the landscape's character. The proposals are in accordance with Policy DM16 – Development and Landscape.

Other issues

- 6.19. The installation of electric cycle charging pods represents a positive step forward in supporting sustainable transportation options within the Broads. As an evolving industry, electric cycle charging infrastructure is becoming increasingly important for promoting eco-friendly travel. Intelligen has outlined plans to expand this network, installing additional charging pods in sites across the Broads network and beyond, which would enhance accessibility for cyclists and encourage a shift toward greener forms of transport in the area. The installation of these pods in the current location is a sensible and forward-thinking measure that aligns with the Authority's sustainable tourism objectives and broader environmental goals. Given this context, the installation of these pods is considered acceptable.
- 6.20. An objection has been received from a local resident, raising concerns for the footpaths being used by electric cycles. While it is appreciated that an increase in traffic from cycles will occur, the paths are wide enough to accommodate this. The footpaths have been used for cycles before this proposal and have been allowed full access. This application does not change the existing arrangements.

7. Conclusion

- 7.1. In conclusion, the proposed electric cycle charging pods have been assessed against policies DM15 (Renewable Energy), DM16 (Landscape), DM21 (Amenity), and DM43 (Design). The pods are strategically located in a grassed flat area, with mature hedges and a dense woodland providing natural screening. This siting minimises their impact on both the landscape and visual amenity, ensuring compatibility with the key landscape characteristics of the Broads as outlined in Policy DM16. The design is in keeping with the area's character, meeting the high-quality design expectations set out in Policy DM43 and ensuring the development respects the traditional features of the landscape.
- 7.2. The sustainable nature of the pods supports the broader environmental goals of the Broads Local Plan, contributing positively to tourism infrastructure while encouraging eco-friendly transport options. The application is therefore considered acceptable.

8. Recommendation

8.1. Approved subject to conditions:

1. Three Year timeframe for commencement
2. In accordance with the approved plans and material details
3. Prior to installation, all external materials to be confirmed

9. Reason for recommendation

- 9.1. The placement of three electric cycle charging pods adjacent to Salhouse Broad is in accordance with NPPF guidance and Policy DM11, DM15, DM16, DM21, DM29, DM43 of the Local Plan for the Broads and is considered acceptable.

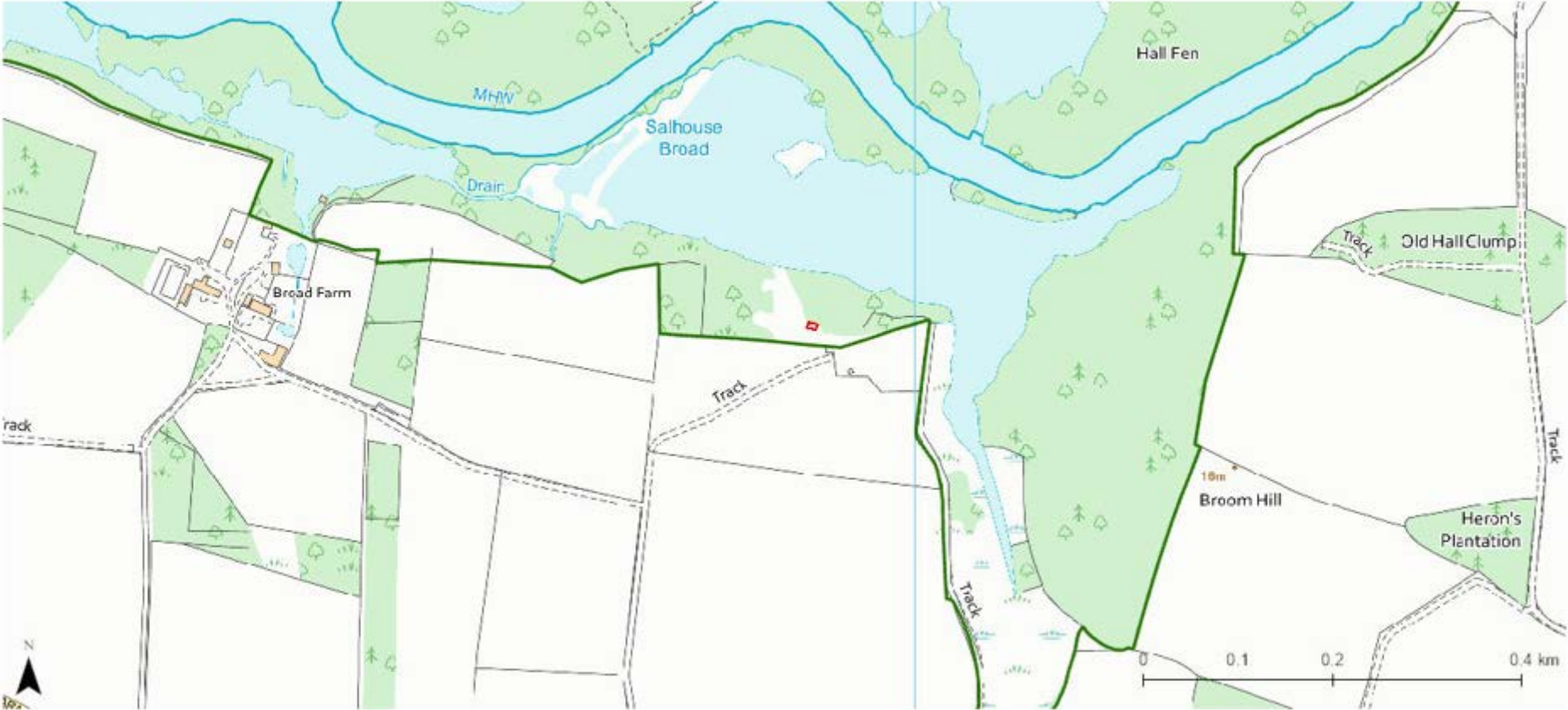
Author: Callum Sculfor

Date of report: 01 November 2024

Appendix 1 – [Location map](#)

Appendix 1 – Location map

BA/2024/0246/FUL - Salhouse Broad, Lower Street, Salhouse



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Planning Committee

06 December 2024

Agenda item number 7.3

BA/2024/0249/FUL- Car Park At, Ferry Inn, Ferry Road, Reedham

Report by Assistant Planning Officer

Proposal

Installation of 3 no. electric cycle charging boxes

Applicant

Broads Authority

Recommendation

Approve subject to conditions

Reason for referral to committee

Broads Authority development

Application target date

13 December 2024

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1. Description of site and proposals

- 1.1. The application site is the carpark that relates to the pub known as the Reedham Ferry Inn, located on the northern bank of the River Yare on the southwestern outskirts of the village of Reedham. The Reedham chain ferry is to the south of the pub and shares the same access road, Ferry Road.
- 1.2. The original pub is a historic and local landmark, thought to have been built in the 17th century. A large single storey wrap around lean-to extension is built on the front elevation and features a brick and flint wall, aluminium windows and concrete pantiles, this was built in the 20th century. The pub is a non-designated heritage asset. The car park is concrete and marked with parking bays. The site is not within a conservation area.
- 1.3. The application proposes to install three electric bike charging pods within the car park. The pods are manufactured by Intelligen and this is the beginning of a nationwide push for sustainable transport infrastructure. The pods are of a metal construction. The cladding proposed for the walls and door is a mock timber finished in black and will be horizontally boarded, slightly overlapping on the corners. The entire roof will be a solar panel, which will aid the running of the pod, and reduces the use of energy. The roof will have a slight curve to reduce build-up of leaves or water which could result in damage. Three identical pods will be positioned next to each other; each measuring 0.9m wide, and 2.3m deep with a maximum height of 1.5m. The pods are located in the southeastern corner of the car park which is set immediately adjacent the flood defence embankment.

2. Site history

- 2.1. BA/1991/4799/HISTAP - Extensions to public house, car park – Approved
- 2.2. BA/1993/4666/HISTAP - Telephone kiosk – Approved
- 2.3. BA/1994/4588/HISTAP - Telephone kiosk – Approved
- 2.4. BA/1995/4556/HISTAP - Alterations and extensions, conservatory – Approved

- 2.5. BA/2005/3752/HISTAP - Variation of condition 2 of planning permission 803030 (increase touring caravans from 20 to 30) – Refused
- 2.6. BA/2010/0219/FUL - Proposed introduction of one-way traffic system through existing Caravan, Camping Park – Refused, Appeal Dismissed
- 2.7. BA/2010/0220/FUL - Proposed erection of a Facilities Block and retrospective application for ten additional touring caravan pitches – Approved
- 2.8. BA/2011/0047/FUL - Erection of Facilities Block with associated landscaping and conversion of existing block to provide disabled facilities and extended washing up area. - Approved
- 2.9. BA/2021/0374/FUL - Replacement of ground floor Timber window frames to Aluminium double glazing. Colour of frames will remain the same – Approved

3. Consultations received

Parish Council

- 3.1. No response received.

BA Landscape Officer

- 3.2. The charging boxes look robust and of sympathetic finish to the surrounding buildings. Good consideration has been given to their location in the corner of an existing carpark. They support a sustainable alternative to cars. I have no objections from a landscape perspective. However, I would like further information on the composite material used for the walls, in terms of quality and sustainability.

BA Historic Environment Manager

- 3.3. Thank you for consulting me with the additional information provided for this application. The proposed location in the corner of the car park and behind the flood bank is a good one. The proposed material is a wood/recycled plastic composite material and I understand the darker colour is proposed, which is acceptable. I have no objection to this proposal.

4. Representations

- 4.1. Broads Society – supports.

5. Policies

- 5.1. The adopted development plan policies for the area are set out in the [Local Plan for the Broads](#) (adopted 2019).
- 5.2. The following policies were used in the determination of the application:
 - DM11 – Heritage Assets
 - DM15 – Renewable Energy

- DM16 – Development & Landscape
- DM21 – Amenity
- DM29 – Sustainable tourism and recreation development
- DM43 – Design

6. Assessment

- 6.1. In terms of the assessment of this application, the main issues to be considered include the principle of the development and the impacts on neighbouring amenity, the landscape and the design of the proposed development. This report will also include an assessment of the potential tourism and recreation improvements, along with the renewable energy benefits.

Principle of development

- 6.2. The installation of electric bike charging pods aligns with the Broads Authority's commitment to promoting sustainable transport options and reducing carbon emissions in the region. Given the increase in the use of electric cycles, particularly on rural routes within the Broads, the provision of these charging facilities supports an evolving industry that encourages environmentally friendly travel alternatives.
- 6.3. The Broads Authority's Local Plan places an emphasis on enhancing sustainable infrastructure that minimises ecological impact while promoting tourism and accessibility within the area. The charging pods would enable cyclists to extend their journeys, thereby increasing accessibility to the Broads' natural and cultural attractions, without reliance on motor vehicles. This provision aligns with the Authority's sustainability objectives by reducing fossil fuel dependency and supporting eco-tourism initiatives.
- 6.4. Furthermore, the installation of electric bike charging pods is consistent with policies that encourage alternative modes of transportation, particularly those that are low in environmental impact. By enabling longer journeys, these facilities contribute to the region's sustainable tourism objectives and provide additional utility for both residents and visitors. The principle of this development is therefore considered acceptable.

Design and Heritage Assets

- 6.5. Policy DM43 states that all development will be expected to be of a high design quality and should integrate effectively with its surroundings, reinforce local distinctiveness, and landscape character and preserve or enhance cultural heritage. Policy SP5 states that the historic environment of the Broads will be protected and enhanced. Policy DM11 also continues this and states that all development will be expected to protect, preserve, or enhance the significance and setting of historic, cultural and architectural heritage assets and elements of the wider historic environment that give the Broads its distinctive character. The pods themselves are reasonably large in size which is for a practical purpose to allow an electric cycle inside and remain locked up and safe.

- 6.6. The material pallet has been reviewed in detail to ensure they are appropriate. It was requested that the cladding material be natural timber, to retain a soft, natural appearance. Following this request, a fire safety test was carried out and details of this were provided. Given the purpose of the pods, there are numerous reports of electric cycles catching fire during charging, the structural components of the pods must therefore be able to withstand a fire if this was to occur. The fire safety results demonstrated that the plastic mock timber cladding was able to contain fire significantly more than timber cladding. The timber cladding could catch fire and potentially cause the fire to spread. The plastic cladding is non-flammable, meaning that the fire would not spread beyond the unit. Whilst the plastic mock timber cladding does not retain the natural, soft appearance of genuine timber, the benefits of fire safety outweigh the harmful impacts caused by the plastic and the material is considered acceptable.
- 6.7. The roof of the pods is to be a slight curved solar panel, and this will provide additional power to the running of the pod. This will improve the environmental credentials of the pods and reduce the carbon footprint of the pod. This is a modern design element, however as the units are functional units, it is considered appropriate in this case. The pods will be placed on a type 1 surface and fixed into the ground. There will be a door using the same materials on the front that can be locked to keep the bike safe inside while charging.
- 6.8. The location has been carefully chosen to reduce the visibility of the pods, while retaining the useability. The pods are set to be within the top corner of the Ferry Inn car park which is currently used by visitors to the pub. There is a flood embankment adjacent where there is a public footpath on top. The Reedham Ferry is also immediately adjacent the site and provides further access to paths for cyclists to explore. The Ferry Inn is a non-designated heritage asset which means that it needs to be protected. The pods are a modern form of development, however, are of some distance from the Ferry Inn. It is not considered that the pods will have a negative impact on the heritage asset and is considered acceptable. In terms of Policy DM43, and Policy DM11, the proposals are acceptable.

Amenity

- 6.9. Policy DM21 requires that all new development must ensure a satisfactory level of amenity for occupiers and users. Development will not be permitted if it would result in an unacceptable impact on the amenity of existing or future neighbouring properties or uses. In this case, the proposed pods are situated in a corner of the car park, screened by a dense, mature hedge. Additionally, the flood embankment to the south is significantly elevated above ground level, ensuring that the pods are obscured from view beyond the hedge and from the river. While the pods will be partially visible from the road and the Ferry Inn, they are at a sufficient distance to mitigate visual impact. The proximity of adjacent footpaths also ensures safe, convenient access to the pods. Accordingly, the proposal is considered to comply with Policy DM21 – Amenity.

Renewable Energy

- 6.10. The proposed cycle charging pods are minor in scale compared to traditional renewable energy developments like solar farms or wind turbines. Located within the car park, they align with the policy's preference for utilising previously developed sites. This location minimizes the visual impact on the distinctive landscape and preserves the recreational experience of the Broads. The pods will not require extensive ancillary infrastructure like power lines or storage buildings, which the policy stipulates should be evaluated in proposals. Since these pods are compact and don't interfere with sensitive biodiversity areas or cultural heritage, they are unlikely to compromise the Broads' environmental or visual character. Given the pods' scale and location, they meet the intentions of DM15 by supporting renewable energy infrastructure without altering the landscape's distinctive qualities.

Sustainable Tourism and Recreation Development

- 6.11. Policy DM29 deals with sustainable tourism and recreation development, and consideration is given to both the locational and design principles laid out in the policy. The proposed pods are sited within an existing car park associated with a visitor attraction. This aligns with criterion (ii) of the policy, which supports development that is closely associated with existing visitor sites. Additionally, the pods offer sustainable access, being specifically intended to support cyclists, which aligns with the policy's requirement that developments be accessible by sustainable means of transport. The charging pods meet several key principles for sustainable development. Given the compact size of the pods and their siting within an established car park, they are unlikely to create significant additional demand on the highway network. There is also sufficient existing parking for both cars and cycles, meeting criteria (vi) and (vii).
- 6.12. The placement of the pods does not impact dark skies, as they do not include bright lighting, and they are carefully sited to avoid harm to the landscape character or local wildlife habitats. By supporting eco-friendly transportation, the pods also contribute positively to the area's environmental quality, aligning with criterion (viii).
- 6.13. The design and scale of the pods are appropriate to their setting, aligning with criterion (ix). They are small, non-intrusive structures that do not affect navigation or the open nature of the surrounding landscape, meeting the requirement for compatibility with local character.
- 6.14. The installation of the pods is compatible with the objectives and detailed requirements of Policy DM29. Their location within an existing car park and their support for sustainable tourism enhance accessibility for cyclists without detracting from the unique qualities of the Broads landscape.

Landscape

- 6.15. The proposed pods are small in scale, appropriately sited within a car park bordered by a large, mature hedge. This layout effectively conserves the local landscape, as the pods

are positioned to minimise visibility from surrounding areas, preserving the overall visual experience and the traditional, open character of the Broads landscape. Additionally, the elevated flood embankment to the south offers natural screening, ensuring the pods are hidden from views beyond the hedge and from the river, which aligns well with the policy's requirement to enhance landscape features worthy of retention. The Broads Authority Landscape Officer raised no objections to the proposals; therefore, it is considered that the proposals are acceptable in terms of Policy DM16 – Development and Landscape.

Other issues

- 6.16. The installation of electric cycle charging pods represents a positive step forward in supporting sustainable transportation options within the Broads. As an evolving industry, electric cycle charging infrastructure is becoming increasingly important for promoting eco-friendly travel and encouraging a shift toward greener forms of transport in the area. The installation of these pods in the current location is a sensible and forward-thinking measure that aligns with the Authority's sustainable tourism objectives and broader environmental goals. Given this context, the installation of these pods is considered acceptable.

7. Conclusion

- 7.1. In conclusion, the proposed electric cycle charging pods have been assessed against policies DM15 (Renewable Energy), DM16 (Landscape), DM21 (Amenity), and DM43 (Design). The pods are strategically located within an existing car park, with mature hedges and an elevated flood embankment providing natural screening. This siting minimises their impact on both the landscape and visual amenity, ensuring compatibility with the key landscape characteristics of the Broads as outlined in Policy DM16. The design is in keeping with the area's character, meeting the high-quality design expectations set out in Policy DM43 and ensuring the development respects the traditional features of the landscape.
- 7.2. The sustainable nature of the pods supports the broader environmental goals of the Broads Local Plan, contributing positively to tourism infrastructure while encouraging eco-friendly transport options. The proposals are therefore considered acceptable.

8. Recommendation

8.1. Approved subject to conditions:

1. Three Year timeframe for commencement
2. In accordance with the approved plans and material details
3. Prior to installation, all external materials to be confirmed

9. Reason for recommendation

- 9.1. The placement of three electric cycle charging pods in the southeast corner of the Reedham Ferry Inn carpark is in accordance with NPPF guidance and Policy DM11, DM15, DM16, DM21, DM29, DM43 of the Local Plan for the Broads and is considered acceptable.

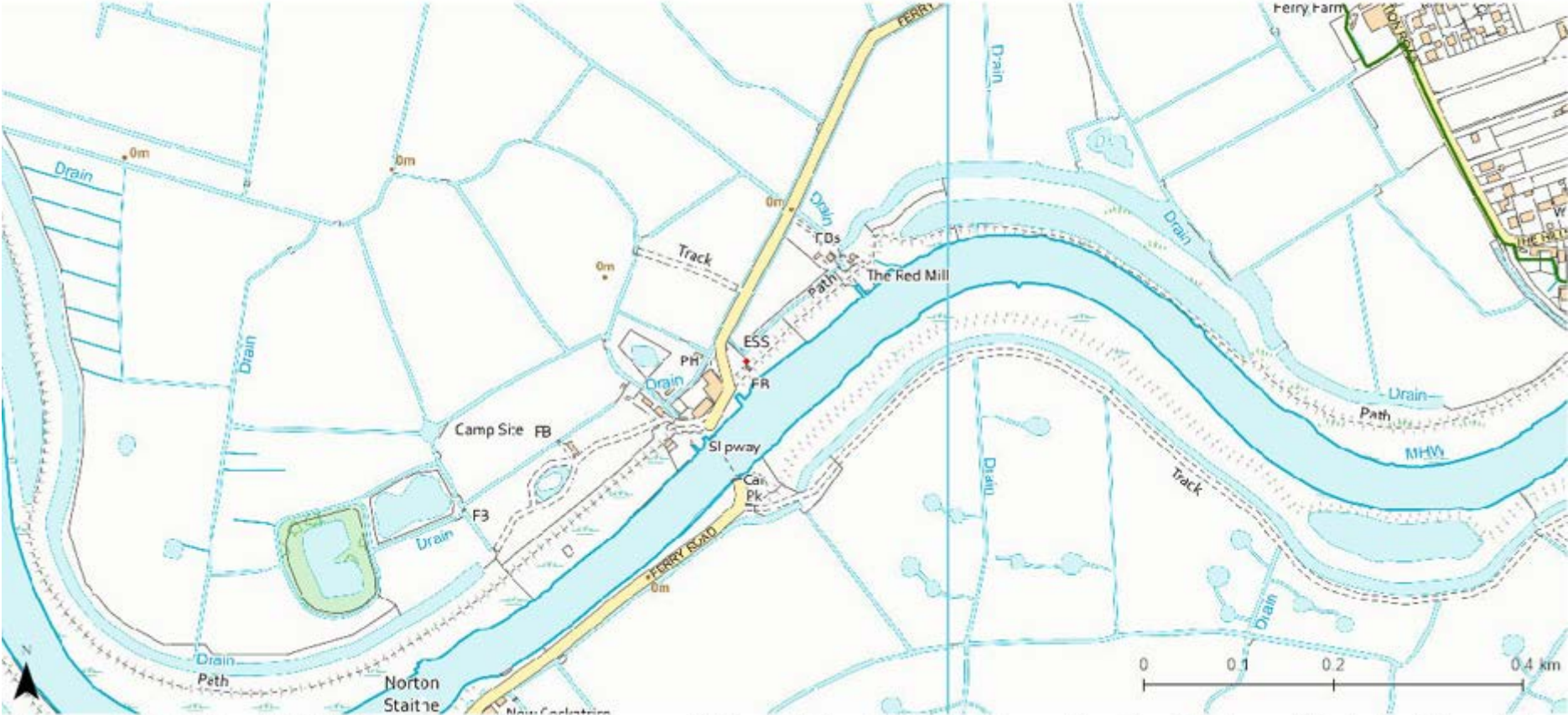
Author: Callum Sculfor

Date of report: 01 November 2024

Appendix 1 – [Location map](#)

Appendix 1 – Location map

BA/2024/0249/FUL - Car Park At, Ferry Inn, Ferry Road, Reedham



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Planning Committee

06 December 2024

Agenda item number 8

Local Enforcement Plan and amendments to Scheme of Delegation

Report by Development Manager

Summary

The Local Enforcement Plan has been updated in response to the Levelling Up and Regeneration Act (LURA). Members are requested to approve the changes and endorse the Local Enforcement Plan. Accordingly, the Scheme of powers delegated to the Chief Executive and other authorised officers (“Scheme of Delegation”) will need to be updated. Members are requested to endorse the proposed changes and refer them to the Broads Authority for approval.

Recommendation

- i. To endorse the changes to The Local Enforcement Plan.
 - ii. To endorse the changes to the Scheme of Delegation and recommend these to the Broads Authority for approval.
-

1. Introduction

- 1.1. National policy on planning is provided in the National Planning Policy Framework (NPPF). In respect of the enforcement of planning control, it states at para 59 that “Effective enforcement is important to maintain public confidence in the planning system” and advises that Local Planning Authorities “should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area.”
- 1.2. The Broads Authority produced its first Local Enforcement Plan in 2016. This was reviewed and updated in 2020 and 2022.
- 1.3. The Levelling Up and Regeneration Act (LURA) became law in November 2023 and introduced new provisions relating to the enforcement of planning control.
- 1.4. The Local Enforcement Plan has been updated to include these changes (see Appendix 1). This report summarises the main changes and asks Members to approve the amendments to the Local Enforcement Plan.

- 1.5. Officers have taken the opportunity to also refresh the wording of the document to ensure its use of terminology is relevant and consistent.
- 1.6. The Scheme of Delegation will need to be updated to include the changes to the enforcement powers and the report asks Members to endorse these for referral to the Broads Authority for approval.

2. Legislative changes to planning enforcement

- 2.1. There are four main changes arising from the new legislation. These are set out and explained below.

Changes to time periods required for immunity from enforcement action

- 2.2. Development which is undertaken without planning permission will acquire immunity from enforcement action through the passage of time if no formal enforcement action is taken. The required time periods have been 4 years for operational development and 10 years for any material change of use, other than a material change of use to a building for residential use which was also 4 years.
- 2.3. Immunity is tested through the submission of an application for a Lawful Development Certificate, in which the operator presents their evidence of the duration of the breach and the LPA considers this. It is important to note that this is a legal process, not a planning judgement.
- 2.4. The provisions of the LURA amend the period required to acquire immunity to 10 years for both operational development and a material change of use, including to residential.
- 2.5. This change came into effect on 25 April 2024 and will apply to all new breaches from that date. Breaches that commenced before the 25 April 2024 will be subject to the previous limits and there are transitional provisions in place to cover this.
- 2.6. This change is welcomed, both for the additional time and the uniformity they provide.

Increase in statutory prohibition period for Stop Notices increased from 28 to 56 days

- 2.7. Planning enforcement is a discretionary function, and a Local Planning Authority (LPA) must be satisfied that any action is expedient and proportionate before undertaking it. In urgent cases, where significant harm is being caused to interests of acknowledged importance, an LPA may issue a Temporary Stop Notice (TSN) (which takes effect immediately), a Stop Notice (SN) (which takes effect after three days) or both, to require the cessation of the works. Previously, both notices contained a maximum prohibition of up to 28 days, but this has been increased by the LURA to up to 56 days.
- 2.8. The increased period of prohibition is welcome. It gives an LPA more time to investigate the breach and the impacts on the local area, which is essential to inform how to proceed with the matter.

- 2.9. By allowing more time it also increases the opportunity to resolve the situation through negotiation. This is because whilst there is no right of appeal against either a TSN or SN, a SN must by law be accompanied by an Enforcement Notice (EN) and there is a right of appeal against an EN. Typically, the EN will take effect at the end of the period of prohibition set out in the TSN or SN – to ensure continuity of prohibition – and any appeal must be lodged before the EN takes effect. With an increased period of prohibition in the TSA or SN of 56 days, an LPA can give a longer period before the EN takes effect, which gives more time for negotiation before an appeal must be lodged.

Listed Building Temporary Stop Notice

- 2.10. The LURA also introduces a new power to serve a Temporary Stop Notice in relation to a listed building. Works to a listed building usually require Listed Building Consent, even where planning permission may not be required, so the Listed Building Temporary Stop Notice (LBTSN) would be used where work was being undertaken without Listed Building Consent, or in breach of a condition on such a Consent. An LBTSN has a prohibition period of up to 56 days.

Enforcement Warning Notices

- 2.11. When development has taken place without planning permission, but the development does not appear to be unacceptable and would be likely to be approved were an application to be submitted, the approach taken is for the LPA to invite a retrospective application. This allows for appropriate conditions to be applied on the decision notice to control the development.
- 2.12. If the operator declines to submit a retrospective application, the LPA must decide whether the impacts of the unauthorised development are such that formal enforcement action is justified and proportionate. This is called the ‘expediency test’ and these are often very finely balanced decisions.
- 2.13. The purpose of the new Enforcement Warning Notice (EWN) is to provide a mechanism through which an LPA invites an application, as the EWN is a formal warning that further enforcement action will be considered in the absence of a planning application. It would be used where a planning breach is not sufficiently egregious to require an immediate EN, but where the unauthorised development requires regularisation by way of a conditioned planning permission to prevent harm.
- 2.14. It remains to be seen how useful EWNs will be in practice, given that there is no penalty for non-compliance. They do, however, have an advantage over the informal request for an application because the law states that an EWN constitutes formal enforcement action, so it can be used in certain circumstances as a means of ‘extending the clock’ in terms of an unauthorised development accruing immunity. This effectively allows LPAs more time to reassess the breach. This procedure does not prevent future formal enforcement action.

- 2.15. When considering the enforcement of planning control, it is important to remember that undertaking development without planning permission is not an offence in itself – it only becomes an offence if an EN is served, which is then not complied with.

Other changes

- 2.16. The maximum level of fines which can be imposed for failure to comply with a breach of condition notice is currently £2,500, but the new regulations remove the cap. Fines will also be increased for failure to comply with a Section 215 Notice.
- 2.17. There are changes to the process of appeals against an Enforcement Notice. The new regulations remove the ability of an appellant to apply for retrospective planning permission by way of a Ground A appeal, where this has already been refused in the last two years.
- 2.18. There are also new provisions aimed at speeding up enforcement appeals by allowing PINs to dismiss an appeal if the appellant is judged to be causing undue delay in its progression.

3. General improvements to the policy

- 3.1. Officers have taken the opportunity to refresh the wording of the Local Enforcement Policy to correct grammatical and typographical errors and ensure its use of terminology is relevant and consistent.
- 3.2. The following references have been replaced as indicated:

Original term	Replacement term
Law	Legislation
Authority ¹	LPA
“us” or “we”	The LPA ¹ or The Authority ²

Table notes

1. References to the Authority in the context of Local Planning Authority responsibilities
 2. References to the Authority in the context of Broads Authority responsibilities
- 3.3. Other changes have been applied to improve or simplify the policy. These changes have been shown in Appendix 1 as tracked changes with highlighting to distinguish them from changes associated with the legislation (as described in section 2).

4. Updates to the Scheme of Delegation

- 4.1. The Authority’s Scheme of Delegation needs to be updated to include the new provisions contained in the Levelling Up and Regeneration Act (LURA).
- 4.2. It is proposed to amend this as follows, with the suggested changes in bold:

Powers delegated to Chief Executive	Other authorised officers
(47) To serve Breach of Condition Notices, Planning Contravention Notices, Section 330 Notices and Section 215 Notices.	Director of Strategic Services or Head of Planning, Development Manager or Planning Officer (Compliance and Implementation)
(48) In cases of urgency and subject to consultation (if possible) with the Chair, or in the absence of the Chair the Vice-Chair, of the Planning Committee: (i) to serve Building Preservation Notices; (ii) to issue Listed Building Enforcement Notices, Listed Building Temporary Stop Notices and Conservation Area Enforcement Notices; (iii) to issue Enforcement Warning Notices , Enforcement Notices, Stop Notices and Temporary Stop Notices; (iv) to take enforcement action in respect of unauthorised advertisements.	Director of Strategic Services, or: in respect of (i) and (ii), Historic Environment Manager, Head of Planning or Development Manager ; in respect of (iii) and (iv), Head of Planning or Development Manager

5. Conclusion and Recommendation

- 5.1. The Local Enforcement Plan has been updated to include the new provisions contained in the Levelling Up and Regeneration Act (LURA). Members are requested to approve the changes and endorse the Local Enforcement Plan.
- 5.2. The Scheme of Delegation needs to be updated to reflect the changes in the Local Enforcement Plan. Members are requested to endorse the proposed changes and refer them to the Broads Authority for approval.

Author: Steve Kenny

Date of report: 20 November 2024

Background papers: Levelling Up and Regeneration Act 2023

[Broads Plan](#) strategic objectives: Theme D

[Appendix 1 – Local Enforcement Plan](#)

Broads Authority Local Enforcement Plan



[July 2022](#)[November 2024](#)

Broads Authority
Yare House
62-64 Thorpe Road
Norwich NR1 1RY

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Cover photo credit: Tom Barrett

1 Introduction

1.1 This Local Enforcement Plan explains the planning enforcement process and how it works in the Broads Authority executive area. It is a guide for those who may be affected by breaches of planning control and sets out:

(a) what the Broads Authority can do and the timescales involved

(b) how the public, local communities and other stakeholders can help the Authority in monitoring against unauthorised development

(c) what services the Authority will provide, and the service standards the public can expect.

1.2 The Broads Authority produced its first Local Enforcement Plan in 2016. This was reviewed and updated in 2020 ~~to take account~~ and 2022. The Levelling Up and Regeneration Act (2023) (LURA) brought in a number of changes in national legislation and which directly impact on planning enforcement and this version of the best practice set out in the NAPE Local Enforcement Plan has been updated to include these.

1.3 The enforcement of planning control is designed to make sure that any development that takes place has the necessary planning permissions and that, where development is permitted, it is built and used in accordance with those planning permissions. Enforcement is an important part of the planning system, and protects our landscape and built environment against damaging change. It is also important to local communities and other stakeholders, as it affects how their area is developed and ensures a level playing field for everyone concerned.

~~1.1 The Handbook of the National Association of Planning Enforcement Officers (NAPE) explains what effective planning enforcement means:~~

~~“At its heart, the planning system relies on trust and our enforcers provide the backbone of this trust — trust that those who flout our planning laws (and often other laws at the same time) will be brought to account; trust that those who strive for high quality will not be undermined by those who would deliver ill-planned and ill-designed development; and trust that the high quality schemes that achieve planning permission will be delivered with that same quality — that planning will deliver what is promised.”~~

1.4 The Government recognises the importance of effective planning enforcement. National policy is set out in the National Planning Policy Framework (~~2019~~ 2023) and paragraph ~~58~~ 59 says:

“Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They

should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development, and take action where appropriate.”

2 Planning and the law

2.1 The planning system deals with development, which is defined in the Town and Country Planning Act 1990 (as amended), as:

“The carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.” (Section 55)

2.2 This is a wide description and the Act gives more detail on its interpretation. Broadly, development falls into two types – one is physical structures or alterations, and the other is a material change in the use of land or buildings.

2.3 A planning breach is defined in section 171A of the Act as:

- the carrying out of development without the required planning permission; or
- failing to comply with any condition or limitation subject to which planning permission has been granted.

2.4 Examples of planning control breaches include:

- Building works carried out without planning permission;
- A change in the use of a site or building without planning permission
- Conditions on a planning consent that have not been complied with. This includes checking that occupancy conditions that restrict the residential use to holiday use or to agricultural workers.
- Development that has not been built in accordance with the approved plans
- The display of adverts without consent (where they do not benefit from deemed or express consent)
- The demolition of walls and buildings within a Conservation Area without planning permission
- Internal and external works to Listed Buildings without Listed Building Consent
- Works undertaken to a tree within a Conservation Area or to a tree protected by a Tree Preservation Order (TPO) without permission
- Land raising, where this is an engineering operation, without planning permission

- 2.5 It is important to note that if works are not classed as ‘development’ in the legislation then they do not fall within the scope of planning control.
- 2.6 The point at which something becomes ‘development’ is not always straightforward, particularly where there is a change of use. The legislation states that development will have occurred when the change is ‘material’, which can be defined broadly as being significant or having impacts. When considering whether or not a change is ‘material’, the Local Planning Authority (LPA) will look at any change in the character of the use (including the land where it is), and the effects of the change on neighbouring uses and the locality. The point at which a change becomes ‘material’ will be a matter of fact and degree, and will usually involve an element of judgement.
- 2.7 The law gives all LPAs specific legal powers to deal with breaches of planning control, including powers of investigation and powers to take formal legal action to correct breaches of planning control. These powers are set out in The Town and Country Planning Act 1990 (as amended) and the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended). The LPA also has powers under other legislation to deal with unlawful advertisements. (The Town and Country Planning (Control of Advertisements) (England) Regulations 2007) and unlawful works to protected trees.
- 2.8 ~~The law says that~~ There is a duty on LPAs to investigate ~~reported or suspected~~ alleged breaches of planning control, but the requirement to take action is discretionary. In deciding what action to take when a planning breach has occurred, the LPA must exercise its powers carefully and with proportion, and there are clear guiding principles on this.
- 2.9 It is important to note that the legislation says that an LPA cannot take enforcement action against unauthorised development after a certain period. The ‘start date’ for this period commences when the development has been ‘substantially completed’. The length of the period required to acquire immunity is outlined in Table 1 below;

Table 1 - Length of the period required for immunity to be acquired

	<u>Before 25 April 2024</u>	<u>On or after 25 April 2024</u>
<u>Operational development</u>	<u>4 years</u>	<u>10 years</u>
<u>Change of use to a single dwelling house</u>	<u>4 years</u>	<u>10 years</u>
<u>Other changes of use</u>	<u>10 years</u>	<u>10 years</u>

3 Guiding principles of planning enforcement

3.1 When a breach of planning control has taken place, the LPA will look carefully at a number of factors when considering what action is appropriate.

3.2 The first factor is **expediency**. This is about assessing the harm being caused by the breach. Harm may arise through a range or combination of issues, such as:

- Adverse impact on visual amenity due to poor design or materials
- Adverse impact on neighbouring amenity due to noise, overlooking or loss of privacy
- Inappropriate or conspicuous development that has an adverse impact on a protected landscape or Conservation Area
- Loss of protected trees

3.3 ~~In looking at expediency, the LPA will consider the Development Plan and whether or not the unauthorised development conflicts with the adopted policies. The more harm being caused, the more likely it is that there is a conflict with the development plan, and the more likely it is that it will be expedient to take enforcement action due to the need to stop the harm. The LPA must ensure any enforcement action is commensurate with the breach of planning control to which it relates. Enforcement action will not normally be taken to remedy trivial or technical breaches of control which are considered to cause no harm to amenity or harm to the public interest.~~ The LPA will also need to consider the impacts and costs of taking action, including the available resources ~~to do so~~ and what is likely to be achieved. If there is little harm, it may not be expedient to pursue the matter, particularly if the costs are high.

3.4 The second factor is **proportionality**. Enforcement action should always be proportionate to the seriousness of the harm being caused. It should not be taken solely to 'regularise' development that is otherwise acceptable on its planning merits, but for which planning permission has not been sought. The Courts have been clear that the role of the enforcement system is to secure compliance, not to punish.

3.5 The third factor is **consistency**. It is important to take a similar approach to similar cases to achieve similar outcomes. This provides reliability for local communities and other stakeholders and allows them to know what to expect from the LPA.

3.6 While the legislation gives the LPA strong legal powers to deal with breaches of planning control, in most cases the first approach is to use **negotiation** to reach a satisfactory resolution in a timely manner. ~~The aim of negotiation is to achieve one of the following outcomes:~~ Negotiations often result in a mutually agreeable solution more quickly than formal action. Still, they should proceed in a timely and committed manner and should not be allowed to delay a formal resolution of the planning breach.

- ~~• The submission of an application for retrospective planning permission if the development is acceptable and would have got planning permission in the first place; or~~
- ~~• The amendment of the development to make it acceptable and then the submission of an application for retrospective planning permission if the development is capable of being made acceptable; or~~
- ~~• The amendment of the development so it is in accordance with the approved plans; or~~
- ~~• The removal of the unauthorised development or the cessation of the unauthorised use if the development is unacceptable and incapable of being made acceptable.~~

~~1.2 Negotiations should proceed in a timely and committed manner and should not be allowed to hamper or delay the resolution of the planning breach.~~

4 The importance of enforcing planning control in the Broads

4.1 The Norfolk and Suffolk Broads is a protected landscape of national and international importance, with a status equivalent to a national park. It is Britain's finest wetland, with a network of meandering rivers and shallow lakes ('broads') that make it a unique area, precious for its rich wildlife and 'big sky' landscapes, as well as a popular destination for visitors. The villages and settlements reflect the area's traditional building styles and materials and have a distinctive and valued vernacular. The Broads Authority has a duty to manage the Broads, and is the LPA for the Broads executive area.

4.2 Development is carefully managed in the Broads. The Broads Authority places strong emphasis on investigating and remedying breaches of planning control, due to the impact that unauthorised development can have on the area's character and qualities, and to demonstrate its commitment to protecting this important landscape. Protecting the integrity of the planning system and demonstrating that breaches of planning control will not be tolerated is also important.

4.3 We prioritise cases according to the degree of harm being caused, with highest priority given to cases where the harm (or the potential for harm) is greatest. ~~highest. The priority classification is outlined in Table 1.~~

~~1~~

Table 2 - Priority status for consideration of planning control breaches

Priority level	Details of priority status
Priority One	Development causing serious threat to public health and safety, or permanent, serious damage to the natural or built environment. This would apply particularly where a breach is affecting an SSSI, the water environment or navigation, a Listed Building, Ancient Monument, tree protected by a Tree Preservation Order or any breach which would damage the character of a Conservation Area. An example might be the unauthorised demolition of a listed building.
Priority Two	Development causing threat to public health and safety, or serious damage to the natural or built environment. This is considered harmful, but with the potential to get worse. An example might be the commencement of the construction of an unauthorised and unacceptable extension to a listed building.
<u>Priority Three</u>	<u>This covers the majority of cases, where there is a possible breach, but the damage is unlikely to be serious and it is unlikely to get worse. An example might be the construction of an unauthorised extension to a non-listed building.</u>
<u>Priority Four</u>	<u>This covers less serious or urgent cases. An example might be the construction of an outbuilding.</u>

4.4 Some matters are not breaches of planning control, and the LPA does not deal with these. These may include boundary disputes between neighbours, which are a legal or civil issue, or matters around a building's structure or safety, which is covered by Building Regulations. Public nuisances such as light, noise or odour pollution are covered by the Environmental Health Teams at the relevant District Council. Fly-tipping is usually a matter for the Environment Agency or the relevant District Council.

5 Dealing with planning breaches in the Broads

5.1 The Broads Authority has a standard procedure for dealing with enforcement matters. This ensures that breaches are dealt with in a consistent and timely manner, proportionate to the potential for harm. While this is a standard approach, the progress of any ~~particular~~ investigation and the timescales will vary depending on the nature of the breach, the harm being caused and the actions and response of the landowner or operator. ~~The standard process is explained below.~~

Checking the breach

5.2 When a complaint or report of a suspected breach of planning control is received by the Authority's planning department, it will carry out initial checks, including

~~whether or not development has occurred, a planning history or if permitted development rights are relevant an initial check to make sure the alleged development works fall within the legal definition of 'development' and is therefore covered by planning control. We will also check whether the works fall within the 'permitted development rights' and can be done without planning permission, or whether planning permission has already been granted. If the works alleged to have taken place are found to be development, but are not permitted development and there is no record of planning permission being granted, the matter will be investigated. We will notify the complainant as to whether or not the matter appears to be a planning breach, and if it is being investigated.~~

Initial investigation and site visit

~~1.3 If the matter is to be investigated, a planning officer from our enforcement team will open a case and contact the landowner or operator by letter, advising them of the investigation and asking them to contact the officer within 14 days to arrange a site meeting. Contacting the landowner or operator before the site meeting gives the officer an opportunity to ask for further details of the alleged breach and undertake investigations. In the case of a potentially very minor breach, or where there is some doubt as to whether the matter is a planning one, a site visit may be made prior to formal contact.~~

~~While we will, in most cases, try to contact the landowner or operator before entering the site, Section 196 of the Town and Country Planning Act 1990 gives the Authority's planning officers a right to enter land to investigate a potential breach of planning control. This right extends to any land, including land adjacent to the site of the breach. It is an offence to wilfully obstruct an authorised person acting in the exercise of a right of entry.~~

~~5.3 If the initial investigation confirms a case should be raised; the owner will be contacted to discuss the matter and arrange a visit if necessary. An unaccompanied visit may be carried out using powers afforded to the LPA by the 1990 Act.~~

Following the site visit

~~5.35.4 Following the site visit or meeting, if it is clear that there is no planning breach, ~~or that the development is permitted development or has planning permission,~~ the case will be closed, and the complainant informed. If a planning breach is found, the LPA has the following options, depending on the breach:~~

- if the development is acceptable and would be likely to get planning permission, the landowner or operator will be asked to apply for retrospective planning permission;
- if the development could be made acceptable and would be likely to get planning permission if amended, the landowner or operator will be asked to make the amendments and then apply for retrospective planning permission;
- If the development is not acceptable and is incapable of being made acceptable,

the landowner or operator will be asked to remove the unauthorised development or cease the unauthorised use.

