



GREAT YARMOUTH
BOROUGH COUNCIL

Council

Date: Thursday, 09 December 2021

Time: 19:00

Venue: Assembly Room

Address: Town Hall, Hall Plain, Great Yarmouth, NR30 2QF

AGENDA

Open to Public and Press

1 APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2 DECLARATIONS OF INTEREST

You have a Disclosable Pecuniary Interest in a matter to be discussed if it relates to something on your Register of Interests form. You must declare the interest and leave the room while the matter is dealt with.

You have a Personal Interest in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

You must declare a personal interest but can speak and vote on the matter.

Whenever you declare an interest you must say why the interest arises, so that it can be included in the minutes.

3 MAYOR'S ANNOUNCEMENTS

To consider any announcements from His Worship the Mayor.

4 ITEMS OF URGENT BUSINESS

To consider any items of urgent business.

5 MINUTES

7 - 17

Council are asked to confirm the minutes of the meeting held on the 28 September 2021.

6 QUESTIONS FROM THE PUBLIC

Council to consider a question from Mr J Cannell of Great Yarmouth District, Trades Union Council.

" We would like to ask the intentions of the GYBC, in relation to the employment conditions that the future employees of the Marina Centre will be subject to. We would like to request that the Local Authorities Agreement is recognised and applied with Full Trades union recognition."

7 REPLACEMENT OUTSIDE BODY MEMBER REPRESENTATION

Council are asked to approve that Councillor Wainwright replace Councillor B Walker on the Neighbourhood Management Board – MESH (Gorleston).

**8 OUTSIDE BODY NOMINATION TO THE FREEDOM LEISURE
PARTNERSHIP BOARD**

18 - 18

Report attached.

**9 REPORT OF THE INDEPENDENT REMUNERATION PANEL -
MEMBERS SCHEME OF ALLOWANCES**

19 - 34

Report attached.

10	<u>SERVICE COMMITTEE DECISION LIST FOR THE PERIOD 28 JULY 2021 TO 2 NOV 2021</u>	35 - 43
	Report attached.	
11	<u>ARMED FORCES COVENANT</u>	44 - 52
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12	<u>GAMBLING POLICY</u>	53 - 108
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13	<u>FILBY NEIGHBOURHOOD PLAN EXAMINATION & RECOMMENDATION</u>	109 - 159
	Report attached.	
14	<u>ROLLESBY NEIGHBOURHOOD PLAN EXAMINATION & RECOMMENDATION</u>	160 - 212
	Report attached.	
15	<u>WINTERTON NEIGHBOURHOOD PLAN EXAMINATION & RECOMMENDATION</u>	213 - 264
	Report attached.	
16	<u>LOCAL PLAN PART 2 - ADOPTION</u>	265 - 808
	Report attached.	
17	<u>COUNCIL TAX BASE 2022-23</u>	809 - 813
	Report attached.	

18	<u>COUNCIL TAX DISCOUNTS 2022-23</u>	814 - 817
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Report attached.

19	<u>COUNCIL TAX SUPPORT SCHEME 2022-23</u>	818 - 824
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Report attached.

20	<u>MEDIUM TERM FINANCIAL STRATEGY 2022-23 TO 2024-25 v2</u>	825 - 875
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Report attached.

21 **NOTICE OF MOTION**

Council are asked to consider the following motions on notice that have been submitted :-

(1) Motion received from Councillors Wainwright, T Wright, Williamson, Waters-Bunn, B Wright and Fairhead.

That this Council writes to The Rt Hon Theresa Coffey MP Secretary of State for Work and Pensions, and The Rt Hon Rishi Sunak MP Chancellor of the Exchequer, and request that they honour the Conservatives 2019 Manifesto Pledge, and lift the suspension of the State Pension Triple Lock, which was first announced in September 2021, and confirmed in the October 2021 Budget.

The ending of the State Pension Triple Lock would be a betrayal of current and future pensioners, and an attack on the poorest elderly in the Country.

The suspension of the triple lock brakes a conservative manifesto pledge, and will cost pensioners an average of £2600 each over five years. It's a saving of £30.5billion for the treasury but a big loss for pensioners.

In the Borough of Great Yarmouth 2020, the total population was 99,200. Residents under 64 years of age were 57,000 leaving 42,200 residents who could be eligible for a state pension and who will now lose approx £10 per week.

The triple lock stipulates that the state pensions must rise by the greater of average earnings growth. The excuse for breaking it is that earnings have gone up by 8%, making it unaffordable. Whilst it is true that the earnings figure is distorted by Covid and does not reflect a genuine rise in living standards amongst people of working age, it is bogus to argue that it justifies breaking the earnings connection, even temporary.

Retired households tend to be harder hit than younger ones when prices and utility prices start to rise. And this is just another

significant decline in state pensions relative to working age incomes and will lead to a further spike in poverty among the retired.
I urge all Members to support this resolution and protect the elderly.

(2) Motion received from Councillors Jeal, Robinson-Payne, T Wright, B Wright. Wainwright and B Walker

We the undersigned request that Great Yarmouth Borough Council instruct Norfolk County Council to revert to issuing hard copies where necessary (i.e., badges for cars) in the A-zone parking area. It is extremely difficult for some elderly, infirm or housebound residents and those with no IT knowledge or even access to the internet to easily navigate the current system.

The practicality of updating a permit on line every day for those who have daily carers who may not be the same person each visit is causing significant problems. Due to some residents personal circumstances it appears discriminatory and unfair to have moved to a system they are unable to cope with adding pressure which is not necessary.

We would urge all members to support this resolution in order to help the residents mentioned above who live on the A-Zone and are struggling with this.

22 ANY OTHER BUSINESS

To consider any other business as may be determined by the Chairman of the meeting as being of sufficient urgency to warrant consideration.

23 EXCLUSION OF PUBLIC

In the event of the Committee wishing to exclude the public from the meeting, the following resolution will be moved:-

"That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12(A) of the said Act."

24 CONFIDENTIAL - MRF WASTE CONTRACT

Details

**25 CONFIDENTIAL - GREAT YARMOUTH BOROUGH SERVICES
OPTIONS REPORT**

Details

26 CONFIDENTIAL SERVICE COMMITTEE DECISION LIST FOR
THE PERIOD 28 JULY 2021 TO 2 NOV 2021

Details



GREAT YARMOUTH
BOROUGH COUNCIL

Council

Minutes

Tuesday, 28 September 2021 at 19:00

PRESENT:-

His Worship The Mayor, Councillor Thompson, (in the Chair); Councillors Annison, Bensly, Bird, Borg, Cameron, Candon, P Carpenter, Fairhead, Flaxman-Taylor, Freeman, Grant, Hanton, D Hammond, P Hammond, Jeal, Lawn, Martin, Mogford, Plant, Price, Robinson-Payne, Smith, Smith-Clare, Talbot, Wainwright, B Walker, C Walker, Waters-Bunn, Williamson, A Wright & B Wright.

Ms S Oxtoby (Chief Executive Officer), Ms K Sly (Finance Director), Ms C Whatling (Monitoring Officer), Mrs P Boyce (Strategic Director), Ms K Watts (Strategic Director) & Mrs S Wintle (Corporate Services Manager).

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors G Carpenter, Cordiner-Achenbach, Galer, Hacon, Stenhouse & Wells.

2 DECLARATIONS OF INTEREST

There were no declarations of interest given at the meeting.

3 APPOINTMENT OF MAYOR FOR THE MUNICIPAL YEAR 2021/22

The Leader of the Council, Councillor Smith proposed and Councillor Plant

seconded that Councillor Adrian Thompson be elected Mayor of the Borough of Great Yarmouth for the remainder of the 2021/22 Municipal Year.

Proposer: Councillor Smith.

Seconded: Councillor Plant.

That Councillor Adrian Thompson be elected Mayor of the Borough of Great Yarmouth for the remainder of the 2021/22 Municipal Year.

CARRIED.

His Worship the Mayor, Councillor Adrian Thompson, hereby signed the Declaration of Office and gave an acceptance speech.

4 APPOINTMENT OF DEPUTY MAYOR FOR THE MUNICIPAL YEAR 2021/22

The Leader of the Council, Councillor Smith, proposed that Councillor Graham Plant be elected Deputy Mayor for the remainder of the 2021/22 Municipal Year. This was seconded by Councillor P Carpenter.

Councillor Wainwright started to address Council. The Leader of the Council asked for a point of order when no platform for discussion or debate was allowed following the proposal and seconding of Councillor Plant as Deputy Mayor. Councillor A Wright and Councillor Jeal asked the Monitoring Officer to clarify where this was stated in the Council's Constitution.

The Corporate Services Manager reported that the protocol for the election of Mayor & Deputy Mayor had been due to be discussed at a meeting of the Constitutional Working Party in 2020 but this meeting had been postponed due to Covid19. However, the Constitutional Working Party would now meet on Thursday, 18 November 2021 where this item would be discussed and a report taken to full Council in December 2021.

Proposer: Councillor Smith.

Seconded: Councillor P Carpenter.

That Councillor Graham Plant be elected Deputy Mayor for the remainder of the 2021/22 Municipal Year.

CARRIED.

The Deputy Mayor, Councillor Graham Plant, hereby signed the Declaration of Office and gave an acceptance speech.

5 APPOINTMENT OF CHAPLAIN FOR THE MUNICIPAL YEAR 2021/22

His Worship the Mayor, Councillor Thompson, announced that Canon Simon Ward would be appointed as his Chaplain for the remainder of the 2021/22 Municipal Year.

That Canon Simon Ward be appointed as Mayor's Chaplain for the remainder of the 2021/22 Municipal Year.

CARRIED.

6 MAYOR'S ANNOUNCEMENTS

(i) His Worship the Mayor announced that his mayoral charities for 2021/22 would be Caister Lifeboat, the Royal British Legion, the Samaritans and Winterton Troop 901 Cadets.

(ii) His Worship the Mayor announced that on 15/12/2021 there would be the Civic Carol Service at The Minster, on the 02/03/2022 there would be a Charity Evening, on 06/05/2022 there would be the Mayor's Ball, and on 22/04/2022 there would be a Civic Service at Filby Parish Church.

(iii) His Worship the Mayor announced that Councillor Hacon's charities; Dial, Go Ahead and Coastwatch would be supported with donations of £1750 each from the Councillor's ward budgets which had been approved by the Council's S151 Officer.

7 ITEMS OF URGENT BUSINESS

His Worship the Mayor reported that there were no items of urgent business.

8 MINUTES

The minutes of the Council meeting held on 22 July 2021 were confirmed.

Proposer: Councillor Smith.

Seconder: Councillor Annison.

CARRIED.

9 LIST OF COMMITTEE MEMBERSHIPS 2021-22

The Leader of the Council presented the updated Committee Memberships for the remainder of the 2021/22 Municipal Year for approval. This was seconded by Councillor Candon.

Councillor Wainwright asked for clarification as it was not normal practice for the Mayor to sit on Committees during their year of office and where this could be found

in the Council's Constitution. Councillor Jeal also asked for clarification as he had not sat on any committees during his time as mayor.

The Monitoring Officer referred Councillor Wainwright to Article 46.5(b) where it stated that the Mayor was advised to not sit on Standards and Development Control and Licensing as these were regulatory committees.

The Leader of the Council reported that as a result of changes to the Council and to adhere to the Widdacombe system that the Mayor had been appointed to the Environment and Appeals Committee.

Proposer: Councillor Smith.

Seconder: Councillor Candon.

That the updated Committee Membership for the remainder of the 2021/22 Municipal Year be approved.

CARRIED.

10 APPOINTMENT TO WORKING GROUPS

The Leader of the Council presented the revised appointments to Working Groups for the remainder of the 2021/22 Municipal Year. This was seconded by Councillor Candon.

Proposer: Councillor Smith

Seconder: Councillor Candon

That the updated appointments to Working Groups be approved for the remainder of the 2021/22 Municipal Year.

CARRIED.

11 OUTSIDE BODY REPRESENTATION 2021-22

The Leader of the Council presented the revised Outside Body list for the remainder of the 2021/22 Municipal Year.

Proposer: Councillor Smith

Seconder: Councillor Candon.

That Council approve the revised Outside Body Representative list for the remainder of the 2021/22 Municipal Year.

CARRIED.

12 CLIMATE CHANGE - OUTSIDE BODY NOMINATION

Councillor P Carpenter proposed that Councillor Wells be appointed as the elected Member to represent the Council on the newly formed Norfolk Elected Members Climate Change Partnership Board. This was seconded by the Leader of the Council, Councillor Smith.

Proposer: Councillor P Carpenter.

Seconder: Councillor Smith.

That Council approve that Councillor Paul Wells be appointed as the elected Member to represent Great Yarmouth Borough Council on the Norfolk Elected Members Climate Change Partnership Board.

CARRIED.

13 SERVICE COMMITTEE DECISION LIST FOR THE PERIOD 2 JUNE 2021 TO 27 JULY 2021

Council received and considered the Service Committee Decision List for the period 2 June to 27 July 2021.

Proposer: Councillor Smith

Seconder: Councillor Candon.

That Council endorse the Service Committee Decision List for the period 2 June 2021 to 27 July 2021.

CARRIED.

14 ROUGH SLEEPING ACCOMODATION PROGRAMME BID - HOUSING FIRST SCHEME

Councillor Grant presented and proposed the Rough Sleeping Accommodation Programme Bid - Housing First Scheme report to Council. This was seconded by Councillor D Hammond.

Councillor Grant requested approval to purchase and repair five homes to provide a self-contained home with dedicated support for a period of up to two years for a cohort of entrenched rough sleepers with high needs in order to deliver a significant reduction in rough sleeping.

Councillor Martin asked her thanks be recorded to all officers concerned as this scheme would help residents with complex needs and that she was extremely proud to be part of this Council as they implemented this much needed scheme.

Proposer: Councillor Grant

Seconded: Councillor D Hammond.

That Council:-

(i) Approve the purchase and renovation of five properties to be used to meet the needs of rough sleepers with high support needs within the parameters of the project as set out in this report and the Confidential Appendix,

(ii) Approve, subject to a successful application for grant funding, the expenditure and the borrowing set out in the report at paragraph 3.1. i.e. the purchase, repair and renovation and furnishing of the properties,

(iii) Delegate decisions in relation to the purchase of the properties and the completion of the required renovation works to the Head of Property and Asset Management and the Section 151 Officer in accordance with the Property Acquisitions and Disposals Policy,

(iv) Approve the procurement of a third-party support provider to deliver the support and manage the five homes; and

(v) Accept the Rough Sleeping Accommodation Programme grant funding and conditions.

CARRIED.

15 NOTICE OF MOTION

(i) Motion submitted by Councillors Plant, Candon, Flaxman-Taylor, Mogford, Hammond and Wells.

The motion was presented and proposed by Councillor Plant and seconded by Councillor Candon who informed Council that he would defer his comments until the end of the debate.

Councillor Plant reported that the Council recognises the multiple benefits that offshore wind power off the Norfolk coast presented:

- A sustainable and renewable energy source which will assist in meeting the Government's target of delivering 40 gigawatts of offshore wind power by 2030.
- A major contribution to our shared ambition to tackle climate change.
- Significant employment and skills opportunities, especially in areas like Great Yarmouth. Norfolk has the potential to benefit more than any other area in England from growth in offshore wind, that will require a diverse mix of skills, with an additional 6,150 full-time well-paid jobs forecast to be created by 2032 (New Anglia Energy Recovery and Resilience Plan).

The Council also:

- Recognises the need for some of these projects to make landfall and grid

connection in various parts of the county, involving cable routes and new sub-stations.

- Acknowledges the disruption that this may cause to local communities in the short term and therefore supports the need for a coordinated and integrated approach to connecting the electricity generated from offshore wind farms to the grid.
- Recognises the need for further detailed work to be carried out by National Grid on the implications of the various options, including the:
- Wider onshore environmental implications of any new transmission network• Economic opportunities for those coastal areas and communities affected.
- Opportunities for local communities to be appropriately compensated for any impacts caused by the need for either onshore or offshore infrastructure.
- Would support any offshore transmission infrastructure which reduces the environmental and community impacts that the current approach (radial, point to point) has on the county, subject to there being no anticipated long term impact on the marine environment off the Norfolk Coast.

- Reiterates its ongoing ambition to make Great Yarmouth the energy capital of the Eastern Region.

The Council resolves to continue to work closely with:

- The Department of Business, Energy and Industrial Strategy (BEIS), National Grid; the Office for Gas and Electricity Markets (OFGEM), New Anglia LEP, local councils and energy companies to progress the work needed to secure the long term environmental and economic benefits of offshore wind, whilst minimising its impact on local communities as far as possible.
- BEIS on the Government Offshore Transmission Network Review.
- Major companies, their supply chains and local colleges to develop employment and skills strategies to ensure that the high quality jobs set to be created in the sector over the next 50 years, are accessible to, and promoted to, Norfolk residents.

Councillor Myers reported that he welcomed the offshore wind proposal which would attract inward investment of up to £240 million pounds into the Borough and help to up-skill our local work force.

Councillor A Wright reported that he had been fully supportive of this project over many years and asked why this motion had come before Council as the Economic Development Committee received regular reports/updates in regard to the offshore wind industry and, as a committee, were fully supportive of the project. Was this motion intended to put pressure on North Norfolk District Council to allow the cables to come onto their land which was essential for the project to succeed. Councillor Wright was sceptical regarding the forecast of the number of well-paid, skilled jobs which would result from this project as the projected figure of 1,000 new jobs arising from the Outer Harbour had yet to be confirmed. Councillor Wright once again emphasised that Great Yarmouth ranked 462/462 in the skills league table for the country and that the skills agenda in the Borough must be addressed as a matter of urgency.

Councillor Candon reported that he fully supported this motion and was pleased to second the motion.

Councillor Plant thanked Councillor Candon for his support and gave his summing up. The Council should not miss out on this opportunity for the Borough and must put the infrastructure in place for the project and asked all members to support the motion.

PROPOSER: Councillor Plant

SECONDER: Councillor Candon

MOTION CARRIED.

(ii) Motion submitted by Councillors Wainwright, Williamson, A Wright, B Walker & C Walker.

This motion was presented and proposed by Councillor Wainwright and seconded by Councillor Williamson who reserved the right to speak later.

Councillor Wainwright proposed that this Council to write to The Rt Hon Therese Coffey MP Secretary of State for Work and Pensions, and The Rt Hon Rishi Sunak MP Chancellor of the Exchequer to reverse the proposed cut to Universal Credit of £20 per week, £1040 PA.

This cut is being called the biggest overnight Social Security cut since World War 2. Doctors, charities and even some Conservative MPs are calling on the Government to reverse its decision.

The Trussell Trust estimates that nearly a quarter of a million parents on Universal Credit fear not being able to sufficiently put Dinner on the table for there children when the £20 cut comes into force from October. Many of these parents in Great Yarmouth.

In Great Yarmouth 18.4% of the population was income-deprived in 2019. Of the 316 local authorities in England, Great Yarmouth is ranked 32nd most income- deprived.

Of the 61 Neighbourhoods in Great Yarmouth 21 were amongst the 20% most deprived in England.

In June 2021 there were 14076 people claiming Universal Credit in Great Yarmouth, many of these people in work, and 5511 Children living in poverty.

This cut is creating nervousness, and many residents fear and worry about what is going to happen, and how can they manage when they have £20 less per week, how are they going to put food on the table and heat my home in the winter.

I am sure that £20 per week is not a lot of money for some people, but for others it is a matter of survival, and I urge all Members to support this Resolution.

Councillor Myers reported that this cut would affect low paid workers who would loose 63 pence out of every pound they earned and that he fully supported this motion.

Councillor Talbot reported that they was a stigma that people who were on benefits did not work but they did and that the loss of 320 a week would result in residents having to choose between eating or putting the heating on and there was now a chasm between the rich and the poor which was getting wider every day.

Councillor Smith-Clare highlighted the cases of the proud women who were born in

the 1950's and who had had their retirement date put back and who were struggling as a result of the hold on the triple lock to their pension and cuts to Universal Credit. He urged all Councillors to support this motion and put an end to additional suffering and desperation for these people.

Councillor Fairhead reported that she supported her local Foodbank on a regular basis and that the demand was rising and rising and the loss of 320 would exacerbate the demand on Foodbanks which was a disgrace in this day and age.

Councillor Jeal urged all Members to support this motion if they cared about the residents of Great Yarmouth and the cut would result in a loss of over £15 million of revenue which might have been spent in the town.

The Leader of the Council summarised the support that the Government had given since the start of the pandemic and that the Conservative Members did fully support all residents but would not support this motion as the Government's plan for jobs was working.

Councillor A Wright asked for a point of order to allow for a full debate on this important motion without time restraint and asked that the Council suspend standing orders for this one item. Councillor Wright referred to page 77 of the Council's Constitution, paragraph 31.12; Motion without Notice. This was seconded by Councillor Jeal.

The Leader of the Council reported that standing orders were only normally suspended at Budget Council but he was quite happy for this to be undertaken following a vote, although this should have been taken at the start of the motion.

His Worship, The Mayor, asked the Monitoring Officer for her advice regarding this point of order. Councillor Wainwright also asked for the advice of the Monitoring Officer. Councillor A Wright was concerned that debate was being stifled. His Worship, The Mayor reported that he was in the Chair and that there had been no stifling of debate and he was prepared to let the debate continue.

Councillor Martin was concerned that thousands of residents who relied on Universal Credit to live would be forced further in to poverty and they, and their children, would be facing a miserable winter. This was not levelling-up but pushing down families and communities into poverty and despair. The system and its people were broken and together with the six former DWP Ministers who supported the continuation of the £20 weekly payment, she urged Members to collectively stand by the people of Great Yarmouth.

Councillor Williamson gave statistics from the Joseph Roundtree Foundation and from Government data regarding levels of poverty across the country and our Borough. Wages in the town were way below the county average and the Council had a duty to look after the weakest and most vulnerable in our society and urged all members to support the motion and support all of our residents.

Councillor Wainwright summed up and urged all members to support the motion to alleviate untold suffering for 14,441 local people who should not have to choose between heating or food and to ensure that no child slipped into poverty as a result of this appalling cut to their lifeline which was Universal Credit. He informed Council that the primary school, which a child of Councillor Waters-Bunn attended, had set up a Foodbank to help parents which should not be happening in this day and age and was an outrage.

Councillor Jeal asked for a recorded vote to be undertaken. This was seconded by Councillor C Walker. Following a vote, this motion was lost and the ensuing vote would not be recorded.

MOTION LOST.

16 ANY OTHER BUSINESS

(i) Councillor Jeal asked that a letter be sent to Councillor Stenhouse, who was poorly, on behalf of Council, wishing her a speedy recovery.

(ii) The Monitoring Officer responded to Councillors' A Wight & Jeal concerns regarding agenda item number 4 and clarified that under Article 31.1 of the Council's Constitution, nominations at Annual Council, Election of Mayor and Deputy Mayor; that this was a nomination and not a motion, as a motion would be capable of amendment, but as a nomination this did not allow for discussion which would be deemed out of order.

17 EXCLUSION OF PUBLIC

18 CONFIDENTIAL APPENDIX - ROUGH SLEEPING ACCOMMODATION PROGRAMME BID - HOUSING FIRST SCHEME

That Council note the confidential appendix to the Rough Sleeping Accommodation Programme Bid - Housing First Scheme.

Proposer: Councillor Smith
Seconder: Councillor Candon.

CARRIED.

19 CONFIDENTIAL SERVICE COMMITTEE DECISION LIST FOR THE PERIOD 2 JUNE 2021 TO 27 JULY 2021

That Council note the Confidential Service Committee Decision List for the period 2 June 2021 to 27 July 2021.

Proposer: Councillor Smith.
Seconder: Councillor Candon.

CARRIED.

The meeting ended at: 21:00

URN:

Subject: Outside Body Nomination – Partnership Board with Freedom Leisure

Report to: Full Council, Thursday 9th December 2021

Report by: Kate Blakemore, Strategic Director

SUBJECT MATTER

Outside Body nomination to the Partnership Board with Freedom Leisure

RECOMMENDATIONS

That Council:

Appoint Councillor Carl Smith and Councillor Trevor Wainwright as the elected Members to sit on the Partnership Board with Freedom Leisure

1. Background

- 1.1 Membership of an outside body can take various forms, from committee attendance to a director or trustee role. Appointments to outside bodies are made by Full Council.

2. Introduction

- 2.1. Members of the Policy and Resources Committee received a Leisure Operator Procurement Report on the 2nd November 2021 where they approved several recommendations, including the appointment of Freedom Leisure as the Council's new leisure operator for both the Phoenix Pool and Marina Centre.
- 2.2. As part of the recommendations the Committee was also asked to nominate two Councillors to sit on the Partnership Board with Freedom Leisure, to meet on a quarterly basis to oversee the service delivery of this leisure operator as part of the new contractual arrangements.

3. Nominated Representatives

- 3.1 The representatives that were nominated by the Policy and Resources Committee to sit on this board were Councillor Carl Smith and Councillor Trevor Wainwright, Council is therefore asked to appoint these Councillors to sit on this newly formed Partnership Board.

Subject: Members' Scheme of Allowances

Report to: Council – Thursday 9 December

Report by: Independent Remuneration Panel



SUBJECT MATTER

The purpose of this report is to recommend to Council the allowances and expenses to be paid to Members to take effect from December 2021 should recommendations be approved, in accordance with the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003.

The above-mentioned Regulations state that an Independent Remuneration Panel (IRP) should take place at least every 4 years. The last IRP was held in 2016 and therefore the 4-year period has lapsed.

The Panel was due to meet in March 2020, however due to the COVID 19 pandemic, the meeting of the Panel was postponed, until November 2020 where a limited scope review was undertaken. Following this review, a recommendation from the Panel was to undertake a further review in 12 months' time to understand the implications that the COVID 19 pandemic would have on Members workloads, and how meetings were to be run post Covid. Following discussion with Group Leaders and the Chief Executive Officer the panel were asked to undertake a full review of allowances in July 2021 in light of COVID 19 restrictions being lifted, and meetings returning to face to face. The Panel therefore, after having now undertaken a full review of all the allowances, would like to ask Council are asked to consider the following :-

Summary of Recommendations (details of the rational for the following allowances can be found within the main body of the report and are detailed below)

RECOMMENDATIONS

The IRP ask Council to consider its recommendations and adopt a scheme of allowances and amend the constitution accordingly

- a) The Basic Allowance for Members be increased to £5750 pa. This figure includes an increase of £701 to reflect increased workload which the IRP considered would continue post pandemic and merge the old Basic Allowance figure of £4,869 with the Broadband Allowance of £180. Members are asked to note that currently there is both a Basic Allowance and a Broadband Allowance paid. This is contrary to the Regulations as there is no permissible Broadband Allowance, it is a mandatory requirement that the Basic Allowance and Broadband Allowance amounts are merged.

This increase consists of:

£4,869 (the BA now) + £180 (the Broadband Allowance) + £701 (BA increase) = £5,750.

Cost to Council Budget of £27,339.

- b) The Basic Allowance Scheme should be indexed linked to officers' pay awards;
- c) Council should be aware that the following Special Responsibility Allowances (SRAs) will all increase as they are based on a multiplier of the Basic Allowances which has been raised. Some have had their multiplier increased above this as it was thought that their work load had increased considerably too;
- d) The SRA for the Leader of the Council should be calculated by way of a multiplier of x2.25 of the Basic Allowance;
- e) The SRA for the four Service Committee Chairs (Policy & Resources; Economic Development; Environment; and Housing & Neighbourhoods) should be calculated by way of a multiplier of x1 of the Basic Allowance;
- f) The SRA for the four Service Vice-Committee Chairs (Policy & Resources; Economic Development; Environment; and Housing & Neighbourhoods) should be calculated by way of a multiplier of x0.25 of the Basic Allowance;
- g) The SRA for the Chair of the Development Control Committee should be increased to reflect the demands of the role and frequency of meetings calculated by way of a multiplier of x1.25 of the Basic Allowance;
- h) The SRA for the Vice-Chair of the Development Control Committee should be increased to reflect the demands of the role and frequency of meetings and calculated by way of a multiplier of x0.33 of the Basic Allowance;
- i) The SRA for the Chairs of the Licensing and Audit & Risk Committees should be calculated by way of a multiplier of x1 of the Basic Allowance;
- j) The SRA for the Vice-Chairs of the Licensing and Audit & Risk Committees should be calculated by way of a multiplier of x0.25 of the Basic Allowance;
- k) The SRA for the Chairs of the Standards and Appeals Committee should be calculated by way of a multiplier of x0.25 of the Basic Allowance;
- l) The SRA for the Mayor (Chair of the Council) should be calculated by way of a multiplier of x0.5 of the Basic Allowance;
- m) The SRA for the Deputy Mayor should be calculated by way of a multiplier of x0.2 of the Basic Allowance;
- n) The SRA for the Shadow Leader should be calculated by way of a multiplier of x1 of the Basic Allowance;

- o) The SRA for Group Leaders to be calculated by a formula of 'Basic Allowance ÷ number of Councillors X number of members in a Party'. Example, if there were 10 members in a Party the Group Leader would receive: £5,750 ÷ 39 Councillors = £147.44 X 10 = £1474.40.
- p) The existing travelling expenses scheme should remain at 45p per mile for cars; 26p per mile for motorbikes; 15 p per mile for bicycles and 5p per mile for car share rate per Member.
- q) The Carer's Allowance be;
 - (i) Set at £10 per hour for professional childcare and £20 per hour wage for specialist care, and it should also include the new entitlement to employ people known to and trusted by a Councillor.
 - (ii) Amended to include childcare and care inside of the home whilst attending virtual meetings childcare and dependents care when attending meetings.
- r) Existing Councillors who are co-opted should continue to receive no allowance. Non-Council members who are co-opted could receive an allowance to be agreed by a resolution of the committee at the time of appointment of co-opted members to the committee;
- s) Regular and frequent training be given to all Councillors in respect of claiming expenses and allowances;
- t) The changes should be implemented from the date when and if the Council agrees to the recommendations from the panel and not backdated.

1. Introduction

1.1. The Independent Remuneration Panel (IRP) consists of 3 members;

Sandra Cox, Karen Forster and Stuart Rimmer.

The Chair of the Panel was selected by its members at the start of the first meeting, where it was agreed that Sandra Cox would be the Chair.

It has been recorded that Stuart Rimmer declared an interest in his capacity as Chief Executive of East Coast College, being a member on the Place Board and being involved in discussion relating to the Great Yarmouth Learning Hub, University Centre and Public Library. It was not felt that this constituted a sufficient conflict to preclude his role on the IRP.

The IRP met on the 24 November 2020, 14 January 2021, 9 February 2021, 9 March 2021 and 16 April 2021 to consider the available evidence before making the recommendations being put to the Council and was assisted by Sammy Wintle (Corporate Services Manager) and Christina Webb (Executive Services Officer). Sheila

Oxtoby (Chief Executive Officer) and Caroline Whatling (Monitoring Officer) attended the meeting of the 14 January 2021.

- 1.2 Discussions took place with a cross section of Members in order to hear their views regarding the impact on current and possible future workloads due to the Covid 19 pandemic. The Panel would like to thank those who attended virtually as their information was of great help to the Panel in its task, as was the information conveyed by those who found time to fill in its questionnaire.
- 1.3 Consideration was given to the questionnaire responses submitted by Members regarding their current workload, ward duties, meeting attendance and any additional duties which had seen some different ways of working due to the COVID 19 pandemic.
- 1.4 In November 2020 an interim review was undertaken which solely looked at Members Basic Allowances, this review resulted in a recommendation from the panel to undertake a further review within a 12-month period to be able to understand how future ways of working had been implemented due to the COVID 19 pandemic.
- 1.5 Following discussion with Group Leaders and the Chief Executive Officer the panel were asked to commence a full review of the Scheme of Members Allowances in July 2021, in light of COVID 19 restrictions being lifted and meetings returning to face to face. Therefore, recommendations from the interim review were not considered.
- 1.6 The Panel met on the 16th September, 6th October and the 18th October to consider further evidence in assisting with the undertaking of a full review and they were assisted by the Corporate Services Manager, Sammy Wintle and Executive Services Officer, Christina Webb
- 1.7 A further questionnaire was distributed to the original Member Group, who had been interviewed by the panel during the interim review, and Group Leaders to understand whether Councillors had seen an increase in workload, communications from constituents, average hours spent on Council business and if home/work life balance had been affected by the return of face to face meetings. Members were also asked if they felt allowances should be changed to allow for childcare to be paid whilst attending a virtual meeting.
- 1.8 Comparative data on Members' Allowances Schemes throughout Suffolk and Norfolk were also studied to help set a contextual benchmark for the Great Yarmouth Scheme. Comparative Data is appended to this report for information.

2. Terms of Reference

- 2.1. The Regulations provide that the IRP can make recommendations to the Council on the following matters:
 - The amount of Basic Allowance which should be payable equally to each elected Member.

- The roles and responsibilities for which a Special Responsibility Allowance (SRA) should be payable and the amount of each such allowance.
- Travelling and subsistence.
- Whether an allowance in respect of expenses of arranging for the care of children and dependents should be included and, if appropriate, the amount of allowance and means by which it is determined.
- Co-optees allowance.

3. Issues considered and the Panel's conclusions

3.1 Basic Allowance

The current scheme provides for a payment of a Basic Allowance, in the sum of £4869 pa. The Basic Allowance is intended to reflect time commitment for all Councillors. The current Basic Allowance was last independently reviewed in 2016.

The Panel was made aware that, in addition to the Basic Allowance, Members were receiving a payment of £ 180 p.a. for Broadband Allowance. There is no facility in the current legislation to pay a Broadband Allowance. Therefore, in order to conform to the legislation, the Council should either cease to pay the Broadband Allowance or incorporate it within the Basic Allowance. It was recommended by the Panel that the Broadband Allowance is incorporated within the Basic Allowance.

In order to seek feedback a questionnaire was deployed which was followed by a small representative focus group. The panel acknowledged that Members had seen a significant increase in their workload and consideration was therefore given to an increase in the Basic Allowance

The panel considered comparative data of other local Authorities in both Norfolk and Suffolk and acknowledged that whilst Great Yarmouth remained lower than other districts in terms of population, it should be recognised that Great Yarmouth is currently at the forefront of some significant projects and regeneration which could provide for a higher population and increased Council work.

In proposing an increase in the Basic Allowance it is anticipated that this would then make Great Yarmouth more comparable with the average for the rest of Norfolk, many of which are due to have their allowances reviewed shortly. See Appendix 1

Recommendations should therefore be as follows:

- that the Basic Allowance be increased to £5750pa inclusive of the mandatory incorporation of the Broadband Allowance;
- that the Scheme remain index linked to officers' pay awards.

3.2 Travelling & Subsistence Allowance

In light of the COVID19 pandemic and its impact, resulting in the major reduction of travel to meetings and conferences and the subsequent reduction in associated subsistence claims, the Panel have agreed that no changes be made to the travel and subsistence allowance at this time.

Recommendation should therefore be as follows:

- that the HMRC rate of 45p per mile for all cars should be continued
- that the motorbikes rate of 26p per mile should continue;
- that the current rate for the use of bicycles should continue at 15p per mile;
- that no changes be made to the current Subsistence Allowance.
- that the car share rate of 5p per member per mile should be continued when COVID restrictions do not apply.

3.3 Special Responsibilities Allowances (SRA's)

(The figures quoted below are all SRAs, Members entitled to SRA should note that they will also receive the Basic Allowance.)

SRAs are paid to those members of the Council who have significant additional responsibilities over and above the generally accepted duties of a Councillor.

In the past Special Responsibility Allowances (SRAs) were calculated as a multiplier of the Basic Allowance. The Panel considered this to be an appropriate way to calculate SRAs and concluded that it should continue.

It was agreed that no Member should receive more than one SRA and that this should be the greater of allowances.

Leader of the Council

The Leader currently received a Special Responsibility Allowance of £10,663. The Panel noted the role of the Leader and the importance of the role. The Panel considered that due to the proposed increase in the Basic Allowance the SRA would increase accordingly and proposed an SRA of x 2.25 of the Basic Allowance.

Recommendation

To recommend that the SRA for the Leader of the Council be calculated by way of a multiplier of x 2.25 of the Basic Allowance, resulting in a Special Responsibility Allowance of £12,938.

Chairs of Service Committees – Policy & Resources, Economic Development, Environment and Housing & Neighbourhoods

The Panel considered the responsibility of the Chairs of the Service Committees and acknowledged the time commitment given to represent these Committee's, together with the responsibility they hold.

Recommendation

That the SRA for the Chairs of the four Service Committees of the Council be calculated by way of a multiplier of x 1 to the Basic Allowance, resulting in a Special Responsibility Allowance of £5,750.

Vice-Chairs of Service Committees – Policy & Resources, Economic Development, Environment and Housing & Neighbourhoods

The Panel felt that the role of the Vice-Chairs of these four Service Committees should also be acknowledged as they attended many of the same meetings as the Chair.

Recommendation

That the SRA for the Vice-Chairs of the four Service Committees of the Council be calculated by way of a multiplier of x 0.25 to the Basic Allowance, resulting in a Special Responsibility Allowance of £1,438.

Chair of Development Control Committee

The Panel acknowledged that this committee had a heavy workload due to the four weekly meeting schedule together, with recently increasing additional meetings. The length of these meetings, combined with the amount of time that the Chair spent on reading documents and liaising with planning officers, meant that they had seen an increased workload compared to other Service Committee chairs. The responsibility of decisions made by the Committee was also acknowledged. It is therefore proposed that the Allowance be increased to a multiplier of x1.25. Resulting in a Special Responsibility Allowance of £7,188.

Recommendation

That the SRA for the Chair of the Development Control Committee be increased by way of a multiplier of $\times 1.25$ of the Basic Allowance, resulting in a Special Responsibility Allowance of £7,188.

Vice-Chair of the Development Control Committee

The Panel felt that the role of the Vice-Chair of the Development Control Committee should also be acknowledged, as they attended many of the same meetings as the Chair. It was agreed that a multiplier of $\times 0.25$ be applied, resulting in a Special Responsibility Allowance of £1,898.

Recommendation

That an SRA for the Vice-Chair of the Development Control Committee be calculated by way of a multiplier of $\times 0.25$, resulting in a Special Responsibility Allowance of £1,898.

Chairs of Licensing and Audit & Risk Committees

The panel acknowledged that although the Audit & Risk Committee met less frequently than other committees, the time commitment required by the Chair for meeting preparation and undergoing development and training was considerable. The Panel also acknowledged that Licensing Committee met more regularly on an 8 weekly cycle and it was noted that the Chair also attended Sub Committees on alternative dates away from the Committee timetable.

The Panel agreed that the multiplier should be calculated by way of a multiplier of $\times 1$.

Recommendation

That the SRA for the Chairs of Licensing and Audit & Risk Committees of the Council be calculated by way of a multiplier of $\times 1$ of the Basic Allowance, resulting in a Special Responsibility Allowance of £5,750.

Vice-Chairs of the Licensing and Audit & Risk Committees

The Panel felt that the role of the Vice-Chair of the Licensing Committee and Audit & Risk Committee should also be acknowledged as they attended many of the same meetings as the Chair.

The Panel agreed that the multiplier should be calculated by way of a multiplier of $\times 0.25$.

Recommendation

That an SRA for the Vice-Chairs of the Licensing Committee and Audit & Risk Committee be calculated by way of a multiplier of x 0.25 of the Basic Allowance, resulting in a Special Responsibility Allowance of £1,438.

Chairs of Standards and Appeals Committees

The panel acknowledged that both Committees met on an ad-hoc basis, but agreed that the time commitment required by the Chair for meeting preparation and undergoing development and training was significant.

Recommendation

That the SRA for the Chairs of these two Regulatory Committees of the Council be calculated by way of a multiplier of x 0.25 of the Basic Allowance, resulting in a Special Responsibility Allowance £1,438 for each Chair.

Mayor (Chair of the Council)

The Mayor (Chair of the Council) currently receives an SRA payment which is calculated by way of a multiplier of x 0.5. The Panel considered the role of the Mayor and the requirement to chair meetings of Full Council on a regular basis.

Recommendation

To recommend that the SRA for the Mayor (Chair of the Council) should be calculated by way of a multiplier of x 0.5 of the Basic Allowance, resulting in a Special Responsibility Allowance of £2,875

Deputy Mayor

The Panel considered the role of the Deputy Mayor and the requirement to deputise for the Mayor at civic events and chair meetings of Council in their absence.

Recommendation

To recommend that the SRA for the Deputy Mayor should be calculated by way of a multiplier of x 0.2 of the Basic Allowance, resulting in a Special Responsibility Allowance of £1,150.

Shadow Leader

The Panel considered the role of the Shadow Leader.

The Panel felt this allowance should be calculated by way of a multiplier of x 1 of the Basic Allowance.

Recommendation

To recommend that the SRA for the Shadow Leader be calculated by way of a multiplier of x 1 of the Basic Allowance, resulting in a Special Responsibility Allowance of £5,750.

Group Leaders

The Panel considered the role of the Leaders of the opposition groups,

The panel felt the calculation of Basic Allowance ÷ Total number of Councillors X number of Members in a group was reasonable.

Recommendation

To recommend that the SRA for Group Leaders of all groups should be paid using the formula:
Basic Allowance ÷ Total number of Councillors X number of Members in a group.

3.4 Carer's Allowance

The Carer's Allowance was reviewed and the panel discussed the process the previous criteria on this subject in some detail and felt that perhaps these were making it too difficult for those in need to claim, making it impossible for some ideal carers to be used.

It is for the parent / carer to determine the appropriate person to look after their children/dependent person. It considered the different caring roles and the level of qualification needed to provide such services. The Panel agreed that the level of qualification required should be reflected in the payments made. For example, the rate for ordinary childcare should be lower than that of specialist or trained nursing care and, at the opposite end of the spectrum, where it would be necessary for the carer to be someone known and trusted by those cared for, as in the case of very young children or perhaps those suffering from dementia. The criteria at the moment would make this impossible.

The Panel, therefore, recommends a series of changes to this allowance to make it more fit for purpose, for those who would find it impossible to take on the role of Councillor because their circumstances do not fit the claiming criteria.

The Panel agreed that the previous claiming procedures should remain for when professional care was needed, i.e. based on locally researched professional charges.

When utilising a friend or neighbour to provide the care, the rate should be limited to £10 or less and should be supported by a personal invoice with the carer's details and signed by the Councillor.

The Panel also noted that there was a discrepancy on the payment of childcare and Carer's Allowance since online meetings had become more widely used. Childcare and Carer's Allowance is currently paid to members when they attend meetings.

However, it is not paid for virtual meetings although some members are still having to employ babysitters or carers for these meetings too, to make sure that they can concentrate and perform their duties to the best of their abilities. The Panel recommend that the Carer's Allowance is paid for babysitters and carers during virtual meetings.

Recommendation should therefore be as follows:

- That the Childcare Allowance should be a maximum of £10 per hour;
- A Special Care Allowance of a maximum of £20 per hour (any exceptions to be discussed with relevant officers, ie if more than one carer was needed);
- To allow an informal receipt system to allow friends/relatives and similar to provide care and babysitting. To recommend that the payment of a childcare or Carer's Allowance should only be paid on provision of a receipt;
- That Childcare or Carer's Allowance be paid for a Councillor either physically attending a Council meeting or a virtual meeting to allow Councillors to concentrate only on the duties they had been elected to do.

3.5 Co-opted members

The Panel agreed that existing Members who are co-opted should not be given an allowance. However, non- Council members who are co-opted should be entitled to an allowance.

Recommendation should therefore be as follows:

- That existing Councillors who are co-opted continue to receive no allowance;
- That non-Council members who are co-opted could receive an allowance to be agreed by a resolution of the committee at the time of appointment of co-opted members to the committee.

4 Timescales

It is also recommended that any accepted proposals are implemented with immediate effect and not backdated.

5 Future reviews

In line with statutory guidance a full review of the Scheme of Allowances should be undertaken every 4 years and therefore a further review would be expected in 2025.

The Panel also acknowledges that the Council might potentially move from a Committee form of governance to a Cabinet one. If this change occurs Government Regulations state that Council should automatically trigger an Independent Remuneration Panel.

6 Financial Implications

It will be a matter for the Council to determine any additional costs or savings in relation to the Scheme when considering and deciding on the adoption of recommended changes and whether there is the available budget to deliver the recommendations.

Members are asked to note the total cost of adopting increases as outlined within the report would be £42,326 p.a. When considering the proposed increases, it is advised that the total Scheme of Members Allowances if agreed would contribute to 0.5% of the Council's total aggregated expenditure for 21/22.

7 Risk Implications

The main risk associated with the review of the Members' Scheme of Allowances is reputational in nature. When considering the findings and recommendations of the Independent Remuneration Panel, Members should evaluate them in the spirit intended and in the context of prevailing circumstances of local development and post-covid operations.

When making their decision however the Panel would like to draw the Council's attention to:

- the length of time since the Basic Allowance was increased which was 2016;

While Members are required to have due regard to the report of the Independent Remuneration Panel, it is still a matter for Council to decide whether it adopts the associated recommendations in full or part.

When considering the report and associated recommendations, Members are asked to note that future reviews of allowances in line with legislation would not be held until 2025, in which time other local neighboring authorities would have considered allowances, which would likely result in the revision upwards of allowances. This has been taken into consideration by the panel and forms part of the basis in recommending a rise in current allowances.

8. Out of Scope Discussion

The Panel was aware the Regulations allowed individual Councillors to reject their allowances. It felt, however, that in some circumstances this could discourage constituents on lower incomes from thinking of standing to be a Councillor and serving their communities. The members of the IRP recognised that this comment was outside their remit but felt that it should reflect comments made by some Councillors in interviews and on their questionnaires.

Appendix 1 - Complorative Data of Basic Allowances and Special Responsibility Allowances

These tables represent compamparitve data of Basic Allowances and SRA's from Local Neighbouring Authorities.

Please note :

Calculation of per head of population for Basic Allowance is calculated by : total number of members x basic allowance paid / population

Calculation of per head of population for Combined total of BA and SRA is calculated by : Combined total (BA and all SRA's) paid in 2018/19 / Population

Basic allowance (BA) paid to each and every Member 19/20 - 20/21	£
Breckland District Council	5569
Broadland District Council	3675
Kings Lynn and West Norfolk	5750
North Norfolk District Council	5254
Norwich City Council	6380
Great Yarmouth Borough Council	4869
South Norfolk District Council	5569
Norfolk Average	5295

Basic Allowance (BA) - Total BAs paid at the Council per head of population	£
Breckland District Council (Population - 139,329)	1.44
Broadland District Council (population 129,464)	1.33
Kings Lynn and West Norfolk (151,811)	2.08
North Norfolk District Council (104,552)	1.96
Norwich City Council (143,135)	1.74
Great Yarmouth Borough Council (population 99,370)	1.91
South Norfolk District Council (138,017)	1.86
Norfolk Average	1.76

Combined total (BA and all SRA's) paid in 2018/19	
Breckland District Council	418,371
Broadland District Council	222,638
Kings Lynn and West Norfolk	462,233
North Norfolk District Council	318,949
Norwich City Council	358,458
Great Yarmouth Borough Council	238,345
South Norfolk District Council	304,325
Norfolk Average	331,903

Combined total (BA and all SRA's) paid in 2018/19 per head of population	£
Breckland District Council (Population - 139,329)	3.00
Broadland District Council (population 129,464)	1.73
Kings Lynn and West Norfolk (151,811)	3.04
North Norfolk District Council (104,552)	3.05
Norwich City Council (143,135)	2.50
Great Yarmouth Borough Council (population 99,370)	2.40
South Norfolk District Council (138,017)	2.21
Norfolk Average	2.56

"Appendix 2 - Complorative Data of Special Responsibility Allowances (SRA's)

These tables represent comparative data of SRA's from Local Neighbouring Authorities in line with the SRA's that GYBC provide an allowance for.

Please Note : Budget column highlights total budget for GYBC for allowances (39 Members plus total SRA's)

Role		Gt Yarmouth*	North Norfolk	Breckland	Broadland	King's Lynn	Norwich City	South Norfolk	High	Low	Total Budget GYBC (BA and SRA's)
	No.										
Member	39	4,869.00	5,254.00	5,625.00	4,962.00	£5,750.00	6,687.00	4,963.00	6,687.00	4,869.00	189,891.00
Leader	1	10,663.00	10,508.00	22,500.00	13,166.00	15,808.00	11,145.00	12,903.00	22,500.00	10,508.00	10,663.00
Audit Chair	1	4,739.00	3,520.18	5,625.00	2,634.00	*2212.00	2,788.00		5,625.00	2,212.00	4,739.00
Development Control Chair	1	4,739.00	3,940.50	11,950.00	3,949.00	5,763.00	2,788.00	6,452.00	11,950.00	2,788.00	4,739.00
Vice Chairman of Devt Control	1	1,185.00	1,313.50	*260.00	1,975.00	2,518.00		1,490.00	2,518.00	1,313.50	1,185.00
Licensing Chair	1	4,739.00	3,520.18	*260.00	2,634.00	2,601.00	2,788.00	1,490.00	4,739.00	1,490.00	4,739.00
Standards Chair	1	1,185.00	3,520.18			791	**366.00	1,490.00	3,520.18	791	1,185.00
Chairman of the Council	1	2,370.00	2,627.00	5,625.00	3,949.00	5,975.00		6,452.00	6,452.00	2,370.00	2,370.00
Leader of main opposition group	1	4,739.00	2,627.00	2,784.63	*2,634.00	2,212.00	5,573.00	2,978.00	5,573.00	2,212.00	4,739.00
Deputy Leader	1			14,763.00	9,216.00	8,694.00			14,763.00	8,694.00	
Leader of other opposition groups			1733.82	2812	*2,634.00	474	2,788.00		1,733.82	474	
Vice Chairman of Council	1	948		2812	987	2,091.00		1,490.00	2812	948	948
		Pays Vice Chairs * Committee System		* total = Payment is made per meeting chaired	*Opposition Group Leaders set at a minimun of five Members per group	** Allowances used were 2018- 2019**	Members are paid on Regulatory Committees				£225,198

BA and S R A 2021/2022		Current					Proposed				Delta		% Change
	Meeting Freq	Rate(inc IT)	Rate (ex IT)	Amount	No.	Total	Rate	Amount	No.	Total	Amount	Total	
Basic Allowance				£ 4,869.00	39	£ 189,891		£ 5,750	39	£ 224,250	£ 881	£ 34,359	15%
IT Allowance				£ 180.00	39	£ 7,020					-£ 180	-£ 7,020	
TOTAL				£ 5,049.00							£ 701	£ 27,339	
Leader		2.11	2.19	£ 10,663.00	1	£ 10,663	2.25	£ 12,938	1	£ 12,938	£ 2,275	£ 2,275	18%
Mayor (Chairman of Council)		0.47	0.49	£ 2,370.00	1	£ 2,370	0.50	£ 2,875	1	£ 2,875	£ 505	£ 505	18%
Deputy Mayor		0.19	0.19	£ 948.00	1	£ 948	0.20	£ 1,150	1	£ 1,150	£ 202	£ 202	18%
Reg Comm - Audit & Risk Committee - Chairman	Qtr	0.94	0.97	£ 4,739.00	1	£ 4,739	1.00	£ 5,750	1	£ 5,750	£ 1,011	£ 1,011	18%
Reg Comm - Audit & Risk Committee - Vice-Chairman	Qtr	0.23	0.24	£ 1,185.00	1	£ 1,185	0.25	£ 1,438	1	£ 1,438	£ 253	£ 253	18%
Reg Comm - Licensing - Chairman	8 weekly	0.94	0.97	£ 4,739.00	1	£ 4,739	1.00	£ 5,750	1	£ 5,750	£ 1,011	£ 1,011	18%
Reg Comm - Appeals - Chairman	Qtr	0.23	0.24	£ 1,185.00	1	£ 1,185	0.25	£ 1,438	1	£ 1,438	£ 253	£ 253	18%
Reg Comm - Development Control Committee - Chairman	4 weekly	0.94	0.97	£ 4,739.00	1	£ 4,739	1.25	£ 7,188	1	£ 7,188	£ 2,449	£ 2,449	34%
Reg Comm - Development Control Committee - Vice Chairman	4 weekly	0.23	0.24	£ 1,185.00	1	£ 1,185	0.33	£ 1,898	1	£ 1,898	£ 713	£ 713	38%
Group Leaders		0.00	0.00	£ -	0	£ -	0.00	£ -	0	£ -	£ -	£ -	
Policy & Resources Chairman	6 weekly	0.94	0.97	£ 4,739.00	1	£ 4,739	1.00	£ 5,750	1	£ 5,750	£ 1,011	£ 1,011	18%
Policy & Resources Vice-Chairman	6 weekly	0.23	0.24	£ 1,185.00	1	£ 1,185	0.25	£ 1,438	1	£ 1,438	£ 253	£ 253	18%
Economic Development Committee Chairman	8 weekly	0.94	0.97	£ 4,739.00	1	£ 4,739	1.00	£ 5,750	1	£ 5,750	£ 1,011	£ 1,011	18%
Economic Development Committee Vice-Chairman	8 weekly	0.23	0.24	£ 1,185.00	1	£ 1,185	0.25	£ 1,438	1	£ 1,438	£ 253	£ 253	18%
Environment Committee Chairman	8 weekly	0.94	0.97	£ 4,739.00	1	£ 4,739	1.00	£ 5,750	1	£ 5,750	£ 1,011	£ 1,011	18%
Environment Committee Vice-Chairman	8 weekly	0.23	0.24	£ 1,185.00	1	£ 1,185	0.25	£ 1,438	1	£ 1,438	£ 253	£ 253	18%
Housing & Neighbourhoods Committee Chairman	8 weekly	0.94	0.97	£ 4,739.00	1	£ 4,739	1.00	£ 5,750	1	£ 5,750	£ 1,011	£ 1,011	18%
Housing & Neighbourhoods Committee Vice-Chairman	8 weekly	0.23	0.24	£ 1,185.00	1	£ 1,185	0.25	£ 1,438	1	£ 1,438	£ 253	£ 253	18%
Reg Comm - Standards	Qtr	0.23	0.24	£ 1,185.00	1	£ 1,185	0.25	£ 1,438	1	£ 1,438	£ 253	£ 253	18%
Shadow Leader		0.94	0.97	£ 4,739.00	1	£ 4,739	1.00	£ 5,750	1	£ 5,750	£ 1,011	£ 1,011	18%
Total				£ 61,373.00		£ 258,284		£ 76,360		£ 300,610	£ 14,987	£ 42,326	20%

Service Committee Decision List from 2 June 2021 to 27 July 2021

	Details of Decision	Officer Lead
1	<p>Environment Committee – 28 July 2021</p> <p>HEMSBY ROCK BERM</p> <p>RESOLVED:-</p> <ol style="list-style-type: none"> 1) That the Committee note the progress of this work. 2) That the rock berm outline design (Option 1) is taken forward to seek necessary consents and licences with flexibility to construct the shorter (Option 2) or lower (Option 4) structures. Funding for consents and licences is available as identified in section 12.1 totalling no more than £10,000 this being delegated to Head of Property and Asset Management and Section 151 Officer to authorise the following applications: planning consent, marine licence, coast protection notification, landowner consents. 3) To exclude from further consideration rock berm option 3 for the reasons identified in table 1 of the report. 4) A funding Strategy be developed and funding applications submitted to relevant sources to maximise the likelihood of a scheme proceeding 	Jane Beck
2	<p>Environment Committee – 28 July 2021</p> <p>WASTE AND RECYCLING UPDATE</p> <p>RESOLVED:-</p> <ol style="list-style-type: none"> 1) to note the information contained within the report. 2) to note that service delivery in the main has been sustained with limited disruption despite the impact of Covid and the significant increase in tonnages and service demand 3) to continue to support the enforcement stance of Environmental Services around street scene issues including flytipping 4) to support the continuing educational work to address flytipping through localised targeted work (hotspot project) and collaborative work of the Norfolk Waste Enforcement Group. 	James Wilson

3	<p>Environment Committee– 28 July 2021</p> <p>FLYTIPPING AND WASTE HOTSPOT PROJECT UPDATE</p> <p>RESOLVED:-</p> <p>That the Committee note the project update.</p>	James Wilson
4	<p>Environment Committee– 28 July 2021</p> <p>ANNUAL PERFORMANCE STATISTICS UPDATE</p> <p>RESOLVED:-</p> <p>That the Committee noted the contents of the presentation.</p>	Chris Silverwood
5	<p>Environment Committee– 28 July 2021</p> <p>HOUSEHOLD WASTE AND RECYCLING COLLECTION ROUND REVIEW</p> <p>RESOLVED:-</p> <p>1)To confirm support to undertake a collection round review as set out in the report. 2)To agree to underwrite the cost of up to £15,000 to undertake the review as a joint project between the council and its joint venture company Great Yarmouth Borough Services Limited. 3)To request the Director of Operational Services to provide an update to the Environment committee pre-implementation of this review.</p>	Chris Silverwood
6	<p>Economic Development Committee – 13 September 2021</p> <p>ECONOMIC GROWTH STRATEGY AND ACTION PLAN UPDATE</p> <p>RESOLVED :</p> <p>That the Committee review and comment on the Economic Growth Action Plan progress update.</p>	Michelle Burdett

7	<p>Economic Development Committee – 13 September 2021</p> <p>ENTERPRISE ZONE UPDATE ON LEGAL AGREEMENT AND POT B INCREASE</p> <p>RESOLVED:-</p> <p>That the Committee review the paper and note the contents of the report</p>	Michelle Burdett.
8	<p>Economic Development Committee – 13 September 2021</p> <p>CITY OF CULTURE REQUEST FOR FUNDING AND REQUIREMNET FOR THE DEVELOPMENT OF A CIC.</p> <p>RESOLVED:-</p> <p>That the Committee:-</p> <p>a) Consider, comment and approve the process to date in terms of the development of a UK City of Culture 2025 application and the formalisation of a governance structure as summarised in this report,</p> <p>b) Further to recommendation (a), approve the proposal for one elected Member to sit on the Shadow Board and to approve that Member to be the Chair of Economic Development Committee,</p> <p>c) Approve the allocation of a £40,000 budget from the Special Projects Reserve at long-listing stage,</p> <p>d) Approve the proposal to establish a Community Interest Company with charitable trust status from April/May 2022 as a delivery body for the UK City of Culture 2025 programme; and</p> <p>e) Recommend to Council via a future report the formation of said Trust subject to a successful outcome from the DCMS competition.</p>	Paula Boyce/Michelle Burdett

9	<p>Economic Development Committee – 13 September 2021</p> <p>OFFSHORE WIND COMPETIVENESS PROJECT GENERATE MARKETING STRATEGY AND BRANDING UPDATE</p> <p>RESOLVED:-</p> <p>That the Committee:-</p> <p>(i) Review and comment on and support the proposed marketing strategy, framework and supporting activity to launch and embed the new brand into the wider energy sector and endo the launch of the strategy allowing officers to begin to focus on individual energy projects.</p>	Michelle Burdett
9	<p>Policy & Resources Committee – 14 September 2021</p> <p>QUARTER 1 KEY PROJECT AND PERFORMANCE REPORT</p> <p>RESOLVED:</p> <p>(i) All measures to be monitored during the next quarter; and</p> <p>(ii) All key projects would continue to be monitored over the next quarter with the aim of maintaining a green status and where possible, attaining a green status for those key projects which are currently amber.</p>	James Wedon
10	<p>Policy & Resources Committee – 14 September 2021</p> <p>SPD – INITIAL CONSULTATION DELEGATION</p> <p>RESOLVED:</p> <p>That the Committee:-</p> <p>Delegate authority to the Director of Planning & Growth, in consultation with the Chairman of the Policy & Resources Committee and the Local Plan Working Party, to approve the first stages of public consultation on emerging Supplementary planning Documents</p>	Sam Hubbard

11	<p>Policy and Resources Committee – 14 September 2021</p> <p>REVISED H & S POLICY</p> <p>RESOLVED:</p> <p>That the Committee formally agree the revisions to the H & S Policy.</p>	James Wilson
12	<p>Policy and Resources Committee – 14 September 2021</p> <p>REVENUES WRITE OFF REPORT</p> <p>RESOLVED:</p> <p>That the Committee approve and authorise individual write-offs as detailed within the Schedule 1 (Business Rates) and Schedule 2 (Sundry Debt).</p>	Stuart Brabben
13	<p>Policy and Resources Committee – 14 September 2021</p> <p>PERIOD 4 BUDGET MONITORING REPORT 2021-22</p> <p>RESOLVED:</p> <p>That the Committee note the content of the report and the revised forecast for 2021/22.</p>	Karen Sly

14	<p>Housing and Neighbourhoods Committee – 23 September 2021</p> <p>ACTIVE NORFOLK STRATEGY UPDATE</p> <p>RESOLVED:</p> <p>That the Committee note the update</p>	Kate Blakemore
15	<p>Housing and Neighbourhoods Committee – 23 September 2021</p> <p>PHYSICAL ACTIVITY DEVELOPMENT UPDATE</p> <p>RESOLVED:-</p> <p>That the Committee note the report.</p>	Kate Blakemore
16	<p>Housing and Neighbourhoods Committee – 23 September 2021</p> <p>2021-22 PERIOD 4 HOUSING REVENUE ACCOUNT BUDGET MONITORING REPORT</p> <p>RESOLVED:-</p> <p>That the Committee consider and note the 2021/22 Housing Revenue and capital Budget monitoring position, as at the end of period 4.</p>	Nicola Turner
17	<p>Housing and Neighbourhoods Committee – 23 September 2021</p> <p>PRIVATE SECTOR HOUSING ADAPTATION AND IMPROVEMENT POLICY</p> <p>RESOLVED:-</p> <p>That the Committee approve the Private Sector Adaptation & Improvement Policy.</p>	Nicola Turner

18	<p>Housing and Neighbourhoods Committee – 23 September 2021</p> <p>COMMUNITY GRANTS 2020-21 AND UPDATE ON THE COMMUNITY INVESTMENT FUND 2021-22</p> <p>RESOLVED:-</p> <p>That the Committee:-</p> <p>(i) Note the outcome and impact of the Council's Community Grants provided to VCSEs up to 30 August 2021,</p> <p>(ii) Note the progress on the Community Champions' outreach programme; and</p> <p>(iii) Receive and note the update on the Great Yarmouth Community Investment Fund administered by the Norfolk Community Foundation and the Foundation's plan to grow this independent fund.</p>	Paula Boyce
19	<p>Housing and Neighbourhoods Committee – 23 September 2021</p> <p>ROUGH SLEEPING ACCOMMODATION PROGRAMME BID - HOUSING FIRST SCHEME</p> <p>RESOLVED:-</p> <p>That the Housing and Neighbourhoods Committee recommend to Full Council:-</p> <ol style="list-style-type: none"> 1. Approve the purchase and renovation of five properties to be used to meet the needs of rough sleepers with high support needs within the parameters of the project as set out in this report and the Confidential Appendix, 2. Approve, subject to a successful application for grant funding, the expenditure and the borrowing set out in the report at paragraph 3.1. i.e. the purchase, repair and renovation and furnishing of the properties, 3. Delegate decisions in relation to the purchase of the properties and the completion of the required renovation works to the Head of Property and Asset Management and the Section 151 Officer in accordance with the Property Acquisitions and Disposals Policy, 4. Approve the procurement of a third-party support provider to deliver the support and manage the five homes; and 5. Accept the Rough Sleeping Accommodation Programme grant funding and conditions. 	Nicola Turner

20	<p>Environment Committee – 29 September 2021</p> <p>NORFOLK STRATEGIC FLOODING ALLIANCE (NSFA) STRATEGY AND ACTION PLAN</p> <p>RESOLVED</p> <p>To endorse the Norfolk Strategic Flooding Alliance Strategy and Action Plan as set out in Appendix 1 of the report.</p> <p>To support a collaborative approach to flooding and water management in Norfolk.</p> <p>To ensure that there continues to be a planned and resilient approach to flooding across the County.</p>	Karen Thomas (Coastal Partnership)
21	<p>Environment Committee – 29 September 2021</p> <p>HOUSEHOLD WASTE AND RECYCLING COLLECTION REVIEW</p> <p>RESOLVED</p> <p>To note the update contained in the report.</p> <p>To approve the implementation of round review as set out in para 3 of the report.</p>	James Wilson
22	<p>Policy & Resources Committee – 2 November 2021</p> <p>ARMED FORCES COVENANT</p> <p>RESOLVED :</p> <p>That the Committee :</p> <p>(1) Support the principles of this paper and the Armed Forces Covenant</p> <p>(2) Agree to allow officer time to support the Armed Forces Covenant</p> <p>(3) Agree to implement the Guaranteed interview Scheme for service leavers</p> <p>(4) Sign the Armed Forced Covenant Declaration</p> <p>(5) Recommend to Council that a Member be nominated to champion the council's commitment to the Armed Forces Covenant.</p>	Laura Goodman

23	<p>Policy & Resources Committee – 2 November 2021</p> <p>LOCAL DEVELOPMENT ORDER REVIEW CONSULTATION</p> <p>RESOLVED :</p> <p>That the Committee approve the draft Local Development Orders and Associated Design Codes for consultation.</p>	Sam Hubbard
24	<p>Policy & Resources Committee – 2 November 2021</p> <p>2021/22 PERIOD 6 BUDGET MONITORING</p> <p>RESOLVED :</p> <p>(1) That the Committee note the content of the Financial Services Manager's report and the revised forecast for 2021/22.</p> <p>(2) Approve the use of the £26,000 from the Special Projects Reserve as detailed within the report.</p>	Lorna Snow
25	<p>Policy & Resources Committee – 2 November 2021</p> <p>2021/22 TREASURY MANAGEMENT MID YEAR REPORT</p> <p>RESOLVED :</p> <p>That the Committee approve the Treasury Management half yearly report for 2021/22.</p>	Lorna Snow

URN: 21-134

Subject: Armed Forces Covenant

Report to: Council – 9 December 2021

Report by: Civic & Events Manager

EXECUTIVE SUMMARY

This paper outlines the principles of the Armed Forces Covenant and the commitments Great Yarmouth Borough Council would undertake in supporting it.

RECOMMENDATIONS

Policy and Resources Committee recommend that Council :

- Support the principles of this paper and the Armed Forces Covenant
- Agree to allow officer time to support the Armed Forces Covenant
- Agree to implement the Guaranteed interview Scheme for service leavers
- Sign the Armed Forces Covenant Declaration
- Agree that a Council Member be nominated to champion the council's commitment to the Armed Forces Covenant

1.0 Introduction

- 1.1 The Ministry of Defence (MOD) launched the National Armed Forces Military Covenant in June 2011 in recognition of the contribution and sacrifice service personnel make for their country.
- 1.2 The Armed Forces Covenant is a promise from the nation that those who serve or have served in the Armed Forces, and their families, are treated fairly and are not disadvantaged in their day-to-day lives. This social contract exists to ensure that the sacrifices, made by the Armed Forces Community in the national interest, should not come at significant cost.
- 1.3 The Armed Forces Covenant sees organisations from both the public and private sectors, make pledges of support to the Armed Forces Community, when carrying out their work, specifically, that:
 - no member of the Armed Forces Community should face disadvantage in the provision of public and commercial services compared to any other citizen; and
 - in some circumstances special treatment may be appropriate especially for the injured or bereaved

2.0 New Legislation

The Government's expectations of local authorities were summarised in its policy paper published in 2015. This is to be strengthened through the new duty legislation, currently making its way through Parliament.

This means that those subject to the Covenant Duty must have due regard to:

1. the unique obligations of, and sacrifices made by, the armed forces,
2. the principle that it is desirable to remove disadvantages arising for service people from membership, or former membership, of the armed forces, and
3. the principle that special provision for service people may be justified by the effects on such people of membership, or former membership, of the armed forces.

The focus of the new Covenant Duty is on local, and regional as appropriate, service provision, covering those aspects of public housing, education and healthcare that are among the most likely to affect serving and former members of the Armed Forces and their families.

3.0 Housing

To support our covenant pledge, our Housing Allocations Scheme has special consideration for the armed forces community reflecting both legislation and statutory guidance.

The Housing Allocations Scheme (2018) includes the following provisions:

- Additional preference (backdating of application date by 12 months) for applicants who meet one or more of the reasonable preference criteria and who are:
 - a member of the Armed Forces, or former Service personnel where their application is made within five years of discharge.
 - Are a bereaved spouse or civil partner of a member of the Armed Forces leaving Service Family Accommodation following the death of their spouse or partner
 - Are a serving member or former member of the Reserve Forces who needs to move because of a serious injury, medical condition or disability sustained as a result of their service.
- Exemption from local connection criteria where:
 - The applicant is a member of the Armed Forces and former Service personnel, where their application is made within five years of discharge
 - The applicant is a bereaved spouse or civil partner of a member of the Armed Forces leaving Service Family Accommodation following the death of their spouse or partner
 - The applicant is a serving member or former member of the Reserve Forces who needs to move because of a serious injury, medical condition or disability sustained as a result of their service.

In addition, in considering qualification to join the Allocation Pool, the Council will disregard any lump sum paid as a result of injury or disability to a current or former member of the regular or reserve services.

4.0 Employment

In making our commitment to giving fair support to members of the armed forces, service leavers and their families it is proposed to introduce a Guaranteed Interview Scheme for service leavers, this will mirror the Guaranteed Interview Scheme for disabled candidates which the council already has in place.

The aims of the scheme are to:

- assist service leavers overcome barriers to finding employment
- reduce the risk of service leavers having health and welfare problems due to long-term unemployment
- complement the re-employment support provided by the Ministry of Defense
- benefit from the transferable skills and qualities of service leavers

We recognise the value serving personnel, reservists, veterans and military families bring to our business and to our country.

To support the employment of Service spouse and partners we will partner with the [Forces Families Jobs Forum](#) and providing flexibility in granting leave for Service spouses and partners, during and after partners deployment.

We support our employees who are members of Reserve Forces, granting two weeks per year leave for the purposes of attending summer camps and training, subject to the exigencies of the service.

5.0 Supporting Local Events

Great Yarmouth has a long civic tradition with supporting the armed services and marking commemorations such as D Day, Armed Forces Day, VE Day, VJ Day and Remembrance Day. In 20012 Great Yarmouth became affiliated with HMS Dauntless.

6.0 Commitment

6.1 In supporting the Armed Forces Covenant we recognise the value serving personnel, reservists, veterans and military families bring to our organisation and to our country. We will seek to uphold the principles of the Armed Forces Covenant, by:

- **Promoting the Armed Forces:** promoting the fact that we are an Armed Forces-friendly organisation, to our staff, customers, suppliers, contractors and wider public.
- **Veterans:** supporting the employment of veterans, recognising military skills and qualifications in our recruitment and selection process; working with the Career Transition Partnership (CTP) to support the employment of Service leavers;
- **Service Spouses & Partners:** supporting the employment of Service spouses and partners; partnering with the [Forces Families Jobs Forum](#); and providing flexibility in granting leave for Service spouses and partners before, during and after a partner's deployment.

- **Reserves:** supporting our employees who are members of the Reserve Forces; granting additional paid/unpaid leave for annual Reserve Forces training; supporting any mobilisations and deployment; actively encouraging members of staff to become Reservists;
- **Cadet Organisations:** supporting our employees who are volunteer leaders in military cadet organisations, granting additional leave to attend annual training camps and courses; actively encouraging members of staff to become volunteer leaders in cadet organisations; supporting local military cadet units; recognising the benefits of employing cadets/ex-cadets within the workforce.
- **National Events:** supporting Armed Forces Day, Reserves Day, the Poppy Appeal Day and Remembrance activities;
- **Armed Forces Charities:** supporting Armed Forces charities with fundraising and supporting staff who volunteer to assist;
- **Commercial Support:** We would encourage local businesses to offer a discount to members of the Armed Forces community.

6.2 We will publicise these commitments through our literature and on our website, setting out how we will seek to honour them and inviting feedback from the Service community and our customers on how we are doing.



GREAT YARMOUTH BOROUGH COUNCIL

**We, the undersigned, commit to honour the Armed
Forces Covenant and support the Armed Forces
Community. We recognise the value Serving Personnel,
both Regular and Reservists, Veterans and military
families contribute to our business and our country.**

Signed on behalf of:

Great Yarmouth Borough Council

Signed:

Name:

Position:

Date:



The Armed Forces Covenant

An Enduring Covenant Between

The People of the United Kingdom

Her Majesty's Government

- All those who serve or have served in the Armed Forces of the Crown

And their Families

The first duty of Government is the defence of the realm. Our Armed Forces fulfil that responsibility on behalf of the Government, sacrificing some civilian freedoms, facing danger and, sometimes, suffering serious injury or death as a result of their duty. Families also play a vital role in supporting the operational effectiveness of our Armed Forces. In return, the whole nation has a moral obligation to the members of the Naval Service, the Army and the Royal Air Force, together with their families. They deserve our respect and support, and fair treatment.