5.45.5 The landowner or operator will be given a timescale for each of the above options, and these will vary depending on the scale of the development and the seriousness of the breach. For example, for a serious breach where ~~demonstrable~~irrevocable harm is being caused, immediate cessation would be required, while for a retrospective application to remedy a minor change, a period of 28 days to submit a planning application would be appropriate.

5.55.6 The LPA's approach is to negotiate a solution wherever possible. When the LPA asks for information to be submitted or action to be taken, the LPA will expect this to be done within the timescale given, or a request for further time to be made promptly with an explanation for the delay. The LPA will not enter into lengthy or cyclical correspondence, as this delays resolution and is not an effective use of our resources.

Submitting a retrospective planning application

5.7 In many cases, the unauthorised development that has taken place is either ~~is~~ acceptable or can be made acceptable, ~~and the Authority~~. In these cases, an application will receive and approve be invited to regularise the breach of planning. Should one not be received, but the LPA considers that a condition is required, an enforcement warning notice can be served. This gives the applicant more time to resolve the matter. This notice does not preclude the service of a further enforcement notice if necessary. It has the advantage of resetting the time period that would allow the breach to become exempt from action.

5.65.8 The approval of a retrospective application. ~~The granting of planning permission will enable~~ enables the LPA to impose conditions on the development, and this is a mechanism for mitigating harm and gaining benefits, such as additional tree planting. The LPA would consider this to be a successful outcome, as the development ~~is now~~will be authorised and harm ~~is~~ controlled.

5.75.9 It should be noted that while retrospective applications may be unpopular with local communities, who may see the landowner or operator as having 'got away with it', they are allowed in law. The Courts have been clear that LPAs should not use the planning process to punish.

5.85.10 Where a landowner or operator declines to submit a retrospective application and there are no issues which need to be controlled through planning condition, the LPA will have to consider the appropriateness of enforcement action, taking ~~into account~~into account the guiding principles of expediency, proportionality ~~and consistency~~and consistency.

5.95.11 Where the unauthorised development is unacceptable and is incapable of being

made acceptable, the LPA will not request a retrospective application as this is inappropriate and will delay the resolution of the matter. However, the LPA cannot prevent the owner submitting an application. It is common practice to allow the application to be determined before taking formal action – unless the harm caused is significant and irrevocable.

5.12 Where a retrospective application is refused, formal enforcement action will follow as soon as is practicable, ideally an Enforcement Notice would be served in conjunction with the refusal decision notice.

Taking formal enforcement action

5.105.13 Where harm is being caused, it is necessary to consider formal enforcement action. The legislation gives LPAs wide ranging powers to deal with breaches of planning control, and the regularly used powers are summarised below. A full list and further details are in Appendix 2.

5.115.14 The Broads Authority has a Scheme of Powers Delegated to officers, which identifies the level at which decisions may be made and delegates ~~certain~~ powers to ~~certain~~specific officers of the Authority. ~~This ensures that officers are empowered to make decisions and take appropriate action within the guidelines laid down, and enables the Authority's members to focus on key strategic and policy issues.~~

5.15 The Scheme of Delegated Powers allows officers to investigate and process enforcement cases, including serving requisitions for information and Breach of Condition Notices. The authority for taking formal enforcement action remains with the Planning Committee, although provision is made for decisions to be taken at officer level in cases of urgency. ~~Under the scheme, officers are authorised:~~

Types of formal enforcement action

~~(38) To serve Breach Types of Condition Notices, Planning Contravention Notices and Section 330 Notices.~~

~~(39) In cases of urgency and (subject to consultation (if possible) with the Chair, or in the absence of the Chair the Vice-Chair, of the Planning Committee):~~

~~i. to serve Building Preservation Notices;~~

~~ii. to issue Listed Building Enforcement Notices and Conservation Area Enforcement Notices;~~

~~iii. to issue Enforcement Notices, Stop Notices Temporary Stop Notices;~~

~~iv. to take enforcement action in respect of unauthorised advertisements;~~

~~1.4 If an Authority member (including co-opted members of the Navigation Committee) or Authority officer is involved in a material breach of planning control, the conclusion of the investigation phase will be presented to the Planning Committee.~~

5.16 The law gives an LPA a wide range of powers relating to planning enforcement and these are explained below.

5.125.17 A planning **Enforcement Notice** is a formal notice used to remedy a breach of planning control. It identifies the planning breach and the harm being caused, and lists what the landowner or operator must do to remedy the breach. An Enforcement Notice comes into effect a minimum of 28 days after service, with the period set by the LPA, and there is ~~then~~ a period given for compliance. Failure to comply with an Enforcement Notice is a criminal offence. There is a right of appeal against an Enforcement Notice.

~~1.5 An Enforcement Notice is a useful tool for planning breaches where harm is being caused and it is expedient to take formal action. This may be because negotiation (the first course of action) has failed to produce an acceptable solution, or the landowner or operator is unwilling to amend the unauthorised development to make it acceptable, or there are no changes that could be made to make the unauthorised development acceptable and the landowner or operator will not desist voluntarily. An Enforcement Notice is usually effective at achieving compliance.~~

5.135.18 ~~Where a landowner or operator appeals~~ When an appeal is made against an Enforcement Notice, the requirements of the notice are held in abeyance pending the outcome of the appeal. The decision on an appeal will take time and can often delay proceedings, particularly if the matter is dealt with through a Public Inquiry. If the appeal does not succeed, the Enforcement Notice comes into effect. If the appeal is successful then this is normally the end of the matter.

5.145.19 The LPA serves Enforcement Notices where negotiations have failed to achieve an acceptable resolution within a reasonable period or where it appears unlikely that resolution can be achieved informally.

5.20 There is a separate Listed Building Enforcement Notice which operates in the same way as a planning Enforcement Notice.

5.155.21 Where the breach of planning control relates to non-compliance with a planning condition, an LPA can serve a **Breach of Condition Notice**, which requires compliance with the relevant condition. Failure to comply with a Breach of Condition Notice is a criminal offence. There is no right of appeal against a Breach of Condition Notice but a challenge may be made to the Courts.

~~1.6 The Broads Authority is cautious about the use of Breach of Condition Notices because there is no right of appeal. We consider that, in most cases, it is appropriate to make sure the landowner or operator is able to challenge the Authority's decision as this is an important part of the accountability of a public authority. There are circumstances, however, where the use of a Breach of Condition Notice is appropriate, including where a landowner or operator has persistently and deliberately breached planning regulations.~~

5.22 The law gives ~~an~~ LPA the power to serve a **Stop Notice** ~~in urgent cases where serious and/or irreversible harm is being caused. A Stop Notice identifies what the planning breach is and the harm that is being caused, and requires the landowner or operator to follow the~~ there is a separate Listed Building Stop Notice. This is a notice which can require operations or use of land (other than as a dwelling) to cease within a specified ~~steps to cease the development.~~ period usually between 3 and 56 days. A Stop Notice ~~takes three days to come into effect. cannot be served independently of an Enforcement Notice; it can be served at the same time as or after the Enforcement Notice is served.~~ Failure to comply with a Stop Notice is a criminal offence. ~~There~~

5.16 ~~Although, there~~ is no right of appeal against a Stop Notice.

5.23 ~~To address the 3 day window before a Stop Notice takes effect, the law has made provision for a stop notice; in some circumstances an~~ LPA ~~to~~ can be liable to pay compensation if the related Enforcement Notice is subsequently quashed, so authorities normally only ~~serve a~~ Stop Notices where a development is particularly unneighbourly or otherwise causes significant harm.

5.175.24 A Temporary Stop Notice, which however, takes immediate effect and persists for ~~28~~ up to 56 days. A Temporary Stop Notice can be served on its own, or with ~~a Stop Notice, in which case the combination provides for an immediate cessation of the unauthorised development.~~ other Enforcement Notices. There is a separate Listed Building Temporary Stop Notice. Failure to comply with a Temporary Stop Notice is a criminal offence. There is no right of appeal against a

Temporary ~~Stop Notice~~. Stop Notice.

5.185.25 The LPA uses Stop Notices and Temporary Stop Notices in urgent cases where there is serious and/or ~~irreversible~~irrevocable harm being caused to an important interest, such as a local amenity, the Broads' navigation or the landscape. When serving a Stop Notice an LPA must first undertake a ~~formal~~ cost/benefit assessment to demonstrate expediency. Stop Notices can be a very effective tool and Temporary Stop Notices are used in urgent cases to support them. A Temporary Stop Notice on its own is also a very useful tool to provide an immediate and temporary cessation of an unauthorised activity or operation and allow time to obtain information or evidence on the impact of the planning breach.

5.195.26 The LPA recognises that Enforcement Notices, Breach of Condition Notices, Stop Notices and Temporary Stop Notices are all serious notices and it exercises its power carefully and with proportionality in their use~~proportion in their use. Other than in urgent cases, a report outlining the case and the recommended action will be presented to the Planning Committee seeking authority for formal action. This is in accordance with the scheme of delegated powers.~~

Following up formal enforcement action

5.205.27 In the majority of cases where it is necessary to take formal enforcement action, the use of an Enforcement Notice will prompt actions on behalf of the landowner or operator to remedy the planning breach. Unfortunately, there are occasions where this does not happen, and the LPA has to pursue the matter further to remedy the breach and maintain public confidence in the planning system.

5.215.28 The Authority will ~~prosecute~~consider prosecution where there has been non-compliance with an Enforcement Notice.

5.225.29 The Authority will consider taking direct action where this appears to offer the only realistic opportunity to secure compliance with planning legislation. The Authority will seek to reclaim the costs of direct action from the landowner or operator and will pursue this through the Magistrates Court if necessary.

6 Preventing breaches of planning control in the Broads

6.1 The LPA has a proactive condition monitoring programme, through which it checks that development is undertaken in accordance with the approved plans and planning conditions. There is a regular monitoring schedule and planning permissions for major developments, development that affects listed buildings and all development that has been authorised by Planning Committee are checked at least three times a year. Monitoring takes place at the start of the development and, where appropriate, at subsequent development stages. The LPA will carry out

site visits, sometimes unannounced, to check that the development is in accordance with the approved plans and planning conditions.

- 6.2 Information is also received from Parish Councils, Building Control teams and other stakeholders notifying us of development that is underway. ~~This information is very important to us.~~ The public also plays a vital role in reporting breaches of planning control, and all reports or complaints about development are investigated, subject to passing the initial screening process shown at paragraph 5.2 above.
- 6.3 As breaches in planning control often require significant evidence gathering, it is always helpful if a complainant provides as much information as possible at the initial contact, including:
- the address of the property or location of the land concerned
 - the name of the person or company involved
 - details of the suspected breach, with times and dates if relevant
 - how the breach affects the area, or any problems caused by the breach.
- 6.4 Contact details of the complainant are also required to process a complaint or report so that progress updates can be given. Anonymous complaints will not normally be dealt with. All complaints or reports of unauthorised development are treated as confidential, but Freedom of Information requests and Court Orders may require the provision of information, so confidentiality cannot be completely guaranteed.
- 6.5 Complaints or reports of unauthorised development that appear to be malicious or based on discrimination will not be dealt with.

7 Our service standards and what you can expect from us

- 7.1 Getting involved with planning enforcement can be stressful, whether you are a concerned neighbour, a Parish Council, or someone who has undertaken development without planning permission. The Authority will aim to deal with all persons fairly and politely, in a timely manner. We will provide the appropriate level of advice and keep local people informed.
- 7.2 If you report a suspected planning breach or make a formal complaint to the Authority, this will be acknowledged within three working days. The matter will be investigated, and the Authority will update you within 20 working days of receipt of the complaint. The Authority will continue to update you regularly on the progress of the case until the matter is resolved.
- 7.3 Enforcement matters often take a long time to resolve. This may be due to:
- Continuing negotiation to try to resolve the matter
 - Consideration of a retrospective planning application seeking to remedy the

breach

- The gathering of sufficient, satisfactory and robust evidence in order to take action
- Awaiting compliance with the requirements of a formal Notice
- Awaiting the determination of an appeal against formal Notices.

7.4 It is understood that, in many cases, people who commit a planning breach do not do so deliberately. They may have thought that the works were not development, or were covered by permitted development rights. The most effective way to make sure you avoid a breach in planning control is to check whether any works you propose require planning consent. You can do this by visiting the Planning Portal at planningportal.gov.uk/permission or by contacting a Planning Officer at the Broads Authority before undertaking the works.

7.5 If you have undertaken works without planning permission, the LPA will seek to work with you to find a solution. The LPA will tell you in writing what the planning issue is and confirm its advice, as well as telling you what you need to do. The LPA will expect you to respond promptly and, within any given timescales, and to engage constructively. The LPA will not engage in repetitive or cyclical correspondence, as this is not a good use of its resources.

8 Contact us

8.1 For more information, ~~or to give your feedback on anything in this document,~~ please contact:

~~Head of Planning~~ [The Local Planning Authority](#)

Broads Authority Yare House
62-64 Thorpe Road
Norwich
NR1 1RY

Email: planning@broads-authority.gov.uk

Appendix 1 – Enforcement Powers

Table 2

Enforcement powers available to a Local Planning Authority.

Enforcement Power	Description
Enforcement Notices	Enforcement Notices can be served on unauthorised development and uses where the development can be remedied by alteration, complete demolition or the ceasing of the unauthorised use. For these Notices there is a right of appeal to the Planning Inspectorate. <u>The service of an Enforcement Notice constitutes formal action for the purposes of the legislation.</u>
Listed Building Enforcement Notices	Listed Building Enforcement Notices are served where unauthorised works to Listed Buildings have taken place and requirements are made to remove those works or improve upon their impact. For these Notices there is a right of appeal to the Planning Inspectorate.
Breach of Condition Notices	Breach of Condition Notices are served to require compliance with a condition attached to a planning permission. These Notices notices are suitable for specific breaches of planning control that need to be corrected within a specified deadline. There is no right of appeal for these Notices. <u>The service of a Breach of Condition Notice constitutes formal action for the purposes of the legislation.</u>
Stop Notices	Stop Notices would normally be served in cases where the unauthorised development or use is considered to be so harmful that the outcome of the enforcement process could not be waited for. <u>These will be served together with an Enforcement Notice. There is no right of appeal for these Notices.</u>
Temporary Stop Notices	Temporary Stop Notices are served where a harmful unauthorised development or use has occurred and needs to be stopped immediately. A Temporary Stop Notices can be in force for up to 2856 days . <u>A Temporary Stop Notices can be in force for up to 2856 days</u> . This allows time for negotiation between us and offending parties. There is no right of appeal for these Notices.
Listed Building Temporary Stop Notices	Listed Building Temporary Stop Notices are served where a development which does not have Listed Building Consent or is in breach of a condition(s) attached to an LBC has occurred and needs to be stopped immediately. A Listed Building Temporary Stop Notices can be in force for up to 56 days. This allows time for negotiation between us and offending parties.
Section 215 Notices	Section 215 Notices can be served on any interested party where land or buildings have become untidy and are considered by us to adversely affect the amenity of the area. There is a right of appeal to the Magistrates' Court for this Notice.

Enforcement Power	Description
Enforcement Warning Notices	Enforcement Warning Notices can be served where there has been a breach of planning control and there is a reasonable prospect that permission would be granted. The Enforcement Warning Notice must state that unless an application for planning permission is made within a period specified in the notice, further enforcement action may be taken. An Enforcement Warning Notice has the effect of ‘resetting the clock’ in terms acquiring immunity. The service of an Enforcement Warning Notice constitutes formal action for the purposes of the legislation.
Planning Contravention Notices	Planning Contravention Notices can be served on any known interested party where it is suspected that a breach of planning control has occurred. They contain a number of relevant questions relating to the alleged breach of planning control. Failure to respond within a specified timescale is a criminal offence which can result in a prosecution in the Magistrates’ Court.
Section 330 Notices	Section 330 Notices require information from any occupier of land asking what his interest is in it. Failure to respond within a specified timescale is a criminal offence which can result in a prosecution in the Magistrates’ Court.
Section 225 Notices	Section 225 Notices enable us to issue Notices on any interested parties against unauthorised advertisement displays on buildings and on other surfaces. Subject to these provisions, we will invoice the recipient of any such action in order to recover the costs that have been reasonably incurred in taking the action.
Court	Prosecutions will be undertaken by us in incidences such as unauthorised works to Listed Buildings and protected trees, demolition in Conservation Areas conservation areas, the display of advertisements and the failure to comply with the other
Injunctions	Injunctive Action is Injunctions are used where a breach of planning control is severe, or there is a threat of it becoming severe, and which can be halted by the successful application to the High Court (or County Court) for an Injunction. It will also be used in longstanding cases where the offender has failed to comply with an Enforcement Notice and the harm is ongoing and now needs to be brought to an end. We will always look to recover our costs from the offender when placed in the position of taking such action even if this results in placing a charge on the land to aid future recovery.
Direct Action	Direct Action will be used so we can ensure remedial works are undertaken to secure satisfactory compliance with an Enforcement Notice. In cases such as this it may also be necessary to apply for an Injunction to prohibit parties from entering the land during the period when direct action is taken. We will always look to recover our costs from the offender when placed in the position of taking such action even if this results in placing a charge on the land to aid future recovery.

Planning Committee

06 December 2024

Agenda item number 9

Enforcement update

Report by Development Manager

Summary

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

Recommendation

To note the report.

Committee date & Case number	Location	Infringement	Action taken and current situation [date of update]
14 September 2018 BA/2018/0047/ UNAUP3	Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter	Unauthorised static caravans (Units X and Y)	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring the removal of unauthorised static caravans on land at the Beauchamp Arms Public House should there be a breach of planning control and it be necessary, reasonable and expedient to do so. • Site being monitored. October 2018 to February 2019. • Planning Contravention Notices served 1 March 2019.

Committee date & Case number	Location	Infringement	Action taken and current situation [date of update]
			<ul style="list-style-type: none"> • Site being monitored 14 August 2019. • Further caravan on-site 16 September 2019. • Site being monitored 3 July 2020. • Complaints received. Site to be visited on 29 October 2020. • Three static caravans located to rear of site appear to be in or in preparation for residential use. External works requiring planning permission (no application received) underway. Planning Contravention Notices served 13 November 2020. • Incomplete response to PCN received on 10 December. Landowner to be given additional response period. • Authority given to commence prosecution proceedings 5 February 2021. • Solicitor instructed 17 February 2021. • Hearing date in Norwich Magistrates Court 12 May 2021. • Summons issued 29 April 2021. • Adjournment requested by landowner on 4 May and refused by Court on 11 May. • Adjournment granted at Hearing on 12 May. • Revised Hearing date of 9 June 2021. • Operator pleaded 'not guilty' at Hearing on 9 June. Trial scheduled for 20 September at Great Yarmouth Magistrates Court. • Legal advice received in respect of new information. Prosecution withdrawn and new PCNs served on 7 September 2021.

Committee date & Case number	Location	Infringement	Action taken and current situation [date of update]
			<ul style="list-style-type: none"> • Further information requested following scant PCN response and confirmation subsequently received that caravans 1 and 3 occupied on Assured Shorthold Tenancies [27/10/2021] • Verbal update to be provided on 3 December 2021 • Enforcement Notices served 30 November, with date of effect of 29 December 2021. Compliance period of 3 months for cessation of unauthorised residential use and 4 months to clear the site [06/12/2021] • Site to be visited after 29 March to check compliance. 23 March 2022 • Site visited 4 April and caravans appear to be occupied. Further PCNs served on 8 April to obtain clarification. There is a further caravan on site [11/04/2022] • PCN returned 12 May 2022 with confirmation that caravans 1 and 3 still occupied. Additional caravan not occupied. • Recommendation that LPA commence prosecution for failure to comply with Enforcement Notice [27/05/2022] • Solicitor instructed to commence prosecution [31/05/2022] • Prosecution in preparation [12/07/2022] • Further caravan, previously empty, now occupied. See separate report on agenda [24/11/2022] • Planning Contravention Notice to clarify occupation served 25 November 2022 [20/01/2023] • Interviews under caution conducted 21 December 2022 [20/01/2023] • Summons submitted to Court [04/04/2023]

Committee date & Case number	Location	Infringement	Action taken and current situation [date of update]
			<ul style="list-style-type: none"> • Listed for hearing on 9 August 2023 at 12pm at Norwich Magistrates' Court [17/05/2023] • Operator pleaded 'not guilty' at hearing on 9 August and elected for trial at Crown Court. Listed for hearing on 6 September 2023 at Norwich Crown Court [09/08/2023] • Hearing at Norwich Crown Court adjourned to 22 September 2023 [01/09/2023] • Hearing at Norwich Crown Court adjourned to 22 December 2023 [26/09/2023] • Hearing postponed at request of Court, to 8 April 2024 rescheduled date [16/01/2024] • Hearing postponed at request of Court, to 14 May rescheduled date [10/04/2024] • Court dismiss Defendants' application to have prosecution case dismissed. Defendants plead 'not guilty' and trial listed for seven days commencing 23 June 2025 [14/05/2024]
13 May 2022 BA/2022/0023/ UNAUP2	Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter	Unauthorised operation development comprising erection of workshop, kerbing and lighting	<ul style="list-style-type: none"> • Authority given by Chair and Vice Chair for service of Temporary Stop Notice requiring cessation of construction 13 May 2022 • Temporary Stop Notice served 13 May 2022. • Enforcement Notice and Stop Notice regarding workshop served 1 June 2022 • Enforcement Notice regarding kerbing and lighting served 1 June 2022 • Appeals submitted against both Enforcement Notices [12/07/2022] • Appeals dismissed and Enforcement Notices upheld 29 July 2024.

Committee date & Case number	Location	Infringement	Action taken and current situation [date of update]
			<ul style="list-style-type: none"> • Workshop to be dismantled and removed off site within two months; all associated structures and fixtures to be removed off site, services (electricity) to be disconnected and infrastructure to be removed off-site and the land to be made good within three months • Kerbed structure and lighting columns to be taken down and electricity connections to be taken up, all within two months; all structures, materials and associated debris arising from the above to be removed off site and the land to be made good within three months [30/07/2024] • Site visit to be carried out and owner reminded of compliance periods [27/09/2024] • Discussions continuing [26/11/2024]
<p>21 September 2022</p> <p>BA/2017/0006/UNAUP1</p>	<p>Land at Loddon Marina, Bridge Street, Loddon</p>	<p>Unauthorised static caravans</p>	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring the cessation of the use and the removal of unauthorised static caravans. • Enforcement Notice served [04/10/2022] • Enforcement Notice withdrawn on 19 October due to minor error; corrected Enforcement Notice re-served 20 October 2022 • Appeals submitted against Enforcement Notice [24/11/2022] • Appeals dismissed and Enforcement Notices amended and upheld 29 July 2024. • Residential use of the caravans to cease, the caravans and associated structures, fixtures, fittings and domestic paraphernalia to be removed off site, services (including water and electricity) to be disconnected and infrastructure to be removed off-site and the land to be made good, all within six months [30/07/2024]

Committee date & Case number	Location	Infringement	Action taken and current situation [date of update]
			<ul style="list-style-type: none"> • Owner to be reminded that notice to be complied with by 29 January 2025 [27/09/2024] • Discussions continuing [26/11/2024]
<p>9 December 2022</p> <p>BA/2018/0047/UNAUP3</p>	<p>Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter</p>	<p>Unauthorised static caravan (Unit Z)</p>	<ul style="list-style-type: none"> • Planning Contravention Notice to clarify occupation served 25 Nov 2022. • Authority given to serve an Enforcement Notice requiring the cessation of the use and the removal of unauthorised static caravan • Enforcement Notice served 11 January 2023 [20/01/2023] • Appeals submitted against Enforcement Notice [16/02/2023] • Appeals dismissed and Enforcement Notices amended and upheld 29 July 2024. • Residential use of the caravan to cease within two months; the caravan and associated structure or fixtures to be removed off site, services (electricity and water) to be disconnected and infrastructure to be removed off-site and the land to be made good within three months [30/07/2024] • Site visit to be carried out and owner reminded of compliance periods [27/09/2024] • Discussions continuing [26/11/2024]
<p>31 March 2023</p> <p>BA/2023/0004/UNAUP2</p>	<p>Land at the Berney Arms, Reedham</p>	<p>Unauthorised residential use of caravans and outbuilding</p>	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring the cessation of the use and the removal of the caravans • Enforcement Notice served 12 April 2023 • Enforcement Notice withdrawn on 26 April 2023 due to error in service. Enforcement Notice re-served 26 April 2023 [12/05/2023] • Appeal submitted against Enforcement Notice [25/05/2023]

Committee date & Case number	Location	Infringement	Action taken and current situation [date of update]
			<ul style="list-style-type: none"> • Discussions continuing [26/11/2024]
2 February 2024 BA/2022/0007/ UNAUP2	Holly Lodge. Church Loke, Coltishall	Unauthorised replacement windows in listed building	<ul style="list-style-type: none"> • Authority given to serve a Listed Building Enforcement Notice requiring the removal and replacement of the windows and the removal of the shutter. Compliance period of 15 years • LPA in discussions with agent for landowner [10/04/2024] • No resolution achieved through discussion. Legal advice sought [29/08/2024] • Case review – Listed Building Enforcement Notice to be served, in process of content being considered and drafted [26/11/2024]

Author: Steve Kenny

Date of report: 26 November 2024

Background papers: Enforcement files

Planning Committee

06 December 2024

Agenda item number 10

BA/2024/0013/TPO Nicholas Everitt Park, Bridge Road, Lowestoft

Report by Historic Environment Manager

Summary

A Provisional Tree Preservation Order (TPO) has been served on a tree at Nicholas Everitt Park, Bridge Road, Lowestoft. A single objection to the TPO was received.

Recommendation

To consider whether to confirm the TPO. The Authority's recommendation is that it is confirmed.

1. Background

- 1.1. As part of its obligation as a Local Planning Authority (LPA), the Broads Authority is required to consider the serving of Tree Preservation Orders (TPOs) on trees which are considered to be of amenity value and where it is expedient to do so. The Town and Country (Tree Preservation) (England) Regulations) 2012 sets out the procedure relating to TPOs and government guidance (Tree Preservation Orders and trees in conservation areas, 2014) provides further information. This report explains how this process has been carried out in respect of an oak tree at Nicholas Everitt Park, Oulton Broad (BA/2024/0013/TPO).

2. Tree Preservation Order procedure

- 2.1. There are two prerequisites which must be met for a tree to be considered for protection through a TPO. Firstly, the tree must be of amenity value, and secondly the expediency of serving the order. There are many trees in the Broads (and elsewhere) which are of sufficient amenity value to qualify for TPO status, but which are not protected as it is not considered expedient to do so. When considering expediency, one of the factors considered by the LPA is whether the trees are not under threat. The TPO process is not a designation like, for example, a conservation area which is made following an assessment of particular character but is effectively a response to a set of circumstances.

- 2.2. Typically, the consideration of a tree for a TPO designation will arise in connection with either a Section 211 notification, notifying the authority of proposed works to trees within a conservation area or a development proposal, either through a formal planning application or a pre-planning application discussion. At a site visit or when looking at photos or other visual representation, a case officer may see there is a tree on the site which is potentially of amenity value and under threat from the proposed development. The case officer will consult the Authority's Arboricultural Consultant, who may need to investigate further and will visit the site and make an assessment of the tree under the 2012 Regulations. If the tree is considered to meet the criteria in the Regulations, then the LPA will consider whether a provisional TPO should be served.
- 2.3. In this instance, the tree was considered for TPO designation due to an application for works to this tree and others under a Section 211 Notice.
- 2.4. After a provisional TPO has been served there is a consultation period, which gives the opportunity for the landowner and other interested parties to comment on it.
- 2.5. The Regulations require that a provisional TPO must be formally confirmed by the LPA within 6 months of it being served; if it is not confirmed then it will lapse automatically.
- 2.6. The Authority's scheme of delegation allows provisional TPOs to be served and for non-controversial TPOs (i.e. where no objections have been received) to be confirmed by officers under delegated powers.
- 2.7. Where an objection has been received as part of the consultation process the decision on whether or not to confirm the provisional TPO is made by the Planning Committee.

3. The potential Tree Preservation Order at Nicholas Everitt Park

- 3.1. Nicholas Everitt Park, Oulton Broad sits on the west side of Bridge Road and Saltwater Way, between the road and the Broad. It is within the Oulton Broad Conservation Area.
- 3.2. The subject tree is an oak. The oak tree is an early mature / mature specimen and is situated on the western side of the drainage ditch which runs north-south along the western side of the park's car park and to the east of the tennis courts.
- 3.3. A section 211 tree works application (BA/2024/0238/TCAA), was submitted by the owners in June 2024 for works to six trees within the park. The works to the other five trees were approved. However, the proposal to reduce the oak tree to a standing stem at 4-5m from ground level was deemed to be inappropriate. A Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out and the assessment deemed that a TPO would be appropriate.
- 3.4. On 18 July 2024 a provisional TPO was served on the tree.
- 3.5. The tree is a significantly sized oak tree, with good amenity value and from the east in particular it is publicly visible. Although it sits amongst a group of trees, it contributes

greatly to the group that forms a backdrop to the western edge of the car park and eastern boundary of the Nicholas Everitt Park. The tree is considered to have a good future lifespan. It is acknowledged that the tree is leaning over the dyke but it has grown at this angle, away from adjacent trees. It has no signs of fungal pathogens, decay or root movement and as such it is not considered that there is sufficient risk to warrant the proposed reduction to a 4-5m stump.

3.6. On 5 August 2024 a letter objecting to the TPO was received from East Suffolk Services, who submitted the tree works application on behalf of Oulton Broad Parish Council. The objections are:

- That the tree does pose a significant risk, warranting the proposed works;
- That the tree has a poor rooting area that is eroding over time, as well as a heavy lean over a well-used car park;
- If the tree were to fall it could cause significant harm / injury to persons or damage to property;
- Another large oak tree growing from the same dyke fell in June this year. This tree had no lean and was in good vitality.

3.7. The Tree Preservation Order will lapse if it is not confirmed by 18 January 2025.

4. Next steps

4.1. The provisional TPO is now reported to Planning Committee for their consideration.

4.2. The Authority’s Arboricultural Consultant considers that the tree detailed in this report is worthy of a TPO due to the contribution that it makes to the amenity of the area. There are also other considerations. The tree is an early mature / mature tree and as such will have some longevity of life; it is considered to contribute to the visual amenity of the area and is therefore of benefit to the general public; the tree increases resilience to climate change and improves air quality in the area, aids biodiversity and encourages wildlife.

4.3. An objection been received and the Statement of Case below sets out the objection formally, along with the response from the Authority’s Arboricultural Consultant.

No.	Representation	Response
1.	That the tree does pose a significant risk, warranting the proposed works;	The tree does not pose a significant risk. It has grown at an angle away from other trees in the area and the condition of the tree, its roots and the ground around the tree show no signs of movement or imminent failure and do not suggest that it poses a risk, sufficient to warrant the proposed reduction / pollarding.

No.	Representation	Response
2.	That the tree has a poor rooting area that is eroding over time, as well as a heavy lean over a well-used car park;	The rooting area is not in poor condition and appears sound with no signs of lifting or cracking. The tree has clearly grown in conjunction with the adjacent trees and the roots will have grown and developed to support the lean. Whilst the tree leans towards the car park the growth pattern is such that it is not deemed an immediate risk to users of the car park.
3.	If the tree were to fall it could cause significant harm / injury to persons or damage to property;	There is always a potential risk with any tree. However, this tree is in good health and shows no sign of weakness or imminent likelihood of failure.
4.	Another large oak tree growing from the same dyke fell in June this year. This tree had no lean and was in good vitality.	As above.

4.4. Members should consider this Statement of Case when considering whether to confirm the TPO.

5. Recommendation

5.1. It is recommended that the provisional Tree Preservation Order at Nicholas Everitt Park, Oulton Broad, Lowestoft is confirmed.

5.2. Documents relating to the TPO are attached to this report.

Author: Kate Knights

Date of report: 11 November 2024

Background papers: TPO (BA/2024/0013/TPO) file

Appendix 1 – Location maps

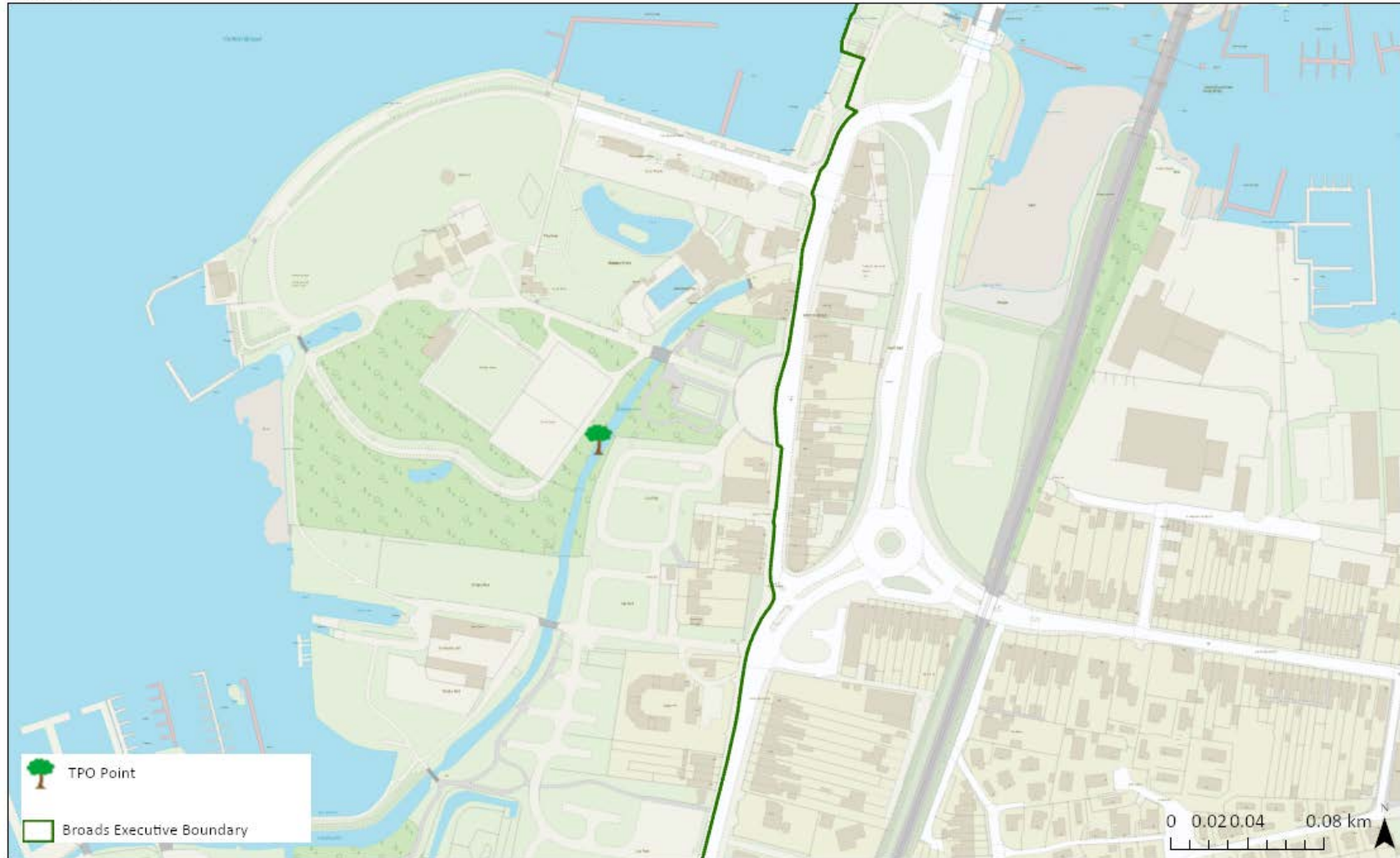
Appendix 1 – Location maps

BA/2024/0013/TPO - Nicholas Everitt Park, Bridge Road, Lowestoft

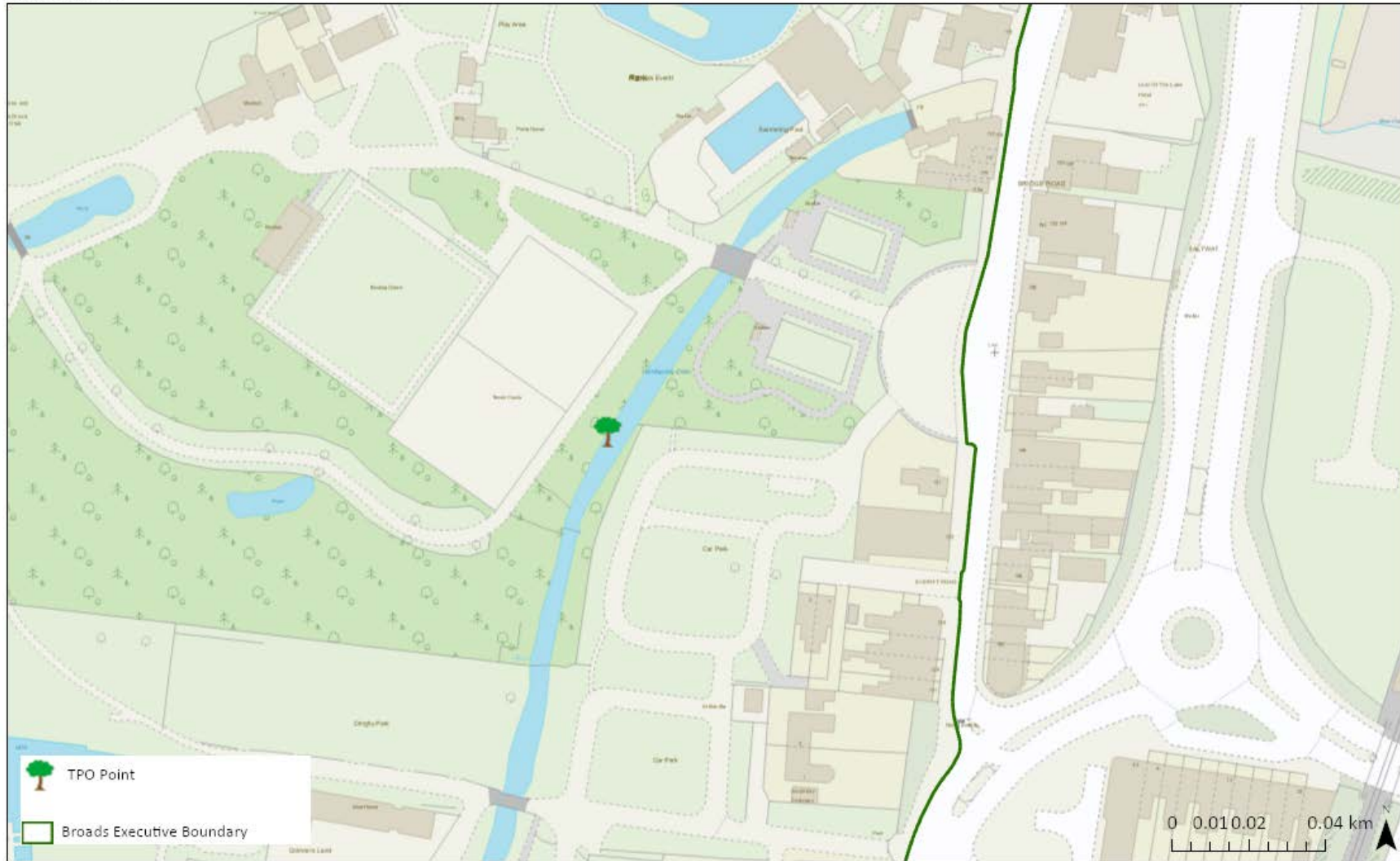
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Planning Committee

06 December 2024

Agenda item number 11

BA/2024/0015/TPO The Island, Yarmouth Road, Thorpe St Andrew - Site visit

Report by Historic Environment Manager

Summary

Objections have been received for a provisional Tree Preservation Order (TPO) and, as required by the Authority's Scheme of Delegation, this TPO will need to be determined by the Planning Committee. This report considers whether a site visit is required prior to the determination of the TPO.

Recommendation

That Members of the Planning Committee do not undertake a site visit for provisional TPO at The Island, Yarmouth Road, Thorpe St Andrew (BA/2024/0015/TPO).

1. Background

- 1.1. As part of its obligation as a Local Planning Authority (LPA), the Broads Authority is required to consider the serving of Tree Preservation Orders (TPOs) on trees which are considered to be of amenity value and where it is expedient to do so. The Town and Country (Tree Preservation) (England) Regulations) 2012 sets out the procedure relating to TPOs and government guidance (Tree Preservation Orders and trees in conservation areas, 2014) provides further information.
- 1.2. This report explains how this process has been carried out in respect of a woodland TPO at The Island, Yarmouth Road, Thorpe St Andrew (BA/2024/0015/TPO).

2. Tree Preservation Order procedure

- 2.1. There are two prerequisites which must be met for a tree to be considered for protection through a TPO. Firstly, the tree must be of amenity value, and secondly the expediency of serving the Order. There are many trees in the Broads (and elsewhere) which are of sufficient amenity value to qualify for TPO status, but which are not protected as it is not considered expedient to do so. When considering expediency, one of the factors considered by the LPA is whether the trees are under threat. The TPO process is not a designation like, for example, a conservation area which is made following an assessment of particular character, but is effectively a response to a set of circumstances.