Those who serve in the Armed Forces, whether Regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.

This obligation involves the whole of society: it includes voluntary and charitable bodies, private organisations, and the actions of individuals in supporting the Armed Forces. Recognising those who have performed military duty unites the country and demonstrates the value of their contribution. This has no greater expression than in upholding this Covenant.

Section 1: Principles of The Armed Forces Covenant

1.1 We Great Yarmouth Borough Council will endeavour in our business dealings to uphold the key principles of the Armed Forces Covenant, which are:

- *no member of the Armed Forces Community should face disadvantage in the provision of public and commercial services compared to any other citizen*
- *in some circumstances special treatment may be appropriate especially for the injured or bereaved.*

Section 2: Demonstrating our Commitment

The following are suggested draft pledges covering the range of Defence personnel for whom support may be given. Delete, add or change any of the pledges to show how you can pledge support for Defence personnel in ways best suited to you. Pledges may be changed at any time in the future to reflect your changing circumstances.

2.1 We recognise the value serving personnel, reservists, veterans and military families bring to our business and to our country. We will seek to uphold the principles of the Armed Forces Covenant, by:

- **Promoting the Armed Forces:** promoting the fact that we are an Armed Forces-friendly organisation, to our staff, customers, suppliers, contractors and wider public.
- **Veterans:** supporting the employment of veterans, recognising military skills and qualifications in our recruitment and selection process; working with the Career Transition Partnership (CTP) to support the employment of Service leavers;
- **Service Spouses & Partners:** supporting the employment of Service spouses and partners; partnering with the Forces Families Jobs Forum; and providing flexibility in granting leave for Service spouses and partners before, during and after a partner's deployment.
- **Reserves:** supporting our employees who are members of the Reserve Forces; granting additional paid/unpaid leave for annual Reserve Forces training; supporting any mobilisations and deployment; actively encouraging members of staff to become Reservists;
- **Cadet Organisations:** supporting our employees who are volunteer leaders in military cadet organisations, granting additional leave to attend annual training camps and courses; actively encouraging members of staff to become volunteer leaders in cadet organisations; supporting local military cadet units; recognising the benefits of employing cadets/ex-cadets within the workforce.
- **National Events:** supporting Armed Forces Day, Reserves Day, the Poppy Appeal Day and Remembrance activities;

- **Armed Forces Charities:** supporting Armed Forces charities with fundraising and supporting staff who volunteer to assist;
- **Commercial Support:** offering a discount to members of the Armed Forces community;
- **Membership of the local Armed Forces Covenant Working Party:** The Council will appoint a Member and Officer to sit on the working party.

2.2 We will publicise these commitments through our literature and/or on our website, setting out how we will seek to honour them and inviting feedback from the Service community and our customers on how we are doing.

URN: 21-154

Subject: Gambling Policy

Report to: Licensing Committee – 22 November 2021

Council – 9 December 2021

Report by: Licensing and Elections Manager

SUBJECT MATTER AND DECISION REQUIRED

Section 349 of the Gambling Act, 2005 requires licensing authorities to publish a ‘Statement of the Principles’ that they propose to apply in exercising their functions under the Act, applicable to a 3 year period. Great Yarmouth’s existing Statement of Principles (Gambling Policy) expires on 30 January 2022 and a reviewed policy must be published by 3 January 2022.

A draft policy has been subject to consultation over a 9 week period during July and September 2021. No comments were received during this consultation.

RECOMMENDATION

Licensing Committee recommend that Council :

(1) Approve the attached draft policy as the new Gambling Statement of Principles

1. Background

- 1.1 Section 349 of the Gambling Act 2005 (the ‘Act’) requires the Borough Council as a licensing authority, to prepare and publish a Statement of the Principles (Gambling Policy) that it proposes to apply in exercising its functions under the Act. The Act requires that licensing authorities publish their Statement of Principles every 3 years.
- 1.2 The Council’s existing Statement of Principles (Gambling Policy) expires on 30 January 2022 and by this date the Licensing Authority must have reviewed its Gambling Policy.
- 1.3 The Licensing Authority must publish its policy at least 4 weeks prior to it taking effect. Therefore, we must publish our policy on or before 3 January 2022 for it to take effect on 31 January 2022.
- 1.4 The timeline of events for review of policy:
 - Formulation of draft policy
 - Consultation
 - Consideration of consultation responses
 - Formulation of final draft policy
 - Approval of Licensing Committee
 - Inclusion in agenda papers for Full Council

2 Amendments

- 2.1 The policy document has been revised to reflect changes in legislation, Gambling Commission guidance and related matters where required. These amendments are shown in red on the attached document.

3. Consultation

- 3.1 The policy document has been reviewed and updated to reflect minimal changes in legislation, Gambling Commission guidance and related matters. These amendments are shown in red on the attached document.
- 3.2 This draft policy was subject to a 9 week consultation period and included the responsible authorities and a range of organisations such as the Police and Gambling Commission, existing gambling operators and organisations representing vulnerable people.
- 3.3 No comments in response to the consultation have been received.

4. Recommendations

- 4.1 It is recommended that the attached policy be agreed for adoption by full Council on 9 December 2021. The Gambling Statement of Principles will then be published on 3 January 2022 and come into effect on 31 January 2022.

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?

Area for consideration	Comment
Monitoring Officer Consultation:	
Section 151 Officer Consultation:	
Existing Council Policies:	Statement of Principles (Gambling Policy)
Financial Implications (including VAT and tax):	None
Legal Implications (including human rights):	Yes - Nplaw consulted
Risk Implications:	
Equality Issues/EQIA assessment:	
Crime & Disorder:	
Every Child Matters:	



GAMBLING ACT 2005

Statement of Principles (Gambling Policy)

Great Yarmouth Borough Council
Town Hall
Great Yarmouth
NR30 2QF

Telephone: 01493 846530
Email: gambling@great-yarmouth.gov.uk
Web-site: www.great-yarmouth.gov.uk

Approved by Licensing Committee on:
Approved by Council on:
Effective from:

If you require this in a different format or language,
please contact the Licensing Team

Great Yarmouth Borough Council -- Gambling Statement of Principles v5

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Great Yarmouth Borough Council -- Gambling Statement of Principles v5

PART A

1. The Gambling Licensing Objectives

In exercising most of their functions under the Gambling Act 2005 (the Act), licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

It should be noted that the Gambling Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".

This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it shall aim to permit the use of premises for gambling in so far as it thinks it:

- In accordance with any relevant code of practice issued by the Gambling Commission, and
- In accordance with any relevant guidance issued by the Gambling Commission, and
- Reasonably consistent with the licensing objectives and
- In accordance with the authority's statement of licensing policy

2. Introduction

Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from "time to time" and any amended parts re-consulted upon. The statement must be then re-published.

Great Yarmouth Borough Council as Licensing Authority [this licensing authority] published its first Statement (generally referred to as the Council's Gambling Policy) in December 2006 following statutory consultation. The Gambling Policy has been reviewed every three years since.

Consultation process on the Gambling Policy

In preparing this version of the Statement, this licensing authority has consulted widely upon this statement before finalising and publishing. ~~A list of those persons consulted is provided at appendix 2.~~

The Gambling Act requires that the following parties are consulted by Licensing Authorities:

- The Chief Officer of Police;
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area;
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

Great Yarmouth Borough Council -- Gambling Statement of Principles v5

This policy has been drafted after consultation with the following organisations and individuals:

- Gambling Commission
- Norfolk Constabulary
- Responsible authorities
- Existing Licence holders (casinos, bingo premises, betting premises, Adult Gaming Centres, Family Entertainment Centres, permit holders, Great Yarmouth Racecourse, Great Yarmouth Stadium)
- Greater Yarmouth Tourist Authority
- BACTA
- D. P. Leisure
- Gamblers Anonymous
- Residents Associations
- Various Solicitors
- Bingo Association
- Citizens Advice Bureau (Norfolk)
- Faith groups
- Gamblers Anonymous
- Various Solicitors
- Poppleston Allen
- Gamcare
- Norfolk Chamber of Commerce & Industry
- British Beer and Pub Association
- Racecourse Association Ltd

Additionally, it was available for the general public through consultation on the council's web site,

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Our consultation took place between 30 July 2021 and 28 September 2021 following the principles in the HM Government Cabinet Office guidance (published 2016),

The full list of comments made and the consideration by this licensing authority of those comments is available by request to: the Licensing Manager, Great Yarmouth Borough Council, Licensing Team, Town Hall, Great Yarmouth, NR30 2QF and via the Council's website at: www.great-yarmouth.gov.uk

The Licensing Authority will also consult the above and any other relevant persons as may be appropriate for any subsequent revision of the statement

This version of the policy was approved at a meeting of the Full Council on ? and was published via our website on Copies were also available in the Town Hall.

Should you have any comments as regards this policy statement please send them via e-mail or letter to the following contact:

Name: Licensing Manager

Address: Great Yarmouth Borough Council, Licensing Team, Town Hall, Great Yarmouth, NR30 2QF

Great Yarmouth Borough Council -- Gambling Statement of Principles v5

E-mail: licensing@great-yarmouth.gov.uk

It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

Local Area profile

A detailed local area profile has been prepared based on local knowledge and taking into account a wide range of factors, data and information held by the licensing authority and its partners. It is anticipated that the local area profile will give operators a better awareness of the local area and the risks, which includes both potential and actual risks. The local area profile document can be accessed via the council's website.

In summary the area is as follows:

The borough of Great Yarmouth is a diverse coastal area, focused around two urban centres – Great Yarmouth and Gorleston – and surrounded by a rural hinterland of small villages on the edge of the Norfolk Broads. The Council area has a population of 99,370 (ONS 2019) and is growing with a prediction to reach 102,531 by 2041. 51% of local residents are female and 49% are male. The proportion of people aged over 65 is relatively high and is growing.

96.9% of the borough's population identify as ethnically white. This is in line with the rest of Norfolk but higher than the national average. By contrast, two wards covering the town centre - Nelson, Central and Northgate – have 18% (or 3,081) of people that do not identify as white British. This reflects national trends, with greater ethnic diversity in urban centres than rural locations.

The borough has over 3000 active businesses (ONS 2018) and two Enterprise Zones. The Enterprise Zones were created in 2012 to encourage offshore energy, port and logistics activity in both South Denes and Beacon Park. The Beacon Park Enterprise Zone is one of the most successful in the country. Traditional tourism remains a key element of the local economy. The tourism sector includes employment in accommodation and food services, arts and entertainment.

The Council area is a mixture of urban and rural areas. The urban areas are the towns of Great Yarmouth and Gorleston on sea and the large parishes of Bradwell and Caister on sea. The rural area consists of the remaining 19 parishes. These areas are shown in the map attached at appendix 1.

3. Declaration

In producing the final statement, this licensing authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance to Local Authorities issued by the Gambling Commission (published in April 2021) and any responses from those consulted on the statement.

4. Responsible Authorities

The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- the need for the body to be responsible for an area covering the whole of the licensing authority's; area and

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- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

In accordance with the Gambling Commission's Guidance for local authorities, this licensing authority designates the Norfolk Safeguarding Children Board for this purpose.

The contact details of all the Responsible Authorities under the Gambling Act 2005 for this licensing authority area are available via the Council's website

www.great-yarmouth.gov.uk/article/2360/Gambling-premises-licence

5. Interested parties

Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

"For the purposes of this Part a person is an interested party in relation to a premises licence or an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications ~~is~~ are made, the person-

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,*
- b) has business interests that might be affected by the authorised activities, or*
- c) represents persons who satisfy paragraph (a) or (b)"*

The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

- Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities. It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.
- Interested parties can be persons who are democratically elected such as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish councils likely to be affected, will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.
- If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the licensing team (contact details, page 44).

6. Exchange of Information

Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

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The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the General data protection regulations (GDPR) will not be contravened. The licensing authority will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

Should any protocols be established as regards information exchange with other bodies then they will be made available.

7. Enforcement approach

Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

This licensing authority's principles are that:

It will be guided by the Gambling Commission's Guidance for local authorities and will endeavour to be:

- **Proportionate:** regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- **Accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
- **Consistent:** rules and standards must be joined up and implemented fairly;
- **Transparent:** regulators should be open, and keep regulations simple and user friendly; and
- **Targeted:** regulation should be focused on the problem, and minimise side effects.

As per the Gambling Commission's Guidance for local authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 relates to premises to ensure compliance with the premises licences and other permissions which it authorises and to ensure premises are not operating without the requisite licence. The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by the licensing authority but should be notified to the Gambling Commission.

This licensing authority also keeps itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

7.1 Enforcement policy

The Council's Licensing enforcement policy will be followed in respect of any compliance monitoring and enforcement action taken in concerning gambling activities under the licensing authority's enforcement jurisdiction. This is accessible via the council's website.

7.2 Inspection activity and visits

This licensing authority has adopted and implemented a risk-based inspection programme, based on;

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- The licensing objectives
- Relevant codes of practice
- Guidance issued by the Gambling Commission, in particular at Part 36
- The principles set out in this statement of licensing policy

7.3 Dealing with non-compliance /risks to the licensing objectives

As well as sanctions available under the Gambling Act 2005 this licensing authority will seek to use all appropriate powers available to it. Where premises are associated with anti-social behaviour then tools specifically designed to reduce anti-social behaviour such as dispersal powers, community protection notices or public space protection orders may be appropriate.

Where there is a Primary Authority scheme in place, this licensing authority will seek guidance from the Primary Authority before taking any enforcement action.

7.4 Tackling illegal gambling

This licensing authority will work together the Commission to identify and investigate organised or persistent illegal activity.

7.5 Fee setting and structure

Fees for certain gambling permits and licensing transactions are set nationally by statute. They include

- Unlicensed Family Entertainment Centre Gaming Machine Permits
- Registration of Small Society Lottery Licences (including an annual maintenance fee)
- Club Gaming Permits
- Club Gaming Machine Permits
- Alcohol Licensed Premises Gaming Machine Permits
- Prize Gaming Permit

However, fees for licences issued under the Gambling Act 2005 by this licensing authority are set by this licensing authority in accordance with statutory provisions. This licensing authority has sought to set fees at a level to cover the costs of undertaking the administration of the gambling licensing function.

Fees are approved each year by the Full Council and are published on the Councils website.

8. Licensing Authority functions

Licensing Authorities are required under the Act to:

- be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*
- issue *Provisional Statements*
- *regulate members' clubs and miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- *issue Club Machine Permits to Commercial Clubs*
- grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing

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- Act 2003, where there are more than two machines
- *register small society lotteries* below prescribed thresholds
- *issue Prize Gaming Permits*
- receive and endorse Temporary Use Notices
- receive Occasional Use Notices
- provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- maintain registers of the permits and licences that are issued under these functions

It should be noted that local licensing authorities are not involved in licensing remote gambling at all, which is regulated by the Gambling Commission via operating licences

PART B

PREMISES LICENCES: CONSIDERATION OF APPLICATIONS

1. General Principles

Premises licences are subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. The licensing authority notes that the mandatory conditions have been set with the intention that no further regulation in respect of matters covered by the mandatory conditions is required. The licensing authority will only consider doing so where there are regulatory concerns of an exceptional nature and will ensure that any additional licence conditions relate to the licensing objectives.

(i) Decision making

This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:

- (a) in accordance with relevant code of practice issued by the Gambling Commission; and
- (b) in accordance with relevant guidance issued by the Gambling Commission; and
- (c) reasonably consistent with the licensing objectives; (subject to paragraph (a) and (b))-and
- (d) in accordance with the authority's statement of licensing policy. (subject to paragraphs (a) to (c)).

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It is appreciated that as per the Gambling Commission's Guidance for local authorities "moral and ethical objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any 'no casino resolution' - see section on Casinos below – page 10) and also that unmet demand is not a criterion for a licensing authority.

Codes of practice and guidance from the Gambling Commission can be accessed via the Commission's website at www.gamblingcommission.gov.uk

(ii) Appropriate Licensing Environment

This licensing authority also notes Gambling Commission guidance on Appropriate Licensing Environment (previously known as primary gambling activity). It is not permissible for an operator to offer gaming machines on a premises which is licensed for non-remote betting but not to offer sufficient facilities for non-remote betting. A ~~non-remote general~~ betting ~~operating~~-licence authorises its holder to 'provide facilities for betting' (s.65(2)(c) of the Act). Likewise, a betting premises licence authorises premises to be used for 'the provision of facilities for betting...' (s.150(1)(e) of the Act). The ability to make up to four gaming machines, within

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categories B2—, C or D, available is an additional authorisation conferred upon the holder of a betting premises licence (s.172(8) of the Act); it is not a free standing right to make gaming machines available for use. It follows that unless a betting premises operator offers sufficient facilities for betting it should not be making gaming machines available on the premises in question.

This authority notes the Commission's view that it is also important, in relation to the licensing objective of protecting vulnerable persons from being harmed or exploited by gambling, that customers should be offered a balanced mix of betting and gaming machines in licensed betting premises. Accordingly, an operating licence condition provides that gaming machines may be made available for use in licensed betting premises only at times when there are also sufficient facilities for betting available. In this respect, such facilities must include information that enables customers to access details of events on which bets can be made, make such bets, learn of the outcome and collect any winnings.

(iii) Definition of "premises"

In the Act, "premises" is defined as including "any place". Section 152 of the Act prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, the licensing authority shall pay particular attention if there are issues about subdivisions of a single building or plot and shall ensure that mandatory conditions relating to access between premises are observed.

The Gambling Commission states in its Guidance to Licensing Authorities that: "In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing authority. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises."

This licensing authority takes particular note of the Gambling Commission's Guidance to Licensing Authorities which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

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- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.

The Guidance also gives a list of factors which the licensing authority should be aware of in deciding whether two or more proposed premises are truly separate including:

- Do the premises have a separate registration for business rates
- Is the premises' neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

The Gambling Commission's relevant access provisions for each premises type are reproduced below:

Casinos

- The principal access entrance to the premises must be from a street
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises

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Betting Shops

- Access must be from a street or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind unless that shop is itself a licensed betting premises.

Tracks

- No customer must be able to access the premises directly from:
 - a casino
 - an adult gaming centre

Bingo Premises

- No customer must be able to access the premise directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Family Entertainment Centre

- No customer must be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

The Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

(iv) Premises "ready for gambling"

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, the Act allows potential operators to apply for a provisional statement.

However, operators can apply for a premises licence in respect of premises which still have to be constructed or altered, and the licensing authority is required to determine any such applications on their merit.

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Such cases shall be considered in a two stage process:

- First, the licensing authority shall decide whether, as a matter of substance after applying the principles in section 153 of the Act, the premises ought to be permitted to be used for gambling
- Second, in deciding whether or not to grant the application the licensing authority will need to consider if appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

More detailed examples of the circumstances in which such a licence may be granted can be found in the Gambling Commission Guidance.

(v) Location

This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision-making. As per the Gambling Commission's Guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.

Assessing local risk

The requirement for operators to assess local risk is included in the Social responsibility code provision 10.1.1 which came into force on 6 April 2016. This requires operators to understand the local environment and reflect that awareness in their procedures and policies, so that they can mitigate any local risks to the licensing objectives.

This applies to:

- adult gaming centres
- family entertainment centres
- non-remote betting
- non-remote bingo
- non-remote casinos
- remote betting intermediaries (trading room only)

Licensees must review (and update as necessary) their local risk assessments:

- a) to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of licensing policy
- b) When there are significant changes at a licensee's premises that may affect their mitigation of local risks
- c) When applying for a variation of a premises licence and
- d) In any case, undertake a local risk assessment when applying for a new premises licence

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The Borough Council will expect the local risk assessment to consider as a minimum:

- The location of services for children such as schools, playgrounds, leisure/community centres and other areas where children will gather
- The demographics of the area in relation to vulnerable groups
- Whether the premises is in an area subject to high levels of crime and/or disorder
- Local risk assessments should show how vulnerable people, including people with gambling dependencies are protected.

(vi) Planning

The Gambling Commission Guidance to Licensing Authorities states:

7.58 In determining applications, the licensing authority should not take into consideration matters that are not related to gambling and the licensing objectives. One example would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal. Licensing authorities should bear in mind that a premises licence, once it comes into effect, authorises premises to be used for gambling. Accordingly, a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

This authority will not take into account irrelevant matters as per the above guidance. In addition this authority notes the following excerpt from the Guidance:

7.65 "When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have to comply with the necessary planning or building consents. Nor should fire or health and safety risks be taken into account. Those matters should be dealt with under relevant planning control, building and other regulations, and must not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building."

(vii) Duplication with other regulatory regimes

This licensing authority seeks to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and

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consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations

Licensing objectives - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to local authorities and some comments are made below.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime - This licensing authority is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors (for example whether police assistance was required and how threatening the behaviour was to those who could see it) so as to make that distinction.

Ensuring that gambling is conducted in a fair and open way - This licensing authority has noted that the Gambling Commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section below.

Protecting children and other vulnerable persons from being harmed or exploited by gambling - This licensing authority has noted the Gambling Commission's Guidance for local authorities states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

This licensing authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises. The full set of codes of practice can be accessed via the Gambling Commission website at www.gamblingcommission.org.uk

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As regards the term “vulnerable persons” it is noted that the Gambling Commission does not seek to offer a definition but states that “it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.” This licensing authority will consider this licensing objective on a case by case basis.

Conditions - Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to way in which the licensing objectives can be met effectively.

This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the

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impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision under S170 of the Act prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

Door Supervisors - The Gambling Commission advises in its Guidance for local authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a condition on the premises licence to this effect.

Where it is decided that supervision of entrances / machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary (as per the Guidance)

It should be noted that there is a specific exemption from SIA registration for those persons directly employed by the operator of a bingo club or casino. Therefore, only third party contract staff are required to be SIA registered for such premises.

2. Adult Gaming Centres

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

This licensing authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours

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- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

3. (Licensed) Family Entertainment Centres:

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

This licensing authority may consider measures to meet the licensing objectives such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

This licensing authority will refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

4. Casinos

Large Casino Premises Licence

4.1 In 2006, Great Yarmouth Borough Council submitted a proposal to the Independent Casino Advisory Panel to license one regional, one large and two small casinos. On 19 May 2008 the Categories of Casino Regulations 2008 and the Gambling (Geographical Distribution of Large and Small Casino Premises Licences) Order 2008 were made. The latter Order specifies which Licensing Authorities may issue Large and Small Casino Premises Licences. Great Yarmouth Borough Council

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was one of the eight authorities authorised to issue a large Casino Premises Licence.

4.2 On 26 February 2008, the Secretary of State issued the Code of Practice on Determinations relating to large and small Casinos. The Licensing Authority will comply with this Code which sets out:

- a) the procedure to be followed in making any determinations required under Paragraphs 4 and 5 of Schedule 9 to the Gambling Act 2005; and
- b) matters to which the Licensing Authority should have regard in making those determinations.

4.3 In 2011, Great Yarmouth Borough Council published an invitation calling for applications for the large casino premises licence or provisional statement in accordance with the Gambling (Inviting Competing Applications for Large and Small Casino Premises Licences) Regulations 2008.

4.4 Great Yarmouth Borough Council considered 2 applications for a provisional statement which were received as a result of the invitation. Both applications were approved at stage 1.4.5 In 2012, Great Yarmouth Borough Council granted a provisional statement to the successful applicant. This statement expired on 9 April 2017.

4.6 Great Yarmouth Borough Council has no current plans to rerun the process of inviting applications to enable the issue of a premise licence or provisional statement for a large casino but may do so in the future.

4.7 Great Yarmouth Borough Council will follow the general principles when an invitation is published.

General Principles

4.8 The Licensing Authority recognises that applicants may either apply for a full Casino Premises Licence or alternatively a Provisional Statement. Applicants for full Premises Licences however must fulfil certain criteria in that they must:

- (a) hold or have applied for an Operating Licence; or
- (b) have the right to occupy the premises in question.

4.9 In making any decision in respect of an application, the Licensing Authority shall not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with the law relating to planning or building regulation and any decision shall not constrain any later decision by the Authority under the law relating to planning or building. The Licensing Authority does, however, recommend that applicants obtain planning permission as soon as reasonably practicable as deliverability of a project is one of the criteria which will be considered by the Licensing Authority in making its determination.

4.10 The Licensing Authority shall ensure that any pre-existing contract, arrangements or other relationship with a company or individual does not affect the procedure for assessing applications so as to make it unfair or perceived to be unfair

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to any applicant. The Licensing Authority shall therefore disregard any contract, arrangement or other relationship.

4.11 The Licensing Authority's decision will not be prejudged and where advice is sought this will be impartial advice.

Casino Application Stage 1

4.12 The Large Casino Licensing Process will be started by the Licensing Authority publishing an invitation calling for applications.

4.13 The Licensing Authority shall provide a detailed application pack which will include a Statement of the principles that it proposes to apply and the procedures that it proposes to follow, in assessing applications for the Large Casino Premises Licence.

4.14 At Stage 1, the Licensing Authority cannot accept any additional information other than the prescribed application form and plan laid down in The Gambling Act 2005 (Premises Licences and Provisional Statements) (England and Wales) Regulations 2007. All such additional information will be disregarded and returned to the applicant.

4.15 With regard to Stage 1, the General Principles as stated in Part B - paragraph 1 of the Gambling Policy shall apply to all applications.

4.16 The Licensing Authority recognises that each of the other competing applicants is considered as an 'interested party' and as a result may make representations. It is recognised that the Licensing Authority's decision may be appealed against, in which case the Licensing Authority will not proceed to Stage 2 until all appeals have been dealt with.

4.17 If this process results in more than one provisional decision to grant a Premises Licence, Stage 2 will be implemented.

Casino Application Stage 2

4.18 At Stage 2, applicants will be required to state and demonstrate what benefit their applications, if granted, would bring to the Borough of Great Yarmouth. An explanation of the proposed evaluation process will be enclosed in the application pack that will be sent to all applicants. The Licensing Authority will pay specific regard to the provisions listed under paragraph 4.4921 and criteria attached in appendix 86.

4.19 The Licensing Authority will decide between the competing applications (evaluating using the principles as stated in paragraph 4.4921 and criteria in appendix 46) and grant the available licence to the applicant that in its opinion will result in the greatest benefit to the Borough of Great Yarmouth.

4.20 The Licensing Authority may during the second stage engage in discussions or negotiations with each second stage applicant with a view to the application being refined, expanded or altered so as to maximise the benefits to the area. Furthermore, the Licensing Authority may enter into a written agreement with an

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applicant and may take such agreement into account in determining which application would result in the greatest benefit to the Borough. The Licensing Authority (and its advisors) shall keep confidential each applicant's proposals unless it receives a specific written approval to discuss this with other competing applicants, and only if all applicants agree to share bid information.

Principles that apply in determining whether or not to grant a Casino Premises Licence

4.21 At stage 2, the Licensing Authority will assess applications having regard to the following:

4.21.1 The deliverability of the proposed scheme. In particular the Licensing Authority will wish to consider what legal assurances there are that the proposed development will be delivered in time, and that the promised benefits will both materialise and be maintained.

4.21.2 Any provision that is made for the protection of children and other vulnerable people from harm or exploitation arising from gambling, whether in the proposed casino or the wider community.

4.21.3 Any provision that is made for preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.

4.21.4 Any provision that is made for ensuring that gambling is conducted in a fair and open way.

4.21.5 Likely effects of an application on employment and regeneration in the Borough.

4.21.6 Design and location of the proposed development.

4.21.7 Range and nature of non-gambling facilities to be offered as part of the proposed development.

4.21.8 Any financial and other contributions.

In carrying out the assessments, the Licensing Authority has set out matters which are likely to receive the greatest weight (appendix 46). However, an operator is not debarred from putting forward other benefits which the authority will take into consideration and weight to the extent that it considers them relevant.

4.22 Although applicants are able to submit an application for any site within the Borough which will be judged on its own individual merits, the Licensing Authority is provisionally of the view that there are two areas of Great Yarmouth that are likely to bring the greatest benefit to the Borough. These are:

4.22.1 Great Yarmouth Town Centre

4.22.2 Great Yarmouth Seafront

4.23 The applicant will be expected to provide:

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4.23.1 A completed questionnaire giving details of the applicant's previous experience and capacity to deliver the project, together with a pro forma draft written agreement. Such agreement is intended to secure provision of the benefits offered by the applicant and to ensure that applications are judged on an equal basis. Applicants will be invited to complete the annexes to the agreement with the benefits they are offering. The agreement is likely to be made a condition of the licence, so that any breach of the agreement will also be subject to remedies under the Gambling Act, 2005. Whilst it is not obligatory for applicant's to offer to enter into agreement, this is likely to affect the Authority's evaluation of the benefit arising from the application.

4.23.2 A scaled plan of the premises indicating the location of all gaming machines, tables and Automated Telling Machines, bars and any non-gaming areas, together with an indication of any Notices/Rules that will be displayed in the gaming area (this plan will not form part of the licence but is sought to assist the process).

4.23.3 Detailed numbers of all staff and Personal Licence Holders to be employed, together with a clear management structure.

4.23.4 Description of all activities to be provided at the premises, including any proposals for the provision of late night refreshment and regulated entertainment.

4.23.5 An indication of the availability of the site chosen and its legal interest in it.

4.23.6 Evidence of availability of funding and an estimated cost of the scheme.

4.23.7 Evidence of financial standing including submission of the applicant's last 3 year financial accounts, together with 2 financial references confirming that there is sufficient finance in place to ensure delivery of the project.

4.23.8 Two professional references, or similar, to evidence that the applicant has proven ability and track record within the casino gambling sector.

4.23.9 Submission of a clear and detailed Business Plan.

4.23.10 A timescale for implementation and completion of the works setting out the various project stages of construction. This is to enable the Licensing Authority to be kept informed of when the project is likely to be completed and that the applicant is on target for final completion.

4.23.11 Evidence that there will be consultation with statutory bodies and responsible authorities to ensure that all statutory regulations/legislation is in place during the construction of the development (e.g. health and safety, highway approvals, etc.).

4.23.12 Evidence of a robust training plan in place for all employees. Training to cover all matters including awareness of the three Licensing Objectives, in particular the third Licensing Objective, knowledge of the gambling legislation, an awareness of problem gambling and all relevant internal procedures. In addition, applicants are required as part of their training plan to evidence customer service training and a knowledge of the local area.

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4.23.13 Evidence of proposed policies and procedures to protect children and vulnerable persons from harm. The applicant should evidence clearly how they intend to promote the three Licensing Objectives.

4.23.14 Evidence of proposed policies detailing the mechanisms enabling the applicant to identify problem gamblers. (This Policy should be incorporated within the Training Plan for all employees. The Policy is likely to set out how advice and support will be provided to those engaged in or affected by problem gambling).

It is appreciated that the matters listed in paragraphs 4.20.12 – 4.20.14 are covered by the Gambling Commission's Licence Conditions and codes of Practice (LCCP) and the conditions imposed upon the operating licence held by casino operators. However, as it is the operator's responsibility to adopt their own policies in such matters, the Licensing Authority wishes to see what measures they adopt.

4.23.15 Evidence of its proposed policy detailing commitment to educating the community on gambling and problem gambling.

4.23.16 Evidence of its admissions policy incorporating procedures to refuse entry to under age and drunk people, door supervisors and dress codes.

4.23.17 Confirmation that all gambling advice is available in a language other than English when a predetermined percentage of regular customers are identified as speaking that language.

4.23.18 Evidence of its Social Responsibility Policy. (Under this Policy the applicant may wish to provide within the gaming area a specific practice area/room that enables any customer to learn how to gamble on the various activities offered without feeling intimidated or embarrassed. Where there is a practice room there shall be information provided that emphasises the importance of staying in control of their gambling, the steps they can take to achieve this and where to access help should they become concerned about their gambling. There should also be leaflets and information clearly setting out these points).

4.23.19 An indication on the plan where the separate non gambling refuge area of the premises is located. This area should provide a refuge from gambling and could be by way of a non-threatening sound proofed quiet room that is always available for those concerned about their own or someone else's gambling. Within this room there should be installed the facility to telephone the national helpline, access an online counselling facility or contact a local face-to-face counselling service or Gamcare. Leaflets with contact addresses and telephone numbers should be prominently displayed within this room.

4.24 The Licensing Authority will expect applicants to present a detailed package that will bring maximum benefit to the Borough and it is expected that the applicant will have undergone detailed research and liaised with the relevant departments of the Council prior to submitting their application.

Process

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4.25 Further details and an explanation of the proposed evaluation process will be set out in the Application Pack that will be sent to all applicants.

4.26 Following the Stage 1 procedure, if there is only one successful applicant, a casino premises licence (or provisional statement) will be awarded to that applicant. If there is more than one successful applicant, then all of the successful applicants will be invited to participate in Stage 2.

4.27 In general, the procedure will follow the DCMS Code of Practice. However, the Code leaves individual authorities to determine the detail of their own procedure. As it is recognised that the Licensing Authority does not necessarily have planning or regeneration expertise it may in certain circumstances seek advice on an applicant's proposal from officers in other relevant departments such as Planning, Highways, Finance, Regeneration, and Legal or seek independent expertise from outside the Council. For this purpose, the Licensing Authority shall constitute a non-statutory Panel to assist in the evaluation of the Stage 2 application process. This panel shall be called the 'Advisory Panel'.

4.28 It is accepted that only the Licensing Authority will make the final decision on the successful applicant. The function of the Advisory Panel will be to evaluate the applications for the benefit of the Licensing Committee. The Advisory Panel will not be a decision-making body, and while the Licensing Committee will take the Panel's evaluations into account, it is not bound to follow them.

4.29 Members of the Panel will comprise of individuals who are not biased and whose personal interests will not compromise their independence. They will be individuals who are able to maintain the confidentiality on which the integrity of this process demands. It will be for the Licensing Authority to determine which individuals would best represent the interests of the community. The list of panel members and the terms of reference of the Advisory Panel will be included in the application pack. The terms of reference will include further details of the functions of the panel and the procedures of the evaluation process to ensure fairness and transparency to all applicants. To ensure there are no conflicts of interest, applicants will be asked if they object to any member of the panel. Where objections are made, it will be necessary to give details of the substance of such objection.

4.30 The Licensing Authority will give equal time to all applications and will carefully scrutinise all proposals prior to making any decision.

4.31 In accordance with the Code of Practice issued by the Secretary of State, the Licensing Authority shall ensure that there is a Register of Interest in place disclosing interest in any contract, arrangement or other relationship with an applicant or a person connected or associated with an applicant. Applicants should note that this does not apply to any agreement between the Licensing Authority and applicant entered into during the second stage of the competition.

4.32 In addition, the Licensing Authority shall have a Protocol governing the storage of confidential information submitted during the second stage so as to maintain confidentiality. This Protocol is available from the licensing section upon request.

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4.33 It is strongly recommended that the licensing application includes all documents and paperwork in support of the proposals (hereinafter referred to the 'bid documentation'). Once all the bid documentation has been submitted, the Advisory Panel will carry out a preliminary evaluation of each application. Following the preliminary evaluation, officers may be deputed to deal with applicants with a view to the application being refined, expanded or altered so as to maximise the benefits to the area. The Advisory Panel may elect to interview applicants (the same facility will be offered to all applicants) and this occasion will be used for applicants to explain their proposals and to clarify the bid. There will be no time limit on such presentations.

4.34 Once the bid documentation is finalised, the Advisory panel will evaluate each bid and the bids will be scored within definitive bands. These bands will be set out in the application pack. Once assessed, the Advisory Panel's draft evaluation on each application will be sent to the applicant to enable the relevant applicant to correct any factual errors or (without providing new information) make representations as to the scoring or qualitative evaluation.

4.35 The Advisory Panel will then provide a final written report with a copy of all applicants' representations to the Licensing Committee. While it is legally possible for the Committee to delegate the decision to a Sub-Committee, the Licensing Authority intends that the decision shall be made by a wide body of councillors and has decided that the Licensing Committee itself shall determine the applications. However, the quorum for the Committee shall be set at 5 so as to ensure that the Committee may continue to sit even if one or more of its members are indisposed. Assisted by the Advisory Panel's recommendation as to the correct band for each criterion, the Panel's qualitative evaluation and also the applicant's response, the Licensing Committee will allocate a precise score for each criterion. The committee will not take further evidence or representations by the applicants but will then make its decision. Any legal advice required shall be supplied by the Council's Solicitor

4.36 The unsuccessful applicant(s) will be informed of the result and reasons for rejection as soon as is reasonably practicable. It is noted that once a decision has been made there will be no right of an appeal.

4.37 Where a Provisional Statement application is successful, the Licensing Authority may limit the period of time for which the Statement will have effect. This period may be extended if the applicant so applies.

Converted casino premises licences

Casino operators with licences granted under the Gaming Act 1968, were eligible to be granted a casino premises licence under 'grandfathering arrangements'. Great Yarmouth has three such casinos that have converted casino premises licences. Different principles apply to such casinos and these are listed in The Gambling Act 2005 (Commencement no 6 and Transitional Provisions) Order 2006.

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Special provisions apply to enable these operators to relocate to premises by way of variation to a converted casino premises licence providing those premises are wholly or partly situated in the area.

5. Bingo premises

This licensing authority notes that the Gambling Commission's Guidance states:

" 18.5 Licensing authorities need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. An operator may choose to vary their licence to exclude a previously licensed area of that premises, and then apply for a new premises licence, or multiple new premises licences, with the aim of creating separate premises in that area. Essentially providing multiple licensed premises within a single building or site. Before issuing additional bingo premises licences, licensing authorities need to consider whether bingo can be played at each of those new premises."

This authority also notes that from 13 July 2011 a holder of a bingo premises licence may make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises. A licence variation must be applied for if operators wish to take advantage of the change to the legislation.

18.7 Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed. Social Responsibility (SR) code 3.2.5(3) states that 'licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises' in order to prevent underage gambling"

Bingo in clubs and alcohol licensed premises

Bingo is a class of equal chance gaming permitted on alcohol-licensed premises, and in clubs and miners welfare institutes, under the allowances for exempt gaming in Part 12 of the Act. There are regulations setting controls on this form of gaming, to ensure that it remains low stakes and prizes activity. Where the level of bingo played in these premises reaches a certain threshold, it will no longer be authorised by these rules and a bingo operating licence will have to be obtained from the Commission for future bingo games. The aim of these provisions is to prevent bingo becoming a predominant commercial activity on such non-gambling premises.

The threshold is that if bingo played during any seven-day period exceeds £2,000 (either money taken or prizes awarded), all further games of bingo played on those premises in the next 12 months will require an operating licence to be legal. The Gambling Commission has developed a statutory code of practice, The Code of Practice for gaming in clubs and premises with an alcohol licence, which is available on its website (www.gamblingcommission.gov.uk)

Bingo in casinos

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Large casinos will be able to offer bingo. Bingo will be permitted as part of their casino premises licence and they will not require a separate bingo premises licence, though they will need to obtain a bingo operating licence (which may be combined with their casino licence) in order to offer facilities for bingo at a casino. The standards in this respect will be no lower than for operators seeking only to provide facilities for bingo alone.

6. Betting premises

The Act contains a single class of licence for betting premises although within this, there are different types of premises which require licensing.

The Act also permits betting intermediaries to operate from premises. Section 13 of the Act defines a betting intermediary as a person who provides a service designed to facilitate the making or acceptance of bets between others. Although betting intermediaries usually offer their services via remote communication, such as the internet, a betting intermediary can apply for a betting premises licence to offer intermediary services upon the premises, such as a premises based trading room.

Licensing authorities are responsible for issuing and monitoring premises licences for all betting premises. The issuing of premises licences is discussed in Part 7 of the Gambling Commission Guidance.

Gaming machines

Section 172(8) provides that the holder of a betting premises licence may make available for use up to four gaming machines of category B, C or D. Regulations state that category B machines at betting premises are restricted to sub-category B2, B3 and B4 machines

Self Service Betting Terminals (SSBTs)

Section 235(2)(c) provides that a machine is not a gaming machine if it is designed or adapted for use to bet on future real events. Some betting premises may make available machines that accept bets on live events, such as horse racing, as a substitute for placing a bet over the counter. These SSBTs are not gaming machines and therefore neither count towards the maximum permitted number of gaming machines, nor have to comply with any stake or prize limits. SSBTs merely automate the process that can be conducted in person and the Act exempts them from regulation as a gaming machine.

However, where a machine is made available to take bets on virtual races (that is, results and / or images generated by computer to resemble races or other events) that machine is a gaming machine and counts towards the maximum permitted number of gaming machines, and must meet the relevant category limitations for the premises.

It is the Commission's view that the use of SSBTs is a form of remote communication and that a remote licence will be required if SSBTs are used to facilitate the making or accepting of bets by others.

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Section 181 contains an express power for licensing authorities to restrict the number of SSBTs, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence or to a casino premises licence (where betting is permitted in the casino).

7. Tracks

This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. This licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

This licensing authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

Gaming machines - Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

Betting machines - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.

Applications and plans

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The Gambling Act (s151) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity. (See Guidance to Licensing Authorities).

Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations. (See Guidance to Licensing Authorities).

This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track.

Licensing authorities should satisfy themselves that the plan provides sufficient information to enable them to assess the application. (see Guidance to Licensing authorities para 20.46)

8. Travelling Fairs

Travelling fairs may provide an unlimited number of Category D gaming machines provided that facilities for gambling amount to no more than an ancillary amusement at the fair. They do not require a permit to provide these gaming machines but must comply with legal requirements about how the machine operates. Current stakes and prizes can be found at Appendix B of the Gambling Commission guidance.

Higher stake category B and C fruit machines, like those typically played in arcades and pubs, are not permitted. Fairground operators must source their machines from a Commission licensed supplier and employees working with gaming machines must be at least 18 years old.

This licensing authority is responsible for deciding whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

It is noted that the 27-day statutory maximum for the land being used as a fair applies on a per calendar year basis, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

9. Provisional Statements

Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a

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development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

Section 204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operator's circumstances; or
- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

10. Reviews:

Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the licensing authority to decide whether

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the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below;

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

The request for the review will also be subject to the consideration by the authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

The licensing authority can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.

The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:-

- add, remove or amend a licence condition imposed by the licensing authority;
- exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
- suspend the premises licence for a period not exceeding three months; and
- revoke the premises licence.

More details including time periods can be found in the Gambling Act 2005 (Premises Licences)(Review) Regulations 2007.

PART C

PERMITS / TEMPORARY & OCCASIONAL USE NOTICE

1. Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits - Schedule 10 paragraph 7)

Where a premise does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

The Gambling Act 2005 states that a licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25. The Gambling Commission's Guidance to Licensing Authorities also states at 24.8

"In its policy statement, a licensing authority may include a statement of principles that it proposes to apply when exercising its functions in considering applications for permits. In particular it may want to set out the matters that it will take into account in determining the suitability of the applicant. Given that the premises is likely to appeal particularly to children and young persons, licensing authorities may wish to give weight to matters relating to protection of children from being harmed or exploited by gambling and to ensure that staff supervision adequately reflects the level of risk to this group."

Guidance also states: "...An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application... Licensing authorities might wish to consider asking applications to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and
- that staff are trained to have a full understanding of the maximum stakes and prizes."

It should be noted that a licensing authority cannot attach conditions to this type of permit.

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This licensing authority has adopted the following Statement of Principles, in respect of unlicensed FECs:

Statement of Principles

The licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Such policies/procedures will be considered on their merits; however, they may include appropriate measures on staff training on how to deal with suspected truancy, how to deal with unsupervised very young children being on the premises and children causing problems around the premises.

The licensing authority will also expect the applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs, and that staff are trained to have a full understanding of the maximum stakes and prizes.

The Licensing Authority will require the following to be submitted in addition to the application form and fee:

- (1) Proof of the applicant's identity and age;
- (2) Proof of the applicant's right to occupy the premises for which the permit is sought;
- (3) (Where the applicant is an individual) a 'basic' Criminal Records disclosure dated no earlier than one calendar month on the day the application is received by the Licensing Authority. Holders of operating licences issued by the Gambling Commission are exempt from this requirement.
- (4) An insurance certificate (or certified copy) confirming the availability of public liability insurance covering the proposed activity.
- (5) A plan scale 1:100 of the premises showing:
 - a. The boundary of the premises including any internal and external walls, entrances, exits, doorways and windows, and indicating the points of access available to the public.
 - b. The location of any fixed or temporary structures.
 - c. The location of any counters, booths, offices or other locations from which staff may monitor the activities of persons on the premises.
 - d. The location of any public toilets within the boundary of the premises.
 - e. The location of CCTV cameras.
 - f. The location of any ATM or other cash/change machines.
 - g. The proposed location of the Category 'D' machines.
 - h. Details of non-category 'D' machines (e.g. skill with prizes machines).

2. (Alcohol) Licensed premises gaming machine permits - (Schedule 13 paragraph 4(1))

Automatic entitlement: 2 machines

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There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority.

The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

Permit: 3 or more machines

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “such matters as they think relevant.”

This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harmed or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

It is recognised that some alcohol licensed premises may apply for a permit for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

3. Prize Gaming Permits

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The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit”.

Statement of Principles

This licensing authority has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- that the gaming offered is within the law
- clear policies that outline the steps to be taken to protect children from harm.

The licensing authority shall also require (where the applicant is an individual) a 'basic' Criminal Records disclosure dated no earlier than one calendar month on the day the application is received by the Licensing Authority. Holders of operating licences issued by the Gambling Commission are exempt from this requirement.

In making its decision on an application for this permit the licensing authority does not need to (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance. (Gambling Act 2005, Schedule 14 paragraph 8(3))

It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

4. Club Gaming and Club Machines Permits

Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in regulations.

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Members clubs and miner's welfare institutes – and also Commercial Clubs – may apply for a Club Machine Permit. A Club machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). N.B. Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.

The Licensing Authority notes that the Gambling Commission's Guidance states:

"25.44 The Local Authority has to satisfy itself that the club meets the requirements of the Act to obtain a club gaming permit." In doing so it will take into account a number of matters as outlined in the Gambling Commission Guidance. These include the constitution of the club, the frequency of gaming and ensuring that there are 25 or more members.

The club must be conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs.

The Commission Guidance also notes that licensing authorities may only refuse an application on the grounds that:

- (a) (i) for a club gaming permit the applicant is not a members' or miners' welfare institute
(II) for a club machine permit the applicant is not a members' or miners' welfare institute or commercial club
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police.

There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). Commercial clubs cannot hold club premises certificates under the Licensing Act 2003 and so cannot use the fast track procedure. As the Gambling Commission's Guidance for local authorities states: *"Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced."* and *"The grounds on which an application under the process may be refused are:*

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;*
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or*

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(c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

A permit will lapse if the holder of the permit stops being a club or miners welfare institute, or if it no longer qualifies under the fast track system for a permit.

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

5. Temporary Use Notices

Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a temporary use notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

The licensing authority can only grant a temporary use notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

The Secretary of State has the power to determine what form of gambling can be authorised by temporary use notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that temporary use notices can only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

There are a number of statutory limits as regards temporary use notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Local Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place".

In considering whether a place falls within the definition of "a set of premises", the licensing authority needs to look at, amongst other things, the ownership/occupation and control of the premises.

This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Local Authorities.

6. Occasional Use Notices:

Section 39 of the Act provides that where there is betting on a track on eight days or fewer in a calendar year, betting may be permitted by an occasional use notice (OUN) without the need for a full premises licence.

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The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice and will also ensure that no more than 8 OUNs are issued in one calendar year in respect of any venue.

7. Small Society Lotteries

Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- by, or on behalf of, a charity or for charitable purposes
- to enable participation in, or support of, sporting, athletic or cultural activities.

Charities and community groups should contact the Licensing Authority for further advice.

The Licensing Authority will register and administer smaller non-commercial lotteries and applicants for lottery licences must apply to the Licensing Authority in the area where their principal office is located.

The society in question must be 'non-commercial' and the total value of tickets to be put on sale per single lottery must be £20,000 or less, or the aggregate value of tickets to be put on sale for all their lotteries in a calendar year must not exceed £250,000. If the operator plans to exceed either of these values then they may need to be licensed with the Commission to operate large lotteries instead.

For initial applications and where there is a change of promoter, the licensing authority reserves the right to require the promoter of the lottery to produce a 'basic' criminal records disclosure. For new applications, the licensing authority shall require the promoter of the lottery to produce a 'basic' Criminal Records disclosure dated no earlier than one calendar month on the day the application is received by the Licensing Authority.

The Licensing Authority may refuse an application for registration if in their opinion:

- The applicant is not a non-commercial society;
- A person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence; or
- Information provided in or with the application for registration is false or misleading.

Where the Licensing Authority intends to refuse registration by a Society, it will give the Society an opportunity to make representations and will inform the Society of the reasons why it is minded to refuse registration and supply evidence on which it has reached that preliminary conclusion. In any event, the Licensing Authority will make clear its procedures on how it handles representations.

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The Licensing Authority may revoke the registered status of a lottery if it thinks that they would have had to, or would be entitled to; refuse an application for registration if it were being made at that time. However, no revocations will take place unless the Society has been given the opportunity to make representations. The Licensing Authority will inform the society of the reasons why it is minded to revoke the registration and will provide an outline of the evidence on which it has reached that preliminary conclusion.

The Licensing Authority will adopt a risk based approach towards enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:

- submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- submission of incomplete or incorrect returns
- breaches of the limits for small society lotteries

PART D - EXEMPT GAMING

Exempt gaming is equal chance gaming generally permissible in any club or alcohol-licensed premises. Gaming should be ancillary to the purposes of the premises. This provision is automatically available to all such premises, but is subject to statutory stakes and prize limits determined by the Secretary of State.

Equal chance gaming is gaming that does not involve staking against a bank and the chances of winning are equally favourable to all participants. It includes games such as backgammon, mah-jong, rummy, kalooki, dominoes, cribbage, bingo and poker.

The Secretary of State has set both daily and weekly prize limits for exempt gaming. Different, higher stakes and prizes are allowed for exempt gaming in clubs than in alcohol-licensed premises. These limits are set out in appendix 64.

PART E

COMMITTEE, OFFICER DELEGATION AND CONTACTS

1. Committee decisions and scheme of delegation

The Licensing Authority is involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them.

Licensing Sub-Committees made up of three Councillors from the main Licensing Committee will sit to hear applications where representations have been received from interested parties and responsible authorities. Ward Councillors will not sit on a Sub-Committee involving an application within their ward.

Where a Councillor who is a member of the Licensing Committee is making or has made representations regarding a licence on behalf of an interested party, in the interests of good governance they will disqualify themselves from any involvement in the decision making process affecting the licence in question.

The Council's Licensing Officers will deal with all other licensing applications where either no representation have been received, or where representations have been received and it is agreed by the parties that a hearing is not necessary.

Decisions as to whether representations are irrelevant, frivolous or vexatious will be made by Council Officers, who will make the decisions on whether representations or applications for licence reviews should be referred to the Licensing Committee or Sub-Committee. Where representations are rejected, the person making that representation will be given written reason as to why that is the case. There is no right of appeal against a determination that representations are not admissible.

The table shown at Appendix 75 sets out the agreed delegation of decisions and functions to Licensing Committee, Sub-Committee and Officers.

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This form of delegation is without prejudice to Officers referring an application to a Sub-Committee or Full Committee if considered appropriate in the circumstances of any particular case.

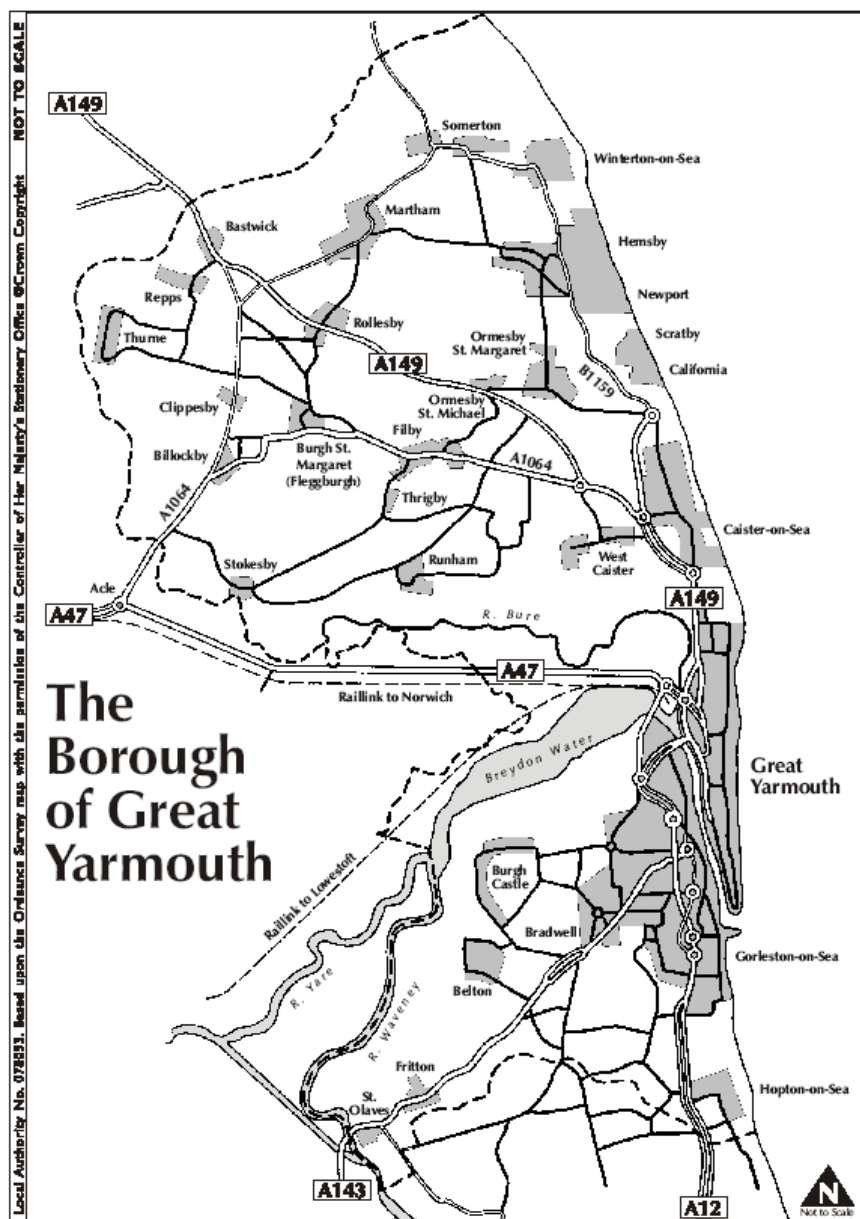
2. Contacts

Further information about the Gambling Act 2005, this Statement of Licensing Policy or the application process can be obtained from:-

The Licensing Team Great Yarmouth Borough Council Town Hall, Hall Plain Great Yarmouth, NR30 2QF	Tel: 01493 846530 E-mail licensing@great-yarmouth.gov.uk Website www.great-yarmouth.gov.uk
Information is also available from:-	
Gambling Commission 4th floor, Victoria Square House, Victoria Square Birmingham, B2 4BP	Tel: 0121 230 6666 Email: info@gamblingcommission.gov.uk Website: www.gamblingcommission.gov.uk

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APPENDIX 1 – MAP OF THE BOROUGH



~~APPENDIX 2 – LIST OF CONSULTEES~~

~~Gambling Commission~~

~~Norfolk Constabulary~~

~~Responsible authorities~~

~~Existing licence holders (casinos, bingo premises, betting premises, Adult Gaming Centres, Family Entertainment Centres, permit holders, Great Yarmouth Racecourse, Great Yarmouth Stadium)~~

~~Greater Yarmouth Tourist Authority~~

~~BAGTA~~

~~D. P. Leisure~~

~~Gamblers Anonymous~~

~~Residents Associations~~

~~Various Solicitors~~

~~NCIF (National Casino Industry Forum)~~

APPENDIX 32 - SCHEDULE OF GAMING MACHINE PROVISION BY PREMISES

	Machine category						
Premises type	A	B1	B2	B3	B4	C	D
Large casino (machine/table ratio of 5 -1 up to maximum)		Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)					
Pre-2005 Act casino (no machine/table ratio)		Maximum of 20 machines B to D (except B3A machines), or any number of C or D machines instead					
Betting premises and tracks occupied by pool betting		Maximum of 4 machines categories B2 to D					
Bingo premises ¹				Maximum of 20% of the total number of gaming machines which re available for use on the premises category B3 or B4		No limit on category C or D machines	
Adult gaming centre ²				Maximum of 20% of the total number of gaming machines which re available for use on the premises category B3 or B4		No limit on category C or D machines	
Family entertainment centre ³ (with premises licence)						No limit on category C or D machines	
Family entertainment centre ³ (with permit)							No limit on category D machines
Clubs or miners' welfare institute ⁴ (with permits)				Maximum of 3 machines in Categories B3A or B4 to D			
Qualifying alcohol-licensed premises						1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol-licensed premises (with gaming machine permit)					Number of category C-D machines as specified on permit		
Travelling fair						No limit on	

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							category D machines
	A	B1	B2	B3	B4	C	D
<p>1.Bingo premises licence are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines on the premises. Where a premises licence was granted before 13 July 2011, they are entitled to make available eight category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at bingo premises are restricted to sub-category B3 and B4 machines, but not B3A machines.</p> <p>2 Adult gaming centres are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines. Where a premises licence was granted before 13 July 2011, they are entitled to make available four category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at adult gaming centres are restricted to sub-category B3 and B4 machines, but not B3A machines.</p> <p>3.Only premises that are wholly or mainly used for making gaming machines available may hold an unlicensed FEC gaming machine permit or an FEC premises licence. Category C machines may only be sited within licensed FEC's and where an FEC permit is in force. They must be in a separate area to ensure the segregation and supervision of machines that may only be played by adults. there is no power for the licensing authority to set a limit on the number of machines under the FEC permit.</p> <p>4.Members' clubs and miners' welfare institutes with a club gaming permit or with a club machine permit, are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement.</p> <p>5. Commercial clubs with club machine or gaming permits are entitled to a total of three machines in categories B4 to D.</p>							

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APPENDIX 43 - SCHEDULE OF GAMING MACHINE CATEGORIES AND ENTITLEMENTS

Category of machine	Maximum stake (from Jan 2014)	Maximum prize (from Jan 2014)
A	Unlimited	Unlimited
B1	£5	£10,000*
B2**	£100	£500
B3A	£2	£500
B3	£1	£500
B4	£2	£400
C	£1	£100
D – non-money prize (other than a crane grab machine)	30p	£8
D – non-money prize (crane grab machine only)	£1	£50
D (money prize)	10p	£5
D – combined money and non-money prize	10p	£8 (of which no more than £5 may be a money prize)
D – combined money and non-money prize (coin pusher or penny falls machine only)	20p	£20 (of which no more than £8 may be a money prize)

* with option of max £20,000 linked progressive jackpot on premises basis only
 ** the maximum stake for B2 machines may be subject to change

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APPENDIX 54 - SCHEDULE OF GAMING ENTITLEMENTS FOR CLUBS AND ALCOHOL-LICENSED PREMISES

	Members' club with club gaming permit	Bridge or whist club	Members' club or commercial club with club machine permit	Member's club, or commercial club without a club gaming permit	Pubs and other alcohol-licensed premises
Equal chance gaming	Yes	Bridge and/or Whist only	Yes	Yes	Yes
Limits on stakes	No limit	No limit	Poker £1000 per week £250 per day £10 per person per game Other gaming No limit	Poker £1000 per week £250 per day £10 per person per game Other gaming No limit	Cribbage & dominoes No limit Poker £100 per premises per day Other gaming £5 per person per game
Limits on prizes	No limit	No limit	Poker £250 per game Other gaming No limit	Poker £250 per game Other gaming No limit	Poker £100 per game Other gaming No limit
Maximum participation fees – per person per day	Bridge and/or whist* £20 Other gaming £3	£18 (without club gaming permit) £20 (with club gaming permit)	Bridge and/or whist* £18 Other gaming £3 (commercial club) £1 (members' club)	Bridge and/or whist* £18 Other gaming £1	None permitted
Bankers or unequal chance gaming	Pontoon Chemin de Fer	None permitted	None permitted	None permitted	None permitted
Limits on bingo	Maximum of £2,000 per week in stakes/ prizes. If more then will need an operating licence	No bingo permitted	Maximum of £2,000 per week in stakes/ prizes. If more then will need an operating licence	Maximum of £2,000 per week in stakes/ prizes. If more then will need an operating licence	Maximum of £2,000 per week in stakes/ prizes. If more then will need an operating licence
*On a day when no other facilities for gaming are provided.					

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APPENDIX 65 - TABLE OF DELEGATIONS OF LICENSING FUNCTIONS			
Matter to be dealt with	Full Council	Licensing Committee/ sub-committee	Officers
Three year licensing policy	X		
Policy to permit casino	X		
Fee Setting - when appropriate		X	
Application for premises licences		Where relevant representations have been received and not withdrawn	Where no relevant representations received/ representations have been withdrawn
Application for a variation to a licence		Where relevant representations have been received and not withdrawn	Where no relevant representations received/ representations have been withdrawn
Application for a transfer of a licence		Where relevant representations have been received from the Commission	Where no relevant representations received from the Commission
Application for a provisional statement		Where relevant representations have been received and not withdrawn	Where no relevant representations received/ representations have been withdrawn
Review of a premises licence		X	
Application for club gaming /club machine permits		Where relevant representations have been received and not withdrawn	Where no relevant representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

APPENDIX 76 - LARGE CASINO LICENCE – CRITERIA

Criteria	Benefits / Dis-benefits	Importance (Very High / High/Medium)
Deliverability	<ul style="list-style-type: none"> • Status of approvals • Likelihood of development • Timescale for development • Operator - financial status, track record here and abroad 	Very high
Any provision that is made for the protection of children and other vulnerable people from harm or exploitation arising from gambling, whether in the proposed casino or the wider community	<p>Extent to which applicant can demonstrate measurable outcomes for the following:</p> <ul style="list-style-type: none"> • Commitment to evaluation of social impacts of gambling and ability to evaluate • Investment in problem gambling schemes / funding for treating programmes / funding to RIGT • Problem gambling measures • Demonstrably high level management commitment to social responsibility • Commitment to staff training on social responsibility issues and recognition of problem gambling • Operation of self exclusion schemes / exclude self-barred individuals from entry • Responsible marketing / advertising. Identification of customer profile and who will be targeted? • Proximity of casino to schools, children, places of worship youth and elderly populations • Level of operator commitment to work with community • Design/layout of casino • Location of casino 	Very High

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Any provision that is made for preventing gambling from being a source of crime or disorder or being associated with crime or disorder or being used to support crime	<ul style="list-style-type: none"> • Steps taken to promote safe evening and night time economy • Provision of CCTV and security measures • Liaison / consultation with police to promote the Prevention of Crime and Disorder Licensing Act 2003 objective and participation in any initiatives promoted to assist crime and disorder • Provision of door supervisors • External /internal lighting and proposals to ensure that where possible opportunities for crime are designed out 	Very High
Any provision that is made for ensuring that gambling is conducted in a fair and open way	<ul style="list-style-type: none"> • Provision of separate area/room to allow customers to familiarise themselves with the rules of the games • Display of rules of the games • Commitment to staff training • Fair and effective complaints procedure – how complaints and disputes are recorded and monitored 	Very High
Likely effects of application on employment and regeneration in the Borough	Employment: <ul style="list-style-type: none"> • Number of new jobs created directly (FTE) in casino and associated development • Number of jobs created for the long term unemployed • Mitigation measures in respect of possible lost or displaced jobs • Employment policies (pay, terms, equalities, skills training) • Empowerment of local disadvantaged groups through employment • How does proposal contribute to tackling economic weaknesses and high levels of unemployment? • Training – in-house training / provision of training courses leading to nationally accredited awards 	Very High

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	<ul style="list-style-type: none"> • Provision of education support through Great Yarmouth College or other establishments • Promotion of small, medium and micro-enterprises <p>Regeneration:</p> <ul style="list-style-type: none"> • The extent to which the proposal act as direct catalyst for ancillary development • The extent to which the development would create an all year round, diverse Tourism/leisure economy such as permanent all year round employment, and generation of further investment • Steps taken to broaden the visitor demographic • Steps taken to promote a vibrant night time economy • The extent to which the development increases the provision of high quality, leisure services / cultural amenities (such as 4* hotel conference facilities, etc.) • Does the development offer innovative attractions • The extent to which development compliments existing businesses • Positive multiplier effects upon surrounding business community • Measures to assist transport infrastructure (such as park and ride) 	Very High
Design and location of the proposed development	<p>Design:</p> <ul style="list-style-type: none"> • Building(s) of distinction or exemplar design • Community engagement consultations and involvement in design <p>Location:</p> <ul style="list-style-type: none"> • Proximity to Great Yarmouth Town Centre / seafront • Impact on existing facilities (i.e. will proposed location lead to an 	<p>High</p> <p>High</p>

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	<p>increase or potential loss of existing facilities?)</p> <ul style="list-style-type: none"> • Impact on neighbouring businesses and residents (during construction and once in operation) • Located in a position where it can attract money into the Borough and where people are likely to visit • How development enhances and improves the immediate locality • Sufficient space for other facilities to be located there, and for parking • Accessible with increased environmental friendly transport methods • Potential to enhance Town's conservation areas • Potential to secure / re-use brownfield sites • Social, environmental and economic impacts to local residents and the business community 	
Range and nature of non-gambling facilities to be offered as part of the proposed development	<ul style="list-style-type: none"> • The range of other ancillary facilities offered 	High

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Any financial and other contributions	<ul style="list-style-type: none"> • Alternative methods of structuring financial contributions (one off payment or annual index linked contributions). <i>Money would not be considered until Licensing Authority is satisfied that project could be delivered</i> • If proposal involves loss of existing facilities, will such facilities be replaced? • Direct cultural benefits such as showcasing local art / artistes • Support for local sporting / cultural / charitable schemes • Proposed partnerships with local communities? 	High
Any other matters that will benefit the Borough		Medium

URN: 21-155

Subject: Filby Neighbourhood Plan examination & recommendation

Report to: Full Council – 9 December 2021

Report by: Nick Fountain, Senior Strategic Planner

SUBJECT MATTER

Filby Neighbourhood Plan examiner's report & recommendation

RECOMMENDATION

That Full Council:

- Approves the recommended modifications to the Neighbourhood Plan as set out in the Examiner's Report
- Approves the referendum area as the neighbourhood plan area as recommended in the Examiner's Report.
- Agree the Neighbourhood Plan (as modified) proceeds to referendum.
- Approves the publication of a Decision Statement setting out the Council's and the Broads Authority's response to the Examiner's recommendations and announcing the intention for the Neighbourhood Plan to proceed to a referendum.

1. Introduction

- 1.1. A neighbourhood plan is a plan prepared by a local community (usually led by the parish council), that contains land use policies. The Borough Council formally designated the Neighbourhood Area for Filby in June 2019 at which point the parish council (working with consultants) began preparing the neighbourhood plan. The parish council has engaged with the local community including consultation on a pre-submission draft of the neighbourhood plan.
- 1.2. The designated neighbourhood area, which is the whole parish, also extends into the Broads area, meaning that the Broads Authority has joint responsibility in decision making (with the Borough Council) for local planning authority duties. The Borough Council and Broads Authority have provided advice and assistance over the course of the plan being prepared. The Borough Council also provided some final comments on the plan proposals as part of an informal 'health-check' before the plan was submitted.

Local Plan Working Party

- 1.3. Throughout plan preparation and formal decision making, the progress of the neighbourhood plan has been presented to members of the Local Plan Working Party. Members have had opportunities to feedback ideas to officers to shape consultation responses, and in providing advice and guidance to the parish council. The Examiner's Report recommendations were taken to Local Plan Working Party and endorsed to Full Council on 23rd November 2021.

Final stages of the plan

- 1.4. The plan was submitted to the Borough Council in December 2020, with the parish council having undertaken early local consultations. The Borough Council published and consulted on the submitted plan in April 2021. An independent examiner was then appointed to examine the plan. To aid the examination, the Examiner then asked the Borough Council to undertake a focused consultation on implications of the revised National Planning Policy Framework on the neighbourhood plan. Responses from each of the respective consultations were passed to the Examiner for consideration, though it is worth noting that few responses were received at either of these stages.
- 1.5. The appointed Examiner has now examined the Filby Neighbourhood Plan and published their report with recommendations. The Examiner can only examine the plan in so far as to determine whether it meets the '[basic conditions](#)' required by the legislation. The Examiner can also recommend on that basis whether the plan should proceed to referendum, and if so whether the referendum area should be extended beyond the designated neighbourhood plan area.
- 1.6. It is worth noting that officers had a chance to look through a draft of this report for fact checking. This included the opportunity to identify any factual errors before the final report was issued on 15th November 2021.
- 1.7. In summary, the Examiner has found that subject to some necessary modifications, the neighbourhood plan meets the basic conditions and can proceed to referendum. No extension has been recommended to the referendum area, which would maintain the whole parish of Filby as the area over which the referendum would apply.

2. Filby Neighbourhood Plan

- 2.1. The plan encompasses visions and objectives covering housing and design, natural environment, built and historic environment and access and transport. The plan period runs to 2030 aligning with the Core Strategy.
- 2.2. In summary the policies in the submission plan seek to:
 - Support low occupancy and adaptable homes
 - Preserve and enhance the existing village character through design measures
 - Support conservation and habitat enhancement, including biodiversity net gain on new developments
 - Retain trees and hedgerows
 - Designate local green space
 - Preserve dark skies
 - Conserve and enhance existing landscape character
 - Encourage the use of sustainable urban drainage systems

- Identify non-designated heritage assets
- Retain a village gap
- Promote sustainable transport

3. Examiner recommendations

3.1. The full Examiner's Report is attached to this paper. To summarise the Examiner recommendations to the submitted plan are as follows:

- Subject to modifications the plan meets the basic conditions including:
 - Having regard to national policies and advice
 - Is in general conformity with the strategic policies of the Development Plan
 - Meets the retained European Union Obligations (transposed into UK law):
 - The Environmental Assessment of Plans and Programmes Regulations 2004 (Environmental Assessment Regulations)
 - The Conservation of Habitats and Species Regulations 2017 (Habitat Regulations)
 - Does not breach the European Convention on Human Rights
- The modifications to policies and supporting text were relatively minor text changes, with the exceptions of adaptable housing standards (H1), energy efficiency standards and design (H2), Local Green Space (CA3), village gap (BE2) policies where text has either been removed or added. Recommended modifications include:
 - Updating any references to the NPPF as necessary
 - Removing the adaptable housing standards requirement in accordance with the Written Ministerial Statement
 - Encouraging (but not requiring) energy efficiency standards in accordance with the Written Ministerial Statement
 - Adding requirement for tree-lined streets
 - Ensuring Local Green Space policy is consistent with Green Belts as set out in national policy
 - Removing the Local Green Space at the Church of All Saints which is Grade II listed and of which the area mainly comprised car park and the building
 - Ensuring that 'Community Aspirations' are distinguished from policies in the plan
 - Aligning heritage policy with the NPPF in consideration of non-designated heritage assets
 - Reducing the village gap that was identified to just the frontage to protect landscape views

4. Decision on Examiner's Recommendations

4.1. Regulation 24A of the Neighbourhood Planning Regulations sets out that the local planning authority needs to make a decision within 5 weeks of the examiner's report being issued unless a date is otherwise agreed with the qualifying body (the parish council). The Local Planning Authority must consider whether to decline/refuse the plan or to accept the report recommendations and set out its reasons in a decision statement that must then be published. It is possible for the local planning authority to make a decision which differs from that recommended by the examiner, but this would require a statement of reason, further consultation, and the possibility of re-examination.

- 4.2. Such decisions must be made within the framework set out in the Regulations and Schedule 4B to the 1990 Town and Country Planning Act (as amended). Broadly speaking the only reasons to decline or reject the plan are where the plan fails to meet the basic conditions or Human Right Convention as set out in the legislative requirements. Based on the Examiner's findings it is considered unlikely that the plan falls short of the basic conditions or wider legislative requirements.
- 4.3. Having carefully reviewed the Examiner's report and recommendations, officers consider that the examination has been carried out correctly in considering the basic conditions and where necessary this has required modifications to the policies and supporting text. Officers, therefore, see no justification to depart from the recommendations contained within the Examiner's report.