- 2.2. Typically, the consideration of a tree for a TPO designation will arise in connection with a development proposal, either through a formal planning application or a pre-planning application discussion. At a site visit or when looking at photos or other visual representation, a case officer will see there is a tree on the site which is potentially of amenity value and under threat from the proposed development and this will trigger the TPO process. The case officer will consult the Authority's Arboricultural Consultant who will visit the site and make an assessment of the tree under the 2012 Regulations. If the tree is considered to meet the criteria in the Regulations, then the LPA will consider whether a provisional TPO should be served. Alternatively, a TPO may be served if a Section 211 application for works to trees in a conservation area is not considered appropriate. The LPA must then either allow the works or serve a provisional TPO. This was the case in this instance.
- 2.3. After a provisional TPO has been served there is a consultation period, which gives the opportunity for the landowner and other interested parties to comment on it. The Regulations require that a provisional TPO must be formally confirmed by the LPA within 6 months of it being served; if it is not confirmed then it will lapse automatically.
- 2.4. The Authority's scheme of delegation allows provisional TPOs to be served under delegated powers and for non-controversial TPOs (i.e. where no objections have been received) to be confirmed by officers under delegated powers. Where an objection has been received as part of the consultation process, Members can decide to undertake a site visit to view the tree prior to making a decision on whether or not to confirm the TPO. Guidance on when it is appropriate to undertake a site visit is similar to that which applies in respect of a planning application. This is set out in Appendix 3 of the [Code of Practice for members of the Planning Committee and officers \(broads-authority.gov.uk\)](#). The circumstances in which this would be appropriate include:
- where the issues are finely balanced;
 - where the impacts on neighbour amenity or the wider landscape are difficult to envisage other than by site assessment; or
 - it is beneficial in the interests of local decision-making to demonstrate that all aspects of the proposal have been considered on site.
- 2.5. The grounds of the objection will be reported to the Planning Committee in order to inform the decision on whether or not to undertake a site visit, and a recommendation will be made by officers.
- 2.6. The details of the objection will only be discussed at the meeting where a decision is to be made on whether or not to confirm the TPO.

3. BA/2024/0015/TPO at The Island, Yarmouth Road, Thorpe St Andrew

- 3.1. The subject trees are a mixed broadleaved woodland comprising principally willow, ash, alder and silver birch trees.
- 3.2. The site is located on The Island (known as Thorpe Island). Thorpe Island sits to the south of Yarmouth Road and the River Yare, whilst the New Cut (now the main navigable route) is to the south of the island. The train line runs east west across the southern part of the island and Whitlingham Country Park is immediately to the south. The site in question is located towards the eastern end of the island, almost immediately opposite the attractive public area known as River Green. It is also visible from the train, river and Whitlingham Park.
- 3.3. The site contains an area of mixed broadleaved woodland, comprising mainly willow, ash, silver, birch and alder. The trees form part of a coherent group of woodland on The Island and are large trees with high visual amenity, within the Thorpe St Andrew Conservation Area and forming the backdrop to River Green.
- 3.4. A treeworks application was received to carry out works to 15 trees on this site. Following negotiation with the applicant the application was amended to carry out revised works to 12 trees, which was broadly acceptable. However, it was felt necessary to condition certain elements of the works to ensure that they were carried out appropriately and this can only be achieved via a TPO. It was also considered that in order to ensure the effective longer term management of the wooded area, a TPO would be appropriate.
- 3.5. On 15 August 2024 a provisional TPO was served on the woodland. This must be confirmed by 15 February 2025.
- 3.6. On 11 September 2024 a letter objecting to the TPO was received.

4. Site visit consideration

- 4.1. A copy of the objection(s) to the provisional TPO and the response(s) from the Authority's Arboricultural Consultant to the representation(s) received are set out in a Statement of Case, attached at Appendix 1.
- 4.2. The main issues raised by the objection(s) are: that the TPO is unnecessary as they are already effectively managing the woodland and the trees are already protected through the conservation area.
- 4.3. A presentation on the TPO will be provided at the 10 January 2025 meeting of the Planning Committee with photographs of the woodland and its context, including the neighbouring properties and the local area.
- 4.4. Officers are satisfied that Members can get a full and clear understanding of the woodland, its context and the issues raised in the objection from the presentation and

that a site visit is not required in order to make a considered and sound judgement in this case.

- 4.5. If a site visit is deemed necessary then it must be held with consideration for the report deadline of 20 December 2024 associated with the Planning Committee meeting when the TPO is to be determined.
- 4.6. The report for the 10 January 2025 meeting of the Planning Committee will detail recommendations for consideration regarding the confirmation of the TPO.

5. Recommendation

- 5.1. That Members do not undertake a site visit.

Author: Kate Knights

Date of report: 19 November 2024

Background papers: TPO BA/2024/0015/TPO file

Appendix 1: Statement of Case and location map

Appendix 1 – Statement of Case – Provisional TPO at The Island, Yarmouth Road, Thorpe St Andrew

1. Introduction

- 1.1. It is the Authority’s practice to provide Members with a Statement of Case, outlining the issues under consideration.
- 1.2. A single objection has been raised to the provisional TPO.
- 1.3. As well as the points raised by the objector and the Authority’s response which are set out in the table below, there are other considerations. The trees are relatively mature trees and as such will have some longevity of life; they are considered to contribute to the visual amenity of the area and are therefore of benefit to the general public; the trees increase resilience to climate change and improve air quality in the area, aid biodiversity and encourage wildlife.

2. Representations and responses

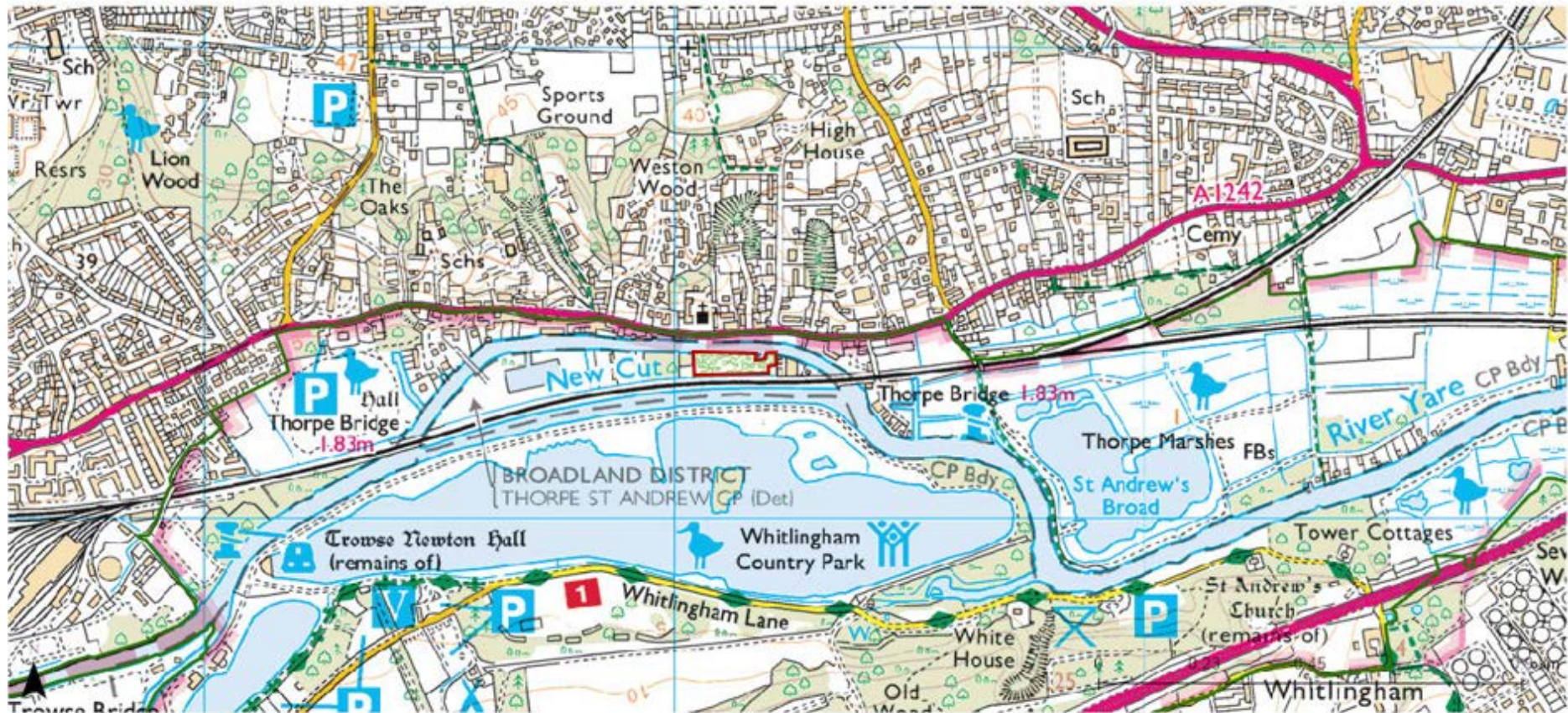
- 2.1. The issues raised by the objector and the Broads Authority’s Tree Consultant’s response are set out below:

No.	Representation	Response
1.	A TPO is unnecessary as the trees are already being effectively managed. They are in the process of creating a Woodland Management Plan with the aim of increasing native biodiversity, maintaining the health and safety of the trees and preserving the visual amenity of the woodland.	Whilst there is an understanding that a woodland management plan is to be produced, there is no formal arrangement for the management of the trees. Given the importance of the trees/woodland to the visual amenity of the site and surrounding area, it was considered necessary to serve the TPO to allow the management of the woodland as a whole rather than through ad-hoc Section 211 notifications of works to trees within a Conservation Area. This allows the Broads to enter into discussions when the proposed works are considered either inappropriate or unnecessary and to apply conditions to permissions where necessary.
2.	Perplexed as to why a TPO is being presented as the sole way to provide communication between themselves and the BA when the trees are	The objector is correct in that the serving of the TPO is not the sole way to provide communication between the applicant and the Broads Authority, but in this case with the size of the area, the numerous moorings and associated ‘plots’, the TPO does allow the Broads to enter into discussions where applications are made for tree

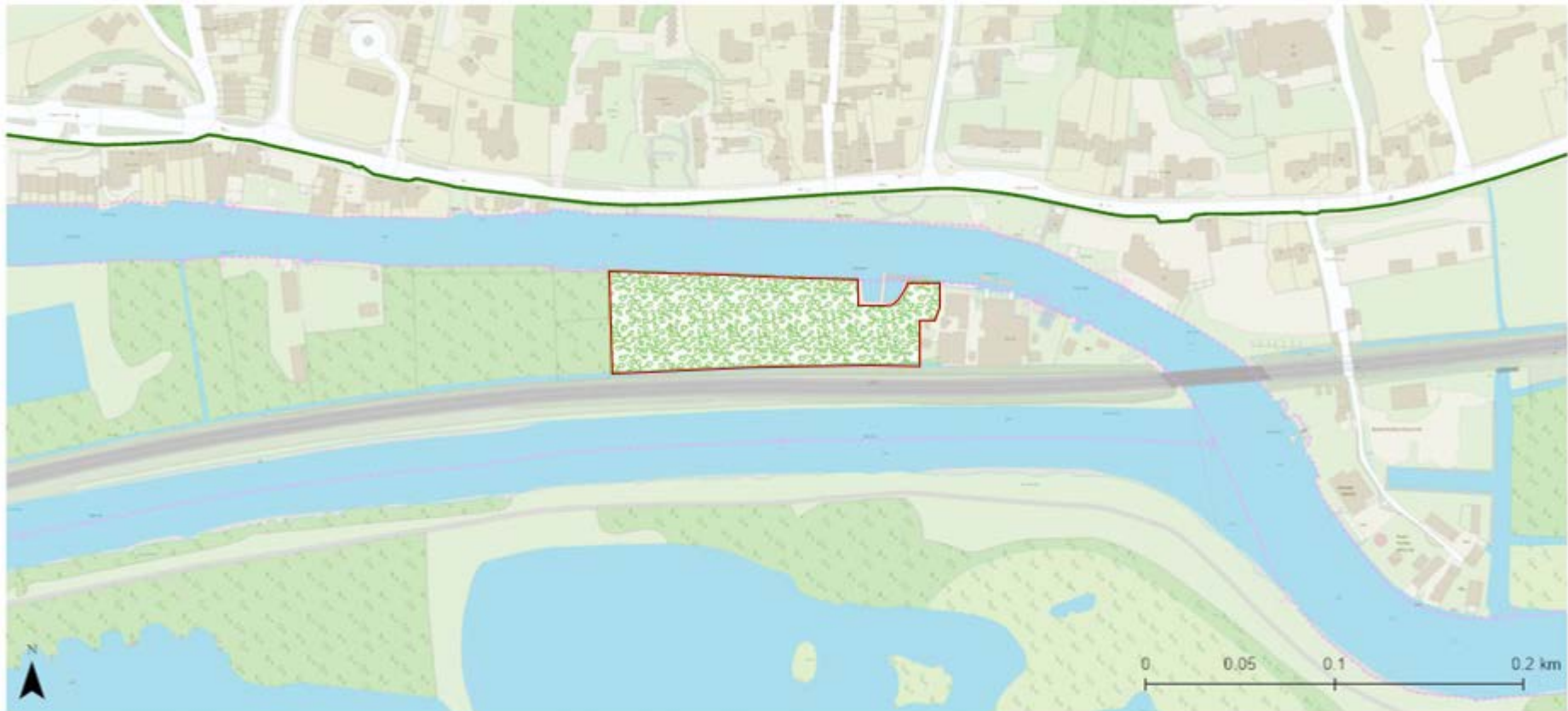
No.	Representation	Response
	already in a Conservation Area.	works and, where necessary, apply conditions when the proposed works are considered either inappropriate or unnecessary. The present situation, where the trees are protected by virtue of the Conservation Area only allows the Broads to either agree with proposed works or serve a TPO.

3. Location map

BA/2024/0015/TPO - The Island, Yarmouth Road, Thorpe St Andrew



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Planning Committee

06 December 2024

Agenda item number 12

Carlton Colville Neighbourhood Plan – Agreeing to re-consult

Report by Planning Policy Officer

Summary

The Carlton Colville Neighbourhood Plan has undergone an examination, and the Independent Examiner has published their report. The Broads Authority and East Suffolk Council (the Local Planning Authorities) and Carlton Colville Town Council propose to make modifications to the Neighbourhood Plan which differ from those recommended by the Examiner. The purpose of this consultation is to invite comments on the proposals to make modifications to the Carlton Colville Neighbourhood Plan which differ from those recommended by the Examiner.

Recommendation

To endorse the proposed modifications to the Carlton Colville Neighbourhood Plan that differ to those recommended by the Examiner. It is recommended that these are consulted on.

1. Introduction

- 1.1. The Carlton Colville Neighbourhood Plan has undergone an examination, and the Independent Examiner has published their report. The Broads Authority and East Suffolk Council (the Local Planning Authorities) and Carlton Colville Town Council propose to make modifications to the Neighbourhood Plan which differ from those recommended by the Examiner. The purpose of this consultation is to invite comments on the proposals to make modifications to the Carlton Colville Neighbourhood Plan which differ from those recommended by the Examiner. Comments cannot be submitted in relation to modifications where the Local Planning Authorities agree with the Examiner.

2. Background

- 2.1. Carlton Colville Town Council submitted its Neighbourhood Plan and supporting documents to the Local Planning Authorities in the spring of 2023. The Submission Version Neighbourhood Plan, evidence base and representations can be viewed [here](#).
- 2.2. The Neighbourhood Plan and supporting documents were publicised between 10 May and 21 June 2023, ahead of the plan being examined. The Neighbourhood Plan was

examined by an independent Examiner: Nigel McGurk BSc (Hons) MCD MBA MRTPI. The Examiner issued his [report](#) on 15 January 2024.

- 2.3. In his report, the Examiner recommended a number of modifications to the Neighbourhood Plan which he deemed were necessary in order for the Plan to meet the 'Basic Conditions' and proceed to a referendum. The Local Planning Authorities and Town Council propose to take a different view on some of the recommendations made by the Examiner in his report and are putting forward different modifications to the Neighbourhood Plan.
- 2.4. The [Neighbourhood Planning legislation](#) states that following receipt of an Examiner's report, the Local Planning Authority(s) must consider each of the recommendations of the report (and the reasons for them) and decide what action to take in response to each recommendation. If a Local Planning Authority(s) propose to make a decision which differs from that recommended by the examiner, under certain circumstances the authority must notify prescribed persons of their proposed decision (and the reason for it) and invite representations. Furthermore, if the Local Planning Authority(s) consider it appropriate to do so, they may subsequently refer the matter to independent examination.
- 2.5. This document sets out which of the Examiner's recommendations the Local Planning Authorities and Town Council are proposing to disagree with and make an alternative modification, and the reasons. A draft of the relevant neighbourhood plan sections incorporating the alternative modifications proposed by the Local Planning Authorities and Town Council is also included. The table below shows all of the modifications proposed by the Examiner and the proposed responses from the Local Planning Authorities and Town Council.
- 2.6. Where the Local Planning Authorities and Town Council are in agreement with the Examiner's recommended modifications then these modifications are not open to consultation and comments will not be accepted in relation to these modifications.

3. The proposed alternative modifications

- 3.1. The table below contains the alternative modifications proposed by the Local Planning Authorities and Town Council that differ from those proposed by the independent Examiner. This document addresses *only* the Examiner's recommended modifications where the Local Planning Authorities disagree with them. The other modifications recommended by the Examiner are not disputed by the Local Planning Authorities and Town Council and do not form part of this consultation. For reference, they can be found in the Examiner's report on the East Suffolk Council [website](#).
- 3.2. The relevant paragraph number from the Examiner's report is provided in the first column. Where new text for the Neighbourhood Plan is proposed by the Local Authorities and Town Council this is shown as underlined. Where text is proposed to be

removed from the Neighbourhood Plan by the Local Planning Authorities this is shown as ~~struck through~~.

3.3. Please refer to the Examiner’s report to view the Examiner’s rationale in relation to each recommended modification.

Examiner’s Recommended Modification	Local Planning Authorities’ and Town Council’s Proposed Response
‘4 Design and Layout’	
<p>(Para. 74) 1. Policy CC1, delete part vii of the Policy:</p> <p><i>“vii. supporting and enabling walking and cycling by effectively integrating walking and cycling infrastructure (including public rights of way and Key Movement Routes as identified in Policy CC3) into development and ensuring that links into the wider network are maintained and, where possible, enhanced. Development must demonstrate how it has been informed by the Suffolk Design Streets Guide or any successor document.”</i></p>	<p>Disagree.</p> <p>The whole of part A of the policy applies to development proposals ‘as appropriate to their scale, nature and location’ - therefore it does not need to be applied to all development and is not considered to be onerous. A minor change to the wording with respect to the application of the Suffolk Design Streets Guide will help to clarify this.</p> <p>It is unclear how paragraph 57 of the NPPF is relevant to this part of the policy.</p> <p>Policy CC3 is recommended to be amended therefore this reference should be removed.</p> <p>It is considered that amendment rather than deletion of this part of the policy is a more reasonable modification.</p> <p>Proposed alternative modification:</p> <p>Amend part vii to read:</p> <p><i>‘vii. supporting and enabling walking and cycling by effectively integrating walking and cycling infrastructure (including public rights of way) into development and ensuring that links into the wider network are maintained and, where possible, enhanced. <u>Where appropriate</u>, development must demonstrate how it has been informed by the Suffolk Design Streets Guide or any successor document.’</i></p>
<p>(Para. 74) 9. Delete Para 4.5 (which appears to suggest that the Neighbourhood Plan has a different role</p>	<p>Disagree.</p>

Examiner's Recommended Modification	Local Planning Authorities' and Town Council's Proposed Response
<p>in respect of adopted allocations than is the case)</p>	<p>This paragraph correctly states that the neighbourhood plan will influence discussions with developers and the Local Planning Authority with respect to the site allocated by Local Plan policy WLP2.16. It also acknowledges that the final design will be subject to detailed plans. It is not agreed that this text provides an inaccurate indication of the role of the Neighbourhood Plan. Nonetheless, there is scope to add clarity with respect to the text being guidance only and also in relation to the role that masterplanning will play in delivering the allocated site, as required by adopted policy WLP2.16. Accordingly, it is recommended that some additional text is added to address this.</p> <p>Proposed alternative modification: Amend para. 4.5 to read:</p> <p><i><u>'The guidance contained in the Neighbourhood Plan is intended to should influence discussions with developers and East Suffolk Council, but the final layout, look and feel will be subject to a developer-led Masterplanning process which will be informed by detailed site appraisal and assessment and ongoing community engagement detailed plans. However, the Neighbourhood Plan has been informed by the aspirations and desires of our community to ensure that these are not over-looked and this presents an early insight into the challenges and opportunities for the future Masterplanning process.</u></i></p>
<p>(para. 74) 13. Delete Paras 4.15 to 4.21 inclusive. Delete Figure 4.12. (This section reads as though it comprises policy requirements, which is not the case)</p>	<p>Disagree.</p> <p>Use of supporting text to guide the application of the policies is supported. The supporting text is distinct from the policy text, which is contained within a green text box. Parts of paras 4.15 to 4.21 apply to parts of policy CC1 which are</p>

Examiner's Recommended Modification	Local Planning Authorities' and Town Council's Proposed Response
	<p>removed. Alternative supporting text is therefore set out below.</p> <p>Proposed alternative modification:</p> <p>Paras 4.15 to 4.21 inclusive to be deleted and new text to be added to form new para. 4.19 to read:</p> <p><u><i>'Open spaces provided as part of new developments should be connected to the wider town where possible using paths that encourage walking and cycling.'</i></u></p>
<p>(Para. 74) 15. Para 4.26, delete last two sentences (Any flood mitigation should have a natural character whilst recognising that it must fully be able to fulfil its primary function of flood mitigation. It should provide quieter spaces for relaxation and reflection as well as good pedestrian and cycling links through to the rest of the development and surrounding area.)</p>	<p>Disagree.</p> <p>The supporting text is distinct from the policy text, which is contained within a green text box. As such, the first sentence can be retained. Flood mitigation schemes which can provide pedestrian and cycle links plus quiet spaces are likely to be few, therefore this part of the text should be reworded so that this expectation does not need to be placed on all flood mitigation schemes.</p> <p>Proposed alternative modification:</p> <p>Retain penultimate sentence (Any flood mitigation...)</p> <p>Amend final sentence (It should provide quieter...) to read: <i>Where possible, it should provide quieter spaces for relaxation and reflection and good pedestrian and cycling links through to the rest of the development and surrounding area.</i></p>
<p>(Para. 74) 16. Delete Paras 4.27 to 4.29 inclusive. (These paras read as though they are policy requirements, which they are not. In making this recommendation, I note that the retained Para 4.30 largely</p>	<p>Disagree</p> <p>The supporting text is distinct from the policy text, which is contained within a green text box. The supporting text describes principles of good design which are applicable to major developments. There is no clear reason why</p>

Examiner's Recommended Modification	Local Planning Authorities' and Town Council's Proposed Response
summarises the intent of previous paragraphs)	<p>these cannot be included in the plan. A re-wording is recommended to clarify that the guidance applies to major residential developments (i.e. 10+ dwellings) which abut the countryside. Reference to pedestrian and cycle movement is included due to this principle being removed from the later 'Neighbourhood Edges' section of the plan.</p> <p>Proposed alternative modification:</p> <p>Delete paras 4.27 to 4.29 inclusive. Insert after para. 4.30: <i>Where major residential development abuts the countryside, the edges should have a soft appearance which can be supported through dwellings facing out to the countryside. Where possible, edge lanes should be incorporated which allow access to a small number of dwellings. Edge lanes should allow for pedestrian and cycle movement around the edge of the site where possible</i></p>
'5 Movement'	
(para. 96) 1. Delete title of Policy CC3 and replace with a new title: "Key Movement and Public Rights of Way"	<p>Disagree</p> <p>Changes to this section of the plan move the focus away from Key Movement routes and place the focus on walking, cycling and public rights of way. The title of the policy should be amended to reflect this.</p> <p>Proposed Alternative Modification:</p> <p>Delete title of Policy CC3 and replace with: <i>'Walking, Cycling, and Public Rights of Way'</i></p>
(para. 96) 2. Policy CC3: delete wording of Policy and replace with new wording: "The protection, enhancement and expansion of the public rights of way network, will be supported."	<p>Disagree.</p> <p>It is acknowledged that as it stands there is some uncertainty over how parts of the policy which relate to the Key Movement Routes would be delivered. In this respect deletion of parts A, B and C is considered to be supportable. It is not agreed, however, that all parts of the policy</p>

Examiner's Recommended Modification	Local Planning Authorities' and Town Council's Proposed Response
	<p>should be wholly removed. Several parts of the policy embody what are considered to be sound planning objectives in terms of supporting active travel and good design, with no apparent barriers to practical delivery. With some modification it is considered that elements of the policy can be retained without conflict with the Basic Conditions.</p> <p>Proposed Alternative Modification:</p> <p>Delete parts A and B and C.</p> <p>Modify part D as follows:</p> <p>D. Major development proposals must <u>should</u> ensure that pedestrian and cycle access into and through the site is safe, convenient and attractive. In particular, provision of segregated cycle and pedestrian routes will be strongly supported. Such routes that also ensure that access <u>Access to these routes by</u> for disabled users, the blind and deaf and users of mobility scooters is secured <u>should be provided where possible.</u></p> <p>Modify part E as follows:</p> <p>E. Where major development is adjacent to open countryside, layouts should provide walking and cycling access around the perimeter of the development <u>where feasible</u> and, where possible, provide access for all non-vehicular users into the countryside, particularly where this provides connections with public rights of way and permissive footpaths.</p> <p>Delete F and replace with:</p> <p><u>The protection, enhancement and expansion of the public rights of way network, will be supported. Development which would result in the loss of existing PROWs will not be permitted unless alternative provision or diversions can be</u></p>

Examiner's Recommended Modification	Local Planning Authorities' and Town Council's Proposed Response
	<p><u>arranged which are at least as attractive, safe and convenient for public use. This will apply to PROWs for pedestrian, cyclist, or horse rider use.</u></p>
<p>(para. 96) 3. Delete para. 5.3 to 5.12, inclusive</p>	<p>Disagree.</p> <p>Parts of these paragraphs provide helpful commentary around the plan preparation process and the community's wishes and aspirations. Some parts incorporate good planning and design principles. It is not considered to be reasonable or necessary to delete these parts. Other parts could be seen as superfluous and removal of these parts is agreed. The identified improvements in para. 5.9 are considered to be useful background information for the community, as such it is proposed that these are moved to an appendix for reference and addressed as non-planning actions. The maps provide useful context and should be retained. Adding public rights of way to the map in fig. 5.2 will improve the information available.</p> <p>Proposed Alternative Modification:</p> <p>Delete paras 5.3 and 5.4.</p> <p>Para. 5.5: delete from first sentence: 'Whilst recognising these limits to what we can control and propose with regard to main routes'.</p> <p>Delete final sentence: 'The same principles will apply to the masterplanning of the other site allocations.'</p> <p>Add new sentence to end of para. 5.5: <u>'Furthermore, improvements to cycling and walking routes which were identified through the process of preparing the neighbourhood plan are included in Appendix B.'</u></p> <p>Para. 5.6: amend first sentence to say: 'Nevertheless, regardless of any particular</p>

Examiner's Recommended Modification	Local Planning Authorities' and Town Council's Proposed Response
	<p>considerations in respect of Bell Farm and Oakes Farm We do want to improve movement generally across our community <u>through:...</u></p> <p>Delete para. 5.7.</p> <p>Add Public Rights of Way to fig 5.2. Amend title of fig. 5.2 to 'Existing cycle-friendly routes and Public Rights of Way'.</p> <p>Delete heading 'Solutions'</p> <p>Delete paras. 5.8 and 5.9. Bullet pointed text from para. 5.9 to be moved to new 'Appendix B'.</p> <p>Amend para. 5.10 as follows:</p> <p>'Design of major development that incorporates 'neighbourhood edges' creates the opportunity to provide walking and cycling access around the perimeter of developments. Not only will this help to provide a soft edge to development but it will provide attractive routes for non-vehicular movement and enable easy support access into the countryside through the network of public rights of way (which include bridleways) and permissive footpaths.'</p> <p>Delete para. 5.11</p> <p>Amend para. 5.12 as follows:</p> <p>'Alongside new cycling routes, the provision of suitable cycle parking at key destinations, e.g. shops, schools, workplaces, etc. is supported <u>encouraged</u>.'</p>
(Par. 96) 4. Delete Figure 5.3	<p>Disagree.</p> <p>This map is relevant to the aspirational routes which are proposed to be moved to new Appendix B. It is noted however that some of the routes on the map need clarifying.</p>

Examiner's Recommended Modification	Local Planning Authorities' and Town Council's Proposed Response
	<p>Proposed Alternative Modification:</p> <p>Move figure 5.3 to new appendix B. Minor modifications to be made to the map to improve clarity as follows:</p> <ul style="list-style-type: none"> • Clearer labelling of red routes • Clearer labelling of routes from the East Suffolk Council Cycling and Walking Strategy • Change Castleton Avenue route from red to orange • Remove route C5 as it is not necessary
'7 Community'	
(para. 133) 1. Delete policy CC8	<p>Disagree</p> <p>The Examiner states in para. 130 of his report that all of the detail relating to the country park will be determined via the planning application process, and that it is not role of the Neighbourhood Plan to determine details or set out development requirements to be addressed at the planning application stage. This statement is not supported and it is the LPAs view that neighbourhood plans can set out development requirements to be addressed at the planning application stage, provided it is done in a way that meets the Basic Conditions.</p> <p>The policy refers to fig. 7.1 which indicates uses for the country park which are considered to be both reasonable and deliverable. Flexibility around how these are applied at the planning application stage will be required, but there is no clear reason why they cannot form the basis to inform the country park masterplan.</p> <p>Proposed Alternative Modification:</p> <p>Re-word policy CC8 as follows:</p>

Examiner's Recommended Modification	Local Planning Authorities' and Town Council's Proposed Response
	<p><i>Proposals to deliver the Carlton Colville Country Park (required as part of the development of land at Bell Farm, as allocated in Waveney (East Suffolk) Local Plan Policy WLP2.16) is expected to be informed by <u>should demonstrate how the principles shown in Figure 7.1 have informed the development of the masterplan.</u> Provision is encouraged to be made for the range of activities shown.</i></p>
<p>(Para. 133) 2. Para 7.17, change opening paragraph to <i>“This provides an opportunity to create a successful country park for the benefit of the local community and visitors. To help achieve this, the Town Council has worked to produce a framework and a suggested outline plan for the country park, set out below. Whilst the Neighbourhood Plan cannot control the delivery of the country park, the Town Council is keen to work with the applicant to ensure the country park’s long-term sustainability. The purpose of the framework and plan below is to help achieve this.”</i></p>	<p>Disagree.</p> <p>Para. 7.17 contains useful supporting information to help the application of the policy.</p> <p>Proposed Action:</p> <p>Retain para. 7.17</p>
<p>(Para. 133) 3. Add new title above Nos 1-14 in list: “Country Park – Suggested Framework”</p>	<p>Disagree.</p> <p>It is proposed to retain para 7.17 and a modified Policy CC8, therefore this new title is not needed</p> <p>Proposed Alternative Modification:</p> <p>Do not add new title.</p>
<p>(Para. 133) 4. Add new sentence below title: “The following are suggestions only and the Town Council will seek to engage with the applicant to develop these ideas further.”</p>	<p>Disagree</p> <p>It is proposed to retain the policy, therefore this modification is not needed.</p> <p>Proposed Alternative Modification:</p> <p>Do not add the new sentence.</p>
<p>(Para. 133) 6. Delete Para 7.18</p>	<p>Disagree</p>

Examiner's Recommended Modification	Local Planning Authorities' and Town Council's Proposed Response
	<p>It is a reasonable and relevant objective to put in place a management plan for the country park. However, the wording of this paragraph does not reflect the planning policy requirements in this respect. This paragraph should be re-worded to reflect the more aspirational nature of this objective.</p> <p>Proposed Alternative Modification:</p> <p>Re-word para. 7.18 to read: <i>The Country Park will need to be supplemented by a full <u>Development proposals are encouraged to include provision for a comprehensive management plan for the country park once final layout/area are agreed as part of any development proposals.</u></i></p>
<p>Additional Modifications</p>	
<p>The Examiner's report references in several places that the supporting text is written in a way so that it appears to be a planning policy requirement. This view is not shared by the Local Planning Authorities and Town Council - the supporting text is clearly distinct from the planning policy text, which is contained within a green box, and gives guidance on applying the policies in the plan. In order to provide additional clarity over this matter, the additional modification below is proposed.</p> <p>Proposed Modification:</p> <p>Add sentence at end of para. 1.3: 'The supporting text in the plan is intended to support the implementation of the policies and should not be applied as policy.'</p>	

Author: Natalie Beal

Date of report: 15 November 2024

Appendix 1 – [Carlton Colville Neighbourhood Plan – Additional Focused Consultation](#)

Carlton Colville Neighbourhood Plan – Additional Focused Consultation

Consultation on proposals to make modifications to the Neighbourhood Plan which differ from those recommended by the Independent Examiner

11th December 2024 to 5th February 2025



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Introduction

The Carlton Colville Neighbourhood Plan has undergone an examination and the Independent Examiner has published their report. The Broads Authority and East Suffolk Council (the Local Planning Authorities) propose to make modifications to the Neighbourhood Plan which differ from those recommended by the Examiner. The purpose of this consultation is to invite comments on the Local Planning Authorities' proposals to make modifications to the Carlton Colville Neighbourhood Plan which differ from those recommended by the Examiner. Comments cannot be submitted in relation to modifications where the Local Planning Authorities are in agreement with the Examiner.

Background

Carlton Colville Town Council submitted their Neighbourhood Plan and supporting documents to the Local Planning Authorities in the spring of 2023. The Submission Version Neighbourhood Plan, evidence base and representations can be viewed at:

www.eastsuffolk.gov.uk/planning/neighbourhood-planning/neighbourhood-plans-in-the-area/carlton-colville-neighbourhood-plan/

The Neighbourhood Plan and supporting documents were publicised between 10th May and 21st June 2023, ahead of the plan being examined. The Neighbourhood Plan was examined by an Independent Examiner: Nigel McGurk BSc (Hons) MCD MBA MRTPI. The Examiner issued his report on 15th January 2024, and this can be viewed at

www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Carlton-Colville/Carlton-Colville-Examiners-Report-15th-Jan-2024.pdf.

In his report, the Examiner recommended a number of modifications to the neighbourhood plan which he deemed were necessary in order for the plan to meet the 'Basic Conditions' and proceed to a referendum. The Local Planning Authorities propose to take a different view on some of the recommendations made by the Examiner in his report and are putting forward different modifications to the neighbourhood plan.

The Neighbourhood Planning legislation (www.legislation.gov.uk/ukpga/1990/8/schedule/4B) states that following receipt of an Examiner's report, the Local Planning Authority(s) must consider each of the recommendations of the report (and the reasons for

them) and decide what action to take in response to each recommendation. If the Local Planning Authority(s) propose to make a decision which differs from that recommended by the examiner, under certain circumstances the authority must notify prescribed persons of their proposed decision (and the reason for it) and invite representations. Furthermore, if the Local Planning Authority(s) consider it appropriate to do so, they may subsequently refer the matter to independent examination.

This document sets out which of the Examiner’s recommendations the Local Planning Authorities are proposing to disagree with and make an alternative modification, and the reasons why. A draft of the relevant neighbourhood plan sections incorporating the alternative modifications proposed by the Local Planning Authorities is also included. The table below shows all of the modifications proposed by the Examiner and the proposed responses from the Local Planning Authorities.

Where the Local Planning Authorities are in agreement with the Examiner’s recommended modifications then these modifications are not open to consultation and comments will not be accepted in relation to these modifications.

Consultation Period

Comments on the Local Planning Authorities’ proposals to disagree with the examiner and make alternative modifications are invited between 11th December 2024 and 5th February 2025. Visit the consultation portal to find out more and make a representation.

Consultation Responses

Consultation responses must be received by East Suffolk Council by 5pm Wednesday 5th February 2025. Comments can be submitted using the following methods:

- Online – (*link to consultation portal to be added when generated*)
- By email to – PlanningPolicy@eastsoffolk.gov.uk
- By post to – Planning Policy and Delivery Team Riverside 4 Canning Road Lowestoft NR33 0EQ

Should you have any queries please contact the Planning Policy and Delivery Team on 01394 444557 or email planningpolicy@eastsuffolk.gov.uk.

Proposed Alternative Modifications

The table below contains the alternative modifications proposed by the local planning authorities that differ from those proposed by the Independent Examiner. This document addresses *only* the Examiner’s recommended modifications where the Local Planning Authorities disagree with them. The other modifications recommended by the Examiner are not disputed by the Local Planning Authorities and **do not form part of this consultation**. For reference, they can be found in the Examiner’s report on the East Suffolk Council website: www.eastsuffolk.gov.uk/neighbourhoodplanning.

The relevant paragraph number from the Examiner’s report is provided in the first column. Where new text for the Neighbourhood Plan is proposed by the Local Authorities this is shown as underlined. Where text is proposed to be removed from the Neighbourhood Plan by the Local Planning Authorities this is shown as struck-through.

Please refer to the Examiner’s report to view the Examiner’s rationale in relation to each recommended modifications.