Joint decision

- 4.4. The designated neighbourhood area, which is the whole parish, also extends into the Broads area, meaning that the Broads Authority has joint responsibility in decision making (with the Borough Council) for local planning authority duties. The Borough Council has taken the lead in supporting the parish council preparing the plan by providing advice and assistance, organising and coordinating actions, responses, consultations, and decisions. The Broads Authority will also need to consider the Examiner's recommendations and come to a decision at their Planning Committee (scheduled on 3rd December 2021). Therefore, a formal joint decision will not be issued until the decision is made by Full Council.

General conformity with existing Local Plan

- 4.5. One of the key basic conditions is that the neighbourhood plan is in general conformity with the strategic policies of the adopted local plan. It is important to note that officers have over the preparation of the plan provided advice in respect of the emerging Local Plan Part 2 (LPP2) strategic policies. While policies from the LPP2 cannot be considered under the basic conditions (as they are not adopted policies), the Examiner's report does have regard to these, and officers are content that the neighbourhood plan is in any case in general conformity with these policies. This is of particular relevance as it is anticipated that the LPP2 will be formally adopted at the same Full Council meeting just after the decision on the Examiner's recommendations is made.
- 4.6. Where there are elements of policy that may conflict, these will be resolved by favouring the most recently adopted policy. Therefore, the neighbourhood plan policies would take precedence as they will be formally adopted following the referendum (which will occur after the LPP2 is adopted). Such conflicts should only occur in very limited circumstances and would only apply in non-strategic policy matters.

Environmental Assessment & Habitat Regulations

- 4.7. Another important consideration at this stage is compliance with the Environmental Assessment and Habitat Regulations Assessment (HRA) legislative requirements, as the Borough Council (along with the Broads Authority) is the 'competent authority'. The parish council prepared a screening report which along with the Borough Council's screening assessment was consulted on (with the statutory bodies) and the screening determination published in February 2020.

- 4.8. The screening determination confirmed that the plan would not have any likely significant effects on the environment or any likely significant effects on nearby habitat sites (National Site Network habitat sites), and therefore the plan did not require a full Sustainability Appraisal or Appropriate Assessment. Since then, the plan has been subject to relatively minor updates by the parish council following consultation, and those suggested modifications from the Examiner. Having considered these, officers have concluded that the findings of the 2020 screening determination remain valid and appropriate, meeting the legislative requirements.
- 4.9. It is therefore important to acknowledge that by accepting the Examiner's recommendations, that the Borough Council (and Broads Authority) as competent authority accept the findings of the Screening Determination that the plan would not have any likely significant effects on the environment or any likely significant effects (including the consideration of in-combination effects) on nearby habitat sites (National Site Network habitat sites). The neighbourhood plan is therefore 'screened out' and does not require a full Sustainability Appraisal or Appropriate Assessment.

Neighbourhood Referendum

- 4.10. If the neighbourhood plan and the modifications that the Examiner has proposed are accepted, the plan should proceed to a neighbourhood referendum. The referendum asks whether residents would like the neighbourhood plan to help decide on planning applications in their area. Essentially, a successful vote ensures that the local authority will adopt the plan as part of their Development Plan to be used when determining planning applications.
- 4.11. Such a referendum needs to take place within 56 days from the day after the date of the decision on examiner recommendations. A 28 day notice period of the referendum date also needs to be published within that 56 day period. Having liaised with the Electoral Services team, the referendum could be held on **Thursday 24th February 2022**. The Examiner has recommended that the referendum area is not expanded beyond the designated neighbourhood plan area; and therefore, it would remain as the whole parish area. There appears little justification to disagree with this approach.

Decision Statement

- 4.12. In accordance with the Regulations, the Borough Council must publish a decision statement setting out what action is being taken on the Examiner's report and the recommendations contained within it. A draft statement has been prepared and is attached to this report, with a decision based on accepting all of the Examiner's recommendations. As the decision is joint with the Broads Authority, the statement is on behalf of both councils.

5. Next Steps

- 5.1. Subject to the Examiner's recommendations being accepted, a decision statement will be issued and published on the Borough Council's website. A notice will be published proposing the referendum date (ensuring that the 28 days' notice requirement is met). The referendum will be held in the parish. The result will be determined by a majority of over 50% of the votes cast. The result of that referendum will be reported. Upon a 'yes' vote, the plan must be adopted by the local planning authority within a period of 8 weeks following the referendum date. The plan would then need to be formally adopted by Full Council, forming part of the Development Plan. A decision statement will need to be published on the Borough Council's website.

- 5.2. As discussed above, should Full Council come to a different recommendation to that of the Examiner, a decision statement will still need to be issued and this could require further consultation and potentially re-examination.

6. Financial Implications

- 6.1. The Borough Council has already received £5,000 for the adopted neighbourhood plan area (it has actually received 5 of these through the first 5 adopted areas). This funding will support the payments required to appoint independent examiners.
- 6.2. The Borough Council should receive a further Government grant of £20,000 when a decision statement is issued to send the neighbourhood plan to referendum.
- 6.3. All costs associated with officer resources, the examination and referendum of the Neighbourhood Plans are expected to be covered by this Government funding.

7. Conclusion

- 7.1. The first recommendation is that the Full Council accepts the Examiner's proposed modifications to the Filby Neighbourhood Plan. This decision accepts that the plan meets the basic conditions. In addition, as the Examiner has advised in the report, it is recommended that the referendum area is maintained as the neighbourhood plan area.
- 7.2. It is then recommended that Full Council agrees that the plan should proceed to referendum. The referendum would be held next year within the required time limit, and **Thursday 24th February 2022** is the proposed date for this to take place.
- 7.3. Finally, to meet the legislative requirements at this stage, it is recommended that Full Council approves the attached Decision Statement for publication on the Borough Council's website.

8. Links

- [Submission version of Filby Neighbourhood Plan \(pre-examination therefore excludes modifications\)](#)
- [SEA & HRA Screening Assessment](#)

9. Appendices

Appendix 1 – Examiner's Report on Filby Neighbourhood Plan

Appendix 2 – Filby Examiner's Report Decision Statement

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?

Area for consideration	Comment
Monitoring Officer Consultation:	n/a
Section 151 Officer Consultation:	n/a
Existing Council Policies:	Local Plan Part 1: Core Strategy, 2001 Borough-wide Local Plan

Financial Implications (including VAT and tax):	See Section 6
Legal Implications (including human rights):	See Section 4
Risk Implications:	See Section 4
Equality Issues/EQIA assessment:	n/a
Crime & Disorder:	n/a
Every Child Matters:	n/a

Filby Neighbourhood Plan 2020-2030

Report by Independent Examiner to Great Yarmouth Borough Council

Ann Skippers BSc (Hons) MRTPI FHEA FRSA AoU
15 November 2021

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Summary

I have been appointed as the independent examiner of the Filby Neighbourhood Development Plan.

Filby lies about six miles northwest of Great Yarmouth and some 16 miles east of Norwich. It is a long, linear settlement along the A1064 and is at the edge of the Norfolk Broads. Part of the Plan area is within the Norfolk and Suffolk Broads and therefore falls under the jurisdiction of the Broads Authority. Filby has a population of 765 according to the Census 2011.

The Plan is presented to a high standard and contains 12 policies covering a range of topics from design, heritage assets and Local Green Spaces. There are no site allocations. All of the policies seek to add local detail to local planning authority level policies or cover issues which are particularly pertinent to the Parish, but may not be included in a local plan. The Plan is accompanied by an evidence base which is a good resource and all the supporting documents are clear and easy to read.

It has been necessary to recommend some modifications. In the main these are intended to ensure the Plan is clear and precise and provides a practical framework for decision-making as required by national policy and guidance. These do not significantly or substantially alter the overall nature of the Plan.

Subject to those modifications, I have concluded that the Plan does meet the basic conditions and all the other requirements I am obliged to examine. I am therefore pleased to recommend to Great Yarmouth Borough Council that the Filby Neighbourhood Development Plan can go forward to a referendum.

In considering whether the referendum area should be extended beyond the Neighbourhood Plan area I see no reason to alter or extend this area for the purpose of holding a referendum.

Ann Skippers MRTPI
Ann Skippers Planning
15 November 2021



1.0 Introduction

This is the report of the independent examiner into the Filby Neighbourhood Development Plan (the Plan).

The Localism Act 2011 provides a welcome opportunity for communities to shape the future of the places where they live and work and to deliver the sustainable development they need. One way of achieving this is through the production of a neighbourhood plan.

I have been appointed by Great Yarmouth Borough Council (GYBC) with the agreement of the Parish Council and the Broads Authority (BA), to undertake this independent examination. I have been appointed through the Neighbourhood Planning Independent Examiner Referral Service (NPIERS).

Part of the Plan area falls within the Norfolk and Suffolk Broads and falls under the jurisdiction of the BA. I have been instructed by Great Yarmouth Borough Council and therefore can only address my report to that authority as my client. However, all parties are aware that the BA plays an important role as the other authority responsible for progressing the Plan to its next stages.

I am independent of the qualifying body and the local authority. I have no interest in any land that may be affected by the Plan. I am a chartered town planner with over thirty years experience in planning and have worked in the public, private and academic sectors and am an experienced examiner of neighbourhood plans. I therefore have the appropriate qualifications and professional experience to carry out this independent examination.

2.0 The role of the independent examiner

The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The basic conditions¹ are:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- The making of the neighbourhood plan contributes to the achievement of sustainable development
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area

¹ Set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended)

- The making of the neighbourhood plan does not breach, and is otherwise compatible with, retained European Union (EU) obligations²
- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation and referred to in the paragraph above. Only one is applicable to neighbourhood plans and was brought into effect on 28 December 2018.³ It states that:

- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

The examiner is also required to check⁴ whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body
- Has been prepared for an area that has been properly designated for such plan preparation
- Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that
- Its policies relate to the development and use of land for a designated neighbourhood area.

I must also consider whether the draft neighbourhood plan is compatible with Convention rights.⁵

The examiner must then make one of the following recommendations:

- The neighbourhood plan can proceed to a referendum on the basis it meets all the necessary legal requirements
- The neighbourhood plan can proceed to a referendum subject to modifications or
- The neighbourhood plan should not proceed to a referendum on the basis it does not meet the necessary legal requirements.

If the plan can proceed to a referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

² Substituted by the Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018/1232 which came into force on 31 December 2020

³ Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

⁴ Set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act

⁵ The combined effect of the Town and Country Planning Act Schedule 4B para 8(6) and para 10 (3)(b) and the Human Rights Act 1998

If the plan goes forward to referendum and more than 50% of those voting vote in favour of the plan then it is made by the relevant local authorities, in this case GYBC and the BA. The plan then becomes part of the 'development plan' for the area and a statutory consideration in guiding future development and in the determination of planning applications within the plan area.

3.0 The examination process

I have set out my remit in the previous section. It is useful to bear in mind that the examiner's role is limited to testing whether or not the submitted neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).⁶

Planning Practice Guidance (PPG) confirms that the examiner is not testing the soundness of a neighbourhood plan or examining other material considerations.⁷ Often representations suggest amendments to policies or additional policies. Where I find that policies do meet the basic conditions, it is not necessary for me to consider if further amendments or additions are required.

PPG⁸ explains that it is expected that the examination will not include a public hearing. Rather the examiner should reach a view by considering written representations. Where an examiner considers it necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case, then a hearing must be held.⁹

After consideration of all the documentation, I decided that it was not necessary to hold a hearing.

In 2018, the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) published guidance to service users and examiners. Amongst other matters, the guidance indicates that the qualifying body will normally be given an opportunity to comment upon any representations made by other parties at the Regulation 16 consultation stage should they wish to do so. There is no obligation for a qualifying body to make any comments; it is only if they wish to do so. The Parish Council did not make any comments.

The Government published a new National Planning Policy Framework (NPPF) in July 2021 about a month after the Regulation 16 stage had ended but before the examination had commenced. Given that the NPPF is a key document issued by the Secretary of State against which the Plan is examined, I suggested that a short period of consultation specifically on the newly published NPPF be held. This was to give all interested parties, GYBC, the BA and the Parish Council an opportunity to consider

⁶ PPG para 055 ref id 41-055-20180222

⁷ Ibid

⁸ Ibid para 056 ref id 41-056-20180222

⁹ Ibid

whether the new NPPF had any implications for the Plan.

This stage of focused and extended consultation resulted in one representation. The Parish Council was also given an opportunity to comment on any representations received, but chose not to do so.

I am very grateful to everyone for ensuring that the examination has run so smoothly and in particular Nick Fountain at GYBC.

I made an unaccompanied site visit to familiarise myself with the Plan area on 3 November 2021.

Where modifications are recommended they appear in **bold text**. Where I have suggested specific changes to the wording of the policies or new wording these appear in ***bold italics***.

Given that the Plan refers to the NPPF in places, these references will need to be updated to refer to the new NPPF.

As a result of some modifications consequential amendments may be required. These can include changing section headings, amending the contents page, renumbering paragraphs or pages, ensuring that supporting appendices and other documents align with the final version of the Plan and so on.

I regard these as primarily matters of final presentation and do not specifically refer to such modifications, but have an expectation that a common sense approach will be taken and any such necessary editing will be carried out and the Plan's presentation made consistent.

- **Update any references to the NPPF throughout the Plan including its appendices as necessary**

4.0 Neighbourhood plan preparation

A Consultation Statement has been submitted. It meets the requirements of Regulation 15(2) of the Neighbourhood Planning (General) Regulations 2012.

Work began on the Plan in 2019 following a public meeting to discuss the development of a neighbourhood plan. A Working Group was established in mid 2019 to lead preparation on the Plan.

An Issues and Options consultation was held with local residents and businesses in August 2019. This took the form of a survey. An event was also held. Both the survey and event were publicised in the Mercury and in the village shop. A 34% response rate to the survey was achieved and 24 people attended the event.

Throughout the Plan preparation process, a variety of focused evidence gathering and liaison with key organisations and landowners has taken place.

A dedicated page was set up on the Parish Council website.

Pre-submission (Regulation 14) consultation took place between 27 July – 20 September 2020. A leaflet and survey was delivered to all households in the Parish. Hard copies of the Plan were available and all documents available online. Posters around the village advertised the consultation as did the website, local Facebook pages and in the local magazine.

I consider that the consultation and engagement carried out is satisfactory.

Submission (Regulation 16) consultation was carried out between 2 April – 11 June 2021.

Just before the examination commenced, as explained earlier, the Government published a new NPPF. In order to give all interested parties, GYBC, the BA and the Parish Council an opportunity to consider whether this had any implications for the Plan, a further two-week period of consultation was carried out. This consultation ended on 21 September 2021.

A total of five representations were received. Whilst I make reference to some responses and not others, I have considered all of the representations and taken them into account in preparing my report.

5.0 Compliance with matters other than the basic conditions

I now check the various matters set out in section 2.0 of this report.

Qualifying body

Filby Parish Council is the qualifying body able to lead preparation of a neighbourhood plan. This requirement is satisfactorily met.

Plan area

The Plan area is coterminous with the administrative boundary for the Parish. GYBC and the BA approved the designation of the area on 28 June 2019. The Plan relates to this area and does not relate to more than one neighbourhood area and therefore complies with these requirements. The Plan area is shown on page 4 of the Plan.

Plan period

The Plan period is 2020 – 2030. This is clearly stated in the Plan itself and confirmed in the Basic Conditions Statement. This requirement is therefore satisfactorily met.

Excluded development

The Plan does not include policies that relate to any of the categories of excluded development and therefore meets this requirement. This is also helpfully confirmed in the Basic Conditions Statement.

Development and use of land

Policies in neighbourhood plans must relate to the development and use of land. Sometimes neighbourhood plans contain aspirational policies or projects that signal the community's priorities for the future of their local area, but are not related to the development and use of land. If I consider a policy or proposal to fall within this category, I will recommend it be clearly differentiated. This is because wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable.¹⁰

In this instance, three Community Policies, arising from the Plan-making process, have been identified. I have recommended later in this report that they are renamed as "Community Aspirations" and that an explanatory paragraph regarding their status is included within the Plan. Subject to these modifications, the Plan will satisfactorily deal with this requirement.

6.0 The basic conditions

Regard to national policy and advice

The Government revised the National Planning Policy Framework (NPPF) on 20 July 2021. This revised Framework replaces the previous National Planning Policy Framework published in March 2012, revised in July 2018 and updated in February 2019.

The NPPF is the main document that sets out the Government's planning policies for England and how these are expected to be applied.

In particular it explains that the application of the presumption in favour of sustainable development will mean that neighbourhood plans should support the delivery of

¹⁰ PPG para 004 ref id 41-004-20190509

strategic policies in local plans or spatial development strategies and should shape and direct development outside of these strategic policies.¹¹

Non-strategic policies are more detailed for specific areas, neighbourhoods or types of development.¹² They can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment as well as set out other development management policies.¹³

The NPPF also makes it clear that neighbourhood plans should not promote less development than that set out in strategic policies or undermine those strategic policies.¹⁴

The NPPF states that all policies should be underpinned by relevant and up to date evidence; evidence should be adequate and proportionate, focused tightly on supporting and justifying policies and take into account relevant market signals.¹⁵

Policies should be clearly written and unambiguous so that it is evident how a decision maker should react to development proposals. They should serve a clear purpose and avoid unnecessary duplication of policies that apply to a particular area including those in the NPPF.¹⁶

On 6 March 2014, the Government published a suite of planning guidance referred to as Planning Practice Guidance (PPG). This is an online resource available at www.gov.uk/government/collections/planning-practice-guidance which is regularly updated. The planning guidance contains a wealth of information relating to neighbourhood planning. I have also had regard to PPG in preparing this report.

PPG indicates that a policy should be clear and unambiguous¹⁷ to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the planning context and the characteristics of the area.¹⁸

PPG states there is no 'tick box' list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken.¹⁹ It continues that the evidence should be drawn upon to explain succinctly the intention and rationale of the policies.²⁰

¹¹ NPPF para 13

¹² Ibid para 28

¹³ Ibid

¹⁴ Ibid para 29

¹⁵ Ibid para 31

¹⁶ Ibid para 16

¹⁷ PPG para 041 ref id 41-041-20140306

¹⁸ Ibid

¹⁹ Ibid para 040 ref id 41-040-20160211

²⁰ Ibid

Whilst this has formed part of my own assessment, the Basic Conditions Statement sets out how the Plan has responded to national policy and guidance. A table²¹ sets out how the Plan aligns with the (previous) NPPF.

Contribute to the achievement of sustainable development

A qualifying body must demonstrate how the making of a neighbourhood plan would contribute to the achievement of sustainable development.

The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.²² This means that the planning system has three overarching and interdependent objectives which should be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.²³ The objectives are economic, social and environmental.²⁴

The NPPF confirms that planning policies should play an active role in guiding development towards sustainable solutions, but should take local circumstances into account to reflect the character, needs and opportunities of each area.²⁵

Whilst this has formed part of my own assessment, the table in the Basic Conditions Statement cross-references how each Plan policy helps to achieve sustainable development as outlined in the (previous) NPPF.²⁶

General conformity with the strategic policies in the development plan

The Plan area falls within two local authority boundaries; GYBC and the BA.

The development plan consists of the Great Yarmouth Local Plan Core Strategy 2013 – 2030 (CS), a number of saved policies from the Borough-wide Local Plan 2001 also remain in force until the emerging Local Plan Part 2 is adopted and the Local Plan for the Broads 2015 – 2036 (LP).

GYBC confirmed that in terms of the saved policies of the Borough-wide Local Plan 2001, Policies HOU7, HOU8 and HOU10 are in regular use and regarded as strategic. The GYBC Local Plan 2001 was adopted in February 2001, the CS was adopted on 21 December 2015 and the Local Plan for the Broads in May 2019.

The LP is applicable to the part of the Plan area which falls within the BA's jurisdiction. The LP contains three types of policies; strategic, development management and site specific. I have considered the whole plan, but paid particular attention to the strategic policies given the wording of the relevant basic condition.

²¹ Basic Conditions Statement Figure 2 on page 3

²² NPPF para 7

²³ Ibid para 8

²⁴ Ibid

²⁵ Ibid para 9

²⁶ Basic Conditions Statement Figure 2 on page 3

In addition there are three minerals and waste planning policy documents which also make up the development plan for the area; these are the Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010 – 2026 adopted in September 2011, the Minerals Site Specific Allocations Development Plan Document (DPD) adopted in October 2014³ and amended in December 2017 and the Waste Site Specific Allocations DPD adopted in October 2013.

Whilst this has formed part of my own assessment, the Basic Conditions Statement contains an assessment of how each policy generally conforms to relevant CS and LP policies.²⁷ Where I have not specifically referred to a strategic policy, I have considered all strategic policies in my examination of the Plan.

Emerging Plan

GYBC submitted the Great Yarmouth Local Plan Part 2 Development Management Policies and Site Allocations to the Inspectorate on 31 July 2020 for independent examination. Examination hearing sessions took place between 2 March - 29 April 2021. The hearing sessions were formally closed by the Inspector on 29 April 2021. In response to the Inspector's post-hearings note, the Council has prepared potential modifications to the Local Plan Part 2. Public consultation on the potential modifications closed on 3 September 2021. The Inspector's Final Report dated 5 November was received by GYBC during the course of this examination. GYBC's website indicates that "it is currently expected that the Council will consider the adoption of the plan at the Full Council meeting on 09 December 2021".

There is no legal requirement to examine the Plan against emerging policy. However, PPG²⁸ advises that the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which the Plan is tested.

Furthermore Parish Councils and local planning authorities should aim to agree the relationship between policies in the emerging neighbourhood plan, the emerging Local Plan and the adopted development plan with appropriate regard to national policy and guidance.²⁹

Retained European Union Obligations

A neighbourhood plan must be compatible with retained European Union (EU) obligations. A number of retained EU obligations may be of relevance for these purposes including those obligations in respect of Strategic Environmental Assessment, Environmental Impact Assessment, Habitats, Wild Birds, Waste, Air Quality and Water matters.

²⁷ Basic Conditions Statement Figure 3 on page 7

²⁸ PPG para 009 ref id 41-009-20190509

²⁹ Ibid

With reference to Strategic Environmental Assessment (SEA) requirements, PPG³⁰ confirms that it is the responsibility of the local planning authority, in this case GYBC and the BA, to ensure that all the regulations appropriate to the nature and scope of the draft neighbourhood plan have been met. It states that it is GYBC and the BA who must decide whether the draft plan is compatible with relevant retained EU obligations when it takes the decision on whether the plan should proceed to referendum and when it takes the decision on whether or not to make the plan.

Strategic Environmental Assessment and Habitats Regulations Assessment

The provisions of the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'SEA Regulations') concerning the assessment of the effects of certain plans and programmes on the environment are relevant. The purpose of the SEA Regulations, which transposed into domestic law Directive 2001/42/EC ('SEA Directive'), are to provide a high level of protection of the environment by incorporating environmental considerations into the process of preparing plans and programmes.

The provisions of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), which transposed into domestic law Directive 92/43/EEC (the 'Habitats Directive'), are also of relevance to this examination.

Regulation 63 of the Habitats Regulations requires a Habitats Regulations Assessment (HRA) to be undertaken to determine whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. The HRA assessment determines whether the Plan is likely to have significant effects on a European site considering the potential effects both of the Plan itself and in combination with other plans or projects. Where the potential for likely significant effects cannot be excluded, an appropriate assessment of the implications of the Plan for that European Site, in view of the Site's conservation objectives, must be carried out.

A Screening Opinion dated February 2020 has been prepared by GYBC. Although it is titled SEA Screening Opinion it also covers HRA matters. It also refers to the SEA and HRA Screening Report of December 2019 prepared by Collective Community Planning on behalf of the Parish Council.

Dealing with SEA first, the Screening Opinion concludes that the Plan does not require a SEA. This was based on the Plan generally conforming to the adopted CS, its operation at a relatively small scale of development or land use, the lack of any site allocations, the general limited opportunity for new development in the area and its recognition of sensitive landscape and environmental assets.

Consultation with the three statutory bodies, the Environment Agency (EA), Natural England (NE) and Historic England (HE), was undertaken. All agreed with the conclusion of the Screening Report.

³⁰ PPG para 031 ref id 11-031-20150209

The Screening Opinion therefore concludes that the Plan does not require a SEA.

I have treated the Screening Opinion of February 2020 to be the statement of reasons that the PPG advises must be prepared and submitted with the neighbourhood plan proposal and made available to the independent examiner where it is determined that the plan is unlikely to have significant environmental effects.³¹

Taking account of the characteristics of the Plan, the information and the characteristics of the areas most likely to be affected, I consider that retained EU obligations in respect of SEA have been satisfied.

Turning now to HRA, the Screening Opinion of February 2020 also addresses HRA. The Screening Report of December 2019 also addresses HRA.

The Screening Report explains that the Plan area falls within the Broads Special Area of Conservation (SAC), the Norfolk and Suffolk Broads National Park and the Trinity Broads Site of Special Scientific Interest (SSSI) which is also a Biodiversity Action Plan Priority Habitat. In addition, the HRA Screening Report also considered other European sites within 20km of the Plan area. These are the Winterton-Horsey Dunes, the Broads and the Haisborough, Hammond and Winterton SACs, the Special Protection Areas (SPA) of Broadland, Outer Thames Estuary, Breydon Water and Great Yarmouth and North Denes and the Broadland and Breydon Water Ramsar sites.

As the Plan does not make any site allocations and many policies seek to conserve or enhance the environment, it was considered that the Plan is unlikely to present additional residential or recreational disturbance beyond that identified in the CS. In relation to other issues such as air and water quality, again it was found no likely significant effects would result.

In April 2018, the Court of Justice of the European Union delivered its judgment in Case C-323/17 People Over Wind and Peter Sweetman v Coillte Teoranta. The judgment clarified that when making screening decisions for the purposes of deciding whether an appropriate assessment is required, competent authorities cannot take into account any mitigation measures. As a result, a competent authority may only take account of mitigation measures intended to avoid or reduce the harmful effects of a plan or project as part of an appropriate assessment itself.³²

For the avoidance of any doubt, I note that the assessment of likely significant effects describes some of the policies as [a] “mitigation policy”. However, these policies are not mitigation measures designed to remove, avoid or reduce or make acceptable any harmful or other effects of development or impacts from development as I read them. This is because the policies concerned in themselves do not support or promote development subject to mitigation measures and the requirements in these policies are common requirements seen in many planning policies. I am therefore confident that no mitigation has been taken into account during this screening stage in line with the case

³¹ PPG para 028 ref id 11-028-20150209

³² Ibid para 005 ref id 65-005-20190722

law described above. In any case the responsibility lies with the competent authority and no concerns have been raised by either GYBC or the BA in this respect.

The Screening Opinion concludes that the Plan will not have any likely significant effects either alone or in combination with other plans and projects and therefore screens the Plan out from requiring an appropriate assessment. NE was consulted and agreed with the conclusions.

The conclusion is therefore that the Plan does not require further assessment.

On 28 December 2018, the basic condition prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended) was substituted by a new basic condition brought into force by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 which provides that the making of the plan does not breach the requirements of Chapter 8 of Part 6 of the Habitats Regulations.

Given the distance, nature and characteristics of the nearest European sites and the nature and contents of this Plan, I agree with the conclusion of the Screening Opinion that an appropriate assessment is not required and accordingly consider that the prescribed basic condition is complied with, namely that the making of the Plan does not breach the requirements of Chapter 8 of Part 6 of the Habitats Regulations.

Conclusion on retained EU obligations

National guidance establishes that the ultimate responsibility for determining whether a plan meets EU obligations lies with the local planning authority.³³ In undertaking work on SEA and HRA, GYBC has considered the compatibility of the Plan in regard to retained EU obligations and does not raise any concerns in this regard. The BA has not raised any concerns.

European Convention on Human Rights (ECHR)

The Basic Conditions Statement contains a statement in relation to human rights.³⁴ Having regard to the Basic Conditions Statement, there is nothing in the Plan that leads me to conclude there is any breach or incompatibility with Convention rights.

³³ PPG para 031 ref id 11-031-20150209

³⁴ Basic Conditions Statement page 9

7.0 Detailed comments on the Plan and its policies

In this section I consider the Plan and its policies against the basic conditions. As a reminder, where modifications are recommended they appear in **bold text** and where I suggest specific changes to the wording of the policies or new wording these appear in ***bold italics***.

The Plan is presented to a very high standard and contains 12 policies. The Plan begins with a helpful contents page.

Introduction

This is an interesting and helpful section which sets out the context for the Plan.

Neighbourhood Planning

This section sets out how the Plan has evolved; it does so in an engaging and informative way.

Vision and Objectives

The vision for the area is:

“The rural character and special identity of Filby, nestled as it is alongside the Norfolk and Suffolk Broads, will be protected and enhanced. The rural character is defined by many features, but especially habitats and green infrastructure for wildlife, the openness of the landscape, historic buildings, and the tranquility of the parish and village.

In protecting and enhancing this rural character, the plan will result in a more coherent, connected and expansive ecological network of key habitats that delivers a significant net ecological gain for wildlife over the plan period. The plan will ensure that the openness of the landscape is retained for the enjoyment of residents and visitors alike, adding as it does to the tranquility of Filby, and that the parish’s historic and heritage assets continue to provide a sense of place. Where possible, the plan will help ensure that the impact on tranquility of the heavy traffic flows through the parish are minimised. Underpinning life in Filby is the wonderful community spirit, and the plan will build on this, helping people to stay in the parish, and creating opportunities for people to meet, interact, and get to know each other.

Finally, the plan will make a key contribution towards addressing climate change, both through reducing greenhouse gas emissions and overseeing a radical change in the development of a network of trees and hedgerows to absorb CO2.”

This detailed vision is supported by nine objectives. All the objectives are articulated well, relate to the development and use of land and will help to deliver the vision.

At the start of each topic section containing the policies, reference is made to the relevant objectives. This means there is a clear and welcome link back to the vision and objectives.

Housing and Design

Policy H1: Housing Type and Mix

It is useful for me at this juncture to set out the planning context. Filby is identified as a Secondary Village in the CS. The CS describes these as villages with few services and facilities, limited access to public transport and few employment opportunities.

CS Policy CS2 directs that about 5% of new residential development will take place in the Secondary and Tertiary Villages.

Neither the CS, the LP or the emerging LP Part 2 allocate any sites for housing development to Filby. As the latest available figure, emerging Policy GSP2 sets out a zero housing requirement for Filby, although this does not in itself preclude any development coming forward through the neighbourhood planning mechanism.

Policy SP15 of the Local Plan for the Broads, sets out a housing need of 66 dwellings within the Great Yarmouth Borough Housing Market Area out of a total of 286 dwellings across the whole of the Broads area.

The Plan explains that 28 new homes have been built over the last six years with a further 26 with consent. This is a significant increase of some 17% in homes in the Plan area.

Whilst the Plan does not identify any sites for housing, it seeks to ensure that any new development reflects the type and size of home most needed in the locality. This is in line with the supporting text for CS Policy CS2 which acknowledges the need for additional housing to meet local housing needs, especially for young families and older people balanced against the need to protect the individual character and identity of each village.

The NPPF states that the needs of groups with specific housing requirements should be addressed to support the Government's objective of significantly boosting housing supply.³⁵

The Plan explains that work carried out during the preparation of the Plan revealed that the Parish is dominated by detached houses with about a third of houses having four or more bedrooms. Smaller units are under-provided.

This policy seeks a mix of housing types and sizes on sites of five or more units. Whilst there is little explanation of this threshold in the Plan, the Consultation Statement explains there have been applications for similar sized schemes in the Parish and it does reflect the five units threshold for affordable housing in designated rural areas (although Filby is not a designated rural area) meaning there is some precedent for such a figure in planning terms. Given the requirements of the policy a threshold below this number would be difficult to deliver in my view. I am therefore comfortable with this as a policy basis.

The mix should reflect local needs based on the latest available information. The policy seeks the inclusion of accessible and adaptable homes, referring to the M4(2) standard.

It encourages the provision of bungalows and sheltered housing recognising that the population is ageing and seeks a minimum 25% provision of homes with two or less bedrooms. Nationally, PPG states that the need to provide housing for older people is critical and offering a choice of accommodation to suit changing needs can help independent living for longer.³⁶ The evidence sitting behind the emerging Local Plan Part 2 also indicates that the Borough has a relatively aged population structure and this is likely to become more pronounced.³⁷

The policy positively discourages larger units unless there is a proven need.

The policy also supports the provision of affordable housing in schemes which would not otherwise provide affordable housing; this is to be regarded as a community benefit, helping to deliver sustainable development in the Plan area.

The NPPF states that the provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies can set a lower threshold of 5 units or fewer).³⁸

This element of the policy then represents a departure from the NPPF. However, given the need to provide more affordable housing and the benefits of such provision for this community, I consider that such a departure is, in this instance, justified. The policy also does not lower the threshold in the NPPF, but rather indicates it support for schemes which provide affordable housing.

³⁵ NPPF para 60

³⁶ PPG para 001 ref id 63-001-20190626

³⁷ Emerging Local Plan Part 2, Tracked Changes Version page 126

³⁸ NPPF para 64

Whilst the policy is prescriptive, there is also inbuilt flexibility within the policy as it acknowledges the latest evidence available and also viability.

However, the reference to the M4(2) standard, however desirable, should be removed from the policy. This is because the Government introduced national technical standards for housing in 2015. A Written Ministerial Statement (WMS)³⁹ explains that neighbourhood plans should not set out any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings; instead these must be contained in local plans. I note that the emerging Local Plan Part 2 seeks to deliver the M4(2) standard on all new housing and so this ambition in the Plan should be delivered at local planning authority level.

The BA also point to a lack of clarity in whether the whole policy applies to sites of five or more. With some additional wording I consider this concern will be addressed. Subject to these modifications, the policy will have regard to national policy, contribute to the achievement of sustainable development and be in general conformity with strategic policy, particularly CS Policies CS2, CS3 and LP Policy SP15.

- **Delete the words “...M4(2) standard...” from criterion a) of the policy**
- **Add the word “All” in front of “Proposals for sheltered housing...” and “Proposals within the development limits...”**
- **Consequential amendments will be needed including the deletion of paragraph 34 on page 10 of the Plan**

Policy H2: Design

The NPPF states that 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.⁴⁰

It continues that neighbourhood plans can play an important role in identifying the special qualities of an area and explaining how this should be reflected in development.⁴¹

It refers to design guides and codes to help provide a framework for creating beautiful and distinctive places with a consistent and high quality standard of design.⁴²

It continues that planning policies should ensure developments function well and add to the overall quality of the area, are visually attractive, are sympathetic to local character

³⁹ Written Ministerial Statement 25 March 2015

⁴⁰ NPPF para 126

⁴¹ Ibid para 127

⁴² Ibid para 128

and history whilst not preventing change or innovation, establish or maintain a strong sense of place and optimise site potential.⁴³

Policy H2 sets out the expectations for new development whilst not seeking to stifle innovation.

It also seeks to encourage energy efficiency proposals and requires all new housing to be designed to the highest allowable prevailing energy efficiency requirements.

The supporting text for this policy refers to the possibility of planning policies requiring energy efficiency standards 20% above building regulations and refers to the Code for Sustainable Homes. This is correct, PPG does say that development plan policies can set energy performance standards at this level.⁴⁴ However, this relates to local planning authorities not qualifying bodies. It refers to the Planning and Energy Act 2008 which allows local planning authorities to set energy efficiency standards in their development plan policies.

In addition, the WMS, referred to in relation to the previous policy, indicates that neighbourhood plans cannot set any standards relating to the construction, internal layout or performance of new dwellings. The WMS also withdrew the Code for Sustainable Homes. Therefore this element of this policy requires modification to ensure it has regard to national policy and guidance alongside consequential changes to ensure the policy still makes sense.

Another element of the policy seeks to ensure that any residential development does not constitute overdevelopment. This is a laudable aim; however the policy includes a plot coverage requirement that any building footprint does not exceed 50% of the plot area. Whilst this is designed to prevent overdevelopment, I am not clear where the 50% has come from. In addition, this is but one element of good design which would achieve the policy's aims. Furthermore there may well be individual sites which could be developed more or those which even a 50% coverage would be inappropriate depending on the character and appearance of the area and the site's context. A modification is therefore recommended to address this concern.

The latest revision of the NPPF⁴⁵ makes it clear that the Government's intention is that all new streets include trees unless in specific cases there are clear justifiable and compelling reasons why this would be inappropriate. In addition, opportunities should be taken to incorporate trees elsewhere in developments; appropriate measures should be in place to secure the long-term maintenance of newly-planted trees; and existing trees should be retained where possible. The NPPF indicates that planning policies should ensure that streets are tree-lined. Therefore, to have regard to national policy it is necessary to include such requirements in Policy H2.

⁴³ NPPF para 130

⁴⁴ PPG para 012 ref id 6-012-20190315

⁴⁵ NPPF para 131

With these modifications, the policy will meet the basic conditions. It will have regard to the NPPF, be in general conformity with CS Policies CS9 and CS12 and Policy SP3 of the Local Plan for the Broads in particular and help to achieve sustainable development.

- **Change the words “All new housing will need to...” in the third sentence of the third paragraph of the policy and substitute with “...All new housing is encouraged...” and delete the words “...as a minimum...” and delete the words “...unless clear evidence is provided that this makes the proposal unviable.”**
- **Amend the fourth paragraph of the policy to read: “New residential development should *ensure that the dwelling’s footprint and any outbuildings is in keeping with the predominant pattern of development in the area and the site’s immediate context. Sufficient and usable outdoor amenity space and landscaping must be provided.*”**
- **Add a new paragraph to the policy that reads: “Tree-lined streets should be included in developments unless in specific cases there are clear justifiable and compelling reasons why this would be inappropriate. Trees should be included within developments where the opportunity arises. Where development is permitted, conditions will be imposed to secure the long-term maintenance of newly-planted trees. Existing trees, tree belts and hedgerows should be retained wherever possible.”**
- **Change the supporting text at paragraph 37 on page 11 of the Plan to read:**

“Planning practice guidance allows *local planning authorities to require* planning policies to require energy efficiency standards 20% above building regulations. *This is encouraged* to be used for Policy H2 unless the guidance changes and more rigorous standards can be applied. In support of the emerging Local Plan 2 for Great Yarmouth Borough an area wide viability study has been undertaken which demonstrates that there is sufficient viability for such standards to be met and achieved on small sites under 0.5 ha or for 10 units.”

Environment

Policy E1: Habitat for Wildlife

The Plan explains that the Parish nestles on the east side of the Trinity Broads catchment with two of the five broads within its boundaries. This part of the Broads network is a SAC and a SSSI. There is therefore a rich biodiversity and important connections with habitats.

The NPPF⁴⁶ is clear that planning policies should contribute to and enhance the natural and local environment including through minimising impacts on biodiversity and providing net gains.

Policy E1 seeks to protect and safeguard the Parish's habitats and requires a 10% net gain in biodiversity amongst other things.

The Government announced it would mandate net gains for biodiversity in the Environment Bill. The Environment Bill received Royal Assent on 9 November 2021. The mandatory biodiversity gain is, as I understand it, likely to become law through secondary legislation in 2023.⁴⁷ Whilst this is not yet a statutory requirement, there is some basis for introducing a policy basis in this Parish with its sites of importance including the SAC and SSSI and its location in and close to the Norfolk and Suffolk Broads. The NPPF promotes the pursuance of opportunities for securing net gains⁴⁸ and PPG indicates that policies can be used to set out a suitable approach.⁴⁹ One method of evidencing this is through DEFRA's biodiversity metric, referred to in the supporting text for this policy. No representations have raised concerns about the introduction of this into policy.

The policy also seeks to ensure that existing biodiversity features are retained and opportunities taken to enhance the Trinity Broads area and wildlife corridors.

It refers to Sustainable Urban Drainage Systems (SuDs) as a mechanism to help achieve this. I note this is welcomed by the lead local flood authority. There is a cross-reference to Policy E6 which may need to be reconsidered as I make recommendations on Policy E6 later in my report.

It expects compensation through habitat improvement to local wildlife corridors if there is any net loss of biodiversity on site. This network of wildlife corridors has been identified through work on the Plan in conjunction with the Norfolk Wildlife Trust and Trinity Broads Partnership; the wildlife corridors are identified in Figure 5 on page 17 of the Plan. This work is to be welcomed in line with the NPPF which encourages such mapping to protect and enhance biodiversity.⁵⁰

I consider this well thought through policy meets the basic conditions. It takes its lead from the NPPF and will help to achieve sustainable development given the net gain in biodiversity currently sought. The policy is supported by local evidence and is in general conformity with CS Policies CS9 and CS11 and Policy SP6 of the Local Plan for the Broads in particular and specifically on Trinity Broads, Policy SSTRI. It is clearly written and no modifications are recommended.

⁴⁶ NPPF para 174

⁴⁷ Source of information Local Government Association www.local.gov.uk accessed 12 November 2021

⁴⁸ NPPF para 179

⁴⁹ PPG para 021 ref id 8-021-20190721

⁵⁰ NPPF para 179

Policy E2: Trees and Hedgerows

Trees and hedgerows are essential to Filby's character as well as providing important wildlife corridors, providing food for wildlife and homes for species.

The NPPF recognises the the wider benefits from natural capital and ecosystems, particularly referencing trees and woodland.⁵¹ It also resists the loss or deterioration of irreplaceable habitats such as ancient woodland and veteran trees unless there are exceptional circumstances.⁵²

This policy has regard to the NPPF, is in general conformity with CS Policies CS9 and CS11 and Local Plan for the Broads Policy SP6 and will help to achieve sustainable development. It meets the basic conditions and no modifications are recommended except to correct a typographical error in the policy, to update a reference to the NPPF in the supporting text, to clarify the supporting text and to add a word to the supporting text to ensure it makes sense.

- **Change the word “Parich” in the policy to “*Parish*”**
- **Change the second sentence of paragraph 48 on page 16 of the Plan to read: “A map of protected trees is available from Great Yarmouth Borough Council and *information on protected trees falling within the Broads Authority, from the Broads Authority.*”**
- **Change the reference to “Paragraph 175” in paragraph 49 on page 16 of the Plan to “Paragraph 180”**
- **Add the word “*land*” after “Any areas of purchased...” in the fourth sentence of paragraph 50 on page 18 of the Plan**

There are also two Community Policies in this section. There has been no previous explanation of these policies. However, it is, as explained earlier, possible for neighbourhood plans to contain non development and land use aspirations if they are clearly identified. In this case, I consider it would be preferable for the Community Policies to be called something other than policies to make sure there is clarity. In addition it would be useful to add an explanatory paragraph elsewhere in the Plan to set out the status of these aspirations.

- **Change the “Community Policy” to “Community *Aspiration*” [this will apply throughout the Plan document and this modification is not repeated elsewhere]**
- **Add a new paragraph at an appropriate location in the Plan which reads: “A *number of Community Aspirations have also been developed alongside the***

⁵¹ NPPF para 174

⁵² Ibid para 180

planning policies. These cover issues which are not development and use of land related, but nevertheless are important considerations which arose through work on the Plan. Their status is as non-statutory aspirations which the Parish Council will seek to progress during the lifetime of the Plan."

Policy E3: Local Green Space

Ten areas of Local Green Space (LGS) are proposed. These are shown on Figure 6 on page 22 of the Plan. A table on pages 20 and 21 of the Plan assesses each proposed LGS against the criteria in the NPPF. As a small point, this table and the location map are both called Figure 6 and in the interests of clarity, a modification is made to alter this.

The NPPF explains that LGSs are green areas of particular importance to local communities.⁵³

The designation of LGSs should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.⁵⁴ It is only possible to designate LGSs when a plan is prepared or updated and LGSs should be capable of enduring beyond the end of the plan period.⁵⁵

The NPPF sets out three criteria for green spaces.⁵⁶ These are that the green space should be in reasonably close proximity to the community it serves, be demonstrably special to the local community and hold a particular local significance and be local in character and not be an extensive tract of land. Further guidance about LGSs is given in PPG.

I saw each of the proposed spaces at my site visit.

1. **Playing field, play area and bowls green, off Main Road** is valued for its recreational purposes.
2. **Allotments, off Thrigby Road** is valued for the opportunity to grow food, as a recreational facility and as a wildlife habitat. They were well-used and tended at the time of my visit.
3. **Community Orchards, off Thrigby Road** are adjacent to the allotments. They are valued for recreation and wildlife.
4. **Community Paddocks, off Thrigby Road** are currently used for grazing horses. There are some stabling buildings on the land. The land can be differentiated from

⁵³ NPPF para 101

⁵⁴ Ibid

⁵⁵ Ibid

⁵⁶ Ibid para 102

the areas around and near by. The paddocks are valued for their recreational and wildlife value.

5. **Village Pond, off Main Road** the lead local flood authority comments on the inclusion of this space as it is a “potential present surface water drainage feature” and therefore recommends “against development of this space to limit any negative impact on the current drainage contrubtions”. I have interpreted this as support for the designation which would limit development.
6. **Filby Dissenter Chapel, off Thrigby Road** is near to the Community Orchards and Community Paddocks. It is of historical value and also valued for its recreational function. I found it to be an area of quiet reflection.
7. **Church of All Saints, Church Lane** has been proposed as a LGS for its heritage and wildlife value. The Church is Grade II listed. The proposed designation includes the Church building, its car park and two areas of graveyard.
8. **The Pound, Pound Lane** is to be found on the corner of Main Road and Pound Lane. It is a grassed area with seating and the location of the village sign. It was a colourful area at the time of my visit with many flowers in bloom. It is valued for its heritage and wildlife value, but it also provides a focal point.
9. **Filby Common, off Common Lane** is valued for its wildlife, beauty and tranquility as well as its views.
10. **Filby Claypits, Thrigby Road** is a small area close to the school. There is a pond and it is valued for its heritage and wildlife value.

In my view, all, but one of the proposed LGSs meet the criteria in the NPPF satisfactorily. The one which does not meet the criteria is the Church of All Saints. This is because buildings and car parks are not green spaces. In addition, the Church is Grade II listed and so given the listed status offers protection to both the building and its setting, it is not clear to me what the additional designation of LGS might achieve.

Otherwise, all are demonstrably important to the local community, all are capable of enduring beyond the Plan period, all meet the criteria in paragraph 102 of the NPPF and their designation is consistent with the local planning of sustainable development and investment in sufficient homes, jobs and other essential services given the housing figures for this local area and other policies in the development plan and this Plan.

Turning now to the wording of the policy, the NPPF indicates that policies for managing development within a LGS should be consistent with those for Green Belts. The supporting text to the Plan seeks to explain why some of the development which is regarded as not inappropriate in the NPPF for green belts would not be suitable in this particular location. Whilst it would, in principle, be possible that a policy could diverge from national policy, there needs to be substantive evidence to support taking such an approach.

However, following a recent Court of Appeal case with regard to the lawfulness of a LGS policy in a neighbourhood plan (*Lochailort Investments Limited v. Mendip District Council and Norton St Philip Parish Council*, [2020] EWCA Civ 1259), I consider it necessary to delete any wording that sets out how development proposals should be managed. The restrictions on development with regard to LGS designation will continue to apply through the NPPF. This will ensure that policies for managing development within a LGS are consistent with those for Green Belts. This approach helps to ensure that the policy meets the basic conditions and is lawful.

With these modifications, Policy E3 will have to regard to national policy, contribute towards sustainable development, particularly the environmental objective and be in general conformity with strategic policy thereby meeting the basic conditions.

- **Change the title “Figure 6” on page 22 of the Plan to “Figure 7”**
- **Consequential renumbering of the figures will be needed**
- **Delete proposed LGS 7, Church of All Saints and amend the map accordingly**
- **Change the first paragraph of the policy to read: “The areas shown in Figure 7 are designated as Local Green Spaces.”**
- **Delete the sentence which begins: “Development on designated Local Green Space will only...”**
- **Retaining the first sentence of paragraph 54 on page 19 of the Plan, delete the remainder of this paragraph but retain the sentence which begins: “Policy E3 does not prevent adjacent proposals...”**

Policy E4: Dark Skies

The NPPF highlights the impact light pollution can have on health and living conditions as well as the natural environment, both locally and in relation to the wider area.⁵⁷

This policy seeks to provide a balance between safety, security and community benefit that lighting can bring with the harm that light pollution can cause.

It is clearly worded with flexibility. It meets the basic conditions particularly having regard to the NPPF and helping to achieve sustainable development. No modifications are put forward.

I note that paragraph 57 on page 23 of the Plan refers to Policy DM22 of the Local Plan for the Broads. This is a detailed policy in the Local Plan for the Broads and the Plan is

⁵⁷ NPPF para 185

clear at paragraph 57 on page 23 that Policy E4 will only apply outside of the BA's jurisdiction. I consider this is clearly set out and that this approach is acceptable.

Policy E5: Landscape Character

The NPPF requires the planning system to contribute and enhance the natural and local environment including protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils.⁵⁸ Recognition of the intrinsic character and beauty of the countryside is also acknowledged.⁵⁹

This policy seeks to do a number of things. Firstly, development should conserve and enhance the character, utility and setting of the Parish. I am not sure what the utility of the Parish means. A modification is therefore made to address this concern.

Secondly, 11 views are identified and protected. These views are important to defining and reinforcing the sense of place and local distinctiveness. The views are shown on Figure 7 and photographs are included in the Plan. Their identification is supported by the Filby Views Assessment.⁶⁰ I am satisfied from the evidence in the Assessment together with what I saw on my site visit, that the views selected are appropriate given the character and setting of the Parish.

The wording of the policy does not prevent any development per se, but rather seeks to ensure that development does not have a detrimental impact on the views. I consider this to be an appropriate and sufficiently flexible approach.

The next element of the policy refers to Grade 1 agricultural land. Figure 8 shows the agricultural land classification. The NPPF recognises the wider benefits from natural capital and ecosystems services including the economic and other benefits of the best and most versatile agricultural land.⁶¹ This part of the policy seeks to protect Grade 1 land unless the community benefits outweigh such protection.

CS Policy CS6 refers to minimising the loss of the best and most versatile agricultural land, only permitting development if it can be shown there is an overriding sustainability benefit and no realistic opportunity for the development to go elsewhere.

I note that Policy SP4 of the Local Plan for the Broads on soils, protects the best and most versatile agricultural land (defined as Grades 1, 2 and 3a) and as well as some Grade 1 land, some Grade 3 land falls within the Plan area covered by the BA according to Figure 8 in the Plan. On the face of it, this policy would then seem not to be in general conformity with this strategic policy. However, I see the supporting text does include a caveat for the need for the development clearly outweighing the need to

⁵⁸ NPPF para 174

⁵⁹ Ibid

⁶⁰ To be found in the Evidence Base document

⁶¹ NPPF para 174

protect such land in the long term and I consider the wording of Policy E5 is therefore in general conformity with this strategic policy.

Finally, the policy refers to proposals adjacent to the Broads, recognises the transitional nature of this area and seeks the reinforcement of hedgerows and conserving wetland areas.

With this modification, the policy will have regard to national policy and guidance by recognising the intrinsic character and beauty of the countryside and promoting and ensuring any development is sympathetic to local character including landscape settings,⁶² will be in general conformity with, and add a local layer of detail to, strategic policies CS Policies CS6 and CS11 and Local Plan for the Broads Policy SP4 in particular and will help to achieve sustainable development.

- **Change the word “utility” in the first sentence of the policy to “appearance”**

Policy E6: Managing Surface Water

The first part of this policy seeks the incorporation of SuDs in all development appropriate to the scale and nature of the proposal.

The NPPF indicates that major development⁶³ should incorporate SuDs unless there is clear evidence that this would be inappropriate.⁶⁴ I note that the Broads Authority defines major development as that covered in the NPPF’s definition, but not limited to that. The NPPF states that for the purposes of paragraphs 176 and 177 of the NPPF, what constitutes a major development will be a matter for the decision maker when considering applications for development within the Broads.⁶⁵

The CS states that the use of SuDs has a key role in reducing flood risk⁶⁶ and Policies CS11, CS12 and CS13 all refer to the appropriate use of SuDs in all developments.

Policy SP2 of the Local Plan for the Broads requires appropriate surface water drainage mitigation measures and Policy DM6 indicates SuDs should be used, unless soil conditions and engineering feasibility indicate otherwise.

I note the lead local flood authority highlight the importance of considering surface water within the Plan area. They recommend that the Plan includes a caveat that any development desmontartes there is no increased risk of flooding and mitigation measures are implemented to address surface water within development sites. As part

⁶² NPPF para 174

⁶³ Major development is defined in the NPPF as development of 10 or more homes or where the site has an area of 0.5 hectares or more. For non-residential development this means an additional floorspace of 1000 square metres or more or a site of 1 hectare or more

⁶⁴ NPPF para 169

⁶⁵ Ibid para 177 and footnote 60

⁶⁶ CS page 93

of their recommendation, the inclusion of SuDs is referred to. Whilst I do not recommend the inclusion of the text and policy Norfolk County Council (NCC) recommends as this would amount to a rewrite of this part of the Plan, I do consider the information given by NCC is sufficient to justify the policy as written, particularly as the policy has inbuilt flexibility over the appropriateness of such use.

The second part of the policy seeks the use of permeable materials.

The last part of the policy encourages SuDs to link with the wildlife corridors to act as a stepping stone.

The policy therefore has regard to the NPPF, is in general conformity with CS Policies CS11, CS12 and CS13 and helps to achieve sustainable development thereby meeting the basic conditions. No modifications to it are recommended.

Built and Historic Environments

Policy BE1: Heritage Assets

The NPPF is clear that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.⁶⁷ It continues that plans should set out a positive strategy for the conservation and enjoyment of the historic environment.⁶⁸

The Plan explains that Filby evolved as a farming community. With evidence of Bronze Age, Iron Age and Roman occupation. There are nine Grade II listed buildings in the Parish and All Saints Church is Grade II* listed.

This policy seeks to deal with both designated and non-designated heritage assets. The NPPF distinguishes between designated heritage assets and non-designated heritage assets outlining different approaches and it is important the policy reflects this. A modification is therefore made to address this point.

In relation to designated heritage assets, the NPPF is clear that great weight should be given to the asset's conservation.⁶⁹ Where a proposal would lead to the total loss or substantial harm to a designated heritage assets, consent should be refused unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss or other circumstances outlined in the NPPF.⁷⁰

⁶⁷ NPPF para 189

⁶⁸ Ibid para 190

⁶⁹ Ibid para 199

⁷⁰ Ibid para 201

Where there is likely to be less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.⁷¹

Work on the Plan has also identified 12 non-designated heritage assets which the policy should be clearer and designate them as such. A modification is made in this respect.

These assets have been identified and assessed against the criteria produced by Historic England, have been based on the Historic Environment Record and after consultation with the Norfolk Historic Environment Service. This assessment is available as a supporting document to the Plan.⁷² The assets are listed on page 33 and shown on Figure 9 on page 35. Should any more assets be identified in the future, they would need to go through a separate process.

Unfortunately, whilst the Plan contains a list of the non-designated assets and they are shown on Figure 9 on page 35 of the Plan, one asset, H, the Toll House does not appear to be shown on the map. I have considered whether the inclusion of it on the map would cause any unfairness to any party, but given the asset is clearly listed and discussed in paragraph 70 of the Plan and no representations have been made in this respect, I consider an amendment to Figure 9 would be acceptable in this instance.

In relation to non-designated heritage assets, the NPPF explains that a balanced judgement will be needed having regard to the scale of any harm or loss and the significance of the heritage asset.⁷³ A modification is made to ensure the policy has regard to this stance.

The BA indicate that there is some superfluous wording in the policy and I agree. A modification is made in the interests of clarity.

I note that Historic England welcome the policy and the identification of non-designated heritage assets.

With these modifications, the policy will have regard to the NPPF, be in general conformity with CS Policies CS9 and CS10 and Policy SP5 of the Local Plan for the Broads in particular and help to achieve sustainable development.

- **Add a new sentence at the start of the first paragraph of the policy that reads: *"Heritage assets should be conserved in a manner appropriate to their significance."***
- **Delete the words "...through agreement with the local planning authority" in the second paragraph of the policy**

⁷¹ NPPF para 202

⁷² To be found in the Evidence Base document

⁷³ NPPF para 203

- Add a new third paragraph which reads: *“The assets listed in paragraph 70 and shown on Figure 9 are designated as non-designated heritage assets.”*
- Add a new criterion a) to the [existing] third paragraph that reads: *“a) for applications which directly or indirectly affect the non-designated heritage assets, a balanced judgement will be made having regard to the scale of any harm or loss and the significance of the asset.”*
- Correct Figure 9 to ensure it clearly includes non-designated heritage asset H
- Consequential amendments will be needed

Policy BE2: Village Gap

There are three distinctive parts to Filby village.

This policy defines a village gap which is shown on Figure 10 on page 37. Within the defined gap, the policy resists development which would detract from the open character of the area or which would reduce visual separation.

The justification for this policy explains that the gap has a historical context and any development detracting from the gap would adversely affect the rural setting of these two parts of the village and affect long views into the countryside. Of equal importance is the local character and distinctiveness of each area. Both are recognised contributors to what makes a place special.

Whilst I agree it is important for the different parts of the village to be retained in the interests of local character and distinctiveness and the principle of the village gap has logic to it, the defined area is too big to serve its purpose. This is because it includes the backs of dwellings and land that does not contribute directly to the maintenance of the gap. Therefore a modification to reduce and redefine the area is made. As the area becomes smaller as a result of the modification, I do not consider anyone would be prejudiced by the revision.

I consider the wording of the policy to be overly restrictive. As I read it, it would effectively prevent most types of development. I consider that a more flexible approach would have better regard to the NPPF and help to achieve sustainable development.

I note the CS acknowledges the need to provide additional housing to meet local housing needs as explained in my discussion of Policy H1. However, the CS also recognises this needs to be balanced with the need to protect the individual character

and identity of each settlement including its setting, key historical characteristics and local features.⁷⁴

CS Policy CS9 seeks to conserve and enhance landscape features and reinforce local identity. Its supporting text especially refers to the how distinctiveness matters in helping to create a sense of ownership and community pride. CS Policy CS11 refers to strategic gaps to help retain the separate identity and character of settlements in close proximity to each other and so the principle is accepted.

I consider this policy seeks to help to achieve that and therefore is in general conformity with the CS.

With these modifications, the policy will meet the basic conditions.

- **Reword the policy to read:**

“An area of separation between the two distinct parts of the village settlement, as defined in Figure 10, *is identified*.

Development proposals within the defined area should respect the individual and distinct identities of the different parts of the village. Development will not be permitted if, individually or cumulatively, it would result in the loss of the visual and physical separation of these two distinctive parts or lead to their coalescence.”

- **Reduce the proposed Village Gap defined on Figure 10 by removing the backs of dwellings from the gap, reducing its width to be in line with the properties and other changes in line with the orange shading on the proposed map at Appendix 2 of this report**

Access and Transport

This section contains a community aspiration.

Policy AT1: Sustainable Transport

The NPPF is keen to ensure that transport issues are considered from the earliest stages of plan-making so that, amongst other things, opportunities to promote walking, cycling and public transport use are taken.⁷⁵

⁷⁴ CS page 37

⁷⁵ NPPF para 104

Policy AT1 encourages sustainable transport choices including the promotion of safe walking links to key facilities, the enhancement of footpaths where necessary and the promotion of public transport use through, for example, improved waiting facilities. It seems to me that this policy has particular regard to the NPPF, is in general conformity with CS Policies CS9 and CS16 and Policy SP8 of the Local Plan for the Broads and will help to achieve sustainable development. It meets the basic conditions and it is not necessary for me to recommend any modifications to it.

Policy AT2: Traffic and Speed

This policy seeks to ensure that development is not detrimental to highway safety and mitigates any adverse impacts. It then refers to new development taking reasonable opportunities to reinforce the current 30 mph speed limit through Filby on the A1064. The Plan explains this road is a popular commuter route and that traffic is often diverted along it if the A47 Acle Straight is closed. As well as the volume of traffic, the type of traffic including lorries and farm vehicles and the speed of traffic is a concern for the local community.

Given the NPPF indicates that the impact of development on transport networks can be addressed⁷⁶ and that impacts on the transport network in terms of capacity and congestion and highway safety can be mitigated,⁷⁷ I consider this policy meets the basic conditions. In particular it has regard to the NPPF and will help to achieve sustainable development.

As a result, no modifications are proposed.

8.0 Conclusions and recommendations

I am satisfied that the Filby Neighbourhood Development Plan, subject to the modifications I have recommended, meets the basic conditions and the other statutory requirements outlined earlier in this report.

I am therefore pleased to recommend to Great Yarmouth Borough Council that, subject to the modifications proposed in this report, the Filby Neighbourhood Development Plan can proceed to a referendum.

Following on from that, I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. I see no reason to alter or extend the Plan area for the purpose of holding a referendum and no representations have been made that would lead me to reach a different conclusion.

⁷⁶ NPPF para 104

⁷⁷ Ibid para 110

I therefore consider that the Filby Neighbourhood Development Plan should proceed to a referendum based on the Filby Neighbourhood Plan area as approved by Great Yarmouth Borough Council and the Broads Authority on 28 June 2019.

Ann Skippers MRTPI

Ann Skippers Planning
15 November 2021

Appendix 1 List of key documents specific to this examination

Filby Neighbourhood Plan 2020 – 2030 December 2020

Statement of Basic Conditions October 2020 (Collective Community Planning)

Consultation Statement September 2020 (Collective Community Planning)

Strategic Environmental Assessment Screening Opinion February 2020 (GYBC) which includes the Habitats Regulations Assessment Screening Opinion

Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report December 2019 (Collective Community Planning)

Evidence Base December 2020 (Collective Community Planning)

Great Yarmouth Local Plan: Core Strategy 2013 – 2030 adopted December 2015

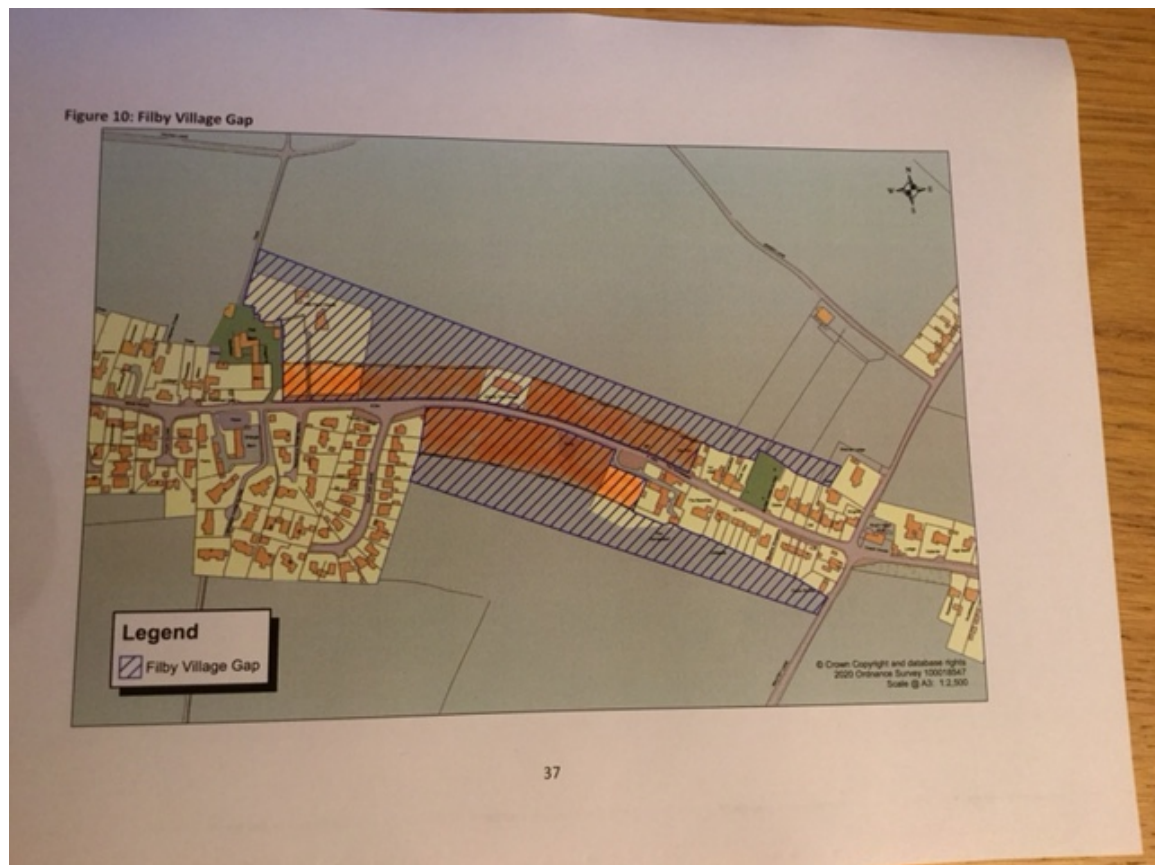
Great Yarmouth Borough-wide Local Plan 2001 adopted February 2001

Local Plan for the Broads 2015 – 2036 adopted May 2019

Great Yarmouth Local Plan Part 2 Final Draft Plan with Proposed Main Modifications and Additional Modifications July 2021

Appendix 2 Policy BE2 Filby Village Gap

Map showing proposed modification





Great Yarmouth Borough Council & Broads Authority Filby Neighbourhood Plan Examiner's Report – Decision Statement

9th December 2021

1. Purpose of Statement

The Filby Neighbourhood Plan has been examined by an independent Examiner and they have issued the Examiner's Report. The report makes a number of recommendations for making modifications to policies within the submitted Neighbourhood Plan. In accordance with Regulation 17A and 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended) and paragraph 12 of Schedule 4B to the 1990 Town and Country planning Act (as amended) Great Yarmouth Borough Council and the Broads Authority (as joint responsible authority) propose to accept each of the examiner's recommendations, as set out below.

2. Plan background

Under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) the plan was submitted to the Borough Council in March 2021, with the parish council having undertaken early local consultations. In accordance with Regulation 16, the Borough Council published and consulted on the submitted plan in May 2021.

An independent examiner was then appointed to examine the plan in accordance with paragraph 7 of Schedule 4B to the 1990 Town and Country planning Act (as amended). To aid the examination, the Examiner then asked the Borough Council to undertake a focused consultation on implications of the revised National Planning Policy Framework on the neighbourhood plan. Responses from each of the respective consultations were passed to the Examiner for consideration.

The appointed Examiner has now examined the Filby Neighbourhood Plan and published their report with recommendations. The Examiner can only examine the plan in so far as to determine whether it meets the 'basic conditions' required by the legislation. The Examiner can also recommend on that basis whether the plan should proceed to referendum, and if so whether the referendum area should be extended beyond the designated neighbourhood plan area.

Under Regulation 24A of the Neighbourhood Planning (General) Regulations 2012 (as amended), the Borough Council along with the Broads Authority (as part of the neighbourhood plan area falls within the Broads Local Planning Authority Area) have to make a decision on the Examiner's recommendations. The Local Planning Authority must consider whether to decline/refuse the plan or to accept the report recommendations and set out its reasons in a decision statement that must then be published. It is also possible for the local planning authority to make a decision which differs

from that recommended by the examiner, but this would require a statement of reason, further consultation, and the possibility of re-examination.

3. Consideration of Basic Conditions

The Examiner has concluded: *'Subject to those modifications, I have concluded that the Plan does meet the basic conditions and all the other requirements I am obliged to examine.'*

This assessment includes consideration of the Environmental Assessment of Plans and Programmes Regulations 2004 (formerly the Strategic Environmental Assessment Directive) and the Conservation of Habitats and Species Regulations 2017 (or 'Habitat Regulations'). After consultation with the statutory bodies, the submitted Screening Opinion concluded that the Plan is not likely to have significant environmental effects. The Screening Opinion also concludes that the Plan will not have any likely significant effects upon nearby habitat sites (National Site Network designated habitat sites) either alone or in combination with other plans and projects, and therefore screens the Plan out from requiring an appropriate assessment.

The Examiner concludes that: *'Taking account of the characteristics of the Plan, the information and the characteristics of the areas most likely to be affected, I consider that retained EU obligations in respect of SEA have been satisfied... Given the distance, nature and characteristics of the nearest European sites and the nature and contents of this Plan, I agree with the conclusion of the Screening Opinion that an appropriate assessment is not required and accordingly consider that the prescribed basic condition is complied with, namely that the making of the Plan does not breach the requirements of Chapter 8 of Part 6 of the Habitats Regulations.'*

As competent authority, Great Yarmouth Borough Council and the Broads Authority accept these findings.

4. Reason for decision

Having considered each of the recommendations within the examiner's report and the reasons for them, Great Yarmouth Borough Council and the Broads Authority has decided to approve each of the recommended modifications. This is in accordance with section 12 of Schedule 4B to the Town and Country Planning Act 1990.

The following table sets out each of the examiner's recommended modifications to the submitted neighbourhood plan, the Council's consideration of those recommendations, and the Council's decision in relation to each recommendation.

Section of Submitted Neighbourhood Plan	Examiner's recommendation	Council consideration of recommendation	Council decision
Whole document	As a result of some modifications consequential amendments may be required. These can include changing section headings, amending the contents page, renumbering paragraphs or pages, ensuring that supporting appendices and other documents align with the final version of the Plan and so on.	The Councils agree with the Examiner that the contents page, renumbering paragraphs or pages, should be renumbered as they appear sequentially.	Accept Examiner's recommended modifications.
Vision & Objectives	No modifications	Agree	Accept Examiner's recommendation. No modification necessary.
Policy H1: Housing Type and Mix	<ul style="list-style-type: none"> Delete the words "...M4(2) standard..." from criterion a) of the policy Add the word "All" in front of "Proposals for sheltered housing..." and "Proposals within the development limits..." Consequential amendments will be needed including the deletion of paragraph 34 on page 10 of the Plan 	The Councils agree with the Examiner's reasoning that the plan cannot include national technical standards such as M4(2) standards as set out in a Written Ministerial Statement & the additional wording to ensure that the policy applies to all relevant development proposals.	Accept Examiner's recommendation. No modification necessary.
Policy H2: Design	<ul style="list-style-type: none"> Change the words "All new housing will need to..." in the third sentence of the third paragraph of the policy and substitute with "...All new housing is encouraged..." and delete the words "...as a minimum..." and delete the words "...unless clear evidence is provided that this makes the proposal unviable." Amend the fourth paragraph of the policy to read: "New residential development should ensure that the dwelling's footprint and any outbuildings is in keeping with the predominant pattern of development in the area and the site's immediate 	<p>The Councils agree with the Examiner's reasoning that:</p> <ul style="list-style-type: none"> the plan cannot include national technical standards such as energy efficiency standards as set out in a Written Ministerial Statement Ensure that plot sizes are appropriate to the immediate area but that there is still flexibility within the policy The policy should reflect the NPPF's requirement to secure tree-lined streets. 	Accept Examiner's recommended modifications.

	<p>context. Sufficient and usable outdoor amenity space and landscaping must be provided.”</p> <ul style="list-style-type: none"> • Add a new paragraph to the policy that reads: “Tree-lined streets should be included in developments unless in specific cases there are clear justifiable and compelling reasons why this would be inappropriate. Trees should be included within developments where the opportunity arises. Where development is permitted, conditions will be imposed to secure the long-term maintenance of newly-planted trees. Existing trees, tree belts and hedgerows should be retained wherever possible.” • Change the supporting text at paragraph 37 on page 11 of the Plan to read: “Planning practice guidance allows local planning authorities to require planning policies to require energy efficiency standards 20% above building regulations. This is encouraged to be used for Policy H2 unless the guidance changes and more rigorous standards can be applied. In support of the emerging Local Plan 2 for Great Yarmouth Borough an area wide viability study has been undertaken which demonstrates that there is sufficient viability for such standards to be met and achieved on small sites under 0.5 ha or for 10 units.” 		
Policy E1: Habitat for Wildlife	No modifications	Agree	Accept Examiner’s recommendation. No modification necessary.
Policy E2: Trees and Hedgerows	<ul style="list-style-type: none"> • Change the word “Parich” in the policy to “Parish” • Change the second sentence of paragraph 48 on page 16 of the Plan to read: “A map of protected trees is available from Great Yarmouth Borough 	<p>The Councils agree with the Examiner’s reasoning to:</p> <ul style="list-style-type: none"> • Amend the typographical error 	Accept Examiner’s recommended modifications.