Reference	Examiner’s Recommended Modification	Local Planning Authorities’ Proposed Response
	‘4 Design and Layout’	
Proposed Alternative Modification 1	(Para. 74) 1. Policy CC1, delete part vii of the Policy: <i>“vii. supporting and enabling walking and cycling by effectively integrating walking and cycling infrastructure (including public rights of way and Key</i>	Disagree. The whole of part A of the policy applies to development proposals ‘as appropriate to their scale, nature and location’ - therefore it does not need to be applied to all development and is not considered to be

Reference	Examiner’s Recommended Modification	Local Planning Authorities’ Proposed Response
	<p><i>Movement Routes as identified in Policy CC3) into development and ensuring that links into the wider network are maintained and, where possible, enhanced. Development must demonstrate how it has been informed by the Suffolk Design Streets Guide or any successor document.”</i></p>	<p>onerous. A minor change to the wording with respect to the application of the Suffolk Design Streets Guide will help to clarify this.</p> <p>It is unclear how paragraph 57 of the NPPF is relevant to this part of the policy.</p> <p>Policy CC3 is recommended to be amended therefore this reference should be removed.</p> <p>It is considered that amendment rather than deletion of this part of the policy is a more reasonable modification.</p> <p>Proposed Alternative Modification 1:</p> <p>Amend part vii to read:</p> <p><i>‘vii. supporting and enabling walking and cycling by effectively integrating walking and cycling infrastructure (including public rights of way) into development and ensuring that links into the wider network are maintained and, where possible, enhanced. <u>Where appropriate</u>, development must demonstrate how it has been informed by the Suffolk Design Streets Guide or any successor document.’</i></p>
<p>Proposed Alternative Modification 2</p>	<p>(Para. 74) 9. Delete Para 4.5 (which appears to suggest that the Neighbourhood Plan has a different role</p>	<p>Disagree.</p> <p>This paragraph correctly states that the neighbourhood plan will influence discussions with developers and the Local Planning Authority with respect to the site allocated by Local Plan policy</p>

Reference	Examiner’s Recommended Modification	Local Planning Authorities’ Proposed Response
	in respect of adopted allocations than is the case)	<p>WLP2.16. It also acknowledges that the final design will be subject to detailed plans. It is not agreed that this text provides an inaccurate indication of the role of the Neighbourhood Plan. Nonetheless, there is scope to add clarity with respect to the text being guidance only and also in relation to the role that masterplanning will play in delivering the allocated site, as required by adopted policy WLP2.16. Accordingly, it is recommended that some additional text is added to address this.</p> <p>Proposed Alternative Modification 2: Amend para. 4.5 to read:</p> <p><i><u>‘The guidance contained in the Neighbourhood Plan is intended to should influence discussions with developers and East Suffolk Council, but the final layout, look and feel will be subject to a developer-led Masterplanning process which will be informed by detailed site appraisal and assessment and ongoing community engagement detailed plans. However, the Neighbourhood Plan has been informed by the aspirations and desires of our community to ensure that these are not over-looked and this presents an early insight into the challenges and opportunities for the future Masterplanning process.</u></i></p>
Proposed Alternative	(para. 74) 13. Delete Paras 4.15 to 4.21 inclusive. Delete Figure 4.12. (This section reads as though it comprises	<p>Disagree.</p> <p>Use of supporting text to guide the application of the policies is supported. The supporting text is distinct from the policy text, which</p>

Reference	Examiner’s Recommended Modification	Local Planning Authorities’ Proposed Response
Modification 3	policy requirements, which is not the case)	<p>is contained within a green text box. Parts of paras 4.15 to 4.21 apply to parts of policy CC1 which are removed. Alternative supporting text is therefore set out below.</p> <p>Proposed Alternative Modification 3:</p> <p>Para’s 4.15 to 4.21 inclusive to be deleted and new text to be added to form new para. 4.19 to read:</p> <p><u>‘Open spaces provided as part of new developments should be connected to the wider town where possible using paths that encourage walking and cycling.’</u></p>
Proposed Alternative Modification 4	(Para. 74) 15. Para 4.26, delete last two sentences (Any flood mitigation should have a natural character whilst recognising that it must fully be able to fulfil its primary function of flood mitigation. It should provide quieter spaces for relaxation and reflection as well as good pedestrian and cycling links through to the rest of the development and surrounding area.)	<p>Disagree.</p> <p>The supporting text is distinct from the policy text, which is contained within a green text box. As such, the first sentence can be retained. Flood mitigation schemes which can provide pedestrian and cycle links plus quiet spaces are likely to be few, therefore this part of the text should be reworded so that this expectation does not need to be placed on all flood mitigation schemes.</p> <p>Proposed Alternative Modification 4:</p> <p>Retain penultimate sentence (Any flood mitigation...)</p> <p>Amend final sentence (It should provide quieter...) to read: <u>Where possible, it should provide quieter spaces for relaxation and reflection</u></p>

Reference	Examiner’s Recommended Modification	Local Planning Authorities’ Proposed Response
		<i>and good pedestrian and cycling links through to the rest of the development and surrounding area.</i>
Proposed Alternative Modification 5	(Para. 74) 16. Delete Paras 4.27 to 4.29 inclusive. (These paras read as though they are policy requirements, which they are not. In making this recommendation, I note that the retained Para 4.30 largely summarises the intent of previous paragraphs)	<p>Disagree</p> <p>The supporting text is distinct from the policy text, which is contained within a green text box. The supporting text describes principles of good design which are applicable to major developments. There is no clear reason why these cannot be included in the plan. A re-wording is recommended to clarify that the guidance applies to major residential developments (ie. 10+ dwellings) which abut the countryside. Reference to pedestrian and cycle movement is included due to this principle being removed from the later ‘Neighbourhood Edges’ section of the plan.</p> <p>Proposed alternative modification 5:</p> <p>Delete para.s 4.27 to 4.29 inclusive. Insert after para. 4.30: <i>Where major residential development abuts the countryside, the edges should have a soft appearance which can be supported through dwellings facing out to the countryside. Where possible, edge lanes should be incorporated which allow access to a small number of dwellings. Edge lanes should allow for pedestrian and cycle movement around the edge of the site where possible</i></p>

Reference	Examiner’s Recommended Modification	Local Planning Authorities’ Proposed Response
	‘5 Movement’	
Proposed Alternative Modification 6	(para. 96) 1. Delete title of Policy CC3 and replace with a new title: “Key Movement and Public Rights of Way”	<p>Disagree</p> <p>Changes to this section of the plan move the focus away from Key Movement routes and place the focus on walking, cycling and public rights of way. The title of the policy should be amended to reflect this.</p> <p>Proposed Alternative Modification 6:</p> <p>Delete title of Policy CC3 and replace with: <i>‘Walking, Cycling, and Public Rights of Way’</i></p>
Proposed Alternative Modification 7	(para. 96) 2. Policy CC3: delete wording of Policy and replace with new wording: “The protection, enhancement and expansion of the public rights of way network, will be supported.”	<p>Disagree.</p> <p>It is acknowledged that as it stands there is some uncertainty over how parts of the policy which relate to the Key Movement Routes would be delivered. In this respect deletion of parts A, B and C is considered to be supportable. It is not agreed, however, that all parts of the policy should be wholly removed. Several parts of the policy embody what are considered to be sound planning objectives in terms of supporting active travel and good design, with no apparent barriers to practical delivery. With some modification it is considered</p>

Reference	Examiner’s Recommended Modification	Local Planning Authorities’ Proposed Response
		<p>that elements of the policy can be retained without conflict with the Basic Conditions.</p> <p>Proposed Alternative Modification 7:</p> <p>Delete parts A and B and C.</p> <p>Modify part D as follows:</p> <p>D. Major development proposals must <u>should</u> ensure that pedestrian and cycle access into and through the site is safe, convenient and attractive. In particular, provision of segregated cycle and pedestrian routes will be strongly supported. Such routes that also ensure that access <u>Access</u> to these routes by <u>for</u> disabled users, the blind and deaf and users of mobility scooters is secured <u>should be provided where possible</u>.</p> <p>Modify part E as follows:</p> <p>E. Where major development is adjacent to open countryside, layouts should provide walking and cycling access around the perimeter of the development <u>where feasible</u> and, where possible, provide access for all non-vehicular users into the countryside, particularly where this provides connections with public rights of way and permissive footpaths.</p> <p>Delete F and replace with:</p>

Reference	Examiner’s Recommended Modification	Local Planning Authorities’ Proposed Response
		<p><u>The protection, enhancement and expansion of the public rights of way network, will be supported. Development which would result in the loss of existing PROWs will not be permitted unless alternative provision or diversions can be arranged which are at least as attractive, safe and convenient for public use. This will apply to PROWs for pedestrian, cyclist, or horse rider use.</u></p>
<p>Proposed Alternative Modification 8</p>	<p>(para. 96) 3. Delete para. 5.3 to 5.12, inclusive</p>	<p>Disagree.</p> <p>Parts of these paragraphs provide helpful commentary around the plan preparation process and the community’s wishes and aspirations. Some parts incorporate good planning and design principles. It is not considered to be reasonable or necessary to delete these parts. Other parts could be seen as superfluous and removal of these parts is agreed. The identified improvements in para. 5.9 are considered to be useful background information for the community, as such it is proposed that these are moved to an appendix for reference and addressed as non-planning actions. The maps provide useful context and should be retained. Adding public rights of way to the map in fig. 5.2 will improve the information available.</p> <p>Proposed Alternative Modification 8:</p> <p>Delete para.s 5.3 and 5.4.</p>

Reference	Examiner’s Recommended Modification	Local Planning Authorities’ Proposed Response
		<p>Para. 5.5: delete from first sentence: ‘Whilst recognising these limits to what we can control and propose with regard to main routes’.</p> <p>Delete final sentence: ‘The same principles will apply to the masterplanning of the other site allocations.’</p> <p>Add new sentence to end of para. 5.5: <u>‘Furthermore, improvements to cycling and walking routes which were identified through the process of preparing the neighbourhood plan are included in Appendix B.’</u></p> <p>Para. 5.6: amend first sentence to say: ‘Nevertheless, regardless of any particular considerations in respect of Bell Farm and Oakes Farm We do want to improve movement generally across our community <u>through:...</u>’</p> <p>Delete para. 5.7.</p> <p>Add Public Rights of Way to fig 5.2. Amend title of fig. 5.2 to ‘Existing cycle-friendly routes and Public Rights of Way’.</p> <p>Delete heading ‘Solutions’</p> <p>Delete paras. 5.8 and 5.9. Bullet pointed text from para. 5.9 to be moved to new ‘Appendix B’.</p> <p>Amend para. 5.10 as follows:</p>

Reference	Examiner’s Recommended Modification	Local Planning Authorities’ Proposed Response
		<p>‘Design of major development that incorporates ‘neighbourhood edges’ creates the opportunity to provide walking and cycling access around the perimeter of developments. Not only will this help to provide a soft edge to development but it will provide attractive routes for non-vehicular movement and enable easy support access into the countryside through the network of public rights of way (which include bridleways) and permissive footpaths.’</p> <p>Delete para. 5.11</p> <p>Amend para. 5.12 as follows:</p> <p>‘Alongside new cycling routes, the provision of suitable cycle parking at key destinations, e.g. shops, schools, workplaces, etc. is supported <u>encouraged</u>.’</p>
<p>Proposed Alternative Modification 9</p>	<p>(Par. 96) 4. Delete Figure 5.3</p>	<p>Disagree.</p> <p>This map is relevant to the aspirational routes which are proposed to be moved to new Appendix B. It is noted however that some of the routes on the map need clarifying.</p> <p>Proposed Alternative Modification 9:</p> <p>Move figure 5.3 to new appendix B. Minor modifications to be made to the map to improve clarity as follows:</p>

Reference	Examiner’s Recommended Modification	Local Planning Authorities’ Proposed Response
		<ul style="list-style-type: none"> • Clearer labelling of red routes • Clearer labelling of routes from the East Suffolk Council Cycling and Walking Strategy • Change Castleton Avenue route from red to orange • Remove route C5 as it is not necessary
	‘7 Community’	
Proposed Alternative Modification 10	(para. 133) 1. Delete policy CC8	<p>Disagree</p> <p>The Examiner states in para. 130 of his report that all of the detail relating to the country park will be determined via the planning application process, and that it is not role of the Neighbourhood Plan to determine details or set out development requirements to be addressed at the planning application stage. This statement is not supported and it is the LPAs view that neighbourhood plans can set out development requirements to be addressed at the planning application stage, provided it is done in a way that meets the Basic Conditions.</p> <p>The policy refers to fig. 7.1 which indicates uses for the country park which are considered to be both reasonable and deliverable. Flexibility around how these are applied at the planning application stage will be required, but there is no clear reason why they cannot form the basis to inform the country park masterplan.</p>

Reference	Examiner’s Recommended Modification	Local Planning Authorities’ Proposed Response
		<p>Proposed Alternative Modification 10:</p> <p>Re-word policy CC8 as follows:</p> <p><i>Proposals to deliver the Carlton Colville Country Park (required as part of the development of land at Bell Farm, as allocated in Waveney (East Suffolk) Local Plan Policy WLP2.16) is expected to be informed by <u>should demonstrate how the principles shown in Figure 7.1 have informed the development of the masterplan</u>. Provision is encouraged to be made for the range of activities shown.</i></p>
<p>Proposed Alternative Modification 11</p>	<p>(Para. 133) 2. Para 7.17, change opening paragraph to <i>“This provides an opportunity to create a successful country park for the benefit of the local community and visitors. To help achieve this, the Town Council has worked to produce a framework and a suggested outline plan for the country park, set out below. Whilst the Neighbourhood Plan cannot control the delivery of the country park, the Town Council is keen to work with the applicant to ensure the country park’s long-term sustainability.</i></p>	<p>Disagree.</p> <p>Para. 7.17 contains useful supporting information to help the application of the policy.</p> <p>Proposed Alternative Modification 11:</p> <p>Retain para. 7.17</p>

Reference	Examiner’s Recommended Modification	Local Planning Authorities’ Proposed Response
	<i>The purpose of the framework and plan below is to help achieve this.”</i>	
Proposed Alternative Modification 12	(Para. 133) 3. Add new title above Nos 1-14 in list: “Country Park – Suggested Framework”	<p>Disagree.</p> <p>It is proposed to retain para 7.17 and a modified Policy CC8, therefore this new title is not needed</p> <p>Proposed Alternative Modification 12:</p> <p>Do not add new title.</p>
Proposed Alternative Modification 13	(Para. 133) 4. Add new sentence below title: “The following are suggestions only and the Town Council will seek to engage with the applicant to develop these ideas further.”	<p>Disagree</p> <p>It is proposed to retain the policy, therefore this modification is not needed.</p> <p>Proposed Alternative Modification 13:</p> <p>Do not add the new sentence.</p>
Proposed Alternative Modification 14	(Para. 133) 6. Delete Para 7.18	<p>Disagree</p> <p>It is a reasonable and relevant objective to put in place a management plan for the country park. However, the wording of this paragraph does not reflect the planning policy requirements in this respect. This paragraph should be re-worded to reflect the more aspirational nature of this objective.</p> <p>Proposed Alternative Modification 14:</p>

Reference	Examiner’s Recommended Modification	Local Planning Authorities’ Proposed Response
		<p>Re-word para. 7.18 to read: <i>The Country Park will need to be supplemented by a full <u>Development proposals are encouraged to include provision for a comprehensive management plan for the country park once final layout/area are agreed as part of any development proposals.</u></i></p>
	<p>Additional Modifications</p>	
<p>Proposed Additional Modification 1</p>	<p>The Examiner’s report references in several places that the supporting text is written in a way so that it appears to be a planning policy requirement. This view is not shared by the Local Planning Authorities - the supporting text is clearly distinct from the planning policy text, which is contained within a green box, and gives guidance on applying the policies in the plan. In order to provide additional clarity over this matter, the additional modification below is proposed.</p> <p>Proposed Additional Modification 1:</p> <p>Add sentence at end of para. 1.3: ‘The supporting text in the plan is intended to support the implementation of the policies and should not be applied as policy.’</p>	

Draft text of sections including Alternative Modifications

To help illustrate the alternative modifications proposed by the Local Planning Authorities, the relevant sections of the Neighbourhood Plan have been drafted below to include the modifications as proposed by the Local Planning Authorities. These sections also incorporate the Examiner’s modifications which the Local Planning Authorities are in agreement with, so that the sections can be read with all proposed modifications together. As stated in the Introduction, comments cannot be submitted in relation to modifications where the Local Planning Authorities are in agreement with the Examiner. Paragraph numbers and bullet points have been amended to fit the updated ordering.

Introduction

- 1.3 Some of the Neighbourhood Plan policies are general and apply throughout the Plan area, whilst others are site or area-specific and apply only to the appropriate areas illustrated on the relevant map. Nevertheless, in considering proposals for development, East Suffolk Council and the Broads Authority will apply all relevant policies of the Plan. It is therefore assumed that the Plan will be read as a whole, although some cross-referencing between Plan policies has been provided. The supporting text in the plan is intended to support the implementation of the policies and should not be applied as policy.

4. DESIGN AND LAYOUT

Introduction and background

- 4.1 As the National Planning Policy Framework (paragraph 126) notes, ‘good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’. Research, such as for the Government’s Commission for Architecture and the Built Environment, now part of the Design Council) has shown that good design of buildings and places can:
- Improve health and well-being;

- Increase civic pride and cultural activity;
- Reduce crime and anti-social behaviour; and
- Reduce pollution.

4.2 Development of Carlton Colville has been substantial over the last 40 years, growing from a rural village separated from Lowestoft and its suburbs to one where it is now seen a part of the Lowestoft area. There have been a number of large-scale developments that have created the feeling of just being ‘dropped’ onto our community. Large scale development of several hundred houses by different developers over the years have served to diminish the sense of cohesiveness and distinctiveness. It is really important that new development, particularly where it is large scale, is designed so that it is part of Carlton Colville and feels and looks like it is part of the community.

Land South of The Street (Bell Farm development)

- 4.3 As the single largest development that is likely to affect the community during the plan period, we have spent a lot of time focusing on how the Neighbourhood Plan can help to support the creation of a cohesive, attractive part of the Plan Area through its design and layout.
- 4.4 The site provides many opportunities to utilise the existing landscape in order to create a sympathetic character-led development response. The Waveney (East Suffolk) Local Plan (shown at Figure 1.1 in this plan) establishes these, including locating the country park in the west to allow the existing water runoff pattern to be preserved, thus retaining the scheduled monument’s seasonal wet characteristic. In addition, green areas can be introduced to act as flood mitigation where the flood risk is high. There is an opportunity to link these green spaces to the country park to form a network. This can be enhanced by retaining the existing hedgerows which can connect with the green space via foot and cycle paths.
- 4.5 The guidance contained in the Neighbourhood Plan is intended to influence discussions with developers and East Suffolk Council, but the final layout, look and feel will be subject to a developer-led Masterplanning process which will be informed by detailed site appraisal and assessment and ongoing community engagement. However, the Neighbourhood Plan has been informed by the aspirations and desires of our community to ensure that these are not over-looked and this presents an early insight into the challenges and opportunities for the future Masterplanning process.

- 4.6 The following sections provide guidance about high quality design. Unless otherwise stated, this applies to all development across the neighbourhood area, excluding the Broads Authority Executive Area.

Key guiding principles

Character – design and materials

- 4.7 We feel new developments should have a feel derived from existing natural and historic site features. For example, the steeper pitch of roof, the use of brick, flint and render or on occasion, appropriate (pastel) colour. The required essential design ethos will be that of a 21st century design that links visually with the best aspects of the existing ‘old village’ area of Carlton Colville and with a strong emphasis on greening and contact with nature.
- 4.8 The housing at the edge of a development should use a variety of materials, non-uniform massing and a mixture of gables and ridges in order to create an interesting view looking towards the development from outside.

[Figures 4.1 – 4.6 retained.]

- 4.9 The character of any new developments should be shaped by their context. By this we mean their scale and orientation should be sympathetic to their urban/suburban environment or should be positioned appropriately in their rural setting. Specific views that should be considered are identified separately in Policy CC2.

[Figure 4.7 Layout should preserve and enhance existing natural features]

- 4.10 There is a good mix of building types in the community which can be used to help integrate development with the rest of the village. For example, the buildings adjacent to the Bell Farm development site do not exceed two storeys, therefore the edge of the development should respect the existing building height, tapering off in height as they meet the open countryside. Another example of this using the Bell Farm development topography is shown in Figure 4.8 below.

Topography

- 4.11 A particularly important consideration in the largely flat topography of the area is Bloodmoor Hill which provides a unique, unspoilt panorama of open countryside (this is the orange area in the east of the site shown in Figure 4.8). From the high point there is a

visual link between the ancient site at Bloodmoor Hill (in Carlton Colville) and Gisleham (particularly the Grade I Church) and the old village of Carlton Colville. It will be important that development of the Bell Farm site addresses this in its design and layout as Bloodmoor Hill and its views will become publicly accessible. These views are addressed in Policy CC2.

[Figure 4.8 Map showing topography and drainage ditches]

- 4.12 The Bell Farm site is largely flat; however, the orange areas in Figure 4.8 represent higher ground within the site. The change in level to the south of the site could be strategically utilised to reduce the impact of development to the church views and the scheduled monument. There are drainage ditches and areas where surface water collects which may affect where development is located. The water floods from the south to the north, i.e. towards the village.

Heritage

- 4.13 Both the Bell Farm and Oakes Farm sites have been identified as likely to have a number of areas of archaeological interest as they adjoin known and recorded early settlements. In the case of Bell Farm, the key heritage consideration relates to the potential impact of development on the Scheduled Monument, which is described as a moated area 200m south west of Bell Farm. To reduce harm to the moated area, it is recommended that the west of the site should retain its rural setting by surrounding the monument with a country park (as stated in the Waveney (East Suffolk) Local Plan). This would also preserve the views to the Grade I listed Holy Trinity Church, as identified above. The Heritage Impact Assessment appended to the Waveney (East Suffolk) Local Plan also recommends that the access road closest to the Monument should be re-considered because of its negative visual impact.
- 4.14 Systematic archaeological evaluation is required across the Bell Farm and Oakes Farm sites prior to the submission of planning applications so that remains across the sites can be understood and factored into development, along with any necessary mitigation.

Shared spaces

- 4.15 The scale of the Bell Farm development and the illustrative masterplan suggest that there will be a number of opportunities for shared spaces scattered around the site. Spaces such as these can be added to development in order to provide visual interest, create public space or even act as a traffic calming measure. The location and appearance of the shared spaces can differ depending on their purpose.

- 4.16 For example, using a different surface material at a junction can act as a traffic calming measure as well as providing visual interest by breaking up long straight roads. This can also help with way finding. Additional greenery can enhance the attractiveness of the space and provide character.

[Figure 4.13 Shared surface junctions]

- 4.17 Small public spaces can be created on residential streets to the side of the road by pushing back some of the houses and organising them around the public space to ensure it is well overlooked. These spaces can provide places to sit and offer a place to relax within the neighbourhood.

[Figure 4.14 Shared surface public spaces]

Layout

- 4.18 For large scale developments such as the 900-home Bell Farm allocation or potentially the Oakes Farm sports development area, it will generally be the case that the central area will have the highest levels of activity. In these areas, there is the opportunity for the building density to be higher and the streets to provide a good sense of enclosure. Any flood mitigation should have a natural character whilst recognising that it must fully be able to fulfil its primary function of flood mitigation. Where possible, it should provide quieter spaces for relaxation and reflection and good pedestrian and cycling links to the surrounding area.

[Figure 4.15 Combination of natural features, structures and space to create an open feel]

- 4.19 Open spaces provided as part of new developments should be connected to the wider town where possible using paths that encourage walking and cycling.
- 4.20 In general terms, densities will be required to reflect Waveney (East Suffolk) Local Plan Policy WLP8.32 and will be highest around development centres, reducing towards the settlement margins. Where major residential development abuts the countryside, the edges should have a soft appearance which can be supported through dwellings facing out to the countryside. Where possible, edge lanes should be incorporated which allow access to a small number of dwellings. Edge lanes should allow for pedestrian and cycle movement around the edge of the site where possible.

- 4.21 Specifically relating to the Bell Farm development, there is an existing foot and cycle path that is adjacent to the edge of the site and leads to the Dales housing estate. This path has the potential to link pedestrians and cyclists from the existing estate to the new development.

[Figure 4.17 Foot and cycle path access to Bell Farm]

- 4.22 Development should take account of the Suffolk Design Streets Guide which provides clear advice on different types of road layout for different types of streets and developments. Most importantly it recognises the need for different types of movement ‘frameworks’ for different types of user, i.e. pedestrians, cyclists, public transport users, specialist service vehicles and private cars.

Policy CC1: High Quality Design

- A. Across the whole Neighbourhood Area, development proposals (as appropriate to their scale, nature and location) should demonstrate high quality design and layout which respects the local character of Carlton Colville. In particular this means:**
- i. demonstrating a distinct character derived from existing natural and historic site features;**
 - ii. being informed by the surrounding landscape and features of interest, including panoramic views from the high ground at Bloodmoor Hill;**
 - iii. respecting prevailing building heights and ensuring heights taper off at the edges of sites where they meet open countryside;**
 - iv. softening the appearance of buildings on the edge of a development where it meets the open countryside through the use of natural materials and features such as green roofs;**
 - v. minimising light pollution to ensure that it does not have a detrimental effect on residential amenity or nature or the intrinsically dark skies of the Broads;**
 - vi. supporting and enabling walking and cycling by effectively integrating walking and cycling infrastructure (including public rights of way) into development and ensuring that links into the wider network are maintained and, where**

possible, enhanced. Where appropriate, development must demonstrate how it has been informed by the Suffolk Design Streets Guide or any successor document.

- B. All new development should demonstrate high quality design and is required to respect its surroundings. The following will be supported:**
- i. Use of a variety of brick, flint and render finishes along with roof styles that visually link development with the best aspects of the existing ‘old village’ area.**
 - ii. Development is set back from roads and boundary treatments are at a low level, creating an open feel.**
 - iii. Landscaping, including boundary treatments such as hedges as well as street trees, shall be used to ensure development does not create a hard edge.**

5. MOVEMENT

- 5.1 One of the main concerns of existing residents when new developments are being considered is the impact of traffic. Figure 5.1 below identifies the most important routes into/out of our community and the key destinations.
- 5.2 We recognise that the largest developments in our Neighbourhood Area over the next 15 years are likely to be the Bell Farm, Oakes Farm and South Lowestoft Industrial Estate site allocations.
- 5.3 The community has expressed views through the Neighbourhood Plan process about possible layouts and routes within the proposed Bell Farm site in particular to try and minimise impact on the existing community and historical assets whilst also making movement easier for new residents, the school and the retirement facility. These will be fed into the joint masterplanning process. Furthermore, improvements to cycling and walking routes which were identified through the process of preparing the neighbourhood plan are included in Appendix B.
- 5.4 We want to improve movement generally across our community through:
- linking existing and proposed residential and recreational areas with employment and services (for example to the principle major retail and local industries at the South Lowestoft Industrial Estate);

- where possible having development concentrated within walking distance of facilities; and
- providing improved cycling and pedestrian facilities as well as improving access and maximising safe movement. In this regard, there are number of schemes identified in the East Suffolk Cycling and Walking Strategy which should form a core part of this.

5.5 Design of major development that incorporates ‘neighbourhood edges’ creates the opportunity to provide walking and cycling access around the perimeter of developments. Not only will this help to provide a soft edge to development but it will provide attractive routes for non-vehicular movement and support access into the countryside through the network of public rights of way (which include bridleways) and permissive footpaths.

5.6 Alongside new cycling routes, the provision of suitable cycle parking at key destinations, e.g. shops, schools, workplaces, etc, is encouraged.

[Figure 5.2 Existing cycle-friendly routes and Public Rights of Way

Public rights of way

5.7 Public rights of way (PROWs) are an important means of access into the countryside for a range of users (see Figure 2.3). Suffolk has a very extensive network of PROWs and it is important that development plans protect and, where possible, enhance these. Suffolk County Council has a Green Access Strategy⁵ which sets out a commitment to enhance PROWs, including new linkages and upgrading routes where there is a need. The strategy also seeks to improve access for all and to support healthy and sustainable access between communities and services through development funding and partnership working.

Policy CC3: Walking, Cycling and Public Rights of Way

A. Major development proposals should ensure that pedestrian and cycle access into and through the site is safe, convenient and attractive. In particular, provision of segregated cycle and pedestrian routes will be strongly supported. Access to these routes for disabled users, the blind and deaf and users of mobility scooters should be provided where possible.

B. Where major development is adjacent to open countryside, layouts should provide walking and cycling access around the perimeter of the development where feasible and, where possible, provide access for all non-vehicular users into the countryside, particularly where this provides connections with public rights of way and permissive footpaths.

C. The protection, enhancement and expansion of the public rights of way network, will be supported. Development which would result in the loss of existing PROWs will not be permitted unless alternative provision or diversions can be arranged which are at least as attractive, safe and convenient for public use. This will apply to PROWs for pedestrian, cyclist, or horse rider use.

Carlton Colville Country Park

- 7.16 As part of the Waveney (East Suffolk) Local Plan allocation of the Bell Farm site, an area of at least 15 hectares is required to be delivered for a Country Park. Policy WLP2.16 states:

'The country park should be located to the west of the site and provide protection to the setting of the Scheduled Monument and Grade I listed Holy Trinity Church. It should include a fenced neighbourhood equipped area for play and an open landscaped area for dog walking and other recreation.'

- 7.17 To meet these objectives and to also reflect the aims of our environment policy we have identified important principles and an illustrative layout for the Park. This framework builds upon the experience learned from the new park in Oulton and through feedback from the local community. Whilst the principles provide a detailed list, it is recognised that there must be flexibility in what is delivered to meet the overall objectives. Nevertheless, the following have been identified as important aspects if the country park is to be a successful thriving space:

1. To meet the play objective, a new play area is suggested for inclusion within the proposed development area utilising land identified for flood mitigation. This could supplement existing play equipment areas at Hall Road Community Hall, Carlton Park Play Park and the Dales development (Bloodmoor Hill). However, the country park could provide an additional opportunity for adventure play.

2. Accessible by and through the park. Main routes could be tarmacked or compacted stone paths for all ages and abilities, by foot, by buggy, by cycle and mobility aid. Main paths could be at least 3 metres wide to allow two wheelchairs or prams to pass comfortably. Other paths around the park or in sensitive environmental areas could be wood chip or equivalent.
3. Adequate parking for people using the park. The suggested location should be close to the existing Carlton Colville Primary School on Gisleham Road. This is so that visitors from outside the community don't have to travel through the existing community or through the new development to access the park.
4. An historical trail around the scheduled monument.
5. Create a natural 'amphitheatre' to allow for structured play/open air meetings/performances.
6. Create suitable area for field study or family gatherings.
7. Create a night-time observatory site to allow star gazing.
8. Create a 'keep-fit' trail/route.
9. Restore hedges, plant native trees - create a series of copses and natural scrub areas to encourage wildlife.
10. Work with Historic England to enhance the natural and learning opportunities of the scheduled monument.
11. Create a community orchard – the Town Council would look to form a community group (or groups) that would like to be part of planting and maintaining this.
12. Pathways suitable for all forms of transport and planted either side with trees (a bit like the path around Normanston Park - providing interest and shade).
13. Create 'zones':
 - Community orchard
 - Heritage area near scheduled monument
 - Dog walking/recreation
 - Managed grassland for ground nesting birds (restricted access during nesting)
 - Woodland.
14. Suitable layout for use for a themed festival/fete/carnival (Carlton - summer solstice/winter solstice festival) (Charity/community fundraiser)

- 7.18 Development proposals are encouraged to include provision for a comprehensive management plan for the country park.
- 7.19 To aid the development of proposals for the Country Park, Figure 7.1 below provides an illustrative overview of the opportunities the site offers. Again, this is intended to be illustrative, however it has been informed by wider thinking about the location of the site and its relationship with surrounding areas and the community of Carlton Colville.

POLICY CC8: CARLTON COLVILLE COUNTRY PARK

Proposals to deliver the Carlton Colville Country Park (required as part of the development of land at Bell Farm, as allocated in Waveney (East Suffolk) Local Plan Policy WLP2.16) should demonstrate how the principles shown in Figure 7.1 have informed the development of the masterplan. Provision is encouraged to be made for the range of activities shown.

APPENDIX B

The following improvements to cycling and walking routes were identified through the process of preparing the neighbourhood plan. The Town Council will seek to work with relevant stakeholders to help support delivery of these improvements where feasible.

Fig A (formerly fig 5.3) indicates these improvements on a map. It also identifies the ‘key corridor recommendations’ in the East Suffolk Cycling and Walking Strategy which can complement the improvements in providing a coherent and safe network of routes for non-motorised traffic.

- Improve Beccles road crossing points at (C1) Hollow Lane and at the junction of Chapel Lane and Marsh Lane (C4) - at the moment there are no crossing aids to allow pedestrian, cycle or mobility access across the Beccles road to the Broads Authority Executive Area and Carlton Marshes Nature Reserve. Suggested improvements would be to provide suitable traffic crossing facilities at these two points plus better signage and way-finding measures both to and from the important tourist and leisure sites (e.g. Carlton Colville Transport Museum and Carlton Marshes Nature Reserve).
- There are poor connections between the developments in the north of the Neighbourhood Plan area and those in the south plus the major retail, leisure and employment hub at Gisleham. A suggested improvement (R1) is that the main nonvehicular

movement south-north from the proposed Bell Farm development could be via Low Farm Drive, Shaw Avenue, Rounces Lane, Hollow Lane (linking separately to Capstan Way), Grove Road and Clarkes Lane. The benefits are to give safe walking and cycle routes to all primary schools, provide easier access to the Nature Reserve and link with the national cycle route.

- The main West-East route (R2) is fragmented and there are poor condition pathways creating difficulties for people trying to access retail and employment at South Lowestoft Industrial Estate. The suggestion is to join up current fragmented routes by better signage and clearer road markings from the proposed Bell Farm development (C), through the Dales Estate to Bloodmoor Hill where it links with a cycle path on Bloodmoor Hill or provides direct access to the South Lowestoft Industrial Estate for employment and retail purposes. East to west cycle routes would provide access to the proposed country park (B) and existing Primary School. It should be noted that some parts of this route are outside the Neighbourhood Plan, therefore Policy CC3 does not apply.
- Pedestrian access to the dedicated foot and cycle path on Bloodmoor Hill (C2 – see picture below) - the issue is the ramp goes over the road to Pakefield side and does not allow cycle, pushchair or wheelchair access to the existing dedicated path and cycle way running alongside Bloodmoor Hill. There are steps down but these cannot be easily managed by pushchairs, other forms of mobility and cyclists. A suggestion would be to replace the steps with a ramp on the Dales development side which would encourage both pedestrians and cyclists to access the retail and employment opportunities on the Gisleham Estate more easily and safely reducing pressure on car usage.
- South/West routes (R3) could provide access to sports and social sites at Oakes Farm (A) via Rushmere Road/Secrets Corner and Hall Road traversing the National Cycle Path. A suggested improvement would be to access a cycle free route from the proposed Oakes Farm sports development alongside of Hall Road to Secrets Corner, Rushmere Road then accessing the country park to provide off road route all the way to Carlton Colville Primary School. This would be assisted by the widening of Hall Road.
- The existing National Cycling Route between Beccles Road and Mutfordwood Lane is indirect. A suggested improvement would be to provide a cycle path as part of any development at Oakes Farm to connect Castleton Avenue to Mutfordwood Lane.

- Improvements to west end of Castleton Avenue (Swallowfields) (C3). Currently the well-used route remains uncompleted. A suggested improvement is that the short, incomplete cycle path could be completed from Swallowfields to Beech Road which will extend connections in this part of Carlton Colville and provide direct access to sports facilities. Safer crossing of Castleton Avenue is also required.



Write to us

East Suffolk Council
Planning Policy and Delivery Team
Riverside, 4 Canning Road,
Lowestoft, NR33 0EQ

Call us

Planning Policy and Delivery Team (Local Plans)

01394 444557

Development Management (Planning Applications)

01394 444832

Email

Planning Policy and Delivery Team (Local Plans)

planningpolicy@eastsoffolk.gov.uk

Development Management (Planning Applications)

planning@eastsoffolk.gov.uk

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Planning Committee

06 December 2024

Agenda item number 13

Norfolk and Waveney Planning in Health Protocol- Update

Report by Planning Policy Officer

Summary

The built and natural environment is a key determinant of health and wellbeing, and shapes health inequalities. The process governing how health organisations are consulted about planning applications is set out in the Norfolk and Waveney Planning in Health Protocol (the Protocol). It sets out how relevant NHS organisations, public health and local planning authorities jointly consult to ensure that health considerations are adequately accounted for in plan making, planning applications and their subsequent development. The protocol has been revised to take account of new structures and policy within both health and spatial planning.

Recommendation

Endorse the revised Norfolk and Waveney Planning in Health Protocol

1. Introduction

- 1.1. The built and natural environment is a key determinant of health and wellbeing, and shapes health inequalities. There is a body of research showing that the environment people live in is inextricably linked to health across the life course. For example, the design of neighbourhoods can influence physical activity levels, travel patterns, social connectivity, mental and physical health and wellbeing outcomes.
- 1.2. Public Health Norfolk would like to better engage with spatial planning bodies in Norfolk to ensure that local plans have the necessary hooks and levers to ensure health and wellbeing are a key consideration in proposed future development, and to develop tools and resources to make it easier for spatial planners to embed health and wellbeing in their work.
- 1.3. The process governing how health organisations are consulted about planning applications is set out in the Protocol. It sets out how relevant NHS organisations, public health and local planning authorities jointly consult to ensure that health considerations are adequately accounted for in plan making, planning applications and their subsequent development.

- 1.4. The Protocol has been revised to take account of new structures and policy within both health and spatial planning.
- 1.5. The Protocol is a multiagency-owned document between planning authorities and health organisation and was agreed at the Norfolk Strategic Planning Officers Group on 9 June 2024. It has been endorsed by the Health and Wellbeing Board District Council Sub-committee in September and will be adopted through each planning authorities' own processes.

2. Content of the Protocol

- 2.1. The Protocol governs how relevant NHS organisations, public health and local planning authorities will jointly consult to ensure that health considerations are adequately accounted for in plan making and in planning applications and their subsequent developments. In this context health considerations includes planning for health service provision, such as the provision of enough doctor's surgeries to meet population needs and promoting health and wellbeing in the design and provision of developments, such as provision of walking and cycling infrastructure, access to green spaces or maintenance of good air quality.
- 2.2. The Protocol sets out the size and scale of development when it will apply and provides information about the types of activities that can be undertaken, such as a health impact assessment, to promote healthy planning and development and includes a health planning checklist.
- 2.3. The revised Protocol is at Appendix 2.

3. Main changes to the Protocol

- 3.1. The changes made in this revision are summarised at Appendix 1; these are to:
 - Ensure greater consideration of health promotion through the planning process
 - Update the Protocol to reflect new NHS structures and changes in national planning policy
 - Make the Protocol more accessible, as well as clarifying partner roles and responsibilities

Author: Natalie Beal

Date of report: 11 November 2024

Appendix 1 – [Planning in Health Protocol - Update Summary](#)

Appendix 2 – [Planning in Health Protocol \(Revised August 2024\)](#)

Planning in Health Protocol – Update Summary

The Planning in Health Protocol provides a collaborative way of working between the Integrated Care Board (ICB) estates team and health partners, Public Health, Local Planning Authorities (LPAs), and helps ensure the impacts on health and care services from local plans and a growing population are measured, understood, mitigated, and managed appropriately.

The main updates to this version of the Protocol are the addition of a new Section 1 (How to use this protocol), more detail on the tools and data used by the ICB to calculate the impacts on healthcare services, as well as revisions to the text describing changes to the health and social care system and its governance within which the Protocol operates.

The updated protocol has been distributed and discussed through the Norfolk Strategic Planning Group, there were two issues raised when the protocol was last presented.

- clarification on dentistry was required, as this was initially omitted from the Protocol.
- information on how the ICB calculates developer contributions, with specific concerns regarding the evidence and calculations shared.

We have responded to these two issues raised by -

1. Highlighting that the ICB took over delegated responsibility for commissioning dental services from NHS England (NHSE) in April 2023, and that they will now be captured through this protocol and process.

A long-term plan for dentistry has been developed and agreed, with a vision to - build stability and resilience across our dental services; improve access to oral health care for Norfolk and Waveney's population; and, to reduce health inequalities.

A number of actions and focus areas are covered in the plan, but with regards to the protocol process and the capturing of dentistry within it – the next step for the ICB estates team is to continue work with the primary care commissioning team to ensure demand and capacity is understood, and calculations like those ran through HUDU for GP practices, highlighting the specific impacts, can be ran for dentistry and included with our responses.

2. Including additional detail on the modelling tool used to calculate the impacts on healthcare services and its infrastructure. We have developed and include a new table of metrics within our response letters to planning consultations that highlight the existing local infrastructure, the capacity of that infrastructure, the workforce, as well the additional demand from the proposed development. (page 34)

The Infrastructure Development Plans (IDPs) being developed will help illustrate our collective estate infrastructure, demand and capacity, as well development plans to improve our infrastructure and increase our capacity. Unfortunately, these have been held up following a request from NHSE for ICBs to develop new Estates Infrastructure Strategies. The draft has been approved by the ICB executive management team and is with NHSE for review. Feedback is anticipated in November, and delivery plans developed this calendar year, with IDPs following in January next year.

PLANNING IN HEALTH PROTOCOL

An engagement protocol between Norfolk and East Suffolk Local Planning Authorities, the Norfolk and Waveney Integrated Care Board, Health Partners and Public Health Norfolk and Public Health Suffolk

Revised August 2024 – Version 1.1

FOREWORD

This revision is based upon the previously published version from August 2019 and has come about in recognition of a need for greater collaboration between local planning authorities, health service organisations, and public health departments in local government to plan for future growth and to promote health in planning. It reflects changes in national planning policy and the need for health service organisations to deliver on the commitments within the NHS Long Term Plan which sets out goals and actions for the future of the NHS.

This revision recognises the emergence of the [Norfolk and Waveney Integrated Care System \(ICS\)](#), an umbrella body bringing together the organisations planning, buying, and providing publicly funded healthcare to the population of the area. On 1st April 2020 the five Clinical Commissioning Groups (CCGs) were merged into the Norfolk and Waveney CCG (N&WCCG). Subsequently On 1st July 2022, the N&WCCG was superseded by the Norfolk and Waveney ICS which includes an Integrated Care Partnership (ICP), and an Integrated Care Board (ICB) called NHS Norfolk and Waveney ICB (N&W ICB).

This revision recognises the latest publication of the revised [National Planning Policy Framework](#), which sets out government's planning policies for England and how these are expected to be applied.

This revision streamlines the processes and simplifies and shortens the protocol to make it easier to use and embed into the work of all partner agencies. Updated population healthcare needs assessments as well as population and demographic change estimates will be published separately to increase the longevity of this document and facilitate timely updates. These will support plans to deliver new healthcare infrastructure formulated by NHS colleagues.

Following the Covid-19 pandemic and the long-term aspirations of the NHS to increase service delivery, planning in the health sector will need to be reviewed, which will lead to changes over the coming years. Notwithstanding this, the Protocol remains a valuable tool to ensure appropriate and continued engagement between the Norfolk and East Suffolk Local Planning Authorities and the health service communities.

ACKNOWLEDGEMENTS

This protocol was jointly prepared by staff at Norwich City Council, Broadland Council, and Norfolk County Council on behalf of all Norfolk and East Suffolk LPAs. It also built heavily upon other work across the country including The London Healthy Urban Development Unit (HUDU) which gave permission for use of their 'Planning Contribution Model'.

Amendments in 2022/23 have been made in collaboration with Public Health at Norfolk County Council, Local Planning Authorities, the Norfolk & Waveney ICS, and N&W ICB in response to requests made by the Norfolk Planning Members Forum.

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1. HOW TO USE THIS PROTOCOL

1.1. WHAT IS THE PURPOSE OF THIS PROTOCOL?

The Planning in Health Protocol (hereafter the Protocol) presents a process describing how relevant NHS organisations, Norfolk & Suffolk County Councils, Public Health and the Norfolk and East Suffolk Local Planning Authorities jointly engage to ensure that health considerations are adequately accounted for in plan making and in planning applications and their subsequent developments. In this context, the term “health considerations” includes planning for health service provision (e.g. the provision of enough healthcare facilities to meet population needs) as well as ensuring that health promotion is considered in the design and provision of developments (e.g. the provision of walking and cycling infrastructure, or maintenance of good air quality).

Updates to this version of the Protocol are the addition of a new Section 1 (How to use this protocol), more detail on the tools and data used by the ICB to calculate the impacts on healthcare services, information on the Healthcare Infrastructure Development Plans, as well as revisions to the text describing changes to the health and social care system and its governance within which the Protocol operates.

1.2. WHO SHOULD USE THIS PROTOCOL?

The Protocol should be used by Norfolk and East Suffolk Local Planning Authorities (LPAs), the Norfolk and Waveney Integrated Care System (ICS) Strategic Estates Group (who will liaise with relevant health and social care partners to ensure where possible, health infrastructure is suitable for its needs and the population that it serves), and the Norfolk and Suffolk County Councils’ Public Health teams. Parts of the Protocol, the ‘Health Planning Checklist’ at the end of the document, can also support the LPAs in any discussions they have with developers. **It is the responsibility of the planning officer in the LPA overseeing a development plan (local plan, neighbourhood plan etc.) or planning application to invoke the protocol.**

1.3. IN WHAT CIRCUMSTANCES SHOULD THE PROTOCOL BE USED?

The Protocol should be used when consultation is required on the potential health impact and considerations associated with a development. This will be for:

- A housing development of 50 dwellings or more
- A development of less than 50 dwellings but which is still deemed to potentially impact on health services significantly.
- A development that includes a care facility, housing for the elderly, or student accommodation
- A development that involves the significant loss of public open space
- Any other type of development that could have significant health implications.

Defining what is deemed to have an impact on health services or significant health implications is challenging. It could, for example, be related to likely impacts on vulnerable populations, or to do with uses for employment sites. In cases where the planning officers are unsure the protocol should be used.

Other developments, such as those related to transport, minerals, or waste, are not considered in this protocol as these are covered under existing structures, processes, and legislation.

1.4. AT WHAT POINT IN THE PLANNING PROCESS SHOULD THE PROTOCOL BE USED?

The Protocol should be used at all points in the planning process from pre-planning discussions (when the need for elements such as a [Health Impact Assessment](#), a methodology used to judge the potential health effects of a policy, programme or project on a population, can be considered), the outline process (when the initial likely health considerations associated with any development can be scoped in or out and design implications can be flexibly considered) to the full planning application (when health considerations can be assessed in detail and any final modifications recommended).

1.5. WHAT ARE THE ACTIONS THAT THE PROTOCOL DESCRIBES?

At the *pre-planning application stage*, the ICS Strategic Estates Group and Public Health partners will be provided with information on the likely application and given the opportunity to comment. As part of their feedback, they will provide a view within 21 days (subject to negotiated extension time), on the key areas of focus of any Health Impact Assessment that is required.

At the *outline planning application stage*, the ICS Strategic Estates Group and Public Health partners will provide general comment within 21 days (subject to negotiated extension time) on health considerations in outline proposals that meet the inclusion criteria to be covered by this protocol. At this stage the ICS Strategic Estates Group will also calculate and model the specific demand and capacity impacts of the proposal and include this when responding to the consultation.

At the *full planning application stage*, the ICS Strategic Estates Group and Public Health partners will provide comments if appropriate on full planning applications that meet the inclusion criteria to be covered by this Protocol. These comments will be provided within 21 days of receipt of the request for comment, (subject to a negotiated extension time). Responses will be reported in the planning officer's report.

1.6. WHAT OTHER ACTIVITIES SHOULD TAKE PLACE?

In addition to the Protocol being initiated as required, the LPAs, ICS Strategic Estates Group and Public Health teams should be in regular contact. This will include:

- The sharing of the Annual Monitoring Report (AMR) produced by each LPA at the end of the calendar year with the parties engaged in the Protocol.
- An annual meeting between all parties covered by the Protocol to consider the data within the AMRs, assess how well the Protocol is working, and discuss any other strategic and upcoming issues.
- Attendance at other meetings on an ad-hoc/as-needed basis. This might include an LPA Local Plan Meeting where a development with significant health considerations is being considered or regular 'Place' based planning and health meetings.

1.7. WHAT TOOLS AND INFORMATION ARE AVAILABLE TO SUPPORT THIS PROTOCOL?

This document contains a checklist tool, detailed background information, and data used by the ICS Strategic Estates Group in the planning process and how the Protocol integrates with it.

- The “Healthy Planning Checklist” tool is provided in Appendix 1. It provides a practical tool to assist developers and their agents when preparing development proposals as well as LPAs in policy making and in the application process. It also provides a framework for public health teams when considering health and wellbeing impacts of development plans and planning applications.
- The “Detailed background Information” section of this document (Section 2 and beyond) provides a detailed description of the current planning and health systems and structures (as of December 2023) as well as providing more information on the operation of the Protocol and how it integrates with those systems and structures. Further, it details the relevant partners to this Protocol by name. It is recommended that those not familiar with the Protocol or local planning for health process read this section before engaging.
- The “HUDU modelling tool” is used by the ICS Strategic Estates Group to model the specific impact of new developments on healthcare infrastructure. The tool is detailed in section 4.2 of this Protocol and additional technical guidance can be found at Appendix 2.
- Alongside the HUDU tool, demand and capacity modelling is used by the ICS Strategic Estates Group to indicate existing areas of capacity or constraint across its infrastructure, as well as highlight the impacts of future demand placed upon it.
- Infrastructure Development Plans will highlight the specific requirements and proposed projects across health infrastructure in response to local plans and planned population growth. The plans are covered in section 4.1. The IDPs will be shared with local planning colleagues to feed into local plans.

1.8. WHO ARE THE CONTACTS?

The local planning officer invoking and overseeing the implementation of the Protocol for a given development should use the following contact email addresses. Please make it clear that any contact is associated with the implementation of the Protocol.

NHS ICS Estates: nwicb.icsestates@nhs.net

NCC Public Health: phplanning@norfolk.gov.uk

SCC Public Health: phplanning@suffolk.gov.uk

2. DETAILED BACKGROUND

The importance of planning decisions on the health and wellbeing of the population has been recognised since the 19th century when reforms brought about by town planners and public health practitioners resulted in improved health and life expectancy. Many of the major disease and health issues affecting the population in Britain today are impacted by the environment in which people live, work and play ([Marmot, 2010](#)). Spatial planning can have a major positive impact on improving the environment in which people live or, if the health impacts of developments are not adequately considered, it can adversely impact people's physical and mental health ([Ross and Chang, 2012](#)).

The [National Planning Policy Framework](#) (NPPF) requires local planning authorities to ensure that health and wellbeing and the health infrastructure are considered in Local and Neighbourhood Plans and in planning decision making. The revised NPPF 2023 reiterates the presumption in favour of sustainable development and now specifically includes economic, social, and environmental objectives. Government [guidance on promoting healthy and safe communities](#) also states that "the local plan promotes health, social and cultural wellbeing and supports the reduction of health inequalities".

2.1. AIM OF THE PROTOCOL

To present an engagement protocol containing a documented process outlining the input and linking of relevant NHS organisations and Public Health agencies with local planning authorities for planning for housing growth and the health infrastructure required to serve that growth. This attempts to both better understand and consider health service needs arising from development; and also make explicit the impact that the planning process, from plan making to determining applications, can have on:

- Health,
- Well-being and
- Long term health service and infrastructure demand.

The protocol will enable health service providers across the ICS to plan for expanding communities in areas where new housing is to be built.

2.2. OBJECTIVES

Objectives for the protocol are:

- To establish a working relationship and set a protocol for engagement between Norfolk and East Suffolk¹ Local Planning Authorities (LPAs), and relevant health and social care partners within the ICS, Norfolk County Council (NCC) and Suffolk County Council (SCC) Public Health.
- To outline a standardised process for obtaining robust and consistent health and social care and public health information to inform plan making and planning decisions.
- To support appropriate health infrastructure, with technical input from appropriate public health, health, and social care information teams.

¹ East Suffolk is covered by two Integrated Care Systems (ICS), the Norfolk and Waveney ICS and the Suffolk and North East Essex ICS. This protocol only applies to the part of East Suffolk within the area of the Norfolk and Waveney ICS (which is essentially the former Waveney District Council area)

- To ensure that the principles of prevention, health and wellbeing are adequately considered in plan making and when evaluating and determining planning applications.
- To establish a collective response to planning consultations from relevant health and social care partners and commissioning organisations through the appropriate mechanism.
- To agree a defined threshold indicator for Planners to contact health and Public Health teams for input into planning applications and spatial plans.

2.3. ORGANISATIONS INVOLVED

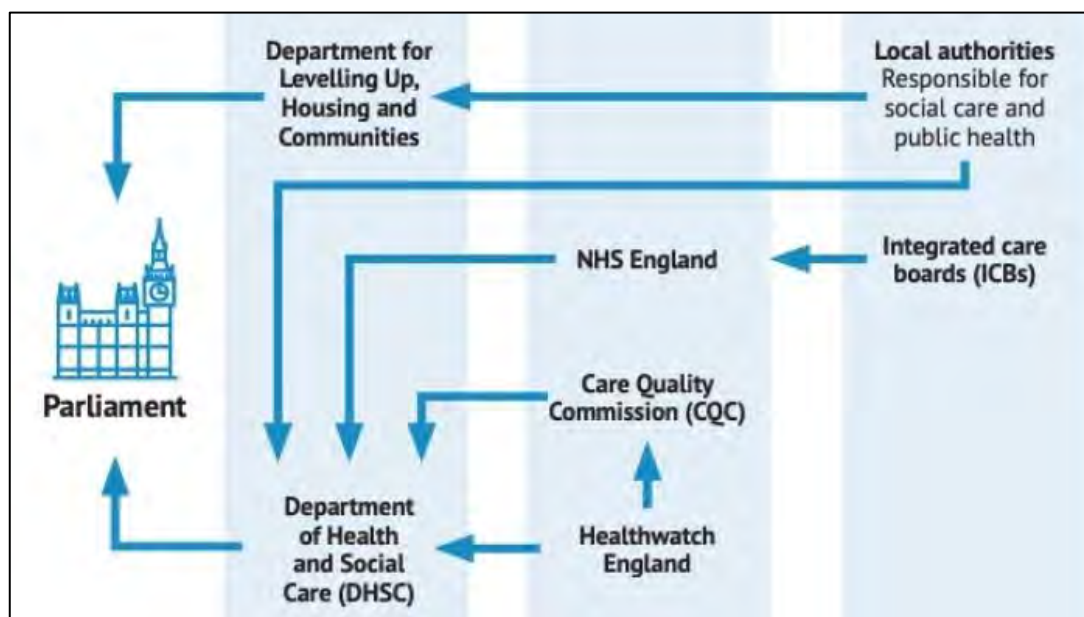
PUBLIC HEALTH FUNCTIONS IN ENGLAND

Following the Health and Social Care Act 2012, the NHS no longer has a public health function. Most of the public health workforce was transferred to Public Health England (PHE) at a national, regional, or sub-regional (in PHE Centre's) level and to local authorities at a local level, with a complementary set of roles and responsibilities. These have been further restructured in 2021 - [Public health system reforms: location of Public Health England functions from 1 October - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/public-health-system-reforms-location-of-public-health-england-functions-from-1-october) when the PHE role and responsibilities were divided between the UK Health Security Agency (UKHSA) and the Office for Health Improvement and Disparities (OHID).

The role of the newly formed ([UKHSA](https://www.gov.uk/government/organisations/uk-health-security-agency)) is to offer leadership and scientific and technical advice at all organisational levels. This involves working with local authorities and the NHS to reduce rates of infection and provide evidence to establish effective strategies and inform commissioning.

The reform of the PHE also established ([OHID](https://www.gov.uk/government/organisations/office-for-health-improvement-and-disparities)). As a focus on, for example, smoking cessation and obesity, it also has an aim to “act on the wider factors that contribute to people’s health, such as work, housing and education”. Like UKHSA this will have a regional as well as national perspective. Figure 1 shows a schematic of how the organisations are represented at national and local level.

Figure 1: NHS and Local Authority Structures (National to Local)



NHS England

NHS England leads the National Health Service (NHS) in England. Services are commissioned by integrated care boards (ICBs) overseen by NHS England on a regional and national basis. Through its regional teams, NHS England support local integrated care systems (ICS) to improve the health of the population, improve the quality of care, tackle inequalities and deliver care more efficiently.

Norfolk and Waveney Integrated Care System (ICS)

The [Health and Care Act 2022](#) put ICSs on a statutory footing from July 2022, comprising of an Integrated Care Partnership and an Integrated Care Board. Figure 2 illustrates how the various elements including, health care providers, NHS Trusts and Councils are brought together in Norfolk under the Norfolk and Waveney ICS.

Figure 2: Infographic of Norfolk and Waveney Integrated Care System (ICS)



The Integrated Care Partnership (ICP)

A statutory committee jointly formed between the NHS integrated care board and all upper-tier local authorities that fall within the ICS area. The ICP will bring together a broad alliance of partners concerned with improving the care, health, and wellbeing of the population, with membership determined locally. The ICP is responsible for producing an integrated care strategy on how to meet the health and wellbeing needs of the population in the ICS area.

NHS Norfolk and Waveney Integrated Care Board (ICB)

Is the statutory legal entity which has replaced the CCG. The ICB is a statutory NHS organisation responsible for developing a plan for meeting the health needs of the population, managing the NHS budget, and arranging for the provision of health services in the ICS area. It will bring the local NHS together to improve population health and care.

Place-based Partnerships

Within each ICS, place-based partnerships will lead the detailed design and delivery of integrated services across their localities and neighbourhoods. The partnerships will involve the NHS, local councils, community and voluntary organisations, local residents, people who use services, their carers and representatives and other community partners with a role in supporting the health and wellbeing of the population.

The ICS is committed to taking a place-based approach, and the Integrated Care Board is supported by 5 Place Boards (based on old CCG boundaries), while the Integrated Care Partnership is supported by 8 Health and Wellbeing Partnerships (based on local authority footprints).

Figure 3: The 17 Primary Care Networks (PCNs), and 5 Places Boards



Local Authority Public Health, County Councils

Local authorities in the ICS area are responsible for social care and public health functions as well as other vital services for local people and businesses.

In Norfolk and Suffolk, the Director of Public Health (DPH) and public health workforce is part of Norfolk and Suffolk County Councils respectively. The DPH is responsible for commissioning some mandatory and discretionary health services, for example sexual health, smoking cessation, drug and alcohol treatment, NHS Health Checks, and health improvement services.

Health and Wellbeing Boards

[Health and Wellbeing Boards](#) are statutory bodies introduced in England under the Health and Social Care Act 2012 whose role is to promote integrated working among local providers of healthcare and social care. They bring together local authorities, the NHS, communities, and wider partners to share system leadership across the health and social care system. They have a duty to encourage integrated working between commissioners of services, and between the functions of local government (including planning). Each Health and Wellbeing Board is responsible for producing a Health and Well-being Strategy which is underpinned by a [Joint Strategic Needs Assessment](#), a document that provides local policymakers and commissioners with a profile of the health and wellbeing needs of the local population. This will be a key strategy for a local planning authority to take into account to improve health and well-being.

HEALTH AND SOCIAL CARE PARTNERS:

Many health and social care partners form part of our ICS, not all of which are specifically captured in figure 2. These include, but are not limited to:

- GP practices
- Dental practices
- Pharmacies
- Opticians
- Acute Hospital trusts
- Mental Health providers
- Community Health providers
- Social care
- 111 and out of hours care
- The Ambulance Trust and patient transport.

Local Planning Authorities

Norfolk and Waveney is covered by a number of district, borough and city councils with local planning roles and responsibilities:

- Breckland District Council
- Broadland District Council
- Great Yarmouth Borough Council
- Borough Council of King's Lynn and West Norfolk
- North Norfolk District Council
- Norwich City Council
- South Norfolk Council
- East Suffolk District Council (covers the Waveney area of the Norfolk and Waveney ICS)

The Broads Authority is a statutory body established in 1989 with a duty to manage the Norfolk and Suffolk Broads, it is also a local planning authority and is the sole planning authority in relation to land within the Broads.

Norfolk County Council and Suffolk County Council (for the East Suffolk area) are responsible for determining planning applications related to mineral extraction, waste management facilities and developments by the County Councils. Although planning applications associated with these matters fall outside the scope of this Protocol, the health and wellbeing implications of minerals and waste developments are nevertheless important considerations.

One Public Estate (OPE)

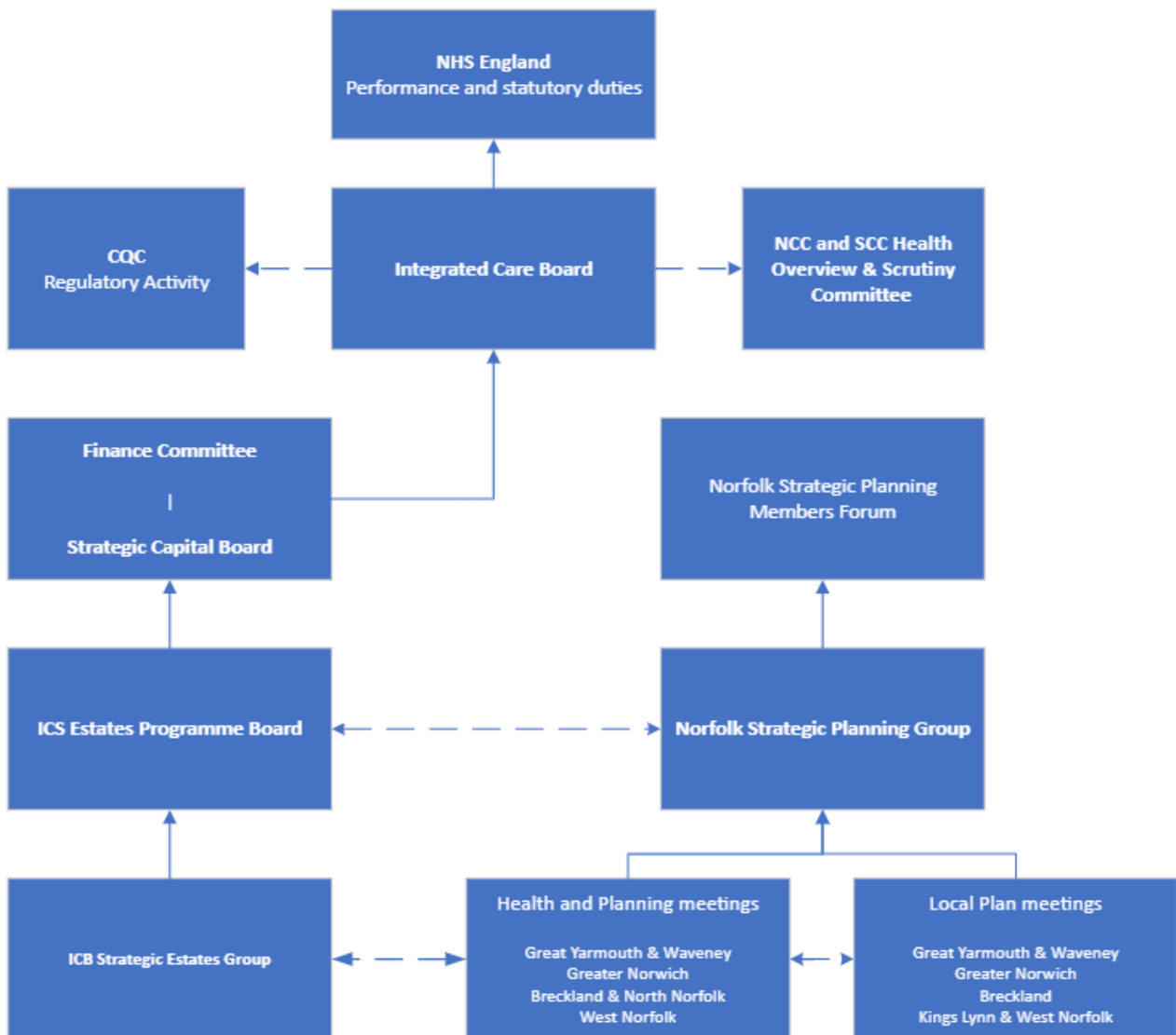
One Public Estate is an established national programme delivered in partnership by the Office of Government Property (OGP) and the Local Government Association (LGA). It provides practical and technical support and funding to councils to deliver ambitious, property-focused programmes in collaboration with central government and other public sector partners. NHS and local authority colleagues will continue to work through the OPE programme to identify and deliver integrated infrastructure solutions that provide additional capacity for the growing demand on our services.

2.4. GOVERNANCE

Collaborative working must continue to underpin the relationships between the ICB and local authorities and the delivery of services to residents. The partnership we have will play a key role in making shared decisions on how to use resources, design services and improve population health.

We will continue to work with local planning authorities and ensure the impacts on health and care services are measured and managed as our population and the requirement for our services continue to grow. The governance structure below illustrates how and where the process behind the protocol is managed.

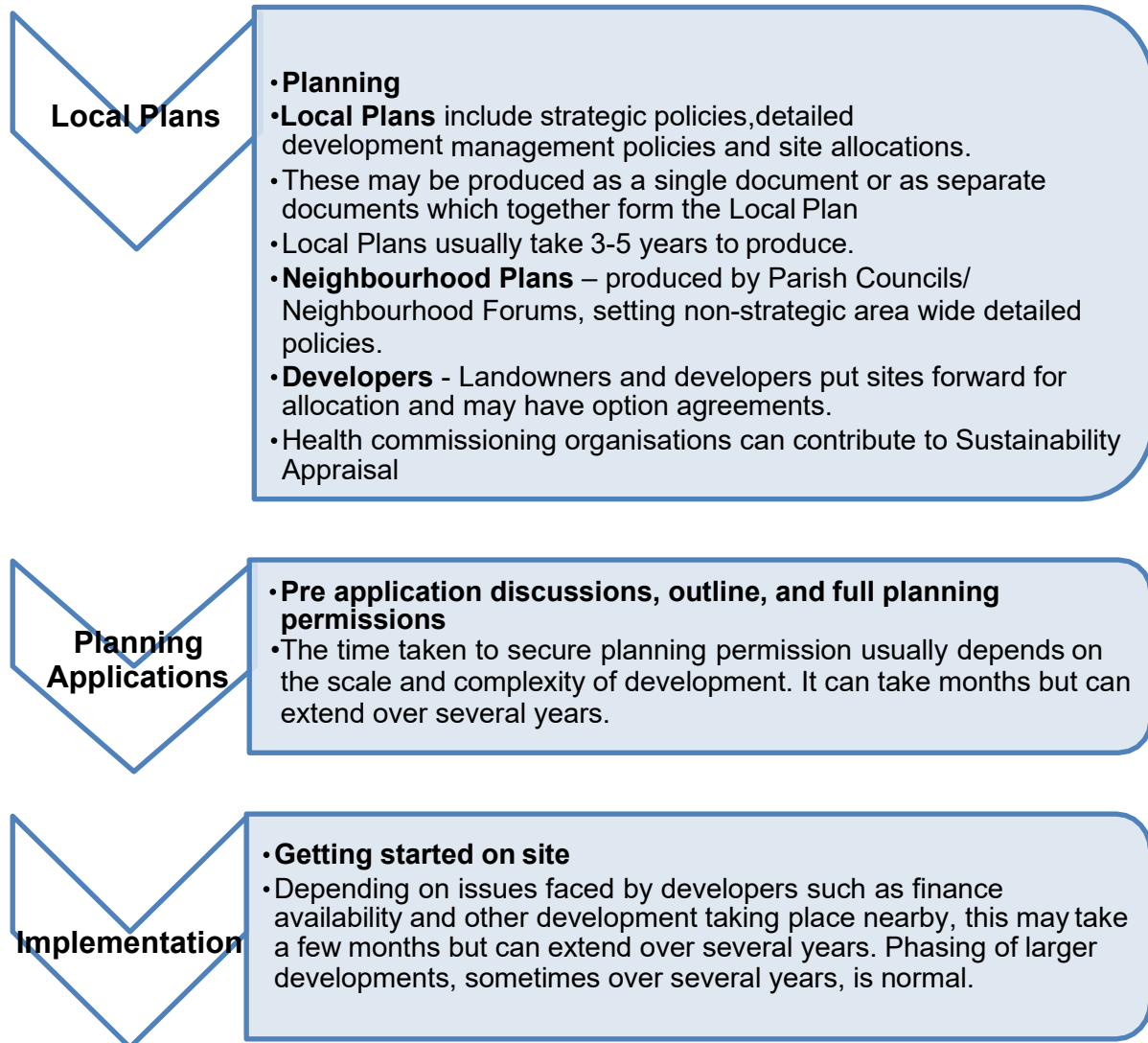
Figure 4: Structure for managing the engagement and working of this protocol.



3. THE PLANNING PROCESS – KEY STAGES

There are three key stages in the town planning process (illustrated in figure 5 below): plan making, planning applications and implementation.

Figure 5: The key planning stages for building development



3.1. PLAN MAKING

The planning process is plan-led and local planning authorities produce Local Plans to set the planning strategy for their area, to be achieved through strategic policies and through site allocations and detailed development management policies. These may be supported by detailed Neighbourhood Plans, with the latter combining with the Local Plan to form the development plan for the local authority area.

These policies are used to assess planning applications. Local Plans include housing targets. The allocation of sites establishes the principle that specific types and scales of development are appropriate in specific locations. This includes allocating sites for housing and mixed-use development to meet housing targets. It also provides healthcare planners and commissioners with the potential to take a long-term strategic approach to allocating sites to meet health infrastructure needs.

Local Plans may be produced as a single document or as a suite of documents. In general, a Local Plan will take three to five years to produce. Local Plans, and Neighbourhood Plans (usually prepared by Parish and/or Town Councils), must take account of guidance in the [National Planning Policy Framework](#) (NPPF). The NPPF sets out the wide-ranging ways in which planning should promote healthy and safe communities (Chapter 8) and requires Local Plans to have strategic policies which aim to achieve healthy, inclusive, and safe places (para.92)

Local Plans are subject to Sustainability Appraisal (SA) to assess the likely economic, social, and environmental effects of policies. Specific questions are generally included about the built and natural environment encouraging healthy lifestyles and providing necessary health service infrastructure. This is an opportunity to ensure LPAs are considering the relative merits of different sites and policies properly against public health related issues. The considerations that go into the Sustainability Appraisal are essential to what follows in the Local Plan and so early engagement in the Sustainability Appraisal process by Public Health and wider health commissioners can make the biggest difference to the resultant local plan.

Increasingly, assessment of the viability of development is important and local planning authorities must ensure that costs resulting from policy requirements would not make development unviable. Therefore, all local plans should contain policies to ensure health issues are considered in new development. Many more recent local plans set a requirement for health impact assessments (HIA) to be undertaken by developers of larger scale housing developments, defined according to [current guidance on HIA use](#) in the planning process. In addition, local planning authorities have a 'duty to align and cooperate' on plan making. This advises them to work with prescribed bodies including ICSs and NHS England, as well as other local authorities, to cooperate on strategic cross boundary matters such as health infrastructure.

3.2. PLANNING APPLICATIONS

Except for limited types of permitted development such as the conversion of offices to housing, planning permission is required for housing development. An application will generally be granted permission if it is in accordance with the local plan, unless there are material considerations that indicate otherwise. The revised 2023 NPPF also enables housing to be developed if there is no demonstrable supply of a five-year land supply for housing or previous three years delivery was 75% or less of the housing requirements of an area. Since there is a substantial cost to making a planning application, most promoters usually only apply if they are reasonably confident of getting consent. If an application is refused there is an appeals process via the Secretary of State, which can be costly for the promoter or developer.

Pre application discussions: Early consultation and liaison on development proposals, although not always a formal requirement, is beneficial in enabling policy requirements to be clearly set out and in resolving potential problems or conflicts before a formal application is submitted. Following any discussions, developers submit either outline or full planning applications.

Outline applications: An application for outline planning permission allows a decision to be made on the general principles of how a site can be developed. Outline planning permission is granted subject to conditions requiring the subsequent approval of one or more detailed 'reserved matters'. On large sites, it is common to secure an outline permission for the whole site and then to apply for reserved matters for specific phases

of development over time.

Full applications: An application for full planning permission results in a decision on the detail of how a site or part of a site can be developed. The planning officer dealing with an application will often negotiate and suggest ways to improve the scheme; but the main part of the job is to make a recommendation to approve or refuse planning consent. An officer may have delegated responsibility to issue consent, but on large schemes that decision is usually taken by a council's Planning Committee. If planning permission is granted (which usually lasts for 3 years), subject to compliance with planning conditions, development can then take place.

3.3. IMPLEMENTATION

The final stage is implementation of a planning permission. The timing of the implementation of schemes granted planning permission, and in some cases whether they are implemented at all, cannot be guaranteed. From the developer's perspective the planning system is only an element of the construction process. Issues may arise that delay implementation. These can be varied, and often relate to market conditions, site costs, access to finance and the availability of construction staff or materials.

4. PROCESS FOR HEALTH COMMISSIONERS ENGAGEMENT IN PLANNING

The process for health commissioners' engagement with the planning process is set out in detail below and is also summarised in Figure 6 at the end of this section.

4.1. PLAN MAKING

The extensive consultation that takes place on plan making provides the most significant opportunity for health partners including the ICS to use their expertise to ensure that Local and Neighbourhood Plans reflect national and local health priorities adequately.

During the preparation of their Local Plans the respective LPAs will need to consult all statutory and other agreed health² and social care consultees and at "Regulation 18 and 19" statutory consultation stages. Each of the groups of organisations will be responsible for responding on their own behalf in a manner which meets the deadlines for the planning process.

To meet NPPF requirements, it is important for relevant health planning and commissioning bodies to ensure that strategic Local Plan policies reflect their own strategic priorities and the available evidence base.

Evidence on likely long term overall growth needs and the consequent strategic health needs will be key. Public Health and local planning authorities in Norfolk and East Suffolk have made available provisional figures, based on demographic modelling, for likely annual and long-term population growth in each area. This evidence assists both Local Plan making authorities and the relevant healthcare commissioning body and ICS to assess future health facilities and workforce needs and to plan accordingly.

This evidence is intentionally "high level" to assist strategic planning. It is provided at the place level and is not intended to be site specific as it is the role of the relevant healthcare

² There will be a single point of contact for NHS / health engagement via the ICS Estates' Group –see below

commissioning body and ICS to determine how best to address the health care needs resulting directly from specific new developments. However, updated data will in the future be publicly available online which will, along with an improved understanding of the implementation of new housing schemes, provide a valuable evidence base to assist healthcare planners and commissioners in planning for health needs in the medium and long term.

The ICS Strategic Estates Infrastructure Development Plan (IDP) has been formed to provide a strategic overview exploring the health infrastructure needs arising from population growth proposed in local plans.

For the purposes of the IDP, infrastructure relates to medical facilities and other health and social care facilities as defined in the Planning Act 2008 as a type of infrastructure that can be funded by the Community Infrastructure Levy (CIL).

Investment in the county's health infrastructure is essential to cope with the proposed scale of growth identified in local plans and the Strategic Health Asset Planning and Evaluation tool (SHAPE) used by the ICB, and Community Infrastructure Levy (CIL) and Section 106 (S106) housing developer contributions can contribute towards and help fund and support the development of new and improved healthcare infrastructure.

In determining which projects CIL or S106 could help fund it is important to recognise that CIL monies can be spent on the provision, improvement, replacement, operation or maintenance of infrastructure, or anything else that is concerned with addressing demands / impacts that a proposed development places on health care in that area. Whereas S106 monies are agreements usually specific to a certain project.

The IDP informs the identification and determination of investment priorities across the Norfolk and Waveney Integrated Care Board (ICB) and its health partners. The IDP will evolve over time to reflect the changing housing landscape across the various local planning authority areas with updates being made on an annual basis.

The IDP contains various information sections covering a sites general information, its current status with regards to capacity, potential or planned development, future status once a project is realised, and the financial information to accompany the project.

In addition to this, health partners will use comprehensive health planning tools which provide detailed information on health estate, travel times to services, clinical indicators such as prevalence, GP workforce data, and mapping future housing trajectories. It may also be possible for health care planners and commissioners to propose specific sites to be allocated for health infrastructure development to meet medium to long term needs.

4.2. PLANNING APPLICATIONS

While Norfolk County Council and Suffolk County Council Public Health are informed of planning applications for larger housing developments (typically 10 or more dwellings or of an area of 1 hectare or greater) as county councils are statutory consultees, other health planning and commissioning bodies are not listed nationally as statutory consultees on such applications. One of the aims of this document therefore is to raise awareness of the importance of local planning authorities in Norfolk and East Suffolk gaining input on housing developments not only from Public Health, but also from relevant health service planning and commissioning bodies. The ICS Strategic Estates Groups role as coordinator between local planning authorities, health partners and the ICS will assist both in ensuring that development is planned to enable healthy lifestyles and allow

service delivery to be planned effectively. Guidance is offered [nationally](#) on some considerations on who to engage.

The ICS Strategic Estates' Group³ will be able to offer a “one stop” approach for planners to engage with the wider health system and garner views on, for example, primary and acute provision, patient needs and direct consultation requests to the ICS. This will not of course preclude individual GP surgeries or other health partners responding on an individual basis.

It is particularly important that Public Health and relevant healthcare planning and commissioning bodies, via the mechanism detailed in this protocol, are consulted on proposals for development aimed at groups in society with distinct health needs such as the elderly and students. The respective LPAs should therefore consult Public Health and health partners on planning applications submitted for housing developments of 50 dwellings or more and for all planning applications including care homes, housing for the elderly, student accommodation and any proposals which would lead to significant loss of public open space. This should include any relevant pre-application discussions. For developments below 50 dwellings which may have an impact upon health services then the ICS Strategic Estates Group should also be contacted for an initial view. Discussions and comments provided on all planning applications will make use of the criteria set out in the Health and Wellbeing Checklist (Appendix 1). Planning officers should make developers aware of this checklist and the benefits of taking account of it in working up housing proposals.

PRE-APPLICATION DISCUSSIONS

Since pre-application discussions are held for most of the larger scale proposals, Public Health and the ICS Strategic Estates Group will be engaged with and comments sought on pre-application proposals in Norfolk for all housing developments of 50 dwellings or more⁴, for those including care homes, housing for the elderly, student accommodation and for proposals which would lead to significant loss of public open space. Public Health and health partners may adjust this threshold of 50 dwellings in the future in consultation with the local authority planners. However, during this review (2023) it was still felt to be a suitable threshold.

Active consideration of other developments related to, for example transport and minerals and waste, were considered to be included within the scope of the protocol. However, it was felt that there are existing structures, processes and legislation which cover these types of development.

Some LPAs within Norfolk and East Suffolk are introducing requirements for HIAs to be produced for larger developments and all partners are encouraged to consider broader use of HIAs or similar tools to understand broader health, wellbeing and prevention opportunities afforded by development and to minimise unforeseen circumstances. To this end colleagues have been approached by the Town and Country Planning Association (TCPA) with an offer to provide support to work with all signatories to the protocol about how it may best be supported to work across Norfolk and East Suffolk.

³ This group has oversight of NHS buildings and other estate and will be able to access tools to map and plan for future growth with a specific health perspective. From 2018 it has agreement to act as a conduit for cross-county NHS service engagement

⁴ See the comment above about developments below 50 dwellings which may require an initial view from the ICS Estates' Group

Pending revised tools and guidance the current Appendix 1 is to be retained to help support existing plan making and development requirements to build wider determinants of health into the planning process.

Engagement in pre-application discussions will, in many cases, be the most important stage of involvement in the planning application process as it enables Health and Social care partners and Public Health to influence the design principles of development at its earliest stage.

OUTLINE PLANNING APPLICATIONS

Consultations on outline applications provide an excellent opportunity for health partners and Public Health to comment on emerging development proposals, influencing the eventual development form and identifying whether additional health facilities may be required to serve the community. Adding to the information gained through the Local Plan site allocation process, outline applications enable health and Public Health to gain further knowledge of the scale and likely timescale for delivery of housing. They also provide an additional opportunity for NHS consultees and public health to influence the form of a development before detailed proposals are submitted. Only a proportion of major housing applications, usually the larger scale and more complex proposals, will include an outline phase.

It is at this stage that the ICS Strategic Estates Group will have the detail and the opportunity to model the proposed development through the HUDU tool and provide details within the written response from the outputs of the modelling.

HUDU TOOL

The HUDU model was developed by the Healthy Urban Development Unit in London, it is a nationally recognised modelling system and is licensed by HUDU for use within the NHS. It is a comprehensive tool for assessing and forecasting the additional health service requirements and cost implications of new residential developments.

It is a transparent and standardised approach to calculate developer contributions required to mitigate the impact housing developments have on healthcare. This is in the form of capital costs for schemes such as new build facilities, extensions, reconfigurations, or refurbishments. Revenue costs are not requested as part of the modelling.

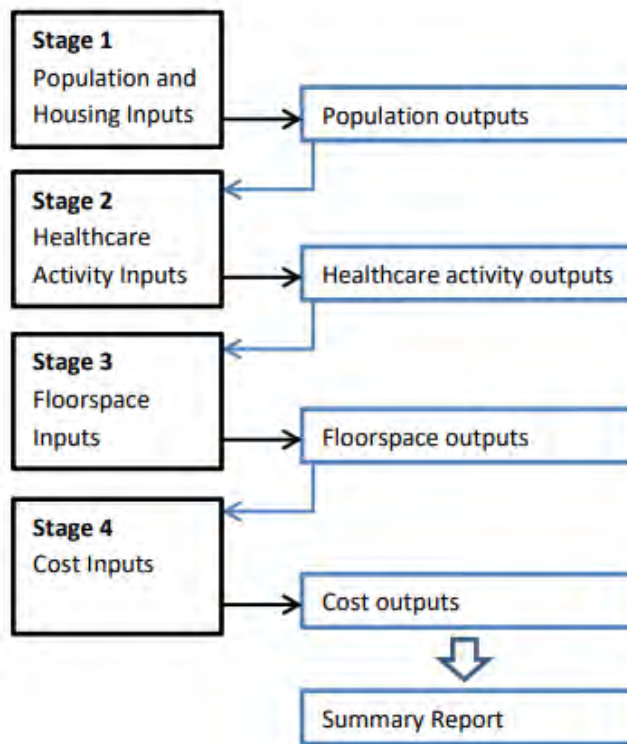
The model uses a range of assumptions based on the most up to date information available. However, users can manually adjust or input new assumptions where data exists, such as population figures for the county and health related information.

Outputs from the modelling provide information on:

- The net increase in population resulting from the specific housing development in question
- Primary healthcare needs (GP and community health facilities)
- Acute beds and floor space requirements
- Mental healthcare beds and floor space requirements
- Intermediate Healthcare beds and floorspace requirements
- Capital cost impacts (per provision type)

How HUDU works:

The HUDU model uses a step-by-step approach whereby the user progresses through the screens and calculations in sequence, with outputs generated at the end of each stage.



Data sources and metrics used within HUDU, along with an example summary report that captures the four output areas shown above and highlights the impact of population growth from a specific development can be found at Appendix 3.

FULL PLANNING APPLICATIONS

Consultation on a full planning application is the final opportunity for health partners and Public Health to influence development proposals. As this is late in the planning process, there will be limited scope for change, highlighting the importance of consultation on outline planning applications. The relevant health authorities, and Public Health will, if deemed appropriate, provide a written response to a consultation from a planning officer within 21 days of the consultation subject to negotiated extension time. This period includes an opportunity for communication between health and social care partners, Public Health, United Kingdom Health Security Agency, NHS England Area Team and NHS Estates if required, and the ICS, on the initial results of modelled output. The criteria set out in the Health and Wellbeing checklist (see Appendix 1) will be used as the basis of detailed comments.

The written response from health and Public Health will be reported in the planning officer’s report. Where health partners and Public Health have provided a written response to a planning application case officer, they should receive in writing notification of the planning decision including any relevant conditions attached to the planning decision. Legislation and national planning policy requires ongoing engagement between local planning authorities.

4.3. IMPLEMENTATION

Where developer funding is considered appropriate towards health provision associated with new residential development and is in line with the [Community Infrastructure Levy Regulations \(2010 as amended\)](#), this will normally be secured either through Planning Obligations; and/or Community Infrastructure Levy funds. Local Authorities will need to record any such funding arrangements in their annual Infrastructure Funding Statements (IFS).

Since the timing of the implementation of schemes granted planning permission cannot be guaranteed, it is especially important that both Public Health and health commissioners have access to the best available information on delivery that the LPA can provide. In most cases, the main source of information will be the Annual Monitoring Report (AMR) produced by each local planning authority, usually at the end of the calendar year. The appropriate mechanism should be in place for each AMR to be shared by the LPA with the ICS. It is suggested that there will be an annual meeting between partners to this protocol to consider the data within the AMR and review how well the protocol is working.

There are several existing meetings at different geographical levels which include planners, NHS colleagues and Public Health. The protocol will not prescribe the form and function of these but recommends a range of engagement processes to meet a wide range of information and consultation needs.

4.4. CONTACT DETAILS FOR PROTOCOL USE

NHS ICS Estates:	nwicb.icsestates@nhs.net
Norfolk County Council Public Health:	phplanning@norfolk.gov.uk
Suffolk County Council Public Health:	phplanning@suffolk.gov.uk

Figure 6: Summary Table – The Involvement of Health and Norfolk Public Health in the Planning Process

<p>1. Plan making</p> <p>Extensive consultation over a significant period provides the opportunity for Health and Social Care partners and Public Health to ensure that Local Plans reflect national and local health strategies and priorities and address infrastructure needs;</p> <p>Health partners and Public Health to take account of Local Development Schemes and ensure evidence is available for consideration by plan makers.</p>	
<p>2. Planning applications</p> <p>Health and Social care partners and Public Health to be consulted on all planning applications for housing developments of 50 dwellings or more, and for care homes, housing for the elderly, student accommodation and loss of open space.</p> <p>LPAs will also consult on those sites less than 50 dwellings where there is likely to be cumulative impact (exceeding 50 dwellings) when considered with other contiguous application/s or applications close by.</p> <p>Health partners and Public Health comments to focus on ensuring development will enable healthy lifestyles and allow service delivery to be planned effectively.</p>	
Pre-application discussions	Health partners and Public Health will attend meetings as appropriate and provide comments on all pre-application proposals consulted on, when resources allow.
	Where HIAs are required, discussions should include its scope and nature.
Outline planning applications	Health partners and Public Health will provide comments on all pre- application proposals they are consulted on; usually only large complex proposals are included in outline phase.
	Enables health partners and Public Health to enhance their intelligence on the scale and time frame for housing developments and to influence the form of development.
Full planning applications	Final opportunity for health partners and Public Health to influence development proposals.
	Through the appropriate mechanism, health partners and Public Health will provide a written response within 21 days of receipt of the request, in consultation with relevant commissioning health bodies, subject to negotiated extension time. Response will be reported in the planning officer’s report.
<p>3. Implementation</p> <p>Health partners and Public Health provided with best available information on implementation from the LPAs through their published AMRs and attendance at bi- annual Local Plan meetings with the respective LPAs.</p>	
<p>4. Accountability</p> <p>Public Health will report to the Health and Wellbeing Board annually, on a ‘need to know basis’.</p>	

5. CONCLUSION

It is widely acknowledged that the environment in which we are born, grow, live, work and play (Marmot, 2010) is a major determinant of our health and wellbeing. Housing quality, air pollution, road infrastructure, access to green space and walk- ability of our neighbourhoods, along with many other social and environmental factors, contribute directly to our health and wellbeing and can impact on our ability to live healthy lifestyles. The ability to access appropriate health services when we need them is also a key requirement for our health and wellbeing.

This is recognised by the National Planning Policy Framework which sets out wide ranging ways in which local planning authorities together with their public health and health service colleagues can contribute to maintaining the health promoting environment.

This paper outlines a documented process that will help to ensure that local planning authorities can work effectively with their Public Health and health service colleagues to ensure the recommendations within the National Planning Policy Framework are carried forward and that the principles of promoting health and wellbeing through the local planning system are implemented across Norfolk.

The collaboration between the Norfolk and Waveney ICS, Public Health, and local planning authorities in following this documented process provides an opportunity to share expertise between the sectors and to support the healthy growth across the communities of Norfolk and East Suffolk. Through the use of the health care requirements modelling tool, it will also assist in the long-term strategic planning of health service infrastructure.

Appendix 1 A Healthy planning checklist for Norfolk and East Suffolk

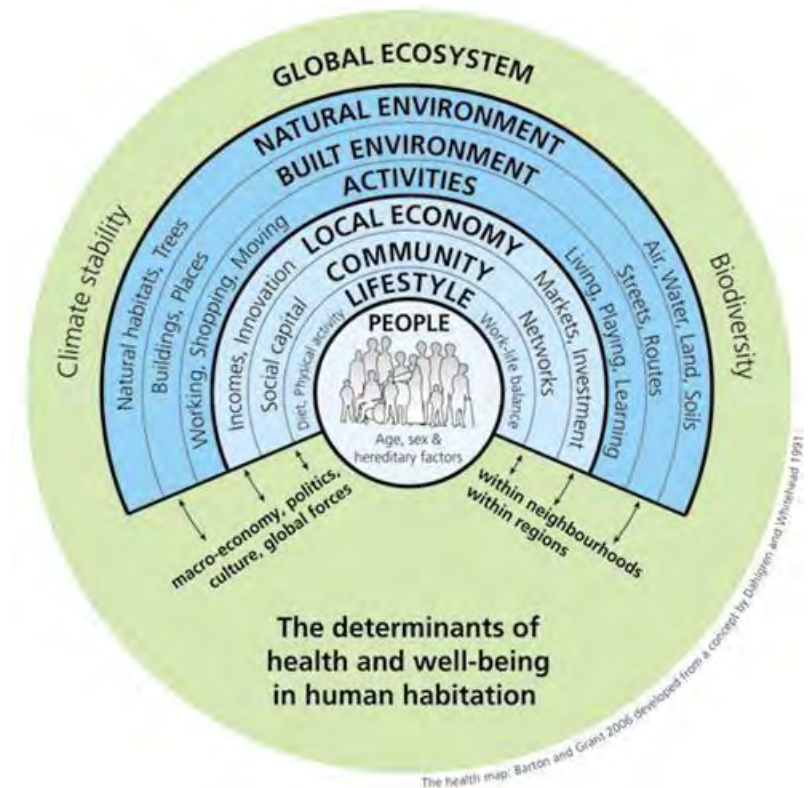
A HEALTHY PLANNING CHECKLIST FOR NORFOLK

The links between planning and health are long established. The Health Map⁵ shows how lifestyle factors are nested within the wider social, economic, and environmental determinants of health which are, in turn influenced by the built and natural environments in which we live. We know that developments that are carefully planned for and managed may contribute positively to the health and well-being of a community. National Planning Policy Guidance requires local planning authorities to ensure that health and well-being, and health infrastructure are considered in local, and neighbourhood plans and in planning decision making.

The Healthy Planning Checklist for Norfolk has been developed to facilitate joint working to improve health. It is based upon the London Healthy Urban Development Unit (HUDU) Rapid Health Impact Assessment Toolkit¹ and the Royal Town Planning Institute (RTPI) Principles for Healthy Communities¹. The Checklist is intended to provide a practical tool to assist developers and their agents when preparing development proposals and local planning authorities in policy making and in the application process. It also provides a framework for Norfolk County Council Public Health when considering health and wellbeing impacts of development plans and planning applications.