	<p>Council and information on protected trees falling within the Broads Authority, from the Broads Authority.”</p> <ul style="list-style-type: none"> • Change the reference to “Paragraph 175” in paragraph 49 on page 16 of the Plan to “Paragraph 180” • Add the word “land” after “Any areas of purchased...” in the fourth sentence of paragraph 50 on page 18 of the Plan 	<ul style="list-style-type: none"> • Ensure that protected trees can be inspected at each Council • Amend paragraph references to the latest version of the NPPF • Clarify that reference to areas purchased refers to land. 	
Community Policies	<ul style="list-style-type: none"> • Change the “Community Policy” to “Community Aspiration” [this will apply throughout the Plan document and this modification is not repeated elsewhere] • Add a new paragraph at an appropriate location in the Plan which reads: “A number of Community Aspirations have also been developed alongside the planning policies. These cover issues which are not development and use of land related, but nevertheless are important considerations which arose through work on the Plan. Their status is as non-statutory aspirations which the Parish Council will seek to progress during the lifetime of the Plan.” 	The Councils agree with the Examiner’s reasoning that ‘community policies’ should be clearly distinct from policies and therefore identified as aspirations.	Accept Examiner’s recommended modifications.
Policy E3: Local Green Space	<ul style="list-style-type: none"> • Change the title “Figure 6” on page 22 of the Plan to “Figure 7” • Consequential renumbering of the figures will be needed • Delete proposed LGS 7, Church of All Saints and amend the map accordingly • Change the first paragraph of the policy to read: “The areas shown in Figure 7 are designated as Local Green Spaces.” 	<p>The Councils agree with the Examiner’s reasoning to:</p> <ul style="list-style-type: none"> • Amend the typographical errors such as numbering • To remove the Local Green Space at All Saints Church given that much of the space identified does not meet the criteria and that the space is also protected as part of the listed status of the building 	Accept Examiner’s recommended modifications.

	<ul style="list-style-type: none"> Delete the sentence which begins: "Development on designated Local Green Space will only..." Retaining the first sentence of paragraph 54 on page 19 of the Plan, delete the remainder of this paragraph but retain the sentence which begins: "Policy E3 does not prevent adjacent proposals..." 	<ul style="list-style-type: none"> The policy should be worded consistently with Green Belt policy as set out in the NPPF. 	
Policy E4: Dark Skies	No modifications	Agree	Accept Examiner's recommendation. No modification necessary.
Policy E5: Landscape Character	Change the word "utility" in the first sentence of the policy to "appearance"	The Councils agree with the Examiner's reasoning that the word 'appearance' provides more clarity to the intention of the policy.	Accept Examiner's recommended modification.
Policy E6: Managing Surface Water	No modifications	Agree	Accept Examiner's recommendation. No modification necessary.
Policy BE1: Heritage Assets	<ul style="list-style-type: none"> Add a new sentence at the start of the first paragraph of the policy that reads: "Heritage assets should be conserved in a manner appropriate to their significance." Delete the words "...through agreement with the local planning authority" in the second paragraph of the policy Add a new third paragraph which reads: "The assets listed in paragraph 70 and shown on Figure 9 are designated as non-designated heritage assets." Add a new criterion a) to the [existing] third paragraph that reads: "a) for applications which directly or indirectly affect the non-designated heritage assets, a balanced judgement will be made 	<p>The Councils agree with the Examiner's reasoning to:</p> <ul style="list-style-type: none"> Ensure that the policy aligns with the NPPF in terms of considering non-designated heritage assets To correct the error on Figure 9 To make any necessary consequential amendments. 	Accept Examiner's recommended modifications.

	<p>having regard to the scale of any harm or loss and the significance of the asset.”</p> <ul style="list-style-type: none"> • Correct Figure 9 to ensure it clearly includes non-designated heritage asset H • Consequential amendments will be needed 		
Policy BE2: Village Gap	<ul style="list-style-type: none"> • Reword the policy to read: “An area of separation between the two distinct parts of the village settlement, as defined in Figure 10, is identified. Development proposals within the defined area should respect the individual and distinct identities of the different parts of the village. Development will not be permitted if, individually or cumulatively, it would result in the loss of the visual and physical separation of these two distinctive parts or lead to their coalescence.” • Reduce the proposed Village Gap defined on Figure 10 by removing the backs of dwellings from the gap, reducing its width to be in line with the properties and other changes in line with the orange shading on the proposed map at Appendix 2 of this report. 	<p>The Councils agree with the Examiner’s reasoning to:</p> <ul style="list-style-type: none"> • Define how the village gap contributes to the setting of the village and how cumulative development can also harm this setting • To identify the gap as the frontage element of the space. 	Accept Examiner’s recommended modifications.
Policy AT1: Sustainable Transport	No modifications	Agree	Accept Examiner’s recommendation. No modification necessary.
Policy AT2: Traffic and Speed	No modifications	Agree	Accept Examiner’s recommendation. No modification necessary.

5. Next steps

This Decision Statement and the Examiner's Report into the Neighbourhood Plan will be made available at the following online locations:

- <GYBC webpage>
- <Broads webpage>
- <PC webpage>

Inspection copies?

- Town Hall
- Village Hall

The next stage is for the Neighbourhood Plan to proceed to a referendum within the neighbourhood area. Such a referendum needs to take place within 56 days from the day after the date of the decision. Notice will be given 28 days before the referendum takes place.

URN: 21-156

Subject: Rollesby Neighbourhood Plan examination & recommendation

Report to: Full Council – 9 December 2021

Report by: Nick Fountain, Senior Strategic Planner

SUBJECT MATTER

Rollesby Neighbourhood Plan Examiner's report & recommendation

RECOMMENDATION

That Full Council:

- Approves the recommended modifications to the Neighbourhood Plan as set out in the Examiner's Report
- Approves the referendum area as the neighbourhood plan area as recommended in the Examiner's Report.
- Agree the Neighbourhood Plan (as modified) proceeds to referendum.
- Approves the publication of a Decision Statement setting out the Council's and the Broads Authority's response to the Examiner's recommendations and announcing the intention for the Neighbourhood Plan to proceed to a referendum.

1. Introduction

- 1.1. A neighbourhood plan is a plan prepared by a local community (usually led by the parish council), that contains land use policies. The Borough Council formally designated the Neighbourhood Plan Area for Rollesby in March 2017 at which point the parish council (working with consultants) began preparing their neighbourhood plan. The parish council has engaged with the local community including consultation on a pre-submission draft of the neighbourhood plan.
- 1.2. The designated neighbourhood area, which is the whole parish, also extends into the Broads area, meaning that the Broads Authority has joint responsibility in decision making (with the Borough Council) for local planning authority duties. The Borough Council and Broads Authority have provided advice and assistance over the course of the plan being prepared. The Borough Council also provided some final comments on the plan proposals as part of an informal 'health-check' before the plan was submitted.

Local Plan Working Party

- 1.3. Throughout plan preparation and formal decision making, the progress of the neighbourhood plan has been presented to members of the Local Plan Working Party. Members have had opportunities to feedback ideas to officers to shape consultation responses, and in providing advice and guidance to the parish council. The Examiner's Report recommendations were taken to Local Plan Working Party and endorsed to Full Council on 23rd November 2021.

Final stages of the plan

- 1.4. The plan was submitted to the Borough Council in December 2020. Significantly, this neighbourhood plan proposes to allocate housing (up to 90 units) in between the two existing built-up parts of the settlement of Rollesby. The submitted plan was also accompanied by a full Environmental Report (sustainability appraisal) and Habitat Regulations Assessment, along with the other required supporting documents, given the scale and extent of development proposed.
- 1.5. The Borough Council published and consulted on the submitted plan in April 2021. An independent examiner was then appointed to examine the plan. To aid the examination, the Examiner then asked the Borough Council to undertake a focused consultation on implications of the revised National Planning Policy Framework (NPPF) on the neighbourhood plan. Responses from each of the respective consultations were passed to the Examiner for consideration, though it is worth noting that few responses were received at either of these stages.
- 1.6. The appointed Examiner has now examined the Rollesby Neighbourhood Plan and published their final report with recommendations. The Examiner can only examine the plan in so far as to determine whether it meets the '[basic conditions](#)' required by the legislation. The Examiner can also recommend on that basis whether the plan should proceed to referendum, and if so whether the referendum area should be extended beyond the designated neighbourhood plan area.
- 1.7. It is worth noting that officers had a chance to look through a draft report for fact checking. This included the opportunity to identify any factual errors before the final report was issued on 15th November 2021.
- 1.8. In summary, the Examiner has found that subject to some necessary modifications, the neighbourhood plan meets the basic conditions and can proceed to referendum. No extension has been recommended to the referendum area, which would maintain the whole parish of Rollesby as the area over which the referendum would apply.

2. Rollesby Neighbourhood Plan

- 2.1. The plan encompasses visions and objectives covering housing, the environment, community assets, traffic and transport and a strategy for delivering growth. The plan is ambitious and includes site allocations for residential and mixed-use development to meet the plan ambition to join the existing gap between the two halves of the existing settlement. The plan period runs to 2035 and there is a policy commitment to review the delivery of the plan by 2029.
- 2.2. In summary the policies in the submission plan seek to:
 - Allocate housing for a minimum of 65 dwellings (up to 90 dwellings) within the existing gap between the two halves of the village, including the provision of a detailed

- masterplan setting out phased development
- Allocate 0.75 hectares for mixed use development (for small scale retail/business uses) to the east of the existing school site
- Support low occupancy homes suitable for young and elderly residents
- Preserve and enhance the existing village character through design measures
- Support conservation and habitat enhancement, including biodiversity net gain on new developments
- Protect existing landscape character and appearance
- Preserve Dark Skies
- Expect mitigation measures against flooding
- Designate Local Green Spaces
- Promote sustainable transport

2.3. To support the assessment of housing allocation sites the parish council had a 'Site Options and Assessments' report prepared by AECOM. The Borough Council also provided the parish council with its site assessments from the emerging local plan and detailed feedback on the consideration of alternative options as part of the Environmental Assessment (this report is explained further below). It is understood that the parish council have been working with Norfolk County Council as landowners of the land between the two built up areas of Rollesby (forming the allocations), to deliver a phased masterplan to meet the neighbourhood plan ambitions.

3. Examiner recommendations

3.1. The full Examiner's Report is attached to this paper. To summarise, the Examiner recommendations to the submitted plan are as follows:

- Subject to modifications, the plan meets the basic conditions including;
 - Having regard to national policies and advice
 - Contributes to the achievement of sustainable development
 - Is in general conformity with the strategic policies of the Development Plan
 - Meets the retained European Union Obligations (transposed into UK law):
 - The Environmental Assessment of Plans and Programmes Regulations 2004 (Environmental Assessment Regulations)
 - The Conservation of Habitats and Species Regulations 2017 (Habitat Regulations)
 - Does not breach the European Convention on Human Rights
- The modifications to policies and supporting text were relatively minor text changes, with the exceptions of development thresholds for infill development (HO1), energy efficiency standards and design (HO2), garden areas (HO3), consideration of impacts upon the landscape (E1 & E2), Local Green Space (CA2) - policies where text has either been removed or added. Recommended modifications include:
 - Updating any references to the NPPF as necessary
 - Clarifying the status of existing local plans
 - Removed the threshold of only up to 5 units for infill development
 - Encouraging (but not requiring) energy efficiency standards in accordance with the Written Ministerial Statement
 - Clarified that garden areas are of an appropriate size to reflect local character
 - Adding requirement for tree-lined streets
 - Provide examples of biodiversity conservation

- Clarified how impacts upon the landscape will be considered
- To require justification to locate community facilities within the Broads area
- Ensuring Local Green Space policy is consistent with Green Belts as set out in national policy
- Removing the Local Green Space at the Moat which was a residential curtilage, lacking public use

4. Decision on Examiner's Recommendations

- 4.1. Regulation 24A of the Neighbourhood Planning Regulations sets out that the local planning authority needs to make a decision within 5 weeks of the examiner's report being issued unless a date is otherwise agreed with the qualifying body (the parish council). The Local Planning Authority must consider whether to decline/refuse the plan or to accept the report recommendations and set out its reasons in a decision statement that must then be published. It is possible for the local planning authority to make a decision which differs from that recommended by the examiner, but this would require a statement of reason, further consultation, and the possibility of re-examination.
- 4.2. Such decisions must be made within the framework set out in the Regulations and Schedule 4B to the 1990 Town and Country Planning Act (as amended). Broadly speaking the only reasons to decline or reject the neighbourhood plan are where the plan fails to meet the basic conditions or Human Right Convention as set out in the legislative requirements. Based on the Examiner's findings it is considered unlikely that the plan falls short of these requirements.
- 4.3. Having carefully reviewed the Examiner's report and recommendations, officers consider that the examination has been carried out correctly in considering the basic conditions and where necessary this has required modifications to the policies and supporting text. Officers, therefore, see no justification to depart from the recommendations contained within the attached Examiner's report.

Joint decision

- 4.4. The designated neighbourhood area, which is the whole parish, also extends into the Broads area, meaning that the Broads Authority has joint responsibility in decision making (with the Borough Council) for local planning authority duties. The Borough Council has taken the lead in supporting the parish council preparing the plan by providing advice and assistance, organising and coordinating actions, responses, consultations and decisions. The Broads Authority will also need to consider the Examiner's recommendations and come to a decision at their Planning Committee (scheduled on 3rd December 2021). Therefore, a formal joint decision will not be issued until the decision is made by Full Council.

General conformity with existing Local Plan

- 4.5. One of the key basic conditions is that the neighbourhood plan is in general conformity with the strategic policies of the adopted local plan. It is important to note that officers have over the preparation of the plan provided advice in respect of the emerging Local Plan Part 2 (LPP2) strategic policies. While policies from the LPP2 cannot be considered under the basic conditions (as they are not adopted policies), the Examiner's report does have regard to these and officers are content that the neighbourhood plan is in any case in general conformity with these policies.

- 4.6. Indeed, Policy GSP2 and the supporting text to the LPP2 provides flexibility for neighbourhood plans to allocate housing (in accordance with Policy CS2) and specifically recognised that Rollesby Neighbourhood Plan was proposing to do so. This is of particular relevance as it is anticipated that the LPP2 will be formally adopted at the same Full Council meeting just after the decision on the Examiner's recommendations is made.
- 4.7. Where there are elements of policy that may conflict, these will be resolved by favouring the most recently adopted policy. Therefore, the neighbourhood plan policies would take precedence as they would be formally adopted following the referendum (which would occur in the new year after the LPP2 is adopted). Such conflicts should only occur in very limited circumstances and would only apply in non-strategic policy matters.

Environmental Assessment & Habitat Regulations

- 4.8. Another important consideration at this stage is compliance with the Environmental Assessment and Habitat Regulations Assessment (HRA) legislative requirements, as the Borough Council (along with the Broads Authority) is the 'competent authority'. The parish council (via consultants) prepared a Full Environmental Report and Habitat Regulations Assessment (incorporating Appropriate Assessment and prepared by AECOM) to support their plan.
- 4.9. These reports concluded that with appropriate mitigation in place that the plan would not have any likely significant effects upon the environment or any adverse impacts on nearby habitat sites (National Site Network habitat sites). No objections or further comments were raised by statutory consultees including Natural England and the Environment Agency. Since then, the plan has been subject to relatively minor updates by the parish council following consultation. As part of the informal 'health check' on the plan, the Borough Council sought expert advice from the County Ecologist which provided some feedback on the HRA report but also gave reassurance that the plan could meet the legislative requirements with appropriate mitigation. The required mitigation essentially uses the Borough Council's existing [Habitats Monitoring and Mitigation Strategy](#), which requires a financial contribution per net new dwelling to address cumulative impacts of increased recreational pressure from new residential development.
- 4.10. The plan would also now be subject to the suggested modifications from the Examiner. Having considered these, officers have concluded that the findings of the Full Environmental Report and Habitat Regulations Assessment remain valid and appropriate, meeting the legislative requirements. It is therefore important to acknowledge that by accepting the Examiner's recommendations, that the Borough Council (and Broads Authority) as competent authority accept:
- i. the findings of the Environmental Report that with mitigation in place the plan will not have any likely significant adverse effects upon the environment
 - ii. the findings of the Habitat Regulations Assessment (incorporating Appropriate Assessment) that with necessary mitigation in place there will be no adverse effects on the site integrity of nearby habitat sites (National Site Network habitat sites).

Neighbourhood Referendum

- 4.11. If the neighbourhood plan and the modifications that the Examiner has proposed are accepted, the plan should proceed to a neighbourhood referendum. The referendum asks

whether residents would like the neighbourhood plan to help decide on planning applications in their area. Essentially, a successful vote ensures that the local authority will adopt the plan as part of their Development Plan to be used when determining planning applications.

- 4.12. Such a referendum needs to take place within 56 days from the day after the date of the decision on examiner recommendations. A 28 day notice period of the referendum date also needs to be published within that 56 day period. Having liaised with the Electoral Services team, the referendum could be held on **Thursday 24th February 2022**. The Examiner has recommended that the referendum area is not expanded beyond the designated neighbourhood plan area; and therefore, it would remain as the whole parish area. There appears no justification to disagree with this approach.

Decision Statement

- 4.13. In accordance with the Regulations, the Borough Council must publish a decision statement setting out what action is being taken on the Examiner's report and the recommendations contained within it. A draft statement has been prepared and is attached to this report, with a decision based on accepting all of the Examiner's recommendations. As the decision is joint with the Broads Authority, the statement is on behalf of both councils.

5. Next Steps

- 5.1. Subject to the Examiner's recommendations being accepted, a decision statement will be issued and published on the Borough Council's website. A notice will be published proposing the referendum date (ensuring that the 28 days' notice requirement is met). The referendum will be held in the parish. The result will be determined by a majority of over 50% of the votes cast. The result of that referendum will be reported. Upon a 'yes' vote, the plan must be adopted by the local planning authority within a period of 8 weeks following the referendum date. The plan would then need to be formally adopted by Full Council, forming part of the Development Plan. A decision statement will need to be published on the Borough Council's website.
- 5.2. As discussed above, should Full Council come to a different recommendation to that of the Examiner, a decision statement will still need to be issued and this could require further consultation and potentially re-examination.

6. Financial Implications

- 6.1. The Borough Council has already received £5,000 for the adopted neighbourhood plan area (it has actually received 5 of these through the first 5 adopted areas). This funding will support the payments required to appoint independent examiners.
- 6.2. The Borough Council should receive a further Government grant of £20,000 when a decision statement is issued to send the neighbourhood plan to referendum.
- 6.3. All costs associated with officer resources, the examination and referendum of the Neighbourhood Plans are expected to be covered by this Government funding.

7. Conclusion

- 7.1. The first recommendation is that the Full Council accepts the Examiner's proposed modifications to the Rollesby Neighbourhood Plan. This decision accepts that the plan meets

the basic conditions. In addition, as the Examiner has advised in the report, it is recommended that the referendum area is maintained as the neighbourhood plan area.

- 7.2. It is then recommended that Full Council agrees that the plan should proceed to referendum. The referendum would be held next year within the required time limit, and **Thursday 24th February 2022** is the proposed date for this to take place.
- 7.3. Finally, to meet the legislative requirements at this stage, it is recommended that Full Council approves the attached Decision Statement for publication on the Borough Council's website.

8. Links

- [Submission version of Rollesby Neighbourhood Plan \(pre-examination therefore excludes modifications\)](#)
- [Environmental Report](#)
- [Habitat Regulations Assessment](#)

9. Appendices

Appendix 1 – Examiner's Report on Rollesby Neighbourhood Plan

Appendix 2 – Rollesby Examiner's Report Decision Statement

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?

Area for consideration	Comment
Monitoring Officer Consultation:	n/a
Section 151 Officer Consultation:	n/a
Existing Council Policies:	Local Plan Part 1: Core Strategy, 2001 Borough-wide Local Plan
Financial Implications (including VAT and tax):	See Section 6
Legal Implications (including human rights):	See Section 4
Risk Implications:	See Section 4
Equality Issues/EQIA assessment:	n/a
Crime & Disorder:	n/a
Every Child Matters:	n/a

Rollesby Neighbourhood Plan 2020-2035

Report by Independent Examiner to Great Yarmouth Borough Council

Ann Skippers BSc (Hons) MRTPI FHEA FRSA AoU
15 November 2021

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Summary

I have been appointed as the independent examiner of the Rollesby Neighbourhood Development Plan.

Rollesby is around 7 or so miles northwest of Great Yarmouth. It is essentially a settlement of 'two halves'; the two parts are distinctive with the settlement around Fleggburgh Road older in character and in part a Conservation Area with a number of listed buildings alongside a small business park and the other half with the school and community centre. It has a number of facilities including a primary school and pub. It has a population of around 950 according to the Census 2011. Part of the Plan area falls within the Norfolk and Suffolk Broads and falls under the jurisdiction of the Broads Authority.

One of the key facets of this well presented Plan is the desire to join the two halves of the village and a number of phased site allocations are made promoting housing growth in the 'gap'. Although there is no requirement for the Plan to make any allocations, the Plan considers that this is one way of addressing some of the key issues and concerns of local residents, particularly in relation to the A149 and a way of bringing the community together. This then is an innovative approach which I commend.

As well as these important site allocations, the Plan contains a number of other policies covering a variety of topics from design, views and Local Green Spaces. Many of the policies seek to add local detail to local planning authority level policies or cover issues which are particularly pertinent to the Parish, but may not be included in a local plan. The Plan is accompanied by an evidence base which is a good resource and all the supporting documents are clear and easy to read.

It has been necessary to recommend some modifications. In the main these are intended to ensure the Plan is clear and precise and provides a practical framework for decision-making as required by national policy and guidance. These do not significantly or substantially alter the overall nature of the Plan.

Subject to those modifications, I have concluded that the Plan does meet the basic conditions and all the other requirements I am obliged to examine. I am therefore pleased to recommend to Great Yarmouth Borough Council that the Rollesby Neighbourhood Development Plan can go forward to a referendum.

In considering whether the referendum area should be extended beyond the Neighbourhood Plan area I see no reason to alter or extend this area for the purpose of holding a referendum.

Ann Skippers MRTPI
Ann Skippers Planning
15 November 2021

1.0 Introduction

This is the report of the independent examiner into the Rollesby Neighbourhood Development Plan (the Plan).

The Localism Act 2011 provides a welcome opportunity for communities to shape the future of the places where they live and work and to deliver the sustainable development they need. One way of achieving this is through the production of a neighbourhood plan.

I have been appointed by Great Yarmouth Borough Council (GYBC) with the agreement of the Parish Council and the Broads Authority (BA), to undertake this independent examination. I have been appointed through the Neighbourhood Planning Independent Examiner Referral Service (NPIERS).

Part of the Plan area falls within the Norfolk and Suffolk Broads and falls under the jurisdiction of the BA. I have been instructed by Great Yarmouth Borough Council and therefore can only address my report to that authority as my client. However, all parties are aware that the BA plays an important role as the other authority responsible for progressing the Plan to its next stages.

I am independent of the qualifying body and the local authority. I have no interest in any land that may be affected by the Plan. I am a chartered town planner with over thirty years experience in planning and have worked in the public, private and academic sectors and am an experienced examiner of neighbourhood plans. I therefore have the appropriate qualifications and professional experience to carry out this independent examination.

2.0 The role of the independent examiner

The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The basic conditions¹ are:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- The making of the neighbourhood plan contributes to the achievement of sustainable development
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area

¹ Set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended)

- The making of the neighbourhood plan does not breach, and is otherwise compatible with, retained European Union (EU) obligations²
- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation and referred to in the paragraph above. Only one is applicable to neighbourhood plans and was brought into effect on 28 December 2018.³ It states that:

- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

The examiner is also required to check⁴ whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body
- Has been prepared for an area that has been properly designated for such plan preparation
- Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that
- Its policies relate to the development and use of land for a designated neighbourhood area.

I must also consider whether the draft neighbourhood plan is compatible with Convention rights.⁵

The examiner must then make one of the following recommendations:

- The neighbourhood plan can proceed to a referendum on the basis it meets all the necessary legal requirements
- The neighbourhood plan can proceed to a referendum subject to modifications or
- The neighbourhood plan should not proceed to a referendum on the basis it does not meet the necessary legal requirements.

If the plan can proceed to a referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

² Substituted by the Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018/1232 which came into force on 31 December 2020

³ Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

⁴ Set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act

⁵ The combined effect of the Town and Country Planning Act Schedule 4B para 8(6) and para 10 (3)(b) and the Human Rights Act 1998

If the plan goes forward to referendum and more than 50% of those voting vote in favour of the plan then it is made by the relevant local authority, in this case GYBC and the BA. The plan then becomes part of the 'development plan' for the area and a statutory consideration in guiding future development and in the determination of planning applications within the Plan area.

3.0 The examination process

I have set out my remit in the previous section. It is useful to bear in mind that the examiner's role is limited to testing whether or not the submitted neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).⁶

Planning Practice Guidance (PPG) confirms that the examiner is not testing the soundness of a neighbourhood plan or examining other material considerations.⁷ Often representations suggest amendments to policies or additional policies. Others may suggest revisions to some of the supporting documents which I consider should be made (if appropriate) at earlier stages of Plan production as it is not my role to revise supporting documents. Where I find that policies do meet the basic conditions, it is not necessary for me to consider if further amendments or additions are required.

PPG⁸ explains that it is expected that the examination will not include a public hearing. Rather the examiner should reach a view by considering written representations. Where an examiner considers it necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case, then a hearing must be held.⁹

I sought clarification on a number of matters from the Parish Council and GYBC in writing on 1 November 2021 and my list of questions is attached to this report as Appendix 2. I am very grateful to all parties, including the BA, who have provided me with comprehensive answers to my questions. The responses received (all publicly available) have enabled me to examine the Plan without the need for a hearing.

In 2018, the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) published guidance to service users and examiners. Amongst other matters, the guidance indicates that the qualifying body will normally be given an opportunity to comment upon any representations made by other parties at the Regulation 16 consultation stage should they wish to do so. There is no obligation for a qualifying body to make any comments; it is only if they wish to do so. The Parish Council did not make any comments.

The Government published a new National Planning Policy Framework (NPPF) in July

⁶ PPG para 055 ref id 41-055-20180222

⁷ Ibid

⁸ Ibid para 056 ref id 41-056-20180222

⁹ Ibid

2021 about a month or so after the Regulation 16 stage had ended but before the examination had commenced. Given that the NPPF is a key document issued by the Secretary of State against which the Plan is examined, I suggested that a short period of consultation specifically on the newly published NPPF be held. This was to give all interested parties, GYBC, the BA and the Parish Council an opportunity to consider whether the new NPPF had any implications for the Plan.

This stage of focused and additional consultation resulted in one representation. The Parish Council was also given an opportunity to comment on any representations received, but chose not to do so.

I am very grateful to everyone for ensuring that the examination has run so smoothly and in particular Nick Fountain at GYBC.

I made an unaccompanied site visit to familiarise myself with the Plan area on 3 November 2021.

Where modifications are recommended they appear in **bold text**. Where I have suggested specific changes to the wording of the policies or new wording these appear in ***bold italics***.

Given that the Plan refers to the NPPF in places, these references will need to be updated to refer to the new NPPF.

As a result of some modifications consequential amendments may be required. These can include changing section headings, amending the contents page, renumbering paragraphs or pages, ensuring that supporting appendices and other documents align with the final version of the Plan and so on.

I regard these as primarily matters of final presentation and do not specifically refer to such modifications, but have an expectation that a common sense approach will be taken and any such necessary editing will be carried out and the Plan's presentation made consistent.

- **Update any references to the NPPF throughout the Plan including its appendices as necessary**

4.0 Neighbourhood plan preparation

A Consultation Statement has been submitted. It meets the requirements of Regulation 15(2) of the Neighbourhood Planning (General) Regulations 2012.

Work began on the Plan in 2016. A Working Group was established consisting of both residents and Parish Councillors. A public meeting was held in mid 2017. Throughout

the process contact has been made with Norfolk County Council (NCC) as the landowner concerned. A dedicated page was set up on the Parish Council website.

In February 2019, an issues and options consultation was undertaken with residents and businesses and took the form of a survey. Two events were held including a simulation game to consider options for locations for housing growth.

Pre-submission (Regulation 14) consultation took place between 2 December 2019 – 28 February 2020. A leaflet was sent to every household and business in the Parish, an article was placed in the local Church magazine and the Parish Council update sent to the Great Yarmouth Mercury. Posters around the village advertised the consultation. Hard copies of the Plan were available and all documents available online. Two drop-in events were held.

I consider that the consultation and engagement carried out is satisfactory.

Submission (Regulation 16) consultation was carried out between 2 April – 11 June 2021.

Just before the examination commenced, as explained earlier, the Government published a new NPPF. In order to give all interested parties, GYBC and the BA and the Parish Council an opportunity to consider whether this had any implications for the Plan, a further two week period of consultation was carried out. This consultation ended on 21 September 2021.

A total of six representations were received. Whilst I make reference to some responses and not others, I have considered all of the representations and taken them into account in preparing my report.

5.0 Compliance with matters other than the basic conditions

I now check the various matters set out in section 2.0 of this report.

Qualifying body

Rollesby Parish Council is the qualifying body able to lead preparation of a neighbourhood plan. This requirement is satisfactorily met.

Plan area

The Plan area is coterminous with the administrative boundary for the Parish. GYBC and the BA approved the designation of the area on 7 March 2017. The Plan relates to this area and does not relate to more than one neighbourhood area and therefore complies with these requirements. This is helpfully confirmed in the Basic Conditions Statement. The Plan area is shown on page 3 of the Plan.

Plan period

The Plan period is 2020 – 2035. This is clearly stated in the Plan itself and confirmed in the Basic Conditions Statement. This requirement is therefore satisfactorily met.

Excluded development

The Plan does not include policies that relate to any of the categories of excluded development and therefore meets this requirement. This is also helpfully confirmed in the Basic Conditions Statement.

Development and use of land

Policies in neighbourhood plans must relate to the development and use of land. Sometimes neighbourhood plans contain aspirational policies or projects that signal the community's priorities for the future of their local area, but are not related to the development and use of land. If I consider a policy or proposal to fall within this category, I will recommend it be clearly differentiated. This is because wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable.¹⁰

In this instance, Community Actions are included in the Plan. I consider they are clearly identified and that there is sufficient explanation in the Plan. This approach is therefore acceptable in this case.

6.0 The basic conditions

Regard to national policy and advice

The Government revised the National Planning Policy Framework (NPPF) on 20 July 2021. This revised Framework replaces the previous National Planning Policy Framework published in March 2012, revised in July 2018 and updated in February 2019.

The NPPF is the main document that sets out the Government's planning policies for England and how these are expected to be applied.

In particular it explains that the application of the presumption in favour of sustainable development will mean that neighbourhood plans should support the delivery of strategic policies in local plans or spatial development strategies and should shape and direct development outside of these strategic policies.¹¹

¹⁰ PPG para 004 ref id 41-004-20190509

¹¹ NPPF para 13

Non-strategic policies are more detailed for specific areas, neighbourhoods or types of development.¹² They can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment as well as set out other development management policies.¹³

The NPPF also makes it clear that neighbourhood plans should not promote less development than that set out in strategic policies or undermine those strategic policies.¹⁴

The NPPF states that all policies should be underpinned by relevant and up to date evidence; evidence should be adequate and proportionate, focused tightly on supporting and justifying policies and take into account relevant market signals.¹⁵

Policies should be clearly written and unambiguous so that it is evident how a decision maker should react to development proposals. They should serve a clear purpose and avoid unnecessary duplication of policies that apply to a particular area including those in the NPPF.¹⁶

On 6 March 2014, the Government published a suite of planning guidance referred to as Planning Practice Guidance (PPG). This is an online resource available at www.gov.uk/government/collections/planning-practice-guidance which is regularly updated. The planning guidance contains a wealth of information relating to neighbourhood planning. I have also had regard to PPG in preparing this report.

PPG indicates that a policy should be clear and unambiguous¹⁷ to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the planning context and the characteristics of the area.¹⁸

PPG states there is no 'tick box' list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken.¹⁹ It continues that the evidence should be drawn upon to explain succinctly the intention and rationale of the policies.²⁰

Whilst this has formed part of my own assessment, the Basic Conditions Statement sets out how the Plan has responded to national policy and guidance. A table²¹ sets out how the Plan aligns with the (previous) NPPF.

¹² NPPF para 28

¹³ Ibid

¹⁴ Ibid para 29

¹⁵ Ibid para 31

¹⁶ Ibid para 16

¹⁷ PPG para 041 ref id 41-041-20140306

¹⁸ Ibid

¹⁹ Ibid para 040 ref id 41-040-20160211

²⁰ Ibid

²¹ Basic Conditions Statement Figure 1 on page 3

Contribute to the achievement of sustainable development

A qualifying body must demonstrate how the making of a neighbourhood plan would contribute to the achievement of sustainable development.

The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.²² This means that the planning system has three overarching and interdependent objectives which should be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.²³ The objectives are economic, social and environmental.²⁴

The NPPF confirms that planning policies should play an active role in guiding development towards sustainable solutions, but should take local circumstances into account to reflect the character, needs and opportunities of each area.²⁵

Whilst this has formed part of my own assessment, the table in the Basic Conditions Statement cross references how each Plan policy helps to achieve sustainable development as outlined in the (previous) NPPF.²⁶

General conformity with the strategic policies in the development plan

The Plan area falls within two local authority boundaries; GYBC and the BA.

The development plan consists of the Great Yarmouth Local Plan Core Strategy 2013 – 2030 (CS), a number of saved policies from the Borough-wide Local Plan 2001 also remain in force until the emerging Local Plan Part 2 is adopted and the Local Plan for the Broads 2015 – 2036.

GYBC confirmed that in terms of the saved policies of the Borough-wide Local Plan 2001, Policies HOU7, HOU8 and HOU10 are in regular use and regarded as strategic. The GYBC Local Plan 2001 was adopted in February 2001, the CS was adopted on 21 December 2015 and the Local Plan for the Broads in May 2019.

The Local Plan for the Broads is applicable to the part of the Plan area which falls within the BA's jurisdiction. It contains three types of policies; strategic, development management and site specific. I have considered the whole plan, but paid particular attention to the strategic policies given the wording of the relevant basic condition.

In addition there are three minerals and waste planning policy documents which also make up the development plan for the area; these are the Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010 – 2026 adopted in September 2011, the Minerals Site Specific Allocations Development

²² NPPF para 7

²³ Ibid para 8

²⁴ Ibid

²⁵ Ibid para 9

²⁶ Basic Conditions Statement Figure 1 on page 3

Plan Document (DPD) adopted in October 2014³ and amended in December 2017 and the Waste Site Specific Allocations DPD adopted in October 2013.

Whilst this has formed part of my own assessment, the Basic Conditions Statement contains an assessment of how each policy generally conforms to relevant CS and LP policies.²⁷ Where I have not specifically referred to a strategic policy, I have considered all strategic policies in my examination of the Plan.

Emerging Plan

GYBC submitted the Great Yarmouth Local Plan Part 2 Development Management Policies and Site Allocations to the Inspectorate on 31 July 2020 for independent examination. Examination hearing sessions took place between 2 March - 29 April 2021. The hearing sessions were formally closed by the Inspector on 29 April 2021. In response to the Inspector's post-hearings note, the Council has prepared potential modifications to the Local Plan Part 2. Public consultation on the potential modifications closed on 3 September 2021. The Inspector's Final Report dated 5 November was received by GYBC during the course of this examination. GYBC's website indicates that "it is currently expected that the Council will consider the adoption of the plan at the Full Council meeting on 09 December 2021".

There is no legal requirement to examine the Plan against emerging policy. However, PPG²⁸ advises that the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which the Plan is tested.

Furthermore Parish Councils and local planning authorities should aim to agree the relationship between policies in the emerging neighbourhood plan, the emerging Local Plan and the adopted development plan with appropriate regard to national policy and guidance.²⁹

Retained European Union Obligations

A neighbourhood plan must be compatible with retained European Union (EU) obligations. A number of retained EU obligations may be of relevance for these purposes including those obligations in respect of Strategic Environmental Assessment, Environmental Impact Assessment, Habitats, Wild Birds, Waste, Air Quality and Water matters.

With reference to Strategic Environmental Assessment (SEA) requirements, PPG³⁰ confirms that it is the responsibility of the local planning authorities, in this case GYBC and the BA, to ensure that all the regulations appropriate to the nature and scope of the draft neighbourhood plan have been met. It states that it is GYBC and the BA who must decide whether the draft plan is compatible with relevant retained EU obligations

²⁷ Basic Conditions Statement Figure 2 on page 9

²⁸ PPG para 009 ref id 41-009-20190509

²⁹ Ibid

³⁰ Ibid para 031 ref id 11-031-20150209

when it takes the decision on whether the plan should proceed to referendum and when it takes the decision on whether or not to make the plan.

Strategic Environmental Assessment and Habitats Regulations Assessment

The provisions of the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'SEA Regulations') concerning the assessment of the effects of certain plans and programmes on the environment are relevant. The purpose of the SEA Regulations, which transposed into domestic law Directive 2001/42/EC ('SEA Directive'), are to provide a high level of protection of the environment by incorporating environmental considerations into the process of preparing plans and programmes.