The checklist is structured around six healthy planning themes:

- Partnership and inclusion
- Healthy environment
- Vibrant neighbourhoods
- Active lifestyles
- Healthy housing and
- Economic activity



⁵ Barton H and Grant M (2006) **A health map for the local human habitat** The Journal of the Royal Society for the Promotion of Health November 2006 126: 252-253,

The checklist is designed to highlight issues and facilitate discussion and can be used flexibly, reflecting the size and significance of the development. It is best used prospectively, before a plan or proposal is submitted, but can also be used concurrently and retrospectively. Used prospectively it can help assess plans and proposals and inform the design and layout of a development and influence those factors that can impact on the health and wellbeing of residents and the wider communities of Norfolk.

Consideration should be given to each of the six healthy planning themes. It is acknowledged that there will be crossover with other assessments, including environmental impact and transport assessment, and an integrated approach is encouraged.

HEALTHY PLANNING CHECKLIST				
	Criteria to consider	Comments and recommendations	Policy requirements, standards, and evidence	Why is it important?
THEME 1	PARTNERSHIP AND INCLUSION			
Engagement	<p>Health and planning are integrated at an early stage of plan making and proposal preparation.</p> <p>Communities, including vulnerable and hard to reach groups have been engaged in the development of plans and policies.</p>		<p>Planning Policy Guidance, who are the main health organisations a local authority should contact and why?</p> <p>National Planning Policy Framework Chapter 8. National Planning Policy Framework - GOV.UK (www.gov.uk)</p> <p>Healthy and safe communities - GOV.UK (www.gov.uk)</p> <p>National Design Guide – Chapter U3 (social inclusivity)</p>	<p>Community engagement before and during construction can help alleviate fears and concerns.</p> <p>Creating a sense of community is important to individual's health and wellbeing and can reduce feelings of isolation and fear of crime.</p> <p>Planning can support communities and improve quality of life for individuals by creating environments with opportunities for social networks and friendships to develop.</p>
Integration	<p>The design creates environments where people can meet and interact and connects the proposal with neighbouring communities.</p>			

THEME 2		HEALTHY ENVIRONMENT		
Construction	The plan or proposal minimises construction impacts such as dust, noise, vibration, and odours.		National Planning Policy Framework Chapter 15 and e.g. paragraph 174(e) National Planning Policy Framework - GOV.UK (www.gov.uk)	Construction activity can cause disturbance and stress which can have an adverse effect on physical and mental health. Mechanisms should be put in place to control hours of construction, vehicle movements and pollution.
Air quality	The plan or proposal minimises air pollution.		National Design Guide – Chapters R1, R2, R3 (Resources)	The long-term impact of poor air quality has been linked to life-shortening lung and heart conditions, cancer, and diabetes.
Noise	The plan or proposal minimises the impact of noise caused by traffic and commercial uses through attenuation, insulation, site layout and landscaping.			Reducing noise pollution helps improve the quality of urban life.
Sustainable energy and materials	The plan or proposal maximises opportunities for renewable energy sources and promotes the use of sustainable materials.			Access to nature and biodiversity can have a positive impact on mental health and wellbeing.
Biodiversity	The plan or proposal contributes to nature conservation and biodiversity.			New development can improve existing, or create new, habitats or use design solutions (green roofs, living walls) to enhance biodiversity.

Local food growing	The plan or proposal provides opportunities for food growing, for example by providing allotments, private and community gardens.			Providing space for local food growing helps promote more active lifestyles, better diets, and social benefits.
Flood risk	The plan or proposal reduces surface water flood risk through sustainable urban drainage techniques, including storing rainwater, use of permeable surfaces and green roofs.			Flooding can result in risks to physical and mental health. The stress of being flooded and cleaning up can have a significant impact on mental health and wellbeing.
Overheating	The design of buildings and spaces avoids internal and external overheating, through use of passive cooling techniques and urban greening.			<p>Climate change with higher average summer temperatures is likely to intensify the urban heat island effect and result in discomfort and excess summer deaths amongst vulnerable people.</p> <p>Urban greening - tree planting, green roofs and walls and soft landscaping can help prevent summer overheating.</p>

THEME 3		VIBRANT NEIGHBOURHOODS		
Social infrastructure	The plan or proposal contributes new social infrastructure provision that is accessible, affordable, and timely.		<p>Planning Policy Guidance. How should health and well-being and health infrastructure be considered in planning decision making?</p> <p>National Planning Policy Framework paragraph 20,92c, 93 National Planning Policy Framework - GOV.UK (www.gov.uk)</p> <p>Healthy and safe communities - GOV.UK (www.gov.uk)</p>	<p>Future social infrastructure requirements are set out in the local authority infrastructure plans and developments may be expected to contribute towards additional services and facilities.</p>
	The plan or proposal promotes access to a range of community facilities and public services (such as health, education, and cultural infrastructure) that are well designed and easily accessible.		<p>National Planning Policy Framework - GOV.UK (www.gov.uk)</p> <p>Healthy and safe communities - GOV.UK (www.gov.uk)</p>	<p>Good access to local services is a key element of a lifetime neighbourhood and additional services will be required to support new development.</p>
Access to fresh food	The plan or proposal provides opportunities for local food shops and avoids an over concentration or clustering of hot food takeaways.		<p>Planning Policy Guidance, what is a healthy community? How can planning create a healthier food environment?</p> <p>Healthy and safe communities - GOV.UK (www.gov.uk)</p> <p>National Design Guide Chapter U1 (mix of uses)</p>	<p>A proliferation of hot food takeaways and other outlets selling fast food can harm the vitality and viability of local centres and undermine good dietary behaviour</p>

THEME 4	ACTIVE LIFESTYLES			
Access	<p>The plan or proposal protects and enhances existing and/or provides suitable new accessible green and open space, play and sports spaces, woodlands, and allotments (or provides alternative facilities in the vicinity). It sets out how these new spaces will be managed and maintained for the lifetime of the development.</p>		<p>National Planning Policy Framework Chapter 8 Promoting healthy and safe communities National Planning Policy Framework - GOV.UK (www.gov.uk)</p> <p>National Planning Policy Framework Chapter 9 Promoting sustainable transport National Planning Policy Framework - GOV.UK (www.gov.uk)</p> <p>Helping to create 'active environments'. Active Design Guidance</p> <p>Safe, sustainable development aims and guidance notes for local Highway Authority requirements in Development Management, Norfolk County Council. Highway Guidance for Development</p>	<p>Access to open space and community facilities has a positive impact on health and wellbeing. Living close to areas of green space, parks, woodland, and other open space can improve physical and mental health regardless of social background.</p>

<p>Travel and transport</p>	<p>The plan or proposal has a travel plan that includes adequate and appropriate cycle parking and storage and traffic management and calming measures.</p> <p>The layout is highly permeable and includes safe, well-lit, and networked pedestrian and cycle routes and crossings.</p> <p>The plan or proposal minimises travel to ensure people can access facilities they need by walking cycling and public transport.</p> <p>The plan or proposal keeps commercial vehicles away from areas where their presence would result in danger or unacceptable disruption to the highway or cause irreparable damage.</p>		<p>National Design Guide Chapters M1, M2 & M3 (movement)</p>	<p>A travel plan can promote sustainable transport and address the environmental and health impacts of a development.</p> <p>Cycle parking and storage in residential dwellings can encourage cycle participation. Traffic management and calming measures and safe crossings can reduce road accidents involving cyclists and pedestrians and increase active travel.</p> <p>Developments should prioritise the access needs of cyclists and pedestrians.</p> <p>Developments should be accessible by public transport.</p>
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THEME 5	HEALTHY HOUSING			
<p>Accessible housing</p>	<p>The plan or proposal meets all the requirements contained in National Housing standards for daylighting, sound insulation, and private space.</p> <p>The plan or proposal provides accessible homes for older or disabled people.</p>		<p>National Planning Policy Framework Chapter 12 Achieving well-designed places National Planning Policy Framework - GOV.UK (www.gov.uk)</p> <p>National Design Guide Chapters H1, H2, H3, L2, & U2</p>	<p>Good daylighting can improve the quality of life and reduce the need for energy to light the home.</p> <p>Improved sound insulation can reduce noise disturbance and complaints from neighbours. The provision of an inclusive outdoor space which is at least partially private can improve the quality of life.</p> <p>Accessible and easily adaptable homes can meet the changing needs of current and future occupants.</p>
<p>Healthy living</p>	<p>The plan or proposal provides dwellings with adequate internal space, including sufficient storage space and separate kitchen and living spaces.</p> <p>Practical use for garden space is provided and where garden space is impractical effectively managed communal garden space will be provided.</p> <p>The plan or proposal encourages the use of stairs by ensuring that they are well located, attractive and welcoming.</p>			<p>Sufficient space is needed to allow for the preparation and consumption of food away from the living room to avoid the 'TV dinner' effect.</p> <p>Rather than having lifts at the front and staircases at the back of buildings hidden from view, it is preferable to have them located at the front to encourage people including those that can use them.</p>

Housing mix and affordability	Neighbourhoods are designed with a mix of housing types and tenures and provide accommodation, which is adaptable to cater for changing needs, including the ageing population.			The provision of affordable housing can create mixed and socially inclusive communities. The provision of affordable family sized homes can have a positive impact on the physical and mental health of those living in overcrowded, unsuitable, or temporary accommodation.
	Affordable housing is integrated in the whole site and will avoid segregation.			Both affordable and private housing should be designed to a high standard ('tenure blind').

THEME 6	ECONOMIC ACTIVITY			
Local employment and healthy workspaces	<p>A range of employment opportunities are available within the neighbourhood or is accessible by sustainable travel means.</p> <p>The plan or proposal includes commercial uses and provides opportunities for local employment and training, including temporary construction and permanent 'end-use' jobs.</p>		<p>National Planning Policy Framework Chapter 6 Building a strong, competitive economy</p> <p>National Planning Policy Framework - GOV.UK (www.gov.uk)</p>	<p>Unemployment generally leads to poverty, illness, and a reduction in personal and social esteem. Employment can aid recovery from physical and mental illnesses.</p> <p>Creating healthier workplaces can reduce ill health and employee sickness absence.</p>

Appendix 2 Homes England – Fact Sheet 4: New homes and healthcare facilities

This fact sheet from Home England helps highlight how new homes affect demand on GPs, what other factors influence demand for local healthcare services, the links between the quality of homes and health outcomes, and how the impact of new homes on local healthcare facilities is considered.



Fact_sheet_4._New_
homes_and_healthc

Appendix 3 HUDU Data Sources and Example Summary Report

This appendix highlights the data sources used in the HUDU modelling tool and provides an example summary report based on a 600-dwelling development.

In this example, we highlight the 600-dwelling development would result in

- a net population growth of 1,055 residents
- a need for 3.88 beds across acute, mental health and intermediate care
- a need for a further 1.11 clinical rooms in primary care
- a need for 289.62 square metres of additional floorspace across all healthcare services
- a capital investment of £2.6m to provide this additional floorspace (*note: this example is based on new build costs*)



Appendix 3 -
HUDU_Summary_Rej

Appendix 4 Demand and Capacity Metrics

The HUDU tool, the stages within, and how we use the model to calculate the impacts from specific housing developments, on healthcare services, is covered within the protocol and additional detail on the data sources used can be found at Appendix 3. However, as well as understanding the future impacts from a specific development, we also need to understand the existing demand and capacity across these services. There is a number of defined metrics used in order to achieve this and highlight what appropriate levels of capacity look like; these are.

- Patients (weighted) per GP (including GPs in training) – **1,800**.
- Patients (weighted) per metres squared (GP estate) – first **6,000** patients require **500m2**, every **6,000** patients thereafter require **250m2**.
- *Patients per Dentist (as well as other primary care services) – currently being established.*
- Inpatient bed occupancy rates – **85%**. (anything over this and resilience, safety and efficiency are all at risk = additional capacity required)

To improve transparency during planning consultations, the ICB will include tables such as the below in its written responses. This will highlight the existing demand and capacity within local healthcare settings, plus the additional demand from the development being consulted upon. We will also indicate any projects planned to rectify any areas of constraint and provide the additional capacity required.

Primary Care Workforce	Registered Patients (weighted)	Patients per GP (weighted)	Additional Patients (weighted)	Future patients per GP (weighted)
General Practice 1	18,000	1,636 (11)	1,350	1,759
General Practice 2	12,000	2,000 (6)	1,255	2,209
<i>Dental Practice 1</i>				

Primary Care Buildings	Current NIA (m2)	NIA required for registered patients (weighted)	Current NIA Surplus/Deficit (m2)	Additional NIA required (m2)	Future NIA Surplus/Deficit (m2) (without mitigation)
General Practice 1	1,200	1,000	200	100	100
General Practice 2	500	750	-250	25	-275
<i>Dental Practice 1</i>					

Hospital Buildings	Latest Bed Occupancy Rate	Additional Bed Demand
Acute Hospital X	95%	2.11
Community Hospital Y	98%	0.06
Mental Health Hospital Z	86%	1.53

Planning Committee

06 December 2024

Agenda item number 14

Norfolk Recreational Impact Avoidance and Mitigation Strategy - Delivery management

Report by Planning Policy Officer

Summary

This paper introduces a reviewed Action Plan, a reviewed tariff as well as the proposed governance arrangements for administering the collected tariff associated with the Norfolk Green Infrastructure and Recreational impact Avoidance and Mitigation Strategy (GI RAMS).

At the October 2024 Norfolk Member Forum, the Action Plan and tariff and the Memorandum of Understanding were considered and endorsed. It is now for each Norfolk Local Planning Authority to endorse the Action Plan, tariff and governance arrangements.

Recommendations

- i. To endorse and recommend to the Broads Authority the new Norfolk Recreational impact Avoidance and Mitigation Strategy (RAMS) Action Plan plus tariff and governance arrangements (as stated in the Memorandum of Understanding).
- ii. To recommend that the Broads Authority nominates either the Chair or Vice-Chair of Planning Committee to the Norfolk GI RAMS overseeing Board.

1. Introduction

- 1.1. Habitat Regulation Assessments (HRAs) are a legal requirement for Local Plans, are a soundness and legal consideration at examination, and a legal consideration at planning application stage. These assessments are undertaken to ensure that the Plans' policies and proposals will not result in any likely significant effects on internationally recognised wildlife sites (habitat sites) and, where the potential for such impacts arises, implement an agreed process of mitigation.
- 1.2. All Norfolk authorities' Local Plans have been subject to an HRA and conclude that the in-combination growth that is planned has the potential to have significant adverse impacts on designated wildlife sites.
- 1.3. Local Planning Authorities (LPA) are the designated competent bodies and are responsible for ensuring that policies and proposals contained in their Local Plans do not have an adverse effect on the integrity of habitat sites.

- 1.4. Recreational pressures from growth and their impact on designated Habitats Sites is a cross-boundary issue which affects all Local Plans in Norfolk. Individual authorities can only address the effects of growth within their own boundaries. The best available evidence categorically and irrevocably identifies likely significant effects from in combination growth because of cross boundary growth. With the best available evidence now clearly showing that the levels of growth proposed trigger in combination effects across the LPAs from growth that originates outside each LPA, the issue is better addressed at a more strategic level like the approach taken in many other parts of the country.
- 1.5. Working through Norfolk Strategic Planning Member Forum, the member authorities have developed a single shared approach to first understand the pressures and impacts of residential growth on European protected sites and then how to address potential impacts.
- 1.6. The Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy was endorsed in 2021, and all local authorities have now introduced the tariff for relevant development.
- 1.7. This paper introduces a reviewed Action Plan, a reviewed tariff as well as the proposed governance arrangements for administering the collected tariff. At the October 2024 Member Forum, the Action Plan and tariff and the Memorandum of Understanding were considered and endorsed. It is now for each Norfolk Local Planning Authority to endorse the Action Plan, tariff and governance arrangements.

2. Review of the mitigation package

- 2.1. Alongside the implementation of the tariff, members requested the review of the mitigation package. The key principle of the review was to provide a more detailed action plan of mitigation through:
 - A detailed review of all individual Natura 2000 sites looking at site improvement plans, existing access and visitor management measures and identify other proposed measures within the protected sites
 - The identification of the degree of intervention needed to avoid likely significant effects based on visitor increases expected
 - Working with site managers/landowners to identify and prioritise the key projects and priorities
 - Maximising use of existing resources at sites
 - Ensuring the Action Plan covers the period to 2046 to align with any forthcoming local plans
- 2.2. The consultant Footprint Ecology was commissioned in early 2023 to complete this work and an update on progress was given to members of the Norfolk Member Forum in January 2024. This work is now complete, and the Action Plan accompanies this report. The report has identified a large range of projects to be delivered across the county in the next 22 years costing £22 million.

- 2.3. The Action Plan will lead to an increase in the tariff cost per dwelling from £221.17 to £293.53.
- 2.4. The Action Plan is now ready for endorsement by each Norfolk LPA.

3. Governance and management of the fund

- 3.1. In December 2021, the Norfolk Member Forum agreed to the principle of exploring the option of Norfolk County Council being the accountable body and hosting organisation for the Mitigation Fund. Unfortunately, it was not possible to reach agreement with Norfolk County Council in managing the Mitigation Fund, so officers have been developing a governance process with the delivery manager role being hosted by a district instead.
- 3.2. Norwich City Council has offered to host the delivery manager and will hold a central pool of funds for projects. However, it will not be accountable for the operation of the scheme which will remain with the Norfolk LPAs and the Board that will be set up to oversee the spend and implementation of the RAMS projects.
- 3.3. It is still proposed that a Board:
 - is responsible for overseeing the delivery of the mitigation identified as being required to support the planned growth for the county;
 - is granted the power, by each LPA, to make decisions regarding the Norfolk RAMS fund and the projects it is used to deliver;
 - agrees an annual programme of projects to be delivered by the Norfolk RAMS Mitigation Programme which will be funded wholly from the Norfolk RAMS Fund and
 - will meet every six months to review progress.
- 3.4. The Board will be made up of Members from all LPAs supported by Ecologists and/or planning officers from all LPAs. The most appropriate member for the Broads Authority would be either the Chair or Vice-Chair of the Planning Committee. There may be other groups that support the Board in an advisory role or provide advice; this may include Natural England, the Environment Agency and Ecologists from other interested groups.
- 3.5. A steering group created terms of reference for the overarching board and a job description for the Delivery Manager Role.
- 3.6. A Memorandum of Understanding has been drafted which sets out the operation of the scheme alongside the terms of reference with Norwich City Council acting as host authority.
- 3.7. The Action plan, tariff and Memorandum of Understanding are now ready for endorsement by each LPA. Following endorsement by Planning Committee, they will be presented to the Broads Authority in January 2025 for agreement.

Author: Natalie Beal

Date of report: 11 November 2024

Appendix 1 – [Norfolk RAMS Action Plan](#)

Appendix 2 – [Memorandum of Understanding: Norfolk RAMS Programme Fund Governance and Management](#)

Norfolk Strategic Planning Framework



OCTOBER 2024

MEMORANDUM OF UNDERSTANDING

**Norfolk Recreational Impact Avoidance and Mitigation (RAMS) Programme
Fund Governance and Management**

**Memorandum of Understanding
Norfolk Recreational Impact Avoidance and Mitigation (RAMS) Programme
Fund Governance and Management**

Between:

NORWICH CITY COUNCIL
AND
BRECKLAND COUNCIL
AND
BROADLAND DISTRICT COUNCIL
AND
NORTH NORFOLK DISTRICT COUNCIL
AND
SOUTH NORFOLK COUNCIL
AND
BOROUGH COUNCIL OF KINGS LYNN AND WEST NORFOLK
AND
BOROUGH COUNCIL OF GREAT YARMOUTH
AND
THE BROADS AUTHORITY

‘the parties’

1. Purpose

- 1.1. This Memorandum of Understanding (‘MOU’) sets out the agreed working relationship between the parties regarding the governance and management of the Norfolk Recreational Impact Avoidance and Mitigation (RAMS) Fund.
- 1.2. This MOU will be valid until it is terminated by the Parties. It will be reviewed and updated only where any of the signatories deem it necessary.
- 1.3. This MOU is not intended to create legal or binding obligations and will not be enforceable. It describes the understanding between the parties for the governance and management of the Norfolk Recreational Impact Avoidance and Mitigation (RAMS) Fund.

2. Background to the Management of the GIRAMS Scheme

- 2.1. Since it was first identified that recreational pressures from growth were having an impact on designated Habitats Sites across Norfolk, Norfolk Local Planning authorities have been working on the production of a mitigation scheme and looking at how such a scheme would be implemented.
- 2.2. As the scheme is a county wide one it would be challenging and inefficient for it to be managed by all LPAs and so over the course of the last 4 years a number of options have been explored in detail about how it would be best managed. These options include the scheme being managed by Natural England, local nature groups and via a standalone organisation. During 2022/23 significant effort was put into setting up a scheme managed by the county council and more recently via Norfolk Environmental Credits. All options mentioned have been ruled out for various reasons.
- 2.3. Although Nutrient Neutrality has impacted the contributions to the scheme, Natural England have made it clear that they are concerned that the management of the scheme has not been implemented given that the tariff has been collected since 31st March 2022. This has made it imperative that a solution is found. Given that other options have been exhausted, it has led to the conclusion that the scheme is best managed by one of the Norfolk LPAs that are impacted by the scheme and a request was made in late 2023 for LPAs to come forward to help provide a solution.
- 2.4. A proposal was put forward for Norwich City Council to host the Delivery Manager, there would be a number of benefits to this:
 - As Norwich don't have any of the habitat sites within its administrative it would be unlikely to be seen to 'favour' any particular sites in the county and the 'reach' of Norwich residents covers many of the impacted sites.
 - It is centrally located in the county
 - Norwich have already successfully managed central funds on behalf of the districts for the work of the NSPF and for Nutrient Neutrality
 - Norwich already host the Norfolk Strategic Planning Programme Manager and this role can be used to manage the individual that is brought in given their close involvement with the work so far.
 - Some sort of interim arrangement needs to be in place to ensure that as soon as the footprint mitigation plan work is complete projects can start to be brought forward; the Norfolk Strategic Planning Programme Manager can cover the Delivery Manager role in the short term until funds are available in all districts to support the Delivery Manager role.
- 2.5. Footprint Ecology have been asked for an independent view of the cost for the delivery manager and £59K has been quoted for this role. This is calculated as: £40,000 annual salary, plus 35% (to cover NI, superannuation, etc.) and £5000 per annum support costs).
- 2.6. The option for Norwich to host this role was discussed at the December 2023 NSPG and was generally supported. In late March 2024 the proposal was put forward to Norwich City Council's 'ELT' meeting for approval to host and employ the role, and this was agreed.

3. Roles of the parties

- 3.1. Having already considered a number of different organisations in the management of the GIRAMS tariff and the concerns raised within these as to how the fund is managed, it is important that these concerns are clearly addressed in the approach to NCC managing the fund. This means that a straightforward approach should be taken to reduce complexity and possible issues. The role and NCCs responsibilities should be limited as set out below:
- NCCs role in the management of the GIRAMS fund will be limited to the recruitment, employment and management of the delivery manager on behalf of all LPAs in the county and the holding of a central 'pool' of funds collected by all LPAs.
 - Other than for the management of the delivery manager role (and any related support -eg IT or HR support etc.), no other resource will be provided by NCC for the management of the GIRAMS fund unless agreed by LPAs and paid for via the fund.
 - The LPAs will transfer funds collected every 6 months to NCC. For LPAs that collect the tariff via S111, funds should only be transferred to NCC once the development has planning permission, and the development has commenced.
 - The delivery manager will be informed by each authority of the amount collected and ready to be transferred, for which developments it applies and a Purchase Order will be raised by each LPA for this amount. NCC via the delivery Manager will then invoice each LPA for this amount.
 - All tariff monies should be ringfenced for use on GIRAMS mitigation only.
 - The LPAs should not include repayment clauses as standard within any S106 agreements.
 - All tariff monies should be used within a reasonable time period to avoid any repayment requests.
 - NCC will not be responsible for any work delivered by the delivery manager, any projects that are part of the programme or any failure of projects either to be delivered or to have the expected impact
 - Responsibility for the programme will rest with the GIRAMS board. Once the programme is approved, the delivery manager will be able to release funds from the central pool to the agreed projects.
 - NCC via the delivery manager will regularly update LPAs on the funds held in the programme and how money from the fund has been spent and on which projects
 - The role of the Delivery manager will be limit to the organisation of the programme and to the management of some county wide projects where consultants are involved eg county wide dog project/gazetter, monitoring etc
 - Where projects involve the employment of staff either temporary or permanent, this will only be via a third party/stakeholder who will generally be the site owner/land manager etc.
 - Also project delivery of new infrastructure to a site eg footpaths, signage, fencing etc. will also have to be organised, managed and delivered by a third party or stakeholder. Any maintenance will also be the responsibility of the third party or stakeholder.
- 3.2. The Delivery Manager role will be managed by the Norfolk Strategic Planning Programme Manager who's time will also be charged to the fund (up to the agreed budget of £5,000 per annum) and any issues with the performance of the Delivery Manager can be raised with them.
- 3.3. The Delivery Manager will be recruited by Norwich City Council in line with the Job Description and Person Specification as agreed (see appendix 1).
- 3.4. The governance of the GIRAMS fund is set out in further detail in the GIRAMS Board Terms of Reference. This will form the basis of how the programme is developed and the schemes agreed to deliver the GIRAMS Mitigation for Norfolk.

This will be achieved through the working values of the collaborative working between the parties:

- Work in good faith and in an open, co-operative and collaborative manner.
- Work on a consensual unanimous basis.
- Work together in the spirit of mutual trust and integrity.
- Add value and ensure a commitment to deliver.
- Communicate openly about concerns, issues and opportunities.
- Adhere to the governance models as agreed in the Terms of Reference for the board.
- Act in a timely manner.

3.5. No Party shall make any public statement with respect to this MOU without the prior written consent of the other Parties, unless it is required by law or regulation, in which case it will (to the extent that it is legally possible and / or reasonably practicable) consult with the other Parties as to the timing and content of such disclosure.

3.6. It should be noted that by signing this document, the parties are not committing to legally binding obligations. It is intended that the parties remain independent of each other and that their collaboration does not constitute the creation of a legal entity, nor authorise the entry into a commitment for or on behalf of each other.

Signed on behalf of NORWICH CITY COUNCIL

Signed on behalf of BRECKLAND COUNCIL

Signed on behalf of BROADLAND DISTRICT COUNCIL

Signed on behalf of NORTH NORFOLK DISTRICT COUNCIL

Signed on behalf of SOUTH NORFOLK COUNCIL

Signed on behalf of BOROUGH COUNCIL OF KINGS LYNN AND WEST NORFOLK

Signed on behalf of BOROUGH COUNCIL OF GREAT YARMOUTH

Signed on behalf of THE BROADS AUTHORITY

Job description



Job title:	Norfolk RAMS Delivery Manager		
Post number:			
JE reference:		Grade of job:	7/8
Service:	Planning		

Job purpose:

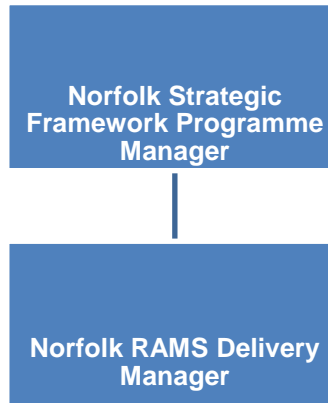
The Norfolk RAMS (Recreational Impact Avoidance and Mitigation) Delivery Manager will support Local Planning Authorities in meeting their statutory obligations to mitigate against adverse effects at internationally designated sites from the 'in-combination' impacts of residential development that is forecast to take place across Norfolk.

The role will lead on the day-to-day management of the Norfolk RAMS mitigation programme, maintaining operational and financial oversight, ensuring compliance with the overall Scheme. The role will be responsible for the development and monitoring of relevant, externally delivered projects/work-streams, in line with the programme objectives. These will include strategic partner initiated and delivered projects. A key function of the role will be the management of an extensive stakeholder network (Norfolks LPAs, Natural England, Landowners, Conversation bodies, Nature partnerships, and other stakeholders) and steering collaborative working, in order to deliver the mitigation to prevent additional disturbance to internationally designated wildlife sites and habitats.

Key responsibilities of the role include:

- Development and delivery of Norfolk RAMS mitigation programme, agreeing the programme with the RAMS Board and reporting progress to the Board
- Bringing forward projects for the programme and establishing how they are best delivered based on where mitigation is required
- Overseeing the implementation of the programme and the strategic partners delivery of the projects
- Monitoring the success of the mitigation, the ongoing impacts on sites and the suitability of the mitigation package going forward
- Partnership working, promoting strong working relationships with a diverse range of stakeholders, often with competing and conflicting requirements
- Reviewing and monitoring of project progress, liaising and reporting to the Environment Manager on matters relating to strategy, resource, risk, schedule and budgetary control of projects
- Keeping up to date with relevant legislation
- Source and support partner projects for funding opportunities to support the RAMS Programme objectives
- Working across various diverse locations within the County, with a mix of office and some field work

Organisation structure:



Key result areas

1	Ensure the Norfolk RAMS Programme is delivered in line with its objectives. Maintain financial and operational oversight of the programme and projects, reporting to Norfolk RAMS Board and Norfolk Strategic Framework Programme Manager.
2	Maintain details of contributing developments and the designated site mitigation these have funded for reporting to Norfolk LPAs.
3	Manage projects/work-streams, directing strategic partners to deliver work on time and to budget.
4	Review and report on project programmes and budgets. Provide clear information on projects for governance and reporting to the Norfolk RAMS board.
5	Develop and support partnership working with an extensive, cross-sector range of organisations, to ensure projects are delivered by the right organisations in the most cost effective way, maximise impact and avoid duplication of effort. This will include working with Norfolk LPAs, Non-Government Organisations, Government Agencies, Community Groups, Landowners, Nature/Conservation Partnerships and elected Members.
6	Monitor impacts of completed projects on recreational disturbance, investigate further work required and input into further strategies to mitigate and reduce disturbance.
7	Managing the RAMS fund, ensuring contributions are received and project payments are made, raising invoices and purchase orders as required.
8	Lead effective secretariat function to the Norfolk RAMS Board including scheduling and administering meetings
9	Act as an ambassador for the authorities, ensuring a professional conduct is always maintained. Facilitate liaison between all Norfolk LPAs, the Norfolk RAMS board, external stakeholders and associated projects/initiatives, to avoid duplication of work and to add value/maximise results

General requirements

Post holders will be expected to be flexible in their duties, including occasional evening and weekends, and carry out any other duties commensurate with the grade and falling within the general scope of the job, as requested by management.

Duties and responsibilities must be carried out in accordance with relevant Norwich City Council policies and procedures, within legislation and any code of professional ethics of relevant professional body.

All employees are expected to maintain a high standard of customer care in the context of the Council's core values, to uphold the Equality and Diversity Policy and health and safety standards and to participate in personal learning and development necessary to the post.

Person Specification



Job title:	Norfolk RAMS Delivery Manager		
Post Number			
Reports to (title):	Norfolk Strategic Framework Programme Manager	Service:	Planning
JE reference:		Grade of job:	7/8

Essential criteria

1. Qualifications	<p>An appropriate degree qualification or equivalent experience with transferable skills and experience</p> <p>Business Administration/Project Management qualification or equivalent experience</p> <p>PRINCE2 Practitioner, MSP programme management certification, or equivalent other qualification or applied experience.</p> <p>Evidence of continued professional and personal development</p> <p>Valid driving license</p>
2. Experience	<p>At least 3 years post graduate experience with a local authority or conservation organisation.</p> <p>Experience of directing projects to deliver environmental outcomes, through collaboration and engagement with project teams, partners and external stakeholders</p> <p>Experience of developing bid documents</p> <p>Significant experience in cross-sector stakeholder working and management of project partners</p>
3. Knowledge/ understanding	<p>Knowledge of environmental designations and legislation</p> <p>Competent verbal communications skills including public speaking/presentations at meetings and conferences</p> <p>Knowledge of Government Environment policy and strategy</p> <p>Fieldwork and report writing skills</p> <p>Understanding of conservation management</p> <p>Knowledge and understanding of EU Procurement Directives and government best practice for contract management</p> <p>Knowledge and understanding of external funding programmes</p>

4. Skills/ability

Management of stakeholders
Strong analytical skills, able to demonstrate budget and delivery monitoring
Excellent attention to detail with a proactive, practical and commercial approach
Strong communication and interpersonal skills to develop and manage relationships with stakeholders and partners. Able to effectively communicate ideas and concepts verbal and in writing.
Able to manage expectations and negotiate sound commercial outcomes.
Takes responsibility for outcomes is proactive and dynamic in solving problems
Ability to prioritise effectively
Flexible to support changes to work plans

Planning Committee

06 December 2024

Agenda item number 15

Consultation responses

Report by Planning Policy Officer

Summary

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

Recommendation

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

1. Introduction

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

Author: Natalie Beal

Date of report: 11 November 2024

Appendix 1 – Planning Policy consultations received

Appendix 1 – Planning Policy consultations received

Suffolk County Council

Three Documents:

[Suffolk Local Transport Plan](#)

[Suffolk Local Cycling and Walking Infrastructure Plan](#)

[Beccles Area Transport Plan](#)

Response due date: 25 November 2024. We have an extension until 6 December.

Status: Draft

Proposed level: Planning Committee endorsed.

Notes

Suffolk Local Transport Plan: Every Local Transport Authority must produce and adopt a Local Transport Plan. This is the fourth for Suffolk, which moves forward the existing Local Transport Plan 2011 to 2031. The Local Transport Plan 2025-2040 develops the long-term vision and provides a set of objectives that will inform transport policy and investment decisions in Suffolk up to 2040. The Local Transport Plan provides essential policy direction that informs local planning authorities' Local Plans for growth and development.

Suffolk Local Cycling and Walking Infrastructure Plan: A Local Cycling and Walking Infrastructure Plan (LCWIP) is a way for local authorities to set out their long-term approach to improving local infrastructure for walking, wheeling and cycling. A key output of an LCWIP is a set of prioritised improvements which will create a safe, accessible and comfortable network of routes over the long term. The routes are selected based on a detailed analysis and are focused on creating the greatest benefit to residents and increase levels of walking, wheeling and cycling.

Beccles Area Transport Plan: This will support the development of sustainable travel options for the town's residents and visitors, so they become more attractive and realistic choices for everyone.

Proposed response

Summary of response

Generally, Suffolk County Council does not mention the Broads or the Broads Authority. There are some inconsistencies in the strength of wording used in some instances. There are also some inconsistent references to age groups of the community throughout.

Detailed response

Suffolk Local Transport Plan

Suffolk Local Transport Plan Page 9, last para – the Broads Authority is also an LPA in Suffolk and must be mentioned.

Page 13 says '700 million miles in 2020' – is that in Suffolk, the East, UK?

Page 27 – what % of buses operating in Suffolk are zero emissions? What is the target, by when?

Page 28 – Cost is a major factor. If four adults wish to get the train, it is likely to be cheaper to pay for diesel and drive and pay for parking.

Page 47 – it is not clear why the Broads is not mentioned in this section.

Generally, the photos don't have captions, so their relevance is not clear.

Page 52 says 'Local planning authorities must develop and maintain Local Plans, setting out a long-term vision for the employment and housing growth in their districts and boroughs'. Say 'in their areas' as we are an LPA, and we are not a district or borough.

Page 53 – no mention of the Broads Authority. We are an LPA.

Page 57 says - severance is bad for our health[?] – typo

Page 60 – the text focuses on older people only in relation to social isolation. Isn't everyone of any age that is separated from social or familial contact, community involvement or access to services socially isolated? The access to services in particular is relevant to rural areas. The same with loneliness; it talks about this applying to younger people – anyone can feel lonely. What is the relevance of talking about age in this section? It distracts from the point.

Page 61 – you talk about social isolation and lack of public transport or access to the car, but is it more about lack of facilities where they live?

Page 63 - on and **an** individual's

Page 64 - Approximately a third of Suffolk's population **live** in rural areas.

Page 65 – you might want to explain what 'chain tripping' is.

Page 69 says 'Area plans for Suffolk's fifteen main towns deliver projects contributing to our Local Transport Plan themes'. We see these have been produced, but it is not clear how the Broads Authority has been involved in relevant plans.

Page 71 – benefitting one use must not be at the expense of another road user, however. This applies to all schemes.

Page 72 - Create transport hubs to improve the integration **between** walking, cycling, buses, trains, and taxis.

Page 72 – are there plans to encourage bikes on buses?

Page 72 – making cycles on trains easier, more welcome and increasing capacity could be beneficial.

Page 72 – secured cycle parking, yes, but also in a convenient location.

Page 73 The increase is likely **from** individuals obtaining licences in the latter half of the twentieth century rising through the age groups, which will likely result in older individuals having access to a motor car compared with the same age groups three or four decades ago.

Page 73 says 'This provides independent travel choice for older individuals needing to access employment, essential services, and retail and leisure facilities, but less favourable for operating commercially viable bus services which will disadvantage children, younger adults and those without a driving licence'. Older people would get a bus pass anyway. And older people using the car and not the bus is one segment of the population. All adults could use the bus so as to not disadvantage children, younger adults and those without a driving licence.

Page 76 says '...consider sustainable drainage systems in all transport infrastructure schemes'. Why is this only 'consider'? Should it not be 'deliver'? With climate change and more intense rain bursts with the associated surface water run-off, SuDS are more important now than ever. The section implies that SuDS will be done, but the title is non-committal. Page 90, 15 A says you will install SuDS in all drainage schemes. Is a lack of consistency.

Page 76 – there is a random quote with no context or source.

Page 76 says 'We will consider the impacts of our projects on carbon emissions and the need for mitigation to respond to changes to the environment' whereas on page 77 is says 'We will positively enhance the biodiversity value of our land assets, which includes the management of roadside verges'. The language used and commitment made is very different. Why is the commitment to carbon emissions weaker than biodiversity? Especially considering the quote on page 76. Page 89 says 'Whole-life carbon assessments will be undertaken for schemes to understand the impact on decarbonisation targets and to inform decision-making'. So it seems that you '...will address the impacts..' of your projects on carbon emissions.

Page 79 – figure has not copied over well with some information cut off.

Page 82 text talks about data for incidents in 2021 and 2022 whereas the infographic talks about 2023.

Page 83 - representatives of from Suffolk – typo

Page 84 says that that those walking, wheeling, cycling, and motorbiking are disproportionately at risk of injury yet page 83 talks about the perceived risks of walking, wheeling and cycling and seems to say that the risk to them is lower than car use. It seems there is a contradiction between pages 83 and 84.

Page 85 uses data from 2021 – should more up to date data be used?

Suffolk Local Cycling and Walking Infrastructure Plan

Under determining the scope – you mention Districts and Boroughs, but not the Broads Authority. We are producing a LCWIP.

Under determining the scope – you don't mention the Broads Authority in the list of Districts and Boroughs.

Gathering information – were the Broads Authority involved? We are not mentioned.

Application – again, no mention of the Broads Authority.

Governance - Will you involve the Broads Authority like you say you will the Districts and Boroughs? Will the Broads Authority be on the Suffolk Walking, Wheeling & Cycling Liaison Group? The Broads Authority is not on the Governance structure.

Beccles Area Transport Plan

There is no mention of the Broads or the Broads Authority in this plan.

Planning Committee

06 December 2024

Agenda item number 16

Annual Monitoring Report and Infrastructure Funding Statement

Report by Planning Policy Officer

Summary

The Annual Monitoring Report (AMR) sets out planning related data from 1 April 2023 to 31 March 2024. It also includes the annual check of exemptions related to self-build. The report also presents the annual Infrastructure Funding Statement.

Recommendation

- i. To note the Annual Monitoring Report and endorse its findings.
 - ii. To endorse the Infrastructure Funding Statement.
-

1. Introduction

- 1.1. The Annual Monitoring Report (AMR) assesses planning permissions granted over the monitoring period from 1 April 2023 to 31 March 2024. It also assesses how policies in the Local Plan for the Broads were used. The Local Plan monitoring indicators are a key component of this AMR, which provides an update on the Duty to Cooperate and progress on the Local Plan and other associated documents. The AMR will be published on the Broads Authority's website.
- 1.2. The Community Infrastructure Levy (CIL) regulations require all local planning authorities that issue a CIL liability notice or enter into section 106 planning obligations during a reporting year to publish an infrastructure funding statement (IFS) at least annually.

2. AMR Headline figures

- 2.1. The following are the headline figures taken from the AMR (at Appendix 1):
 - a) Total number of dwellings completed in 2023/24: 9
 - b) Total number of houses permitted in 2023/24: 6
 - c) 1 unit of holiday accommodation counts towards the housing need for the Broads

- d) The average number of dwellings permitted over the 5 years since the adoption of the Local Plan is 11.8 dwellings, which is greater than the Local Plan average of 11.43 dwellings.
- e) Approval rate (as a percentage of validated applications) is 88%
- f) 0 residential moorings permitted
- g) 10 appeals decided, 3 allowed and 7 dismissed
- h) Self-build exemption from the duty to give enough suitable development permissions to meet the identified demand.
- i) 5-year land supply:

Approach	Supply in years
Liverpool	3.17
Sedgefield	2.79

2.2. The Authority cannot demonstrate a five-year land supply. It should be noted that:

- The presumption in favour of sustainable development applies, as set out in the NPPF paragraph 11(d), must be considered;
- However, working the NPPG and NPPF through, as set out in 11(d)(i) and the related footnote 6, the presumption in favour of sustainable development does not apply to the Broads.

3. Infrastructure Funding Statement

3.1. This is produced each year and sets out any new planning obligations as well as progress on planning obligations received since the adoption of the 2019 Local Plan. The Statement can be found at Appendix 2.

Author: Natalie Beal

Date of report: 13 November 2024

Appendix 1 – [Annual Monitoring Report 2023/24](#)

Appendix 2 – [Infrastructure Funding Statement 2024](#)

Annual Monitoring Report 2023/24

December 2024



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Cover photo credit: Strumpshaw Fen, by Jackie Dent

1. Introduction

The Annual Monitoring Report (AMR) assesses planning permissions granted over the monitoring period from 1 April 2023 to 31 March 2024. It also assesses how policies in the Local Plan for the Broads were used. The Local Plan Monitoring indicators are a key component of this AMR. The AMR provides an update on the 'duty to cooperate' as well as progress on any work related to producing the Local Plan and other associated documents. The source of the data in this AMR is mainly from data collected and held by the Broads Authority (BA). If you have any queries regarding this AMR, please contact the Planning Team at the BA on 01603 610734 or planning@broads-authority.gov.uk.

2. Duty to Cooperate

The Localism Act 2011 introduced a duty to cooperate on strategic planning matters (defined as those affecting more than one planning area) applying to local planning authorities and a range of other organisations and agencies. The following provides an overview of the types of cooperation going on between the BA and other organisations covered by the duty, during the year under review.