The provisions of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), which transposed into domestic law Directive 92/43/EEC (the 'Habitats Directive'), are also of relevance to this examination.

Regulation 63 of the Habitats Regulations requires a Habitats Regulations Assessment (HRA) to be undertaken to determine whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. The HRA assessment determines whether the Plan is likely to have significant effects on a European site considering the potential effects both of the Plan itself and in combination with other plans or projects. Where the potential for likely significant effects cannot be excluded, an appropriate assessment of the implications of the Plan for that European Site, in view of the Site's conservation objectives, must be carried out.

A Screening Determination by GYBC dated September 2019 determined that SEA was required. Accordingly, an Environmental Report (ER) has been prepared by Collective Community Planning.

In response to my query, GYBC has confirmed that a Scoping Report was sent to the statutory consultees in September 2019. Responses were received from all the statutory consultees and the BA.

The ER concludes that:

“Overall, Rollesby Neighbourhood Plan offers a number of positive sustainability effects, particularly in relation to housing, social inclusion and biodiversity. However, these positive effects need to be balanced against the potential the plan has to damage the local environment, particularly in terms of additional traffic it may generate and the unavoidable loss of high-quality agricultural land. Mitigation recommendations have been included within the submission version of Rollesby Neighbourhood Plan.”³¹

It was published for consultation alongside the submission version of the Plan.

³¹ ER Non-technical summary

The ER deals with the issues appropriately for the content and level of detail in the Plan. This includes the consideration of reasonable alternatives, taking into account one of the key objectives of the Plan is to join the two halves of the settlement together through allocations for housing development. This in line with PPG advice which confirms the SEA does not have to be done in any more detail or using more resources than is considered to be appropriate for the content and level of detail in the Plan.³² In my view, the ER has been prepared in accordance with Regulation 12 of the Regulations.

Taking account of the characteristics of the Plan and the characteristics of the areas likely to be affected, I am of the view that EU obligations in respect of SEA have been satisfied.

In relation to HRA, the Screening Determination by GYBC of September 2019 also confirmed the need for Appropriate Assessment (AA).

The AA has been carried out by AECOM. This found that the Broadland Special Protection Area (SPA) and Ramsar, the Broads Special Area of Conservation (SAC), the Great Yarmouth North Denes SAC, the Winterton-Horsey Dunes SAC and the Breydon Water SPA and Ramsar European sites are relevant. It was considered that the Plan has the potential to result in impacts alone, largely because of the proposed site allocations.

A number of recommendations were made by the AA including the insertion of new text into policies and supporting text. All of the recommendations are included in the submission version of the Plan. With these recommendations in place, the AA concludes that the Plan will have no adverse effects either alone or in combination with other plans and projects.

On 28 December 2018, the basic condition prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended) was substituted by a new basic condition brought into force by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 which provides that the making of the plan does not breach the requirements of Chapter 8 of Part 6 of the Habitats Regulations.

Given the distance, nature and characteristics of the European sites and the nature and contents of the Plan, I consider that the prescribed basic condition relating to the Conservation of Habitats and Species Regulations 2017 is complied with.

Conclusion on retained EU obligations

National guidance establishes that the ultimate responsibility for determining whether a plan meets EU obligations lies with the local planning authority.³³ In undertaking work on SEA and HRA, GYBC has considered the compatibility of the Plan in regard to

³² PPG para 030 ref id 11-030-20150209

³³ Ibid para 031 ref id 11-031-20150209

retained EU obligations and does not raise any concerns in this regard. The BA has not raised any concerns.

European Convention on Human Rights (ECHR)

The Basic Conditions Statement contains a statement in relation to human rights.³⁴ Having regard to the Basic Conditions Statement, there is nothing in the Plan that leads me to conclude there is any breach or incompatibility with Convention rights.

7.0 Detailed comments on the Plan and its policies

In this section I consider the Plan and its policies against the basic conditions. As a reminder, where modifications are recommended they appear in **bold text** and where I suggest specific changes to the wording of the policies or new wording these appear in ***bold italics***.

The Plan is presented to a very high standard and contains 18 policies. The Plan starts with a helpful contents page.

1. Introduction

This is an interesting section which helpfully sets out the context for the Plan.

2. Neighbourhood Planning

This section contains an overview of neighbourhood planning and the aims of the Plan.

There is one modification to be made in the interests of accuracy.

- **Add the word “*Authority*” after “Broads” in paragraph 8 on page 2 of the Plan**

3. Consultation with Residents

This short section explains how the Plan has been produced.

³⁴ Basic Conditions Statement page 13

4. Vision and Objectives

The Plan's vision is:

"Rollesby will be a cohesive and thriving community. Improved community facilities and services to support daily life in the parish will be easily and safely accessible by foot and bike. It will have a more balanced population with housing for younger people and families as well as older residents. The village has grown but this has not been at the expense of having a rural and open feel with views into the open countryside. The natural environment will be protected and enhanced, especially biodiversity in the Trinity Broads."

The vision is supported by six objectives. All the objectives are articulated well, relate to the development and use of land and will help to deliver the vision.

5. Policies

This section seeks to explain how the Plan policies fit into the context of planning policy, but I feel it could distinguish more clearly between the current adopted plan and the emerging Local Plan Part 2. It also does not mention the Local Plan for the Broads. A modification is therefore made in the interests of clarity.

- **Change paragraphs 22 – 26 inclusive on page 7 of the Plan and add a new paragraph to read:**

"22. Great Yarmouth Borough Council's Local Plan includes the Core Strategy 2013 - 2030, which was adopted in 2015. The Borough Council is currently developing a new Local Plan Part 2 which will comprise updates to the Core Strategy, new strategic policies, site allocations and detailed policies. Both the adopted and the emerging Local Plans contain planning policies for the whole of the borough, including Rollesby Parish. This emerging Neighbourhood Plan contains other non-strategic policies for Rollesby Parish itself specifically.

23. In addition, part of the Parish falls under the Broads Authority. In these areas, the Local Plan for the Broads, adopted in 2019, applies.

24. There is no need to repeat or copy the planning policy framework in place in the Local Plans. However, where there are policy details missing that are important for Rollesby, or where it was felt that a slightly different policy is needed, then new policies were developed for the Neighbourhood Plan. Some of the policies in the following sections are not strictly 'planning' related. Nevertheless, it was felt that they were important enough to include in the plan and be called 'Community Actions', being something that the local community and parish council will lead on.

25. The policies are intended to meet the vision and objectives set out above. They are aimed at guiding decision makers and applicants in order to achieve high standards of development, and development in the right places. Development proposals should have regard to all the planning policies in this Neighbourhood Plan, and of course those in the *relevant* Local Plans.

26. To have more local control over the planning process and particularly where new developed should take place, this Neighbourhood Plan has allocated a number of sites for development, mainly for residential development.”

6. Housing

At the start of each topic section containing the policies, reference is made to the relevant objectives. This means there is a clear and welcome link back to the vision and objectives.

It is useful for me at this juncture to set out the planning context and discuss the housing and site allocation policies.

One of the CS’s strategic objectives is to direct new development towards the most sustainable locations.³⁵ Another is to provide sufficient housing that meets the needs of the Borough including its ageing population.³⁶ In relation to the environment, protection and enhancement of the quality of the local environment is key.³⁷

CS Policy CS1 supports new development that delivers sustainable growth where new development is of a scale and in a location that complements the character and supports the function of individual settlements. It supports mixed adaptable neighbourhoods which meet the needs and aspirations of the local community.

CS Policy CS2 explains that growth must be delivered in a sustainable manner and directs approximately 5% of new development to the Secondary and Tertiary Villages named in the settlement hierarchy. Rollesby is identified as a Secondary Village. The policy recognises that the distribution of housing will need to be flexibly applied to ensure that the housing target is delivered.

The CS explains that Secondary Villages will experience “...smaller levels of development in line with meeting local needs such as affordable housing, recreation, community services and facilities and essential employment generating proposals”.³⁸ It goes on to

³⁵ CS SO1 page 26

³⁶ CS SO3 page 27

³⁷ CS SO6 page 27

³⁸ CS page 26

say that the majority of this development will be on previously developed sites.³⁹ It describes these as villages with few services and facilities, limited access to public transport and few employment opportunities.⁴⁰

The CS is clear that the settlement hierarchy offers a “pointer”⁴¹ to suitability for future development and that it does not necessarily follow that new development is appropriate or needed. It explains there are large contrasts in the size and service provision between [Secondary and Tertiary] villages and the Primary Villages. Therefore growth should be proportionately limited in scale and well-related to the existing settlement and infrastructure.⁴² Neighbourhood plans are encouraged in these locations to define locally preferable, positive development.⁴³

There are two distinct parts to the village, reflected in the two separate development limits identified in the CS. This creates a large ‘gap’ of some 350m between the two elements. One part of the village essentially lies to the north of the A149 although the Church and older part of the village lies to the south but is not included in any development limit boundary and the other to the south and north of the A149. Both parts of the village contain services, but because of the ‘gap’, the village does not, to me at least, feel as if it is a coherent place.

The Plan process has shown that there would be conditional support from the local community for development in the gap between these two parts of the settlement. As a result the Plan sets out a number of site allocation policies, providing for 90 units (including a site for 25 units as a reserve site) over the Plan period.

Neither the CS, the Local Plan for the Broads or the emerging LP Part 2 allocate any sites for housing development to Rollesby. As the latest available figure, emerging LP Part 2 Policy GSP2 sets out a zero housing requirement for Rollesby, although this does not in itself preclude any development coming forward through the neighbourhood planning mechanism. Indeed the LP Part 2 does not allocate any figure above zero to any designated neighbourhood plan areas, preferring to rely on its own strategy at Borough level to provide for housing.

I asked GYBC for their view on whether the proposed site allocations would be in general conformity with the strategic policies in the development plan and the emerging Local Plan Part 2. I did this because I sought a view on whether there would be any implications for the delivery of the growth strategy having regard to PPG.

PPG is clear that neighbourhood planning bodies are encouraged to meet their housing requirement and where possible to exceed it.⁴⁴ Where a housing requirement figure is to be exceeded then proactive engagement with the local planning authorities

³⁹ CS page 26

⁴⁰ Ibid page 35

⁴¹ Ibid

⁴² Ibid page 37

⁴³ Ibid

⁴⁴ PPG para 103 ref id 41-103-20190509

concerned is needed.⁴⁵ This is to assess whether the scale of additional housing numbers is in general conformity with strategic policies and whether, for example, the scale of the proposed increase would have a detrimental impact on the strategic spatial strategy, or whether sufficient infrastructure is proposed to support the scale of development and whether it has a realistic prospect of being delivered in accordance with development plan policies on viability.⁴⁶

GYBC confirms that it considers the site allocations to be in accordance with the development plan. In referring to the Local Plan Part 2, Policy GSP2 in placing a zero housing requirement on neighbourhood plans, does support housing allocations within or outside development limits through the neighbourhood plan process subject to consideration of a number of criteria. Indeed I note that the Local Plan Part 2 specifically refers to Rollesby indicating the site allocations will be acceptable provided the criteria in Policy GSP2 are met.⁴⁷

The criteria are i) the proportion of overall planned Borough housing growth indicated for that tier of the settlement hierarchy by Core Policy CS2; ii) the relationship of the site to the existing built up area of the settlement; iii) the settlement size, provision of and access to local services and facilities and infrastructure (including road, pedestrian and cycle access); and iv) the conservation and enhancement of the landscape, heritage, environment and wildlife qualities of the area and its surroundings, with particular regard to formal designations of these (where applicable).

GYBC consider the site allocations to be justified in the context of emerging Local Plan Part 2 Policy GSP2. Furthermore it is considered that neighbourhood plans will provide a buffer to support the Government's objective to boost housing supply. Of course, I cannot examine the Plan against this emerging policy, but note that GYBC consider the site allocations accord with the development plan and will not harm the delivery of the emerging strategic growth strategy.

In my judgment, the site allocations are based on the local community's desire to join the two parts of the village and that in so doing there will be significant community benefits. These include the ability to plan for local housing needs by providing a mix of housing against the background of a declining population, addressing concerns over speed limits and other issues regarding connectivity along the A149 such as a footway and crossing points, new community facilities, extension and improvement of the Playing Field, net gains in biodiversity and helping with community cohesion. The Plan explains that the village, in some ways, is two separate communities and that some facilities are provided in one part, and the others in the other half. The growth strategy is seen as a way of bringing the community together.

It is recognised that this type of infrastructure is unlikely to be provided without a 'critical mass' of housing.

⁴⁵ PPG para 103 ref id 41-103-20190509

⁴⁶ Ibid

⁴⁷ Final Draft Plan with Proposed Main Modifications and Additional Modifications page 22

At the heart of the NPPF is the presumption in favour of sustainable development. Paragraph 8 sets out the three overarching objectives which are interdependent and need to be pursued in mutually supportive ways. The three overarching objectives are:

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

I consider that the growth sought by the community and the reasons for it constitute sustainable development.

The growth sought is proportionate and limited in scale to achieve the vision of the Plan. The sites are well-related to the existing two built up parts of the settlement and the available infrastructure and will provide an opportunity to improve the local infrastructure. The Plan defines locally preferable, positive development. This is in general conformity with the CS.

One concern raised is that the site allocations are all on Grade 1 agricultural land. The NPPF, the CS and the Local Plan for the Broads recognise the importance of agricultural land. The SEA ER also assesses this aspect of the proposals as having a significant negative impact. However, the allocations are part of a growth strategy aimed at achieving a number of different things and addressing problems perceived by the local community. In addition, most of the remaining land in the Parish is also of a high quality (meaning alternatives are limited and in any case would not achieve the vision of the local community). This is also the case for the wider Borough. A balance has to be struck between the different impacts of the proposals. My overall conclusion, taking account of the different impacts is that this would constitute sustainable development.

In addition I am mindful that the Plan's end date is five years after the CS and the emerging LP Part 2. There is also a policy later in the Plan indicating a review will be undertaken in 2029. Finally, the sites are phased. These three things also give me comfort that the growth strategy will be managed.

AECOM have undertaken a Housing Needs Assessment (HNA) for the Parish. The Plan seeks to allocate land for 65 units with a reserve site of a further 25 units. This figure is

sought because the population of the Parish is declining as well as ageing. It is considered that more housing would enable people to remain in the village. The delivery of the type and size of housing which is needed is therefore also of importance. Smaller units have been identified as being needed but rarely provided.

AECOM have also prepared a Site Options and Assessment Report. Sites were identified using the GYBC's 'Call for Sites' exercise undertaken as part of their work on LP Part 2 and by the Parish Council engaging with local landowners. A number of sites were assessed.

I turn now to the policies.

Policy HO1: Scale and Location of Housing Growth

This policy sets out a phased policy for the site allocations; the first phase is for around 40 houses and the second for 25 units.

The site allocations are made within the gap between the two halves of Rollesby village and on both sides of the A149 together with a smaller mixed use allocation that includes five dwellings east of the school.

Reference to an identified reserve site is made if the need arises during the Plan period. This is referred to as phase three.

The policy then deals with development in other locations. In the development limits for the village, defined in the saved LP policies, but not reviewed in the CS and set to be updated by the emerging Local Plan Part 2, only small sites of five or less units are permitted. Sites of five are also permitted in gap sites within the development limits. Both provisions are subject to criteria to ensure the development is acceptable. I asked why and how the threshold of five had been set. Whilst I understand this might be what the community chose in terms of managing development in the local area, there does need to be some rationale behind such a threshold. This is particularly true of sites within development limits. I note both GYBC and the BA have raised concern about this too. I cannot see how such a threshold has regard to the NPPF which, amongst other things, promotes the effective use of land⁴⁸ or will help to achieve sustainable development. I also note that saved Local Plan Policy HOU8 defines groups of dwellings as 10. A modification is therefore made to delete this element of the policy.

Backland or development in gardens, again within the development limits, is also acceptable as long as satisfactory access and parking is provided.

Outside the development limits and allocations, development is restricted and only supported if a policy specifically permits it.

⁴⁸ NPPF para 119

With this modification, this overarching policy will have regard to the NPPF which seeks to significantly boost the supply of homes,⁴⁹ is in general conformity with CS Policies CS1 and CS2 and will help to achieve sustainable development.

- **Reword paragraph four of the policy to read: “*Within the development limits for the village, development on infill sites should be sympathetic to its context, including the surrounding built environment, its landscape setting and must respect views and the amenity of neighbouring properties.*”**

Policy HO2: Housing Mix

The Plan explains that the housing profile is dominated by bungalows. About half the homes in the Parish are three bedroomed and about 64% detached; both figures higher than the Borough average.

The Plan recognises that the housing profile makes it difficult for families and younger people to stay or move to the village. There is an ageing population and it is also difficult for older people to downsize whilst staying in the village amongst their support systems. However, the biggest challenge is the declining population in the younger population forming new households and young families according to the HNA.

The NPPF states that the needs of groups with specific housing requirements should be addressed to support the Government’s objective of significantly boosting housing supply.⁵⁰

Nationally, PPG states that the need to provide housing for older people is critical and offering a choice of accommodation to suit changing needs can help independent living for longer.⁵¹

The evidence sitting behind the emerging Local Plan Part 2 also indicates that the Borough has a relatively aged population structure and this is likely to become more pronounced.⁵² This is also highlighted in the HNA.

The HNA demonstrates a need for smaller units citing changes to household composition have trended towards single occupancy, older households and fewer children. This is in line with the supporting text for CS Policy CS2 which acknowledges the need for additional housing to meet local housing needs, especially for young families and older people balanced against the need to protect the individual character and identity of each village.

⁴⁹ NPPF para 60

⁵⁰ Ibid

⁵¹ PPG para 001 ref id 63-001-20190626

⁵² Emerging Local Plan Part 2, Tracked Changes Version page 126

This policy seeks a mix of housing types and sizes from all new development. it supports a housing with care scheme.

On sites of five or more units, the policy seeks at least 25% of homes to be suitable for older people or those with disabilities and at least 50% to be one or two bedroomed. The mix should reflect local needs based on the latest available information.

Whilst there is little explanation of the five dwelling threshold in the Plan, it does reflect the five units threshold for affordable housing in rural areas meaning there is some precedent for such a figure in planning terms. Given the requirements of the policy, a threshold below this number would be difficult to deliver in my view. I am therefore comfortable with this as a policy basis, particularly given the inbuilt flexibility within the policy which acknowledges the importance of the latest available evidence and viability considerations.

The supporting text refers to the M4 standard. However desirable this reference might be, it should be removed. This is because the Government introduced national technical standards for housing in 2015. A Written Ministerial Statement (WMS)⁵³ explains that neighbourhood plans should not set out any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings; instead these must be contained in local plans. The WMS also withdrew the Code for Sustainable Homes. Therefore this element requires modification to ensure it has regard to national policy and guidance. I note that the emerging Local Plan Part 2 seeks to deliver the M4(2) standard on all new housing and so this ambition in the Plan should be delivered at local planning authority level.

The policy also refers to at least 10% of new housing being designed to the highest allowable prevailing energy efficiency requirements. I raised a query about this threshold asking why and how it had been set. Whilst I support the community seeking housing to be of a high environmental standard, there is little justification for the precise figure. I note that GYBC also have concerns about this in relation to viability and the BA indicated that it was not clear why 10% had been selected.

The supporting text refers to the possibility of planning policies requiring energy efficiency standards 20% above building regulations and refers to the Code for Sustainable Homes. This is correct, PPG does say that development plan policies can set energy performance standards at this level.⁵⁴ However, this relates to local planning authorities not qualifying bodies. It refers to the Planning and Energy Act 2008 which allows local planning authorities to set energy efficiency standards in their development plan policies.

The WMS,⁵⁵ referred to above, explains that neighbourhood plans should not set out any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings; instead these must be contained in

⁵³ Written Ministerial Statement 25 March 2015

⁵⁴ PPG para 012 ref id 6-012-20190315

⁵⁵ Written Ministerial Statement 25 March 2015

local plans. This element then requires modification to ensure it has regard to national policy and guidance.

Subject to these modifications, the policy will have regard to national policy, contribute to the achievement of sustainable development and be in general conformity with strategic policy, particularly CS Policies CS2, CS3 and LP Policy SP15.

- **Change the fourth paragraph of the policy to read: *New housing is encouraged to be designed to a high energy efficiency standard.***
- **Delete the first sentence of paragraph 55 on page 14 of the Plan**
- **Change the supporting text at paragraph 56 on page 14 of the Plan to read:**

“Planning practice guidance allows local planning authorities to require planning policies to require energy efficiency standards 20% above building regulations. This is encouraged to be used for Policy HO2 unless the guidance changes and more rigorous standards can be applied.”

Policy HO3: Design

The NPPF states that 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.⁵⁶

It continues that neighbourhood plans can play an important role in identifying the special qualities of an area and explaining how this should be reflected in development.⁵⁷

It refers to design guides and codes to help provide a framework for creating beautiful and distinctive places with a consistent and high quality standard of design.⁵⁸

It continues that planning policies should ensure developments function well and add to the overall quality of the area, are visually attractive, are sympathetic to local character and history whilst not preventing change or innovation, establish or maintain a strong sense of place and optimise site potential.⁵⁹

Policy HO3 is a long criteria based policy that sets out the expectations for new development whilst not seeking to stifle innovation.

⁵⁶ NPPF para 126

⁵⁷ Ibid para 127

⁵⁸ Ibid para 128

⁵⁹ Ibid para 130

Amongst other things, it sets a density of 25 dwellings per hectare. This is supported by work on a Character Appraisal and referred to in the Evidence Base and Key Issues document. This in turn indicates that densities vary throughout the Parish, but are consistently around or just under 20 dwellings per hectare. The policy has in built flexibility though too and so this figure is not overly prescriptive and is supported by evidence.

The policy refers to “ample” garden areas and I foresee some potential disagreements over what this might constitute. I asked the Parish Council what was being sought and it was explained that this meant a garden of a size that would provide a good quality of amenity and that it would be a matter of planning judgment. I consider the phrase lacks the clarity sought and so a modification is made to address this concern.

I consider the remainder of the criteria to be appropriate.

The latest revision of the NPPF⁶⁰ makes it clear that the Government’s intention is that all new streets include trees unless in specific cases there are clear justifiable and compelling reasons why this would be inappropriate. In addition, opportunities should be taken to incorporate trees elsewhere in developments; appropriate measures should be in place to secure the long-term maintenance of newly-planted trees; and existing trees should be retained where possible. The NPPF indicates that planning policies should ensure that streets are tree-lined.⁶¹ Therefore, to have regard to national policy it is necessary to include such requirements in Policy HO3.

The BA makes a point that there may potentially be some conflict between criteria a. and e. of the policy which refer to exceptions and affordable housing. Whilst I can see the point, criterion e. only relates to materials and architectural details and so given this I consider both criteria can be retained as written.

With these modifications, the policy will meet the basic conditions. It will have regard to the NPPF, be in general conformity with CS Policies CS4, CS9, CS10 and CS12 and Local Plan for the Broads Policies SP3 and SP5 in particular and help to achieve sustainable development.

- **Change criterion b. to read: “New residential development, especially that intended for family occupation, shall include *garden areas which are of an appropriate size and which provide a suitable and usable area for the occupiers of the dwelling as well as affording visual delight* and reflect the current character of the area”**
- **Add a new criterion to the policy that reads: “*Tree-lined streets should be included in developments unless in specific cases there are clear justifiable and compelling reasons why this would be inappropriate. Trees should be included within developments where the opportunity arises. Where development is permitted, conditions will be imposed to secure the long-term maintenance of***

⁶⁰ NPPF para 131

⁶¹ Ibid

newly-planted trees. Existing trees, tree belts and hedgerows should be retained wherever possible."

7. Environment

The Parish includes an area of the Norfolk and Suffolk Broads, designated as a SAC and the Trinity Boards SSSI. There is therefore a rich biodiversity and important habitat connections.

Policy E1: Protecting and Enhancing the Environment

The NPPF⁶² is clear that planning policies should contribute to and enhance the natural and local environment including through minimising impacts on biodiversity and providing net gains.

Policy E1 is a long policy which seeks to protect and safeguard the Parish's habitats and requires a 10% net gain in biodiversity amongst other things. The Government announced it would mandate net gains for biodiversity in the Environment Bill. The Environment Bill received Royal Assent on 9 November 2021. The mandatory biodiversity gain is, as I understand it, likely to become law through secondary legislation in 2023.⁶³ Whilst this is not yet a statutory requirement, there is some basis for introducing a policy basis in this Parish with its sites of importance including the SAC and SSSI and its location in and close to the Norfolk and Suffolk Broads. The NPPF also promotes the pursuance of opportunities for securing net gains⁶⁴ and PPG indicates that policies can be used to set out a suitable approach.⁶⁵ No representations have raised concerns about the introduction of this into policy.

The policy also refers to the Habitats Monitoring and Mitigation Strategy.

The BA has asked for a number of modifications which I consider would be beneficial to add in the interests of clarity and to reflect the avoid, mitigate and compensate routes outlined in the NPPF.⁶⁶

With these modifications, I consider the policy will meet the basic conditions. It takes its lead from the NPPF and will help to achieve sustainable development given the net gain in biodiversity currently sought. The policy is supported by local evidence and is in general conformity with CS Policies CS9 and CS11 and Local Plan for the Broads Policy SP6 in particular and specifically on Trinity Broads, Policy SSTRI.

⁶² NPPF para 174

⁶³ Source of information Local Government Association www.local.gov.uk accessed 12 November 2021

⁶⁴ NPPF para 179

⁶⁵ PPG para 021 ref id 8-021-20190721

⁶⁶ NPPF para 180

- Change criterion f. of the policy to read: “Incorporate *features* within site proposals that benefit biodiversity conservation, such as *built-in wildlife homes, pollinator strips, native hedging, green walls and roofs and wetlands* which can *enhance* on-site wildlife and *provide* associated benefits for run-off attenuation and energy efficiency.”
- Amend paragraph four of the policy to read: “Any development proposals within or near the Broads Area will need to be accompanied by landscaping proposals that demonstrate how *the development will minimise* its impact on the Broads landscape *and benefit* the wider area. Development must suit the location and setting, with *landscape* design proposals that reflect the *area’s special landscape qualities*.”
- Amend paragraph 76 on page 23 of the Plan to read: “In delivering Policy E1 developers should first look to avoid harm. *If harm cannot be avoided, the developer should adequately mitigate any harm to biodiversity. In all instances, developers are expected to enhance biodiversity on site. As a last resort, compensation can be considered if the development must go ahead.* Where it is not possible to avoid, mitigate and compensate all *harmful* impacts on site, the developer should secure enhancement or creation of habitat locally, within the parish.”

Policy E2: Landscape Character and Appearance

The NPPF requires the planning system to contribute to and enhance the natural and local environment including protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils.⁶⁷ Recognition of the intrinsic character and beauty of the countryside is also acknowledged.⁶⁸

This policy seeks to do a number of things. Firstly, development should respect and where possible enhance the character of the Parish and the Broads.

Secondly, two views are identified and protected. These views are important to defining and reinforcing the sense of place and local distinctiveness. The views are shown on Figure 6 and photographs are included in the Plan. I am satisfied, based on my site visit, that the views selected are appropriate given the character and setting of the Parish.

The wording of the policy does not prevent any development per se, but rather seeks to ensure that development does not have a detrimental impact on the views without mitigation. I consider this to be an appropriate and sufficiently flexible approach.

⁶⁷ NPPF para 174

⁶⁸ Ibid

The next element of the policy refers to agricultural land. The NPPF recognises the wider benefits from natural capital and ecosystems services including the economic and other benefits of the best and most versatile agricultural land.⁶⁹ This part of the policy seeks to avoid fragmentation of land in order to keep viably farming.

The policy then seeks to incorporate and enhance existing hedgerows where possible and to create soft boundaries and new corridors.

Finally, the policy seeks new development to take available opportunities to enhance accessibility, particularly in relation to the public rights of way.

The BA suggests a requirement is included in the policy for a landscape and visual appraisal. I consider this to be helpful in making the policy more robust and recommend a modification designed to address this point.

With these modifications, the policy will have regard to national policy and guidance by recognising the intrinsic character and beauty of the countryside and promoting and ensuring any development is sympathetic to local character including landscape settings,⁷⁰ be in general conformity with, and add a local layer of detail to, strategic policies CS Policies CS9, CS11 and CS12 and Policies SP4 and SP7 of the Local Plan for the Broads in particular and help to achieve sustainable development.

- **Add a new paragraph at the end of the policy that reads: *“It is expected that planning applications will be accompanied by appropriate evidence, including landscape and visual appraisals as needed, to demonstrate how the proposal meets the criteria in this policy.”***
- **Add a new paragraph to the supporting text that reads: *“The policy requires planning applications to be accompanied by appropriate and proportionate evidence to show how the requirements of Policy E2 are to be met. Not all developments, for example, extensions to domestic dwellings, will need to submit evidence, but where they do evidence should be up to date and proportionate and appropriate to the type of development sought.”***

Policy E3: Protecting Dark Night Skies

The NPPF highlights the impact light pollution can have on health and living conditions as well as the natural environment, both locally and in relation to the wider area.⁷¹

This policy seeks to limit street lighting to the minimum necessary and designed to minimise its impact on dark skies, wildlife and local amenity.

⁶⁹ NPPF para 174

⁷⁰ Ibid

⁷¹ Ibid para 185

It meets the basic conditions particularly having regard to the NPPF and helping to achieve sustainable development. No modifications are put forward.

I note that paragraph 86 on page 26 of the Plan refers implicitly to BA Policy DM22. This is a detailed policy in the Local Plan for the Broads and the Plan is clear at this paragraph that Policy E3 will only apply outside of the BA's jurisdiction. I consider this is clearly set out and that this approach is acceptable.

Policy E4: Flooding and Drainage

This policy requires any development within areas of high and medium risk from surface water flooding to have a Surface Water Drainage Strategy.

The second element supports proposals which improve surface water drainage. SuDs are to be considered in all developments. On-Site water storage is required.

The last element of the policy requires new development to have mains sewerage and where this is not possible, an assessment to show that any impact on the SAC is acceptable.

The NPPF is clear that inappropriate development in areas at risk of flooding should be avoided.⁷² It continues that development should incorporate SuDs unless there is clear evidence this would be inappropriate.⁷³

CS Policy CS13 in particular addresses flood risk.

Policy SP2 of the Local Plan for the Broads requires appropriate surface water drainage mitigation measures and Policy DM6 indicates SuDs should be used, unless soil conditions and engineering feasibility indicate otherwise.

I consider the policy has regard to the NPPF, is in general conformity with CS Policies CS11, CS12 and CS13 in particular as well as Policy SP2 of the Local Plan for the Broads and helps to achieve sustainable development thereby meeting the basic conditions.

The Lead Local Flood Authority has asked for a correction to the supporting text. In the interests of accuracy, I recommend a modification to address this.

- **Amend the third sentence in paragraph 88 on page 26 of the Plan to read: “The Lead Local Flood Authority has *two* records of external flooding in the parish dating from 2014 to the *present day*...” [retain remainder of sentence as existing]**

⁷² NPPF para 159

⁷³ Ibid para 167

8. Community Assets

Policy CA1: Community Facilities

Policy CA1 supports new community facilities including shops subject to local need.

As part of its support for a prosperous rural economy, the NPPF supports the retention and development of accessible local services and community facilities.⁷⁴ The provision of local shops is also referred to in the NPPF's promotion of healthy and safe communities.⁷⁵ The NPPF promotes the provision of facilities and services that the community needs encouraging planning policies to plan positively for such provision.⁷⁶

This policy does that. It has regard to the NPPF. It is in general conformity with strategic policy CS Policy CS15. However, Local Plan for the Broads Policy SP16 also refers to location. A modification is made to address this point to ensure the policy is in general conformity with this strategic policy. The policy also helps to achieve sustainable development. With this modification, the policy will meet the basic conditions.

- **Add a new sentence at the end of the policy that reads: *"Any new facilities located within the Broads will need to be fully justified."***

Policy CA2: Designated Local Green Spaces

Four areas of Local Green Space (LGS) are proposed. These are shown on Figure 9 on page 30 of the Plan. I do not find Figure 9 to be especially clear and suggest the LGSs are shown in a clearer way at a larger scale with each area boundary clearly identified.

The NPPF explains that LGSs are green areas of particular importance to local communities.⁷⁷

The designation of LGSs should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.⁷⁸ It is only possible to designate LGSs when a plan is prepared or updated and LGSs should be capable of enduring beyond the end of the plan period.⁷⁹

The NPPF sets out three criteria for green spaces.⁸⁰ These are that the green space

⁷⁴ NPPF para 84

⁷⁵ Ibid para 92

⁷⁶ Ibid para 93

⁷⁷ Ibid para 101

⁷⁸ Ibid

⁷⁹ Ibid

⁸⁰ Ibid para 102

should be in reasonably close proximity to the community it serves, be demonstrably special to the local community and hold a particular local significance and be local in character and not be an extensive tract of land. Further guidance about LGSs is given in PPG.

I saw each of the proposed spaces at my site visit.

1. **Rollesby Staithe** is adjacent to Trinity Broads and is described as being valued for its ecological and recreational value.
2. **King George V Playing Field** and its play area are valued as recreational facilities.
3. **The Moat** is described as being valued for its ecological and amenity value. I asked a query about this proposed LGS as I could not see it at my site visit. The Parish Council came back to me and asked that it be deleted as the site has been incorrectly mapped. I agree this is the best route to take.
4. **Rollesby Pond** is valued for its ecology. I saw this is a large pond which adds character to the area.

In my view, the three remaining proposed LGSs meet the criteria in the NPPF satisfactorily.

All are demonstrably important to the local community, all are capable of enduring beyond the Plan period, all meet the criteria in paragraph 102 of the NPPF and their designation is consistent with the local planning of sustainable development and investment in sufficient homes, jobs and other essential services given the housing figures for this local area and other policies in the development plan and this Plan.

Turning now to the wording of the policy, the NPPF indicates that policies for managing development within a LGS should be consistent with those for Green Belts. The supporting text to the Plan seeks to explain why some of the development which is regarded as not inappropriate in the NPPF for green belts would not be suitable in this particular location. Whilst it would, in principle, be possible that a policy could diverge from national policy, there needs to be substantive evidence to support taking such an approach.

However, following a recent Court of Appeal case with regard to the lawfulness of a LGS policy in a neighbourhood plan (*Lochailort Investments Limited v. Mendip District Council and Norton St Philip Parish Council*, [2020] EWCA Civ 1259), I consider it necessary to delete any wording that sets out how development proposals should be managed. The restrictions on development with regard to LGS designation will continue to apply through the NPPF. This will ensure that policies for managing development within a LGS are consistent with those for Green Belts. This approach helps to ensure that the policy meets the basic conditions and is lawful.

A minor modification is also made to the supporting text to update the reference to the more recently published NPPF.

Subject to the above modifications, Policy CA2 has regard to national policy, contributes towards sustainable development, particularly the environmental objective and is in general conformity with strategic policy thereby meeting the basic conditions.

- **Replace Figure 9 with a larger scale and clearer map showing the location and boundaries of the three retained LGSs**
- **Delete the Moat from the policy**
- **Delete the sentence which begins “These should be protected from development...” from the policy**
- **Delete the last paragraph of the policy which begins “Development that would harm the openness...”**
- **Delete the sixth, seventh and eighth sentences of paragraph 97 on page 29 of the Plan**
- **Change “...paragraphs 143 – 147...” in paragraph 97 on page 29 to “...paragraphs 147 – 151...”**

Policy CA3: Investment in Open Space and Public Rights of Way

Access to a network of high quality open spaces is important for the health and well-being of communities as well as delivering benefits for nature and helping to address climate change.⁸¹

This policy sets out the expectation that new development will contribute to the provision of high quality open space. It sets out the priorities for any contributions received which are the recreational ground and play facilities on King George V playing field, maintenance of other areas identified in the previous policy as LGSs and the improvement of public rights of way.

The policy has regard to the NPPF, is in general conformity with strategic policy CS Policy CS15 in particular and will help to achieve sustainable development. It therefore meets the basic conditions and it is not necessary for me to recommend any modifications.

⁸¹ NPPF para 98

9. Traffic and Transport

There is a Community Action in this section. As explained earlier, it is possible for neighbourhood plans to contain non development and land use aspirations if they are clearly identified. In this case, I consider that the Community Action is clearly identified and explained within the supporting text.

Policy TR1: Residential Car Parking Standards

The NPPF is clear that if local parking