A Duty to Cooperate Statement has been produced to accompany the Local Plan and it can be found here [Duty to Cooperate Statement February 2018 \(PDF | \[broads-authority.gov.uk\]\(http://broads-authority.gov.uk\)\)](#). The main cooperation outcome has been that Great Yarmouth Borough Council has agreed to accommodate the residual need of 38 dwellings which arises in the Borough's part of the Broads.

The [Norfolk Strategic Planning Framework version 3](#) has been produced and endorsed by all Norfolk Local Planning Authorities. This is a series of agreements that all Norfolk LPAs will sign up to.

The BA continues to engage proactively with our District Councils, the rest of Norfolk and Suffolk and our two county councils mainly through meetings and responding to consultations, as well as working on joint projects.

Joint projects that were undertaken, completed or started in the 2023/24 monitoring period are as follows:

- Work and adoption of a Norfolk and Suffolk Coast Supplementary Planning Document, with East Suffolk, Great Yarmouth and North Norfolk Councils.
- Joint work with other authorities on preparation for the Norfolk and Suffolk Local Nature Recovery Strategy.
- Master planning work/Supplementary Planning Document for East Norwich – working with Norwich City Council and Norfolk County Council.
- Work, with Norfolk Local Planning Authorities, on Nutrient Neutrality.

3. Local Plan and other Planning Policy Documents

The Local Plan for the Broads was adopted in May 2019. It has therefore been in place and used in determining planning applications for all of the 2023/24 monitoring period. The Local Plan webpage is here: [Local Plan for the Broads \(broads-authority.gov.uk\)](https://broads-authority.gov.uk). The table at [Appendix D](#) reflects the monitoring indicators from the Local Plan. It also shows how the policies are working.

During the monitoring period, the Local Plan review continued. The Local Plan webpage above includes work completed to date, as follows;

- [Local Green Space Assessment \(June 2023\)](#)
- [Housing and Economic Land Availability Assessment \(HELAA\) \(September 2023\)](#)
- [From HELAA to Local Plan \(September 2023\)](#)
- [Replacement Quay Heading Topic Paper \(2023\)](#)
- [Dark Skies Topic Paper \(2023\)](#)
- [Employment and Economy Topic Paper \(January 2024\)](#)
- [Local Infrastructure Study \(February 2024\)](#)
- [Renewable Energy Topic Paper \(February 2024\)](#)
- [Technical Health and Wellbeing Paper \(January 2024\)](#)
- Starting the consultation on the [Preferred Options Local Plan](#), [SA](#) and [HRA](#).

4. Neighbourhood Plans

Neighbourhood Plans continue to be produced during the 2023/24 monitoring period and an up to date list detailing progress of the Neighbourhood Plans is available at:

[Neighbourhood planning \(broads-authority.gov.uk\)](https://broads-authority.gov.uk)

[Appendix A](#) shows a map of Neighbourhood Plans that are relevant to the Broads. The following Neighbourhood Plans were adopted/made in the monitoring period:

- Hemsby
- Oulton

5. Completions of net new housing in 2023/24

The following schemes have been completed in the 2023/24 period. Data was collected either through phoning the applicant or agent or site visits. For the purposes of the AMR, completed means that it has windows and doors. Please note that 'CLEUD' schemes are in this table and section 6 but won't be double counted.

App No	District	Proposal	Type	Net New	Self-Build (April 2016 onwards)
BA/2023/0220/CLEUD	North Norfolk	Lawful Development Certificate for 10 years use of the building and site as a dwellinghouse within Class C3	Dwelling house	1	No
BA/2023/0426/CLEUD	South Norfolk	Lawful Development Certificate for confirmation that 1974 permission implemented and that the property has been used as residential accommodation for a period in excess of 4 years and as such has residential status	Dwelling house	1	No
BA/2023/0467/CLEUD	Broadland	Lawful Development Certificate for use of a building as a dwellinghouse within Class C3	Dwelling house	1	No
BA/2019/0345/FUL	North Norfolk	Convert barn to two bedroom holiday let.	Holiday	1	No
BA/2017/0191/FUL	Broadland	The conversion of a redundant agricultural building to a single dwelling, including associated building and landscaping works and the change of use of an existing dwelling to provide a dedicated tourism use.	Both dwelling house and holiday	1	No
BA/2021/0181/FUL	Great Yarmouth	Residential development of 2no. semi-detached townhouses and 2no. detached houses	Dwelling house	4	No

Number of residential dwellings: 8

Number of holiday homes: 1

Total number of dwellings completed in 2021/22: 9

6. Net new dwelling applications permitted in 2023/24

The following table sets out some details of permitted housing related applications. These applications also appear in Section 8 as they are yet to be completed, and some may appear in section 5 as they are CLEUD applications.

Planning application reference	Parish	District	How many new dwellings?	How many dwellings lost?	Net total of dwellings ?	How many new affordable dwellings?	How many affordable dwellings lost?	Net total of affordable dwellings?	On previously developed land?	In development boundary?	Is the dwelling a rural enterprise dwelling?	Is the scheme for elderly/specialist need housing?	Is the scheme for self-build?
BA/2023/0171/FUL	Oulton Broad	East Suffolk	3*	0	3	0	0	0	No	Yes	No	Yes	No
BA/2023/0220/CLEUD ¹	Horning	North Norfolk	1	0	1	0	0	0	N/A - CLUED	No [^]	No	No	No
BA/2023/0426/CLEUD ²	Haddiscoe	South Norfolk	1	0	1	0	0	0	N/A - CLUED	No [^]	No	No	No
BA/2023/0467/CLEUD ³	South Walsham	Broadland	1	0	1	0	0	0	N/A - CLUED	No [^]	No	No	No

*These three units are rooms in a care home. They are ensuite with all other facilities shared. They are considered as net new dwellings and count towards the OAN as they are providing a need in society.

1: Lawful Development Certificate for 10 years use of the building and site as a dwellinghouse within Class C3

2: Lawful Development Certificate for confirmation that 1974 permission implemented and that the property has been used as residential accommodation for a period in excess of 4 years and as such has residential status

3: Lawful Development Certificate for use of a building as a dwellinghouse within Class C3

[^]: Note that these were Lawful Development Certificates

Total number of dwellings permitted in 2023/24: 6 dwellings

Number of dwellings permitted in 2023/24 that count toward the OAN: 6 dwellings (as three included in section 5)

It should be noted that during this entire monitoring period, schemes for overnight accommodation in parts of Norfolk were affected by nutrient enrichment issues.

7. Tourism accommodation applications permitted in 2023/24

The following table sets out some details of permitted tourism accommodation related applications. It also identifies if these units are self-contained and, in theory, could be lived in and therefore count towards the Objectively Assessed Housing Need (OAN) set out in the Local Plan. These applications also appear in Section 8 as they are yet to be completed.

Planning Application Number	What type? (for example, tent pitches, glamping, caravans, second home, holiday home, other)	How many new 'units' of holiday accommodation?	How many lost 'units' of holiday accommodation?	Net total 'units' of holiday accommodation?	Any occupancy conditions?	On Previously developed land?	Count towards OAN?
BA/2023/0439/COND	Replace pods with alternative design, variation of condition 2 of permission BA/2017/0392/FUL	0	10	10	None	Yes	No
BA/2023/0348/FUL	Static caravans in place of tourers	10 static caravans	16 touring pitches	-6	Short term only, March and October only.	Yes	No
BA/2023/0076/FUL	The siting of seven twin unit chalets (fourteen chalets) and associated parking spaces. Construction of new access road adjacent to the north western boundary, to create one-way access arrangement. Extension and reconfiguration of existing car parking areas serving the River Centre and Marinas. Erection of new shower/toilet facilities. Removal of existing storage building and shower/toilet facilities.	14	No upper limit was previously specified.	0	yes- not main or sole residence	Yes	No
BA/2023/0074/FUL	Re-siting and re-design of eight holiday lodges and associated parking spaces and associated operational development. Creation of a landscaped area.	8	8	0	yes- not main or sole residence	No	No
BA/2023/0075/FUL	Provision of fifteen touring caravan/motor home/camping pitches (relocated from the central area of the River Centre), access and amenity area.	15	No upper limit was previously specified.	0	yes- holiday use only	No	No
BA/2022/0144/FUL APP/E9505/W/22/3313528	Annexe to holiday home approved on appeal.	1	0	1	yes- holiday use only	Yes	Yes

When calculating the need for housing for the Broads Area, the consultants ensured they considered empty homes – second and holiday homes. The LPA calculated the numbers of second and holiday homes in the Broads part of various districts and provided the consultants with this data. As a result, considering that holiday and second homes were taken into account when calculating the need, they can be counted towards meeting the need.

1 unit of holiday accommodation counts towards the housing need for the Broads.

It should be noted that during this entire monitoring period, schemes for overnight accommodation in parts of Norfolk were affected by nutrient enrichment issues.

8. Outstanding planning permissions for net new housing – all years

Our districts were contacted for updates on the schemes, such as through their building regulations teams. If needed, applicants/agents were called to ask if schemes were completed. The following schemes were not completed, and the table shows if they had started. Applicants/agents were also asked if they had any idea of when the schemes would be completed. For some of the applications, despite attempts at contacting either the agent/applicant, we were unable to get any update on when the scheme was likely to be completed (see last column).

App No	District	Proposal	Net New	Self-Build (April 2016 onwards)?	Commenced?	Completion: 2024/25	Completion: 2025/26	Completion: 2026/27	Completion: 2027/28	Completion: 2028/29	Completion: After 2029	Completion: Unknown as at June 2024
BA/2021/0276/CUPA	BDC	Conversion of office to 6 residential units	6	no	Yes	6						
BA/2021/0233/FUL	NNDC	Three bedroom detached bungalow.	1	No	No							1
BA/2018/0007/FUL	GYBC	Change of use of outbuildings to 2 No. holiday lets	2	n/a	Yes							2
BA/2021/0145/FUL	NNDC	Proposed demolition of the existing Ludham Bridge Stores and Wayfares cafe for the erection of a replacement building and extension to accommodate a new cafe and store, alongside 3 proposed holiday lets to the rear.	3	n/a	No				3			
BA/2010/0381/CU	SNDC	Change of Use of single storey barn to holiday cottage	1	n/a	Yes		1					
BA/2022/0195/FUL	SNDC	Proposed conversion of existing barn to a short term holiday let.	1	No	Yes	1						
BA/2012/0271/FUL	WDC	Re-development of former Pegasus Boatyard to provide 76 dwellings, new boatyard buildings, office, moorings and new access road.	76	N/a	Yes				15	15	46	
BA/2021/0417/FUL	SNDC	Conversion & change of use to short term holiday let	1	n/a	No							1
BA/2015/0426/FUL	WDC	Conversion of existing barns and outbuildings to form new residential units and erection of a new stable block.	4	yes - 1	Yes							4
BA/2020/0408/FUL	ESC	Demolition of existing dwelling (Westerley) & erection of replacement dwelling and erection of new dwelling on neighbouring plot (The Moorings).	1	no	No							1
BA/2017/0103/OUT	GYBC	Outline application to redevelop Hedera House to form 6 residential dwellings and 10 new holiday cottages.	16	no	Yes							16
BA/2018/0279/FUL	GYBC	Change of use of existing barn & cattery to holiday accommodation	2*	n/a	Yes		1					
BA/2019/0118/FUL	GYBC	Erection of 7 residential dwellings, 12 permanent residential moorings, 9 resident moorings, 10 visitor moorings, 1 mooring for Broads Authority, the redevelopment of the Marina building as offices & storage with associated landscaping & parking	7	No	Yes							7

App No	District	Proposal	Net New	Self-Build (April 2016 onwards)?	Commenced?	Completion: 2024/25	Completion: 2025/26	Completion: 2026/27	Completion: 2027/28	Completion: 2028/29	Completion: After 2029	Completion: Unknown as at June 2024
BA/2020/0053/FUL	GYBC	Demolition of former marina building & erection of 2 residential dwellings with parking & residential moorings.	2	No	Yes							2
BA/2020/0259/FUL	GYBC	Part retrospective: Restoration of pumphouse including extension to form a dwelling and part use as a visitor centre. Restoration of mill for use as annex including re-instatement of scoopwheel and sails. Construction of an outbuilding to house a water treatment plant. Temporary stationing of caravan.	1	No	Yes							1
BA/2023/0014/FUL	ESC	Change of use of half of the building from storage to residential, rooflights and windows	1	No	No							1
BA/2023/0171/FUL	ESC	Additional residential rooms over single storey link wing. New foyer extending garden room footprint. Internal alterations. Two external storage sheds.	3 additional rooms	No	No							3 additional rooms
Total	-	-	128	-	-	7	2	0	18	15	46	39

* the permission is for 2 dwellings, but one has been completed.

9. Current Local Plan Allocations – net new housing

The following shows when the allocations for net new housing that are allocated in the Local Plan for the Broads could be delivered. Please note that the schemes at Pegasus and at Thurne, and more recently, Stokesby, are included in the previous table (as they also have permission).

Site	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	Total	General location	District
HOV3			6										6	Hoveton	North Norfolk
NOR1							40	40	40				120	Norwich	Norwich
Total	0	0	6	0	0	0	40	40	40	0	0	0	126	-	-

- HOV3 – there are some discussions about various uses for this site. In the 2019/20 AMR, following discussion with the agent, they have suggested that delivery could be after the next 5 years; this timeframe is continued in this AMR – the site is not included in the 5-year land supply calculations.
- NOR1 – continues to be a constrained site, but the Broads Authority is working with Norwich City Council which is liaising with the landowners of that site and other sites in the area regarding bringing forward the site for development. A Masterplan, that is likely to become a SPD, is under production.

10. Planning applications data

The following table sets out the number of planning applications received between 1 April 2023 and 31 March 2024 and how many were permitted or refused.

Applications*	Total
Total number submitted	226
Validated applications	216
Approved applications	190
Refused applications	14
Withdrawn applications	13

* These totals do not include any Non-Material Amendments, Applications for Approval of Details Reserved by Condition, Neighbour LPA Consultations/County Matter consultations or Screening/Scoping opinions.

Approval rate (as a percentage of validated applications) is 88%

11. Appeals

The following table sets out the number of appeals between 1 April 2023 and 31 March 2024 and how they were determined.

- Dismissed: 7
- Allowed: 3
- Part Allowed/Part Dismissed: 0
- Withdrawn: 1
- Decisions outstanding: 13

12. Residential moorings

No applications for residential moorings were received in the monitoring period.

13. Moorings/Access to water

The following table lists permitted mooring/access to water related applications.

Planning Application Number	Location	Description	Number of new moorings/length	New visitor moorings (DM33)	Type	Public or private?
BA/2022/0434/HOUSEH	Ludham PC	Replace 28m of quay-heading (retrospective)	0	0	Quay heading	Private
BA/2023/0020/HOUSEH	Horning PC	REPLACEMENT QUAYHEADING	0	0	Quay heading	Private
BA/2023/0125/FUL	Wroxham PC	Steel piling, composite decking	0	0	Steel piling and replacement timber quayheading	Private
BA/2022/0436/HOUSEH	Hoveton PC	construct new mooring with boathouse	7m	0	Quay heading	Private
BA/2023/0209/HOUSEH	Horning PC	Replace 32m of quay-heading	0	0	Quay heading	Private
BA/2023/0207/HOUSEH	Barton Turf and Irstead PC	Replace 67m of timer quay-heading	0	0	Quay heading	Private
BA/2023/0180/FUL	Brundall PC	Slipway	0	0	Slipway for established leisure plot	Private
BA/2023/0212/HOUSEH	Surlingham PC	Exterior house improvement, replace quayheading and slipway	0	0	Piling with capping and waling	Private
BA/2023/0155/FUL	Hickling PC	Replacement quayheading and slipway change of material, and accessible pontoon	0	0	Provision of accessible pontoon. Plastic piling with timber capping and waling	Private

Planning Application Number	Location	Description	Number of new moorings/length	New visitor moorings (DM33)	Type	Public or private?
BA/2023/0240/FUL	Hoveton PC	Replacement quayheading	0	0	Timber quay heading.	Private
BA/2023/0310/HOU	Hoveton PC	Replacement like for like wooden quay heading and erection of a wooden garden arbour 'Breeze House' in natural timber with	0	0	Timber quay heading.	Private
BA/2023/0255/HOUSEH	Somerton West/East PC	Demolish boatshed & replace with open quay-heading & mooring	0	0	Timber quay heading.	Private
BA/2023/0319/FUL	Horning PC	Replacement of 570m of quay heading in timber (Part retrospective)	0	0	Timber quay heading.	Public
BA/2021/0456/FUL	Horning PC	Extend mooring basin, replace existing buildings	61	8	Quay heading and finger pontoons	53 private and 8 public
BA/2023/0468/FUL	Hoveton PC	Replace peninsula of land with floating pontoon	30m	0	Floating pontoon	Private
BA/2023/0402/FUL	Chedgrave PC	Timber quayheading to steel piling	0	0	Replacement of timber quayheading with steel piling	Private
BA/2023/0318/HOUSEH	Horning PC	Replace 34m of quay heading and decking retrospective.	0	0	Quay heading	Private
BA/2023/0385/FUL	Horning PC	Replace 87m of quay-heading	0	0	Quay heading	Public
BA/2023/0387/FUL	Horning PC	Replacement quay-heading	0	0	Quay heading	Private

Planning Application Number	Location	Description	Number of new moorings/length	New visitor moorings (DM33)	Type	Public or private?
BA/2023/0425/HOUSEH	Wroxham PC	New timber quay heading inc. new cappings & walings	88m	0	Quay heading inc. new cappings & walings	Private
BA/2023/0482/FUL	Horning PC	Replacement timber quay heading,capping and waling	0	0	timber quay heading,capping and waling	Private
BA/2024/0021/HOUSEH	Horning PC	Replacement of timber quay heading	0	0	timber quay heading	Private
BA/2024/0019/HOUSEH	Stokesby with Herringby PC	Replace 67m of quay heading with steel	0	0	Steel quay heading	Private

The cumulative list of moorings delivered as a result of policy DM33 (and its predecessor DP16) is as follows.

Application number	Location	Detail	Available?
BA/2015/0244/COND	Barnes Brinkcraft, Hoveton	6 moorings now available.	Yes
BA/2012/0121/FUL	Brundall Church Fen	25m provided.	Yes
BA/2013/0397/FUL	Ferryview Marina (now Horning Pleasurecraft)	2 visitor moorings provided.	Yes
BA/2013/0163/FUL	Pyes Mill, Loddon	2 visitor moorings provided.	Yes
BA/2014/0426/FUL	Sutton Staithe	2 visitor moorings provided.	Yes
BA/2015/0172/FUL	Swanecraft	2 visitor moorings provided	Yes
BA/2014/0010/FUL	Eastwood Marine, Brundall	2 visitor moorings provided.	Yes
BA/2017/0268/FUL	Wayford Marina, Wayford Road, Wayford Bridge	2 visitor moorings provided.	Yes
BA/2018/0149/FUL	Oulton Broad	4 visitor moorings provided	Yes
BA/2019/0118/FUL	Marina Quays, Great Yarmouth	10 visitor moorings provided	Yes
BA/2017/0369/FUL	St Olaves Marina	2 visitor moorings provided.	Yes
BA/2021/0456/FUL	Horning Pleasurecraft Limited	8 visitor moorings provided.	To be monitored next year.

14. Heritage indicators

a. Conservation Area Appraisals Reviewed

(Source: Broads Authority Historic Environment Officer)

Area	Adopted
Beccles	July 2014
Belaugh	October 2021
Bungay	January 2022
Coltishall and Horstead	August 1983 (currently under review by BDC)
Ditchingham	March 2013
Ellingham	March 2013
Geldeston	March 2013
Halvergate Marshes	March 2015
Halvergate and Tunstall	September 2023
Horning	December 2012
Langley Abbey	February 2014
Loddon and Chedgrave	December 2016
Ludham	August 2020
Neatishead	May 2011 (currently under review by BA)
Norwich Bracondale	March 2011
Norwich St Matthews	March 2007
Norwich City Centre	September 2007
Oulton Broad	July 2015
Salhouse	April 2004
Somerleyton	March 2011
Stalham Staithe	March 2017
Thorpe St Andrew	December 2007
Trowse with Newton	September 2012
West Somerton	November 2018
Wroxham	July 2010

b. Number of Listed Buildings at Risk

(Source: Broads Authority Historic Environment Officer)

Grade I	1
Grade II*	6
Grade II	13
SAM	2
Total	21

15. Brownfield Register

The [Town and Country Planning \(Brownfield Land Register\) Regulations 2017](#) requires local authorities to prepare and maintain registers of brownfield land that is suitable for housing. All LPAs were required to set up a Brownfield Register by the end of 2017 and update it every year. The most recent register for the Broads Authority can be found at [Brownfield Register \(broads-authority.gov.uk\)](#).

16. Class E applications

Class E includes the following:

Use, or part use, for all or any of the following purposes—

- (a) for the display or retail sale of goods, other than hot food, principally to visiting members of the public,
- (b) for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises,
- (c) for the provision of the following kinds of services principally to visiting members of the public—
 - (i) financial services,
 - (ii) professional services (other than health or medical services), or
 - (iii) any other services which it is appropriate to provide in a commercial, business or service locality,
- (d) for indoor sport, recreation or fitness, not involving motorised vehicles or firearms, principally to visiting members of the public,
- (e) for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner,
- (f) for a creche, day nursery or day centre, not including a residential use, principally to visiting members of the public,
- (g) for—
 - (i) an office to carry out any operational or administrative functions,
 - (ii) the research and development of products or processes, or
 - (iii) any industrial process,being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

The table within this article shows how some uses have changed to Class E and to other new Classes as well. [Planning: use classes order changes \(pinsentmasons.com\)](#).

The following table lists permitted E Class uses.

Planning Application Number	Description	Parish	Which land use?	Is it within the town centre?	New floor space (sqm)	Lost floor space (sqm)?	Net floor space (sqm)
BA/2023/0147/FUL	Side extension to existing shop	Coltishall PC	Use Class E	No	4.8sqm	1.5sqm	3.3sqm
BA/2023/0408/FUL	Change of use amusements to create 3 x Class E units. Loft storage. Rooflights. Solar panels.*	Repps with Bastwick PC	Use Class E	No	0	0	0
BA/2023/0189/FUL	Mobile catering unit March to November, 9am to 6pm.	Stalham Town Council	Use Class E	No	Mobile unit	Mobile unit	Mobile unit
BA/2023/0251/FUL	Extension to open fronted cattle barn and formalise use of storage building as a farm office	Gillingham PC	Use Class E	No	Office – 44.6sqm, Agricultural building – 77.9sqm	0	Office – 44.6sqm, Agricultural building – 77.9sqm
BA/2023/0064/FUL	Cladding and entrance changes	Bradwell PC	Use Class E	No	0	0	No change, external alterations only

*This scheme includes loft as storage but this is not commercial floorspace.

17. Employment

The following table lists permitted employment related applications.

Planning Application Number	Description	What use class?	new floor space (state units)	lost floor space (state units)	Net total (state units)	On previously developed land?
BA/2023/0132/FUL	New workshop	Boat workshop building	165sqm	0sqm	165sqm	Yes
BA/2023/0254/FUL	Side extension, new servery and pergola	Sui generis	63.17 square metres	0.00 square metres	63.17 square metres	Yes
BA/2023/0269/FUL	Change of use of land to overflow parking area inc. revised parking plan	Hotel	0	0	0	Yes

18. Renewable/low carbon energy

The following applications were for/included low carbon/renewable energy generation.

Planning application number	Description	Location	Generation
BA/2023/0001/FUL	Installation of Flux mast, sensors and Solar Panel Array	South Walsham PC	Area is 7.28m ² Assume that solar panels produce 2.kW per square meter. 18.2kW
BA/2023/0162/FUL	Solar, GSHP, sewage treatment plant	Reedham PC	35 kWh
BA/2023/0421/HOUSEH	2 air source heat pumps	Barton Turf and Irstead PC	Heating output (from website) 8.33 kW to 12.86kW.
BA/2023/0408/FUL	Change of use amusements to create 3 x Class E units. Loft storage. Rooflights. Solar panels.	Repps with Bastwick PC	430W

19. RAMS

The following table shows relevant applications. See also the Infrastructure Funding Statement section for details.

Please note that the scheme BA/2023/0171/FUL, Oulton Broad was for 3 care home rooms, but it was decided not to charge RAMS.

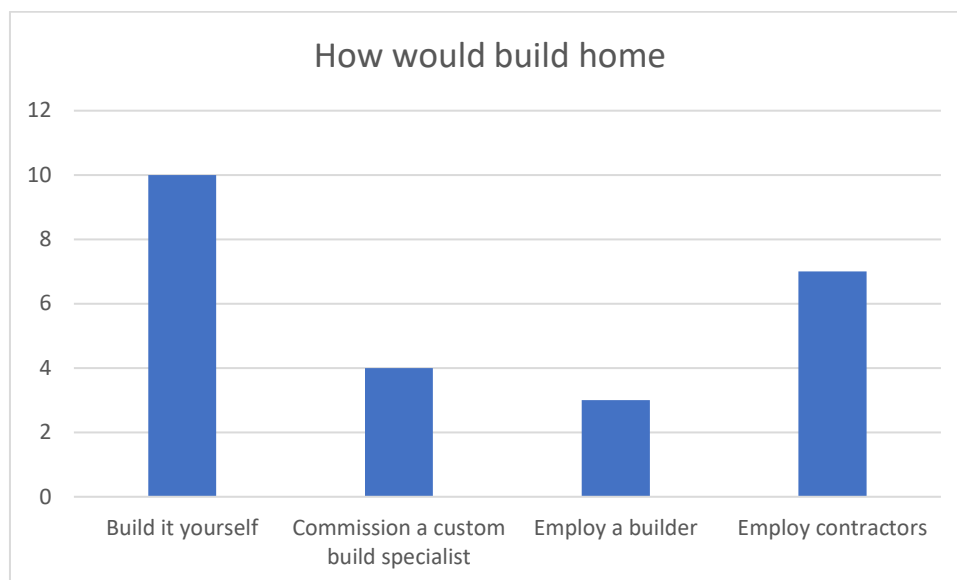
No schemes resulted in RAMS in monitoring period.

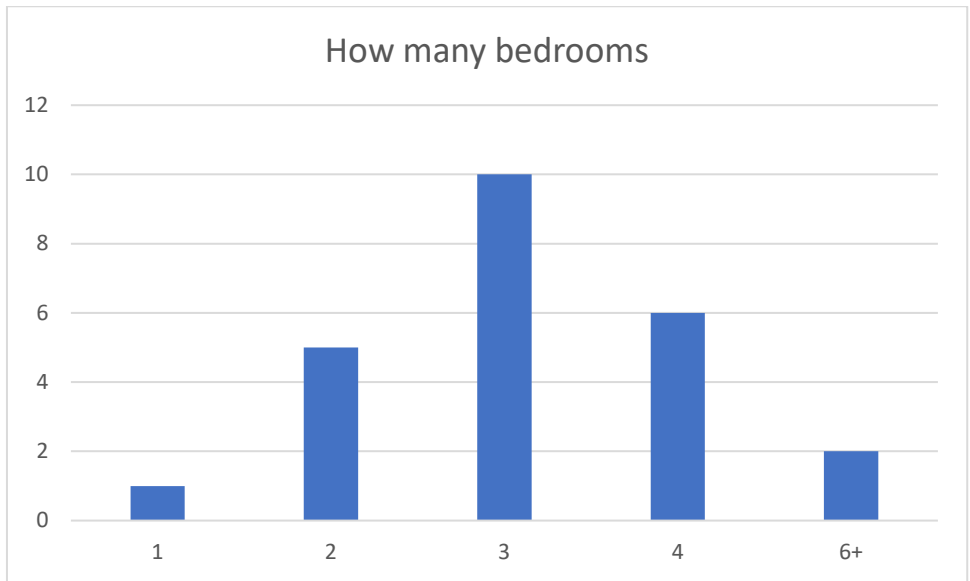
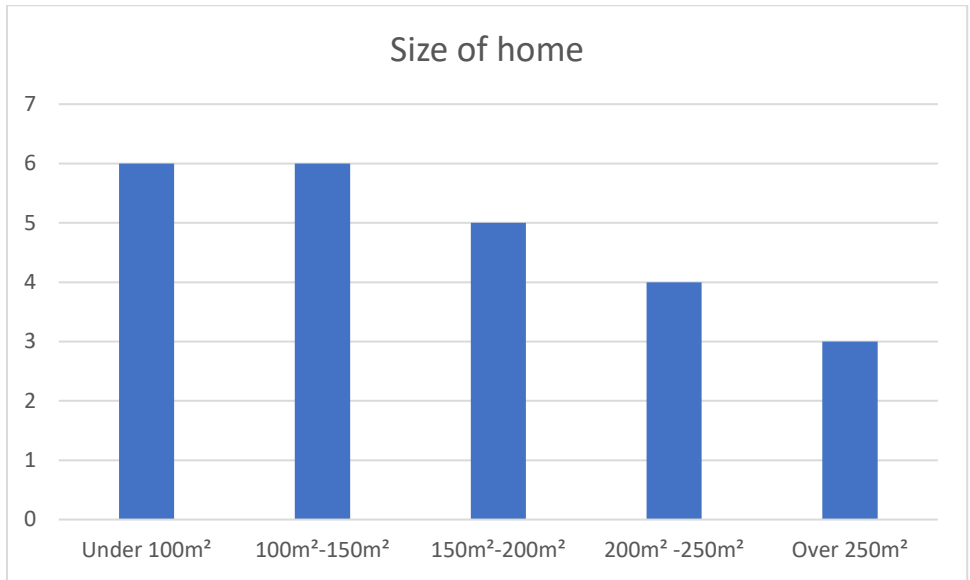
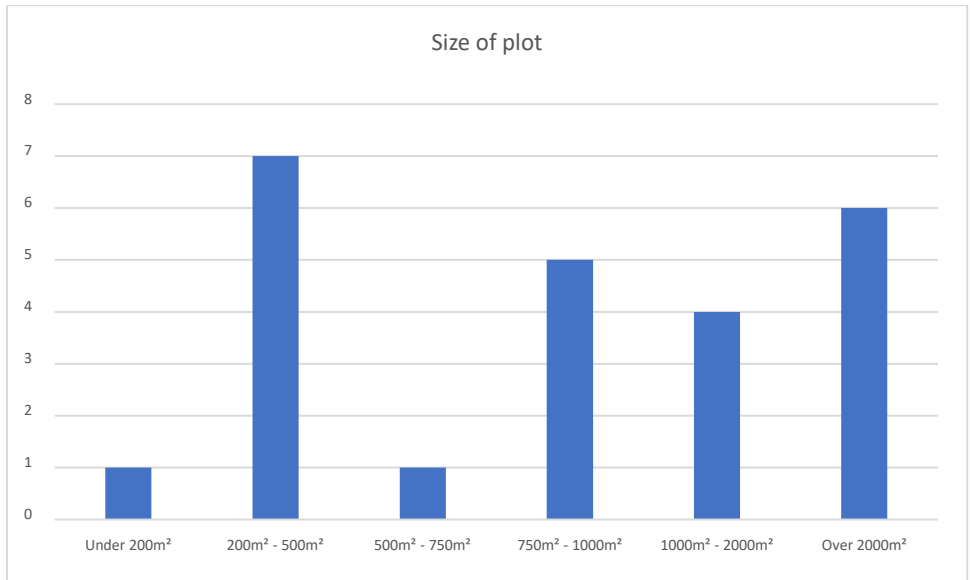
20. Self and Custom Build

Under section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of the Act to have regard to this and to give enough suitable development permissions to meet the identified demand.

The Broads Authority's register can be found here: [Self-build and custom build register \(broads-authority.gov.uk\)](https://broads-authority.gov.uk)

Here is a summary of the information provided by those who filled out the register. The total number of people who filled out the register, between 31 October 2023 and 4pm 30 October 2024 is: 24 people.





Since 2017, the Broads Authority has had an exemption from the duty to grant enough permissions to meet the identified demand. In order to maintain this exemption, the Broads Authority needs to check demand against land availability each year. This calculation is included at [Appendix B](#). As can be seen at Appendix B, when calculating the demand as a percentage of the land availability, in all derivations of the calculation, the % is greater than 20%.

Therefore, the exemption from the duty to permit is maintained.

21. Progress towards housing targets

The Local Plan for the Broads adopts a housing target. This is the first time there has been a housing target for the Broads. The Local Plan says:

The Authority will endeavour to enable housing delivery to meet its objectively assessed housing need throughout the Plan period which is 286 dwellings. The Broads is within 3 housing market areas and the need within each HMA is as follows:

- **Central Norfolk HMA: 163**
- **Waveney HMA: 57**
- **Great Yarmouth Borough HMA: 66**

The Authority will allocate land in the Local Plan to provide around 146 net new dwellings. To meet the remaining requirement of 38 dwellings to 2036, which falls within that part of the Broads in the Borough of Great Yarmouth, the Authority will work with Great Yarmouth Borough Council to address housing need.

As shown in previous sections, in this monitoring period, there were 7 dwellings permitted. See sections 6 and 7.

The annual average housing requirements, as set out in the Local Plan, is 11.43 dwellings.

The cumulative total of dwellings permitted since adoption of the Local Plan is 59, broken down as follows:

2019/20: 21 dwellings

2020/21: 7 dwellings

2021/22: 21 dwellings

2022/23: 3 dwellings

2023/24: 7 dwellings

The average number of dwellings permitted over the four years is 11.8 dwellings, which is greater than the Local Plan average of 11.43 dwellings.

22. Progress towards residential moorings target

The Local Plan for the Broads has an adopted residential mooring target of 63 residential moorings. In the monitoring period, 0 residential moorings were permitted. There has been no other progress on the 51 residential moorings allocated in the Local Plan for the Broads.

12 residential moorings have been permitted to date. None in this monitoring period.

23. Infrastructure Funding Statement

The Community Infrastructure Levy (CIL) Regulations and National Planning Policy Framework require all local planning authorities to publish their developer contributions data on a regular basis and in an agreed format. Local planning authorities that have received developer contributions must publish, at least annually, an infrastructure funding statement summarising their developer contributions data. Developer contributions include section 106 planning obligations, CIL, section 278 agreements and any agreements that either secure funding towards new development or provide infrastructure as part of any new development.

No schemes resulted in planning obligations in the monitoring period.

The actual documents that the Government requires to be completed can be found on our website: [Developer contributions \(broads-authority.gov.uk\)](https://broads-authority.gov.uk/developer-contributions)

24. Five Year Land Supply

24.1. Calculation

The detailed calculations for the 5-year land supply can be found at [Appendix C](#). This is a summary:

Approach	Supply in years
Liverpool	3.17
Sedgefield	2.79

The Broads Authority does not have a five-year land supply when using the Liverpool method and the Sedgefield method.

24.2. Discussion

The Liverpool approach spreads any housing delivery shortfall across the plan period rather than concentrating it into the relevant five-year period as is the Sedgefield approach.

The NPPG says: In decision-taking, if an authority cannot demonstrate a 5 year housing land supply, including any appropriate buffer, the presumption in favour of sustainable development will apply, as set out in [paragraph 11d of the National Planning Policy Framework](#).

Paragraph: 008 Reference ID: 68-008-20190722

Revision date: 22 July 2019

Paragraph 11d of the NPPF says:

(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date [8](#), granting permission unless:
(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed [7](#); or
(ii) 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.

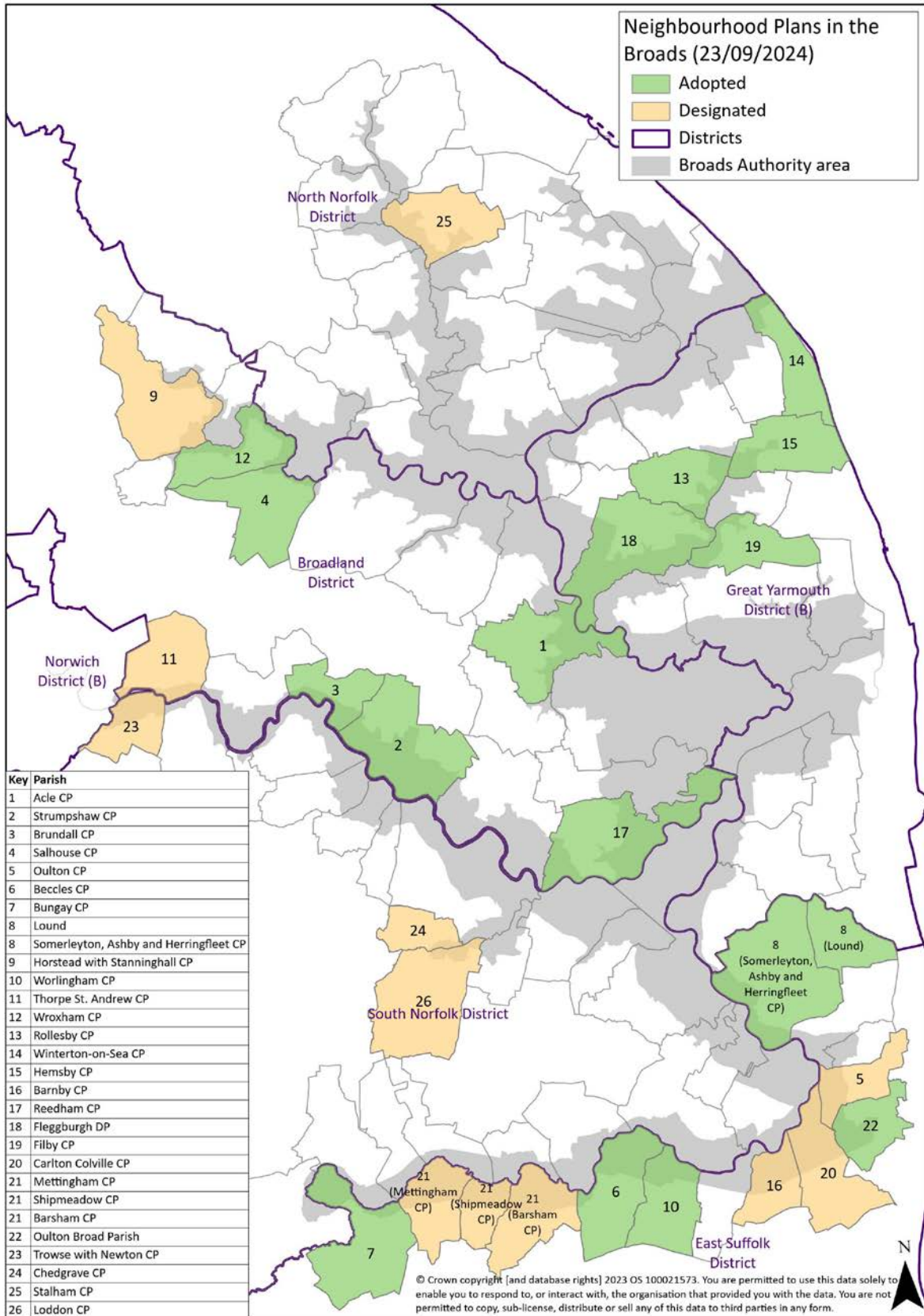
With footnote 8 saying: This includes, for applications involving the provision of housing, situations where: (a) the local planning authority cannot demonstrate a 5 year supply (or a 4 year supply), if applicable, as set out in [paragraph 226](#) of deliverable housing sites (with a buffer, if applicable, as set out in [paragraph 77](#) and does not benefit from the provisions of [paragraph 76](#); or (b) where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous 3 years.

Footnote 7 saying: The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in [paragraph 187](#)) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in [footnote 72](#)); and areas at risk of flooding or coastal change.

24.3. Conclusion

The Authority cannot demonstrate a five-year land supply using the Liverpool method and the Sedgfield method. The presumption in favour of sustainable development however, does not apply to the Broads.

Appendix A: Neighbourhood Plans in the Broads.



Appendix B: Annual refresh of the application for exemption to the duty to grant planning permission etc.

B1 Introduction

The purpose of this note is to assess if the LPA will still be exempt to the duty to grant permission for base period 9.

The NPPG says¹:

Paragraph: 031 Reference ID: 57-031-20210508

‘An exemption is only granted in relation to a given base period. At the end of each subsequent base period authorities must calculate demand on their register as a percentage of the deliverability of housing over the next 3 years. If, at the end of any given base period, the demand in that base period, when expressed as a percentage of future land availability, is assessed to be 20% or below, the authority is deemed to no longer be exempt and must inform the Secretary of State that this is the case. For these no longer exempt authorities, should demand as a percentage of future land availability increase to over 20% in subsequent base periods they may again apply for an exemption’.

The percentage of the deliverability² of housing is the result of a calculation based on the following data: land availability and demand from the register. This percentage is compared to the 20% threshold noted in the NPPG.

B2 Land availability

B2.1 Deliverability

In terms of deliverability, the NPPF 2023 states that: ‘To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).
- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years’.

¹ [Self-build and custom housebuilding registers - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/101422/self-build-and-custom-housebuilding-registers-2019.pdf)

² Please note that in July 2020 the NPPG was updated in relation to ‘deliverability’. The changes to the NPPG have been considered when determining if a site is deliverable or not.

The following assumptions have been taken to measure land availability:

- i. For land availability method 1 is based on emerging allocations/permissions that could come forward as self-build
- ii. For land availability method 2, all allocations/permissions for all dwellings are included.
- iii. The delivery timescales are estimated if not known (see previous sections of AMR)
- iv. The numbers include replacements and net new dwellings.
- v. Holiday accommodation is not included.

The land availability is therefore considered a best-case scenario (in reality it could be much less) which is a conservative approach for the calculation of the percentage of deliverability of housing.

B2.2 Allocations in the Local Plan for the Broads

No allocations in the Local Plan for the Broads are likely to come forward over the next few years.

B2.3 Extant planning permissions

The following table shows the sites with extant planning permission. This includes replacement dwellings and net new dwellings. It is assumed that these extant planning permissions will be delivered in the next three years. This is effectively the ‘best case’ scenario but in reality, the land availability could be less. The first table sets out the schemes that are self-build and the second sets out net new and replacement schemes that are and are not self-build.

Please note that this data is different to that in the 5-year land supply (later in this document) because this data goes up until 30 October 2024 whereas the five-year land supply data is up to 31 March 2024. Also, the self-build data includes replacements but not holiday accommodation and so is different to the five-year land supply data (which includes net new market and holiday dwellings but not replacements).

Table BA: Applications that are for self-build only – method 1

Application Number	Number of Dwellings	Is the application for self-build/custom-build?	Net new or replacement	Status as at April 2022	Estimated completion
BA/2015/0426/FUL	1 ^x	Yes	Net new	Started	End 2025

Total: 1

^x This scheme is for four dwellings, but only one is self-build. Three dwellings have been

completed. It is assumed that the self-build dwelling that is part of the scheme has not yet been completed.

Table BB: Applications that are for all net new and all replacement dwellings but not holiday accommodation.

App No	Type	No. dwellings	End 2024	End 2025	End 2026	End 2027	End 2028	After 2029
BA/2012/0271/FUL	Net new	76				15	15	46
BA/2015/0426/FUL ^x	Net new	1		1				
BA/2017/0103/OUT [%]	Net new	6		3*	3*			
BA/2019/0118/FUL	Net new	7		7*				
BA/2020/0026/FUL	Replacement	1		1*				
BA/2020/0053/FUL	Net new	2			2*			
BA/2020/0259/FUL	Net new	1			1*			
BA/2020/0408/FUL	Net new and replacement [^]	2			2			
BA/2021/0233/FUL	Net new	1		1				
BA/2021/0276/CUPA	Net new	6		6				
BA/2022/0012/FUL	Replacement	1		1*				
BA/2022/0082/FUL	Replacement	1		1*				
BA/2023/0014/FUL	Net new	1		1*				
BA/2023/0040/FUL	Replacement	1		1*				
BA/2022/0391/FUL	Replacement	1		1*				
BA/2023/0262/FUL	Replacement	1			1*			
BA/2023/0441/FUL	Replacement	1			1*			
BA/2023/0442/FUL	Replacement	1			1*			
BA/2024/0002/FUL	Replacement	1			1*			
BA/2024/0244/FUL	Replacement	1			1*			
Total	-	113	0	24	13	15	15	46

[%] This scheme is for 6 dwellings and 10 holiday homes. Only the 6 market dwellings are included.

^{*} This date is an estimate for the purposes of this calculation

[^] This scheme involves replacing one dwelling and adding another, so the total is 2

^x This scheme is for four dwellings, but only one is self-build. Three dwellings have been completed. It is assumed that the self-build dwelling that is part of the scheme has not yet been completed.

B2.4 Land availability method 1 and 2

According to B1 a) above, land availability is to be taken to be the total number of new houses on land in the area of the relevant authority, assessed by that authority as being likely to be deliverable over the next three years. The following table shows the three years that need to be taken into consideration and explains how the land availability for each base period was calculated.

Column 1 (method 1) is for self-build schemes only, including replacements and net new, but not tourist accommodation.

Column 2 (method 2) is for all dwellings including replacements, net new and those that are self-build, but not tourist accommodation.

Please note that the timeline for the AMR is 1 April to 31 March, whereas the base periods for self-build are 31 October to 30 October.

Base period	Dates of base period	How calculated	1: land availability – self-build only	2: land availability – all dwellings, but not tourist accommodation
Base period 10	31 October 2024 to 30 October 2025	For the purposes of this calculation, this includes <u>permissions</u> that could be completed in 2025 (and 2024).	1	24
Base period 11	31 October 2025 to 30 October 2026	For the purposes of this calculation, this includes <u>permissions</u> that could be completed in 2026.	0	13
Base period 12	31 October 2026 to 30 October 2027	For the purposes of this calculation, this includes <u>permissions</u> that could be completed in 2027.	0	15
Total	-	-	1	52

B2.5 Total land availability over next three years

Method :	Self-build plots (1)	All plots (2)
Local Plan allocations*	0	0
Extant planning permissions	1	52
Total	1	52

*Please note that the allocation for 6 dwellings in policy HOV2 have not been included in this calculation as the Authority is aware that the landowner does not want to develop houses on this site.

The calculations using land availability methods 1 and 2 are carried out in this note.

B3 Demand from the Register

B3.1 Numbers on self-build register

The Self-Build Register is made up of the following numbers of people³:

- Base period 1, April 2016 to 30 October 2016: **42** people on the self-build register.
- Base period 2, 31 October 2016 to 30 October 2017: **62** people on the self-build register.
- Base period 3, 31 October 2017 to 30 October 2018: **55** people on the self-build register.
- Base period 4, 31 October 2018 to 30 October 2019: **50** people on the self-build register.
- Base period 5, 31 October 2019 to 30 October 2020: **39** people on the self-build register.
- Base period 6, 31 October 2020 to 30 October 2021: **69** people on the self-build register.
- Base period 7, 31 October 2021 to 30 October 2022: **36** people on the self-build register.
- Base period 8, 31 October 2022 to 30 October 2023: **18** people on the self-build register.
- Base period 9, 31 October 2023 to 30 October 2024: **24** people on the self-build register.

Demand method a: The total number on the register at the end of base period 8 is: 395

Demand method b: If the NPPG means to assess those on the register in the base period that has just ended, that would be 24.

B4 Demand and land availability calculation for base period 9

Due to the uncertainties in the NPPG about how to calculate the demand, each combination of demand and land availability is calculated as follows:

³ Previous AMRs have quoted base period 1 as 49, base period 2 as 60, and base period 3 as 59. However due to double counting, the numbers have been checked and the correct figures are used in this AMR.

Demand method	Availability of land method	People on the register (demand)	Divided by land availability	X100	=
a	1	395	1	X100	39,500%
a	2	395	52	X100	759.62%
b	1	24	1	X100	2,400%
b	2	24	52	X100	46.15%

The figures all exceed 20% and therefore the exemption continues for base period 8. It is confirmed that the Broads Authority will still be exempt and will not need to apply to the Secretary of State.

Appendix C: Five Year Land Supply Statement

C1 Introduction

This Five-Year Land Supply Statement is produced to reflect the monitoring period of 1 April 2023 to 31 March 2024.

The NPPG ([Housing supply and delivery \[www.gov.uk\]](https://www.gov.uk/government/publications/housing-supply-and-delivery)) says:

A 5 year land supply is a supply of specific **deliverable** sites sufficient to provide 5 years' worth of housing (and appropriate buffer) against a **housing requirement** set out in adopted strategic policies, or against a local housing need figure, using the standard method, as appropriate in accordance with paragraph 73 (now para 74 of the 2021 NPPF) of the National Planning Policy Framework.

C2 Housing figures, two Strategic Housing Market Assessments and Duty to Cooperate Agreement with Great Yarmouth Borough Council.

The housing target as set out in the Local Plan for the Broads (adopted May 2019) is 240 dwellings between 2015 and 2037. This is based on the 2017 SHMA.

An additional dimension to the calculation reflects the Duty to Cooperate Agreement with Great Yarmouth Borough Council. The Borough Council agreed to meet the entire housing need of the Broads part of Great Yarmouth Borough through their Local Plan. The Broads Local Plan allocates sites to meet a total of 20 dwellings in Great Yarmouth Borough. The OAN in the Broads part of Great Yarmouth Borough Council is 66 dwellings according to the 2017 SHMA. This statement therefore uses 20 dwellings as the OAN for Great Yarmouth Borough.

C3 5%, 10% or 20% buffer?

The NPPG⁴ says the following about applying buffers to the five-year land supply:

How should buffers be added to the 5-year housing land supply requirement?

To ensure that there is a realistic prospect of achieving the planned level of housing supply, the local planning authority should always add an appropriate buffer, applied to the **requirement** in the first 5 years (including any shortfall), bringing forward additional sites from later in the plan period. This will result in a requirement over and above the level indicated by the strategic policy requirement or the local housing need figure.

Buffers are not cumulative, meaning that an authority should add one of the following, depending on circumstances:

⁴ [Housing supply and delivery - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/housing-supply-and-delivery)

- 5% - the minimum buffer for all authorities, necessary to ensure choice and competition in the market, where they are not seeking to demonstrate a 5-year housing land supply;
- 10% - the buffer for authorities seeking to [‘confirm’](#) 5 year housing land supply for a year, through a recently adopted plan or subsequent annual position statement (as set out in [paragraph 74 of the National Planning Policy Framework](#)), unless they have to apply a 20% buffer (as below); and
- 20% - the buffer for authorities where delivery of housing taken as a whole over the previous 3 years, has fallen below 85% of the requirement, as set out in the last published Housing Delivery Test results.

Paragraph: 022 Reference ID: 68-022-20190722

Revision date: 22 July 2019

The Broads Authority is not seeking confirmation of the 5-year housing land supply for a year and the Housing Delivery Test does not apply to the Broads Authority. Therefore, a **buffer of 5% will be added.**

C4 Housing Need

The OAN for the entire Broads Authority Executive Area between 2015 and 2036 is 286 dwellings (as calculated in the 2017 Central Norfolk SHMA). The ‘housing need’ figure used in this calculation is 286 (the OAN) less 46 dwellings **so 240**. The 46 dwellings number is the OAN for the Great Yarmouth borough part of the Broads (66 dwellings) less the 20 dwellings allocated in the Local Plan. The 46 dwellings will be delivered by Great Yarmouth Borough Council as a result of the Duty to Cooperate.

C5 Deliverable Sites

The five-year land supply calculation and statement needs to reflect sites that are deliverable. The NPPF [Glossary \[www.gov.uk\]](#) says *to be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within 5 years. In particular:*

a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within 5 years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within 5 years.

The sources of this information to determine if a scheme is deliverable is as follows:

- For OUL2: East Suffolk Council contacted the developer with a questionnaire. The information set out in the following table reflects the information provided.
- All other applications in this table are scheduled following telephone conversations with the agent or the applicant.
- It should be noted, as set out in [section 9](#), that there are a number of permissions that could be delivered in the next few years, but information about estimated delivery dates from the applicant or agent was not able to be obtained at the time of writing. These applications have not been included in the table below and therefore not included in the 5-year land supply calculation.

It should be noted that some of these schemes are market residential and some are holiday homes (see [section 6](#) and [section 7](#)). As set out at section 7, when calculating the need for housing for the Broads, the consultants ensured they considered empty homes – second and holiday homes. The LPA calculated the numbers of second and holiday homes in the Broads part of various districts and provided the consultants with this data. As a result, considering that holiday and second homes were taken into account when calculating the need, they can be counted towards meeting the need.

Allocations in the Local Plan for the Broads and extant permissions which could come forward over the next five years (from April 2023 to end of March 2028) that have been assessed as ‘deliverable’⁵ are as follows.

App No	Completion: 2024/25	Completion: 2025/26	Completion: 2026/27	Completion: 2027/28	Completion: 2028/29
BA/2021/0276/CUPA	6				
BA/2021/0145/FUL				3	
BA/2010/0381/CU		1			
BA/2022/0195/FUL	1				
BA/2012/0271/FUL				15	15
BA/2018/0279/FUL		1			
Total	7	2	0	18	15

Please note that the allocation for 6 dwellings in policy HOV2 have not been included in this calculation as the LPA is aware that the landowner does not want to develop houses on this site.

Total assumed to be delivered between 2024/25 and 2028/29 = 42 dwellings.

⁵ The NPPF states ‘To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. Sites that are not major development, and sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (e.g. they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans). Sites with outline planning permission, permission in principle, allocated in the development plan or identified on a brownfield register should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years’

C6 calculating the 5-year land supply

As calculated in section C3, the buffer to be applied is 5%.

As calculated in section C5, total dwellings assumed to be delivered over the next 5 years is 88 dwellings.

Broads Five Year supply	Liverpool approach + 5% buffer	Sedgefield approach + 5% buffer
(a) Housing need total 2015-2036	240	240
(b) Housing need annualised (240/21 years)	11.43	11.43
(c) Housing need April 2019 to 31 March 2024 (11.43 x 5)	57.15	57.15
(d) Completions between 1 April 2019 and 31 March 2024 ⁶	42	42
(e) Shortfall since 2016 ⁷ (c – d)	15.15	15.15
(f) Revised shortfall using the Liverpool approach (e/12 years x 5 years)	6.31	n/a
(g) OAN 2023/24 to 2028/29 (11.43 x 5 years)	57.15	57.15
(h) NPPF 5% buffer (g x 0.05)	2.86	2.86
(i) Total 5 Year requirement 2023/24 to 2028/29 (Liverpool = f+ g + h/Sedgefield = e + g + h)	66.32	75.16
(j) Predicted supply 2023/24 to 2028/29	42	42
(k) Surplus (j-i)	24.32	33.16
Supply in years (Predicted supply/Total requirement x 5)	3.17 years	2.79 years

C7 Conclusion/Summary

To summarise:

Approach	Supply in years
Liverpool	3.17
Sedgefield	2.79

⁶ 2019/20: 8. 2020/21: 13. 2021/22: 7. 2022/23: 5. 2023/24: 9.

⁷ Negative implies an over provision.

Appendix D: General summary of how each policy in the Local Plan was used in 2023/24

Policy	Monitoring Indicators	Information for specific indicators	General summary of how policy used in monitoring period	Rating	Notes
SP1: DCLG/PINS Model Policy	No specific monitoring indicator for this policy. Depending on type of development, other policies and their indicators will be of relevance.	Zero relevant applications.	Policy not used in monitoring period.		
DM1: Major Development in the Broads	Planning applications in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period		
DM2: Water Quality and Foul Drainage	Applications involving sewage treatment works and what type of system used.	Connection to public sewer – 6	No applications permitted contrary to this policy.	Green	
DM3: Boat wash down facilities	Boat wash down areas and filtration devices delivered as a result of relevant planning applications	Zero relevant applications.	Policy not used in monitoring period.		
DM4: Water Efficiency	Dwellings permitted at 110 l/h/d. Buildings achieving 50% on the BREEAM water calculator.	-	Not all schemes met this requirement.	Red	This policy will need to be applied more consistently in the next monitoring period.
SP2: Strategic Flood Risk Policy	Permissions granted contrary to Environment Agency Flood Risk advice.	Zero relevant applications.	Policy not used in monitoring period.		
DM5: Development and Flood Risk	Permissions granted contrary to Environment Agency Flood Risk advice.	Zero schemes contrary.	No applications permitted contrary to this policy.	Green	
DM6: Surface water run-off	SuDS delivered in line with the hierarchy.	Multiple SuDS features used.	No applications permitted contrary to this policy.	Green	
DM7: Open Space on land, play, sports fields and allotments	Open space lost. Open space delivered in line with the policy. Green Infrastructure lost.	-	No applications permitted contrary to this policy.	Green	
DM8: Green Infrastructure	Green Infrastructure delivered in line with this policy.		Policy not used in monitoring period.		
SP3: Climate Change	None identified/ongoing Planning applications in accordance (or otherwise) with this policy.	-	Policy not used in monitoring period.		
DM9: Climate Smart Checklist	Development proposals that have adequately completed the checklist.	19 checklists requested.	Improved use of policy.	Green	
SP4: Soils	Planning applications in accordance (or otherwise) with this policy. Number of planning approvals leading to permanent loss of 'best and most versatile' (BMV) agricultural land'	No schemes on BMV soil.	No applications permitted contrary to this policy.	Green	
DM10: Peat soils	Development on areas of peat permitted in line with this policy.	3 schemes resulted in peat being excavated totalling around 1.2 cubic metres. Scheme and peat disposal method considered acceptable.	No applications permitted contrary to this policy.	Green	The policy process was adhered to where peat was excavated.
SP5: Historic Environment	Heritage at risk	See Heritage section .	No applications permitted contrary to this policy.	Green	Objection on heritage grounds (impact on conservation area) but double timber waling board proposed so impact greatly reduced.
DM11: Heritage Assets	Archaeological field evaluations	Zero schemes relevant 0 unknown asset identified	No applications permitted contrary to this policy.	Green	
DM12: Re-use of Historic Buildings	'Unknown' assets identified. Applications with an interpretation element. Heritage assets re-used. Applications granted contrary to Historic Environment Manager advice.	0 2 re-used 2 applications contrary.	No applications permitted contrary to this policy.	Green	

Policy	Monitoring Indicators	Information for specific indicators	General summary of how policy used in monitoring period	Rating	Notes
SP6: Biodiversity	Brownfield sites with open mosaic habitat of intrinsic biodiversity value and how incorporated in schemes.	0 schemes	No applications permitted contrary to this policy.	Green	
DM13: Natural Environment	Biodiversity and geodiversity features incorporated into schemes. Planning Application Habitat Regulation Assessments completed to an acceptable quality (endorsed by Natural England and/or Broads Authority ecologist). Applications permitted against the advice of Natural England and Environment Team.	Bat and bird boxes, bat boxes, wildflower planting, sparrow terrace, owl boxes, native hedge, Hedgehog house, hibernaculum. Only 5 HRAs produced (likely reflecting the impact of nutrient enrichment) – also see RAMS section. Zero applications contrary to advice.	No applications permitted contrary to this policy.	Green	
DM14: Energy demand and performance	Relevant schemes meeting 10% of predicted energy requirements as per the hierarchy. Schemes meeting BREEAM very good standard.		No dwellings met the 10% requirement due to threshold not met. Seems that development did not seek to reduce energy demand in the first place.	Red	This policy will need to be applied more consistently in the next monitoring period.
DM15: Renewable Energy	Renewable energy development type and scale	Solar panels and air source heat pumps – see Renewable Energy section.	No applications permitted contrary to this policy.	Green	
SP7: Landscape Character	Applications permitted contrary to Landscape Architect advice.	Zero schemes permitted contrary to advice.	No applications permitted contrary to this policy.	Green	
DM16: Development and Landscape	Applications permitted contrary to Tree Officer advice.		Most applications met policy requirements.	Green	
DM17: Land Raising			No applications permitted contrary to this policy.	Green	
DM18: Excavated material	Planning applications in accordance with the disposal hierarchy.	-	No applications permitted contrary to this policy.	Green	
DM19: Utilities Infrastructure Development	Planning applications in accordance (or otherwise) with this policy.		Policy not used in monitoring period.		
DM20: Protection and enhancement of settlement fringe landscape character	Applications permitted contrary to Landscape Architect advice.		Policy not used in monitoring period.		
DM21: Amenity	Applications refused on amenity grounds.	Zero schemes refused on amenity grounds.	No applications permitted contrary to this policy.	Green	
DM22: Light pollution and dark skies	Lighting schemes in accordance with zone the application is located in.	-	No applications permitted contrary to this policy.	Green	
SP8: Getting to the Broads	Parking areas provided as part of relevant applications/schemes.	Zero schemes contrary	Policy not used in monitoring period.		
SP9: Recreational Access around the Broads	Schemes permitted contrary to Highways Authority advice.		Policy not used in monitoring period.		
DM23: Transport, highways and access	Schemes permitted contrary to Highways England advice. Changes to the PROW network.		No applications permitted contrary to this policy.	Green	
DM24: Recreation Facilities Parking Areas	Launch facilities for small craft gained or lost. Travel Plans produced.		No applications permitted contrary to this policy.	Green	
SP10: A prosperous local economy				No applications permitted contrary to this policy.	Green
SP11: Waterside sites			No applications permitted contrary to this policy.	Green	
DM25: New Employment Development	New employment land. Employment land lost to other uses.	See employment and class E section.	No applications permitted contrary to this policy.	Green	
DM26: Protecting General Employment	Planning applications in accordance (or otherwise) with this policy		No applications permitted contrary to this policy.	Green	
DM27: Business and Farm Diversification			No applications permitted contrary to this policy.	Green	
DM28: Development on Waterside Sites			No applications permitted contrary to this policy.	Green	

Policy	Monitoring Indicators	Information for specific indicators	General summary of how policy used in monitoring period	Rating	Notes
SP12: Sustainable Tourism	Tourism development located as set out in policy. Tourism land use. Provision of new holiday accommodation. Holiday accommodation changed to permanent residential use.	No applications contrary	No applications permitted contrary to this policy.	Green	
DM29: Sustainable Tourism and Recreation Development		See tourist accommodation section See tourist accommodation section	No applications permitted contrary to this policy.	Green	
DM30: Holiday Accommodation – New Provision and Retention		Zero schemes	No applications permitted contrary to this policy.	Green	
SP13: Navigable Water Space	Number/percentage of short stay visitor moorings delivered on site or via off-site contributions in line with part m in policy DM33. Moorings provided – type and in line with guide. Riverbank stabilisation provided – type and in line with guide. Provision for launching of small vessels. Schemes permitted deemed to have significant impact on navigation	Pontoon moorings and quay heading provided 2 schemes involved launching provision for small craft, but for the site owners. Zero schemes had significant impact on navigation. Steel piling, quay heading were types of stabilisation method used.	No applications permitted contrary to this policy.	Green	
SP14: Mooring Provision			No applications permitted contrary to this policy.	Green	
DM31: Access to the Water			No applications permitted contrary to this policy.	Green	
DM32: Riverbank stabilisation			No applications permitted contrary to this policy.	Green	
DM33: Moorings, mooring basins and marinas.			No applications permitted contrary to this policy.	Green	
SP15: Residential development	Number of dwellings delivered. Development in line with spatial strategy. Housing delivery against target. Five-year land supply against housing trajectory.	See holiday accommodation and dwellings section . See five-year land supply statement .	Policy not used in monitoring period.		
DM34: Affordable Housing	Affordable housing delivered.	Zero relevant applications.	Policy not used in monitoring period.		
DM35: Residential Development within Defined Development Boundaries	Development within development boundaries	Zero relevant applications.	Policy not used in monitoring period.		
DM36: Gypsy, Traveller and Travelling Show People	Gypsy and Traveller and Travelling Show People sites delivered in line with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
DM37: New Residential Moorings	Provision of residential moorings in line with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
DM38: Permanent and Temporary Dwellings for Rural Enterprise Workers	Rural enterprise dwellings permitted in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
DM39: Residential Ancillary Accommodation	Residential ancillary accommodation permitted (integral or not integral) in line with this policy.	2 applications met	No applications permitted contrary to this policy.	Green	
DM40: Replacement Dwellings	Replacement dwellings permitted in line with this policy	4 applications met	No applications permitted contrary to this policy.	Green	
DM41: Elderly and Specialist Needs Housing	Elderly and specialist housing delivered in line with this policy.	1 application met	No applications permitted contrary to this policy.	Green	
DM42: Custom/self-build	Permissions for self-build	Zero relevant applications.	Policy not used in monitoring period.		
DM43: Design	Schemes permitted contrary to design expert Schemes permitted contrary to landscape consultant advice.	Policy used numerous times Zero schemes permitted contrary to advice.	No applications permitted contrary to this policy.	Green	
SP16: New Community Facilities	Visitor and community services and facilities delivered in accordance with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
DM44: Visitor and Community Facilities and Services	Visitor and community services and facilities delivered in accordance with this policy.	DM44 used 6 times.	No applications permitted contrary to this policy.	Green	
DM45: Designing Places for Healthy Lives	Planning applications in accordance (or otherwise) with this policy.	Limited use of this policy.	Use of this policy seems limited.	Red	This policy will need to be applied more consistently in the

Policy	Monitoring Indicators	Information for specific indicators	General summary of how policy used in monitoring period	Rating	Notes
					next monitoring period.
DM46: Safety by the Water	Relevant schemes providing adequate safety features on site.	1 relevant application	No applications permitted contrary to this policy.	Green	
DM47: Planning Obligations and Developer Contributions	Developer Contributions monitoring statement – by the Broads Authority as well as Norfolk and Suffolk County Council	Zero relevant applications.	Policy not used in monitoring period.		This likely reflects the impact of Nutrient Neutrality issues.
DM48: Conversion of Buildings	Buildings converted and final use.	Zero relevant applications.	Policy not used in monitoring period.		
DM49: Advertisements and Signs	Adverts and signs permitted in accordance with policy	2 relevant applications	No applications permitted contrary to this policy.	Green	
DM50: Leisure plots and mooring plots	Mooring and leisure plots provided in line with this policy.	1 relevant application	No applications permitted contrary to this policy.	Green	
DM51: Retail development in the Broads.	Planning applications in accordance (or otherwise) with this policy and the relevant district council's policy. Total amount of retail gaining planning permission. Loss of retail.	See section Class E applications	Policy not used in monitoring period.		
ACL1: Acle Cemetery Extension	Cemetery delivered as per policy.	Zero relevant applications.	Policy not used in monitoring period.		
ACL2: Acle Playing Field Extension	Sports field delivered as per policy	Zero relevant applications.	Policy not used in monitoring period.		
BEC1: Former Loaves and Fishes, Beccles	Loaves and Fishes brought back into use in line with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
BEC2: Beccles Residential Moorings (H. E. Hipperson's Boatyard)	Residential moorings provided as per policy.	Zero relevant applications.	Policy not used in monitoring period.		
BRU1: Riverside chalets and mooring plots	Planning applications in accordance (or otherwise) with this policy.	2 relevant applications.	No applications permitted contrary to this policy.	Green	
BRU2: Riverside Estate Boatyards, etc., including land adjacent to railway line	Planning applications in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
BRU3: Mooring Plots	Planning applications in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
BRU4: Brundall Marina	Planning applications in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
BRU5: Land east of the Yare public house	Open space lost/negatively affected by development.	Zero relevant applications.	Policy not used in monitoring period.		
BRU6: Brundall Gardens	Residential moorings provided as per policy.	Zero relevant applications.	Policy not used in monitoring period.		
CAN1: Cantley Sugar Factory	Planning applications in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
CHE1: Greenway Marine Residential Moorings	Residential moorings provided as per policy.	Zero relevant applications.	Policy not used in monitoring period.		
DIL1: Dilham Marina (Tyler's Cut Moorings)	Planning applications in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
DIT1: Maltings Meadow Sports Ground, Ditchingham	Planning applications in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
DIT2: Ditchingham Maltings Open Space, Habitat Area and Alma Beck	Habitat area/open space/Beck lost/negatively affected by development.	Zero relevant applications.	Policy not used in monitoring period.		
FLE1: Broadland Sports Club	Planning applications in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
GTY1: Marina Quays (Port of Yarmouth Marina)	Planning applications in accordance (or otherwise) with this policy.	1 relevant application	Policy not used in monitoring period.		

Policy	Monitoring Indicators	Information for specific indicators	General summary of how policy used in monitoring period	Rating	Notes
HOR1: Car Parking	Car parking lost/negatively affected by development.	Zero relevant applications.	Policy not used in monitoring period.		
HOR2: Horning Open Space (public and private)	Open space lost/negatively affected by development.	Zero relevant applications.	Policy not used in monitoring period.		
HOR3: Waterside plots	Planning applications in accordance (or otherwise) with this policy. Capacity of Horning Water Recycling Centre.	Zero relevant applications.	Policy not used in monitoring period.		
HOR4: Horning Sailing Club	Planning applications in accordance (or otherwise) with this policy. Capacity of Horning Water Recycling Centre.	Zero relevant applications.	Policy not used in monitoring period.		
HOR5: Crabbett's Marsh	Marsh lost/negatively affected by development.	Zero relevant applications.	Policy not used in monitoring period.		
HOR6: Horning - Boatyards, etc. at Ferry Rd. & Ferry View Rd.	Planning applications in accordance (or otherwise) with this policy. Capacity of Horning Water Recycling Centre.	Zero relevant applications.	Policy not used in monitoring period.		
HOR7: Woodbastwick Fen moorings	Planning applications in accordance (or otherwise) with this policy. Capacity of Horning Water Recycling Centre.	Zero relevant applications.	Policy not used in monitoring period.		
HOR8: Land on the Corner of Ferry Road, Horning	Planning applications in accordance (or otherwise) with this policy. Capacity of Horning Water Recycling Centre.	Zero relevant applications.	Policy not used in monitoring period.		
HOR9: Horning Residential Moorings (Ropes Hill)	Residential moorings provided as per policy.	Zero relevant applications.	Policy not used in monitoring period.		
HOV1: Green Infrastructure	Green Infrastructure lost/negatively affected by development.	Zero relevant applications.	Policy not used in monitoring period.		
HOV2: Station Road car park	Car parking lost/negatively affected by development.	Zero relevant applications.	Policy not used in monitoring period.		
HOV3: Brownfield land off Station Road, Hoveton	Planning applications in accordance (or otherwise) with this policy. Number of houses delivered. Number of units delivered.	Zero relevant applications.	Policy not used in monitoring period.		
HOV4: BeWILDerwood Adventure Park	Planning applications in accordance (or otherwise) with this policy.	1 relevant application	No applications permitted contrary to this policy.	Green	
HOV5: Hoveton Town Centre	Planning applications in accordance (or otherwise) with this policy.Land use of each unit.	Zero relevant applications.	Policy not used in monitoring period.		
LOD1: Loddon Marina Residential Moorings.	Residential moorings provided as per policy.	Zero relevant applications.	Policy not used in monitoring period.		
NOR1: Utilities Site	Planning applications in accordance (or otherwise) with this policy. Number of houses delivered.	Zero relevant applications.	Policy not used in monitoring period.		
NOR2: Riverside walk and cycle path	Delivery of path in line with policy.	Zero relevant applications.	Policy not used in monitoring period.		
ORM1: Ormesby waterworks	Planning applications in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
OUL1: Boathouse Lane Leisure Plots	Planning applications in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
OUL2: Oulton Broad - Former Pegasus/Hamptons Site	Planning applications in accordance (or otherwise) with this policy. Number of houses delivered.	Zero relevant applications.	Policy not used in monitoring period.		
OUL3 Oulton Broad District Shopping Centre	Planning applications in accordance (or otherwise) with this policy. Land use of each unit.	Zero relevant applications.	Policy not used in monitoring period.		
POT1: Bridge Area	Planning applications in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
POT2: Waterside plots	Planning applications in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
POT3: Green Bank Zones	Green Banks lost/negatively affected by development.	Zero relevant applications.	Policy not used in monitoring period.		

Policy	Monitoring Indicators	Information for specific indicators	General summary of how policy used in monitoring period	Rating	Notes
SOL1: Riverside area moorings	Planning applications in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
SOM1: Somerleyton Marina residential moorings	Residential moorings provided as per policy.	Zero relevant applications.	Policy not used in monitoring period.		
STA1: Land at Stalham Staithe (Richardson's Boatyard)	Planning applications in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
STO1 Land adjacent to Tiedam, Stokesby	Planning applications in accordance (or otherwise) with this policy. Number of houses delivered.	Zero relevant applications.	Policy not used in monitoring period.		
TSA1: Cary's Meadow	Meadow lost/negatively affected by development.	Zero relevant applications.	Policy not used in monitoring period.		
TSA2: Thorpe Island	Planning applications in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
TSA3: Griffin Lane – boatyards and industrial area	Planning applications in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
TSA4: Bungalow Lane – mooring plots and boatyards	Planning applications in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
TSA5: River Green Open Space	Open space lost/negatively affected by development.	Zero relevant applications.	Policy not used in monitoring period.		
THU1: Tourism development at Hedera House, Thurne	Planning applications in accordance (or otherwise) with this policy. Number of houses delivered.	Zero relevant applications.	Policy not used in monitoring period.		
WHI1: Whitlingham Country Park	Planning applications in accordance (or otherwise) with this policy.	1 relevant application	No applications permitted contrary to this policy.	Green	
SSTRI: Trinity Broads	Planning applications in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
SSUT: Upper Thurne	Planning applications in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
SSCOAST: The Coast	Planning applications in accordance (or otherwise) with this policy.	Zero relevant applications.	Policy not used in monitoring period.		
SSROADS: Main road network	Schemes permitted contrary to Highways advice.	Zero relevant applications.	Policy not used in monitoring period.		
SSMILLS: Drainage Mills	Mills brought back into use. Changes to mills in line with this policy.	1 relevant application	No applications permitted contrary to this policy.	Green	
SSPUBS: Waterside Pubs Network	Improvements to pubs in line with policy. Pubs lost from public house land use.	Zero relevant applications.	Policy not used in monitoring period.		
SSSTATIONS: Railway stations/halts	Improvements to stations in line with policy.	Zero relevant applications.	Policy not used in monitoring period.		
SSTRACKS: Former rail trackways	Stations lost to other uses. Recreation routes delivered on these schemes.	Zero relevant applications.	Policy not used in monitoring period.		
SSLGS: Local Green Space	Local Green Spaces lost/negatively affected by development.	Zero relevant applications.	Policy not used in monitoring period.		
SSSTAITHES: Staithes	Staithes lost/negatively affected by development	Zero relevant applications.	Policy not used in monitoring period.		
SSA47: Changes to the Acle Straight (A47T)	Development that encroaches onto these trackways.	Zero relevant applications.	Policy not used in monitoring period.		

Infrastructure Funding Statement

Covering the period from 1 November 2023 to 31 October 2024

November 2024

1. About the Infrastructure Funding Statement

The Community Infrastructure Levy (CIL) regulations require all local planning authorities that issue a CIL liability notice or enter into section 106 planning obligations during a reporting year to publish an infrastructure funding statement (IFS) at least annually. The infrastructure funding statement should, as a minimum, include the information set out in [Schedule 2 to the Community Infrastructure Levy regulations 2010](#) (as inserted by the 2019 regulations).

2. The matters to be included in the section 106 report for each reported year

(a) the total amount of money to be provided under any planning obligations which were entered into during the reported year: £866.25

(b) the total amount of money under any planning obligations which was received during the reported year: £866.25

(c) the total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority: £866.25

(d) summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of— none

(i) in relation to affordable housing, the total number of units which will be provided: Zero

(ii) in relation to educational facilities, the number of school places for pupils which will be provided, and the category of school at which they will be provided: Zero

(e) the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure: Zero

(f) the total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend): See table in section 4.

(g) in relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year, summary details of the items of infrastructure on which the money has been allocated, and the amount of money allocated to each item: See table in section 4.

(h) in relation to money (received under planning obligations) which was spent by the authority during the reported year (including transferring it to another person to spend), summary details of: Zero

(i) the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item: See table in section 4.

(ii) the amount of money (received under planning obligations) spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part): Zero

(iii) the amount of money (received under planning obligations) spent in respect of monitoring (including reporting under regulation 121A) in relation to the delivery of planning obligations: Zero

(i) the total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer term maintenance (“commuted sums”), also identify separately the total amount of commuted sums held: See table in section 4.

3. The matters which may be included in the section 106 report for each reported year

(a) summary details of any funding or provision of infrastructure which is to be provided through a highway agreement under section 278 of the Highways Act 1980 which was entered into during the reported year: Zero

(b) summary details of any funding or provision of infrastructure under a highway agreement which was provided during the reported year: Zero

4. Planning Obligations collected to date (since 2019) and progress

Planning Application	Location	Description	Contribution-purpose	Amount	Commentary	Spend update
BA/2019/0118/FUL	Marina Quays, Port of Yarmouth Marina, Caister Road, Great Yarmouth	Erection of 7 residential dwellings, 12 permanent residential moorings, 9 resident moorings, 10 visitor moorings, 1 mooring for Broads Authority, the redevelopment of the Marina building as offices & storage with associated landscaping & parking	Affordable housing	£39,000	Commutated sums for affordable housing. Not collected at time or writing as condition states payment on occupation. GYBC, which is the Housing Authority, has stated that the funding will be used to deliver affordable housing in the borough of Great Yarmouth, either through development or acquisition.	No spend to date.
BA/2018/0514/FUL	Ludham Field base	Extension of mooring basin and realignment of access from Womack Dyke.	Green infrastructure	£3,632.04	Financial contribution made to offset loss of s41 habitat. Not a S106, but an informal agreement. For habitat creation, likely at Peto's Marsh. To be spent by 19/3/25	No spend to date.
BA/2020/0053/FUL	Marina Quays, Port of Yarmouth Marina, Caister Road, Great Yarmouth	Demolition of former marina building & erection of 2 residential dwellings with parking & residential moorings.	Affordable housing	£3,788	Commutated sums for affordable housing. Not collected at time or writing as condition states payment on occupation. GYBC, who are the Housing Authority, have stated that the funding will be used to deliver affordable housing in the borough of Great Yarmouth, either through development or acquisition.	No spend to date.
BA/2021/0084/FUL	123 Bridge Road, Oulton Broad, Lowestoft	Sub-divide shop into 2 units, new shop fronts and 1x flat to the rear	Green infrastructure	£321.22	This is Suffolk Coast GI RAMS payment. The money went straight to East Suffolk Council who will collate the money and combine with other RAMS payments.	No spend to date.

Planning Application	Location	Description	Contribution-purpose	Amount	Commentary	Spend update
BA/2020/0408/FUL	Westerley & The Moorings, Borrow Road, Oulton Broad	Replacement dwelling and new dwelling	Green infrastructure	£321.22	This is Suffolk Coast GI RAMS payment. The money went straight to East Suffolk Council who will collate the money and combine with other RAMS payments.	No spend to date.
BA/2022/0416/FUL	Blackwater Carr Land Off Ferry Lane Postwick Norwich Norfolk	Retrospective consent for the use of a yurt on a small, raised platform, securing a table and bench to the ground, the installation of a small staked and woven willow windbreak.	Green infrastructure	£185.93	This is Norfolk RAMS payment. The money is pooled until the Governance arrangements are in place.	No spend to date.
BA/2023/0436/FUL	Geldeston, South Norfolk	Erection of building including reception area, staff room, on-site shop, three ensuite holiday let rooms, workshop/machinery store. Erection of storage and showers building. Erection of log store and changing room building. Sauna building. Increase in camping	Green infrastructure	£866.25	This is Norfolk RAMS payment. The money is pooled until the Governance arrangements are in place.	No spend to date.

Planning Committee

06 December 2024

Agenda item number 17

Appeals to the Secretary of State update

Report by Development Manager

Summary

This report sets out the position regarding appeals against refusals of planning permission by the Broads Local Planning Authority.

Recommendation

To note the report.

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
BA/2022/0221/TPOA APP/TPO/E9505/9259	Mr R Stratford	Appeal received by the BA on 25 July 2022 Appeal start date 22 February 2024	Broadholme, Caldecott Road, Lowestoft, Suffolk NR32 3PH	Appeal against refusal to grant permission for works to trees in a Conservation Areas: T9: Sycamore - remove and replace with Silver Birch. T12&T13: Sycamores - remove.	Delegated decision 15 July 2022 LPA statement submitted - 4 April 2024 Hearing scheduled 8 October 2024. Decision received – dismissed 7 November 2024
BA/2023/0004/UNAUP2 APP/E9505/C/23/3322890 and APP/E9505/C/23/3322949	Jeanette Southgate and Mr R Hollocks	Appeals received by the BA on 24 and 26 May 2023 Appeals start dates 27 and 29 June 2023	Berney Arms Inn	Appeal against enforcement notice - occupation of caravan	Committee decision 31 March 2023 LPA Statements submitted 9 August and 11 August 2023

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
BA/2024/0061/HOUSEH APP/E9505/D/24/3346992	Rachel Parker	Appeal received by the BA on 25 June 2024 Start date not yet confirmed	Bureside 6 Skinners Lane Wroxham	Appeal against refusal of planning permission - Replace single glazed timber windows & doors with double glazed UPVC	Delegated decision 7 May 2024 Fast track householder appeal so no LPA Statement submitted.
BA/2023/0291/TPOA APP/TPO/E9505/9846	Mr J Calver	Appeal received by the BA on 23 August 2023 Appeal start date 2 July 2024	River Green Yarmouth Road Thorpe St Andrew	Appeal against refusal to grant permission for works to TPO tree: T1: Horse Chestnut - Reduce primary stems by approximately 6m & reduce limb at 5.5m.	Delegated decision 11 August 2023 Fast track appeal so no LPA Statement required Site Visit date TBC
BA/2024/0003/HHAPP	Mr P Albon	Appeal received by the BA on 8 August 2024 Appeal start date 10 September 2024	Hill Crest, The Hill, Shipmeadow	Horizontal cladding attached to exterior wall surfaces of dwelling (retrospective)	Delegated decision 10 May 2024 Fast track appeal so no LPA Statement required

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
BA/2024/0092/FUL	Mr P Albon	Appeal received by the BA on 16 October 2024	Hill Crest, The Hill, Shipmeadow	Erection of storage barn (retrospective)	Delegated decision 10 May 2024 LPA Statement submitted
BA/2024/0032/CLEUD APP/E9505/X/24/3350415	Mr John Atkins	Appeal start date 26 November 2024	Driftwood, 104 Lower Street, Horning, Norfolk	Lawful Development Certificate for 10 years use as holiday accommodation	Delegated decision 8 May 2024

Author: Steve Kenny

Date of report: 26 November 2024

Background papers: BA appeal and application files

Planning Committee

06 December 2024

Agenda item number 18

Decisions made by officers under delegated powers

Report by Head of Planning

Summary

This report sets out the delegated decisions made by officers on planning applications from 28 October 2024 to 22 November 2024 and Tree Preservation Orders confirmed within this period.

Recommendation

To note the report.

Parish	Application	Site	Applicant	Proposal	Decision
Bungay Town Council	BA/2024/0333/LBC	43 Bridge Street Bungay Suffolk NR35 1HD	Maya Severyn	Replacement front door	Approve Subject to Conditions
Coltishall Parish Council	BA/2024/0182/FUL	Coltishall Post Office 24 Wroxham Road Coltishall Norfolk NR12 7EA	Mr G Lake & Miss A Hill	Change of use of commercial/retail space to residential	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Coltishall Parish Council	BA/2024/0331/COND	1, 2 And 3 Barn Mead Church Loke Coltishall Norfolk NR12 7DN	The Norfolk Mead Hotel	Retrospective: Change to size of plant & extract locations, alternative wall finishes, variation to condition 2 of permission BA/2022/0258/FUL	Approve Subject to Conditions
Freethorpe Parish Council	BA/2024/0240/LBC	2 Church Farm Cottages Church Road Wickhampton Norfolk NR13 3PB	Mr John Richmond-King	Replacement timber windows and doors (part retrospective)	Approve Subject to Conditions
Horning Parish Council	BA/2024/0338/HOUSEH	2 Bittern Island, Bittern Lower Street Horning Norfolk NR12 8PF	Mr Hadyn Griffiths	Install 8 piles to support galvanised steel ring beam to support the south west elevation of the property	Approve Subject to Conditions
Oulton Broad Parish Council	BA/2024/0315/FUL	Plot 5 Boathouse Lane Lowestoft Suffolk NR32 3PP	Mr Martin	Proposed day hut and 2 no. pontoons	Approve Subject to Conditions
Oulton Broad Parish Council	BA/2024/0326/HOUSEH	33 Romany Road Lowestoft Suffolk NR32 3PJ	Mr John Cole	Replacement of 54.5m of timber quay heading with steel piling, timber capping and waling.	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Stalham Town Council	BA/2024/0339/FUL	Poors Staithe, Museum Of The Broads The Staithe Stalham Norfolk NR12 9DA	Museum Of The Broads	Replace 110m of timber quay heading with new timber quay-heading	Approve Subject to Conditions
Stalham Town Council	BA/2024/0314/FUL	Staithe Marsh House The Staithe Stalham Norfolk NR12 9DA	Richardsons Leisure Ltd	Replace timber piling, partly with timber piling and partly with metal sheet piling, timber capping & waling.	Approve Subject to Conditions
Stalham Town Council	BA/2024/0313/COND	Staithe Marsh House The Staithe Stalham Norfolk NR12 9DA	Richardsons Leisure Ltd	Conversion of garage to kitchen, changes to openings, design and layout, extension to balcony. Variation of conditions 2, 8 & 9 of permission BA/2024/0115/FUL.	Approve Subject to Conditions

Tree Preservation Orders confirmed by officers under delegated powers

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

Author: Ruth Sainsbury

Date of report: 26 November 2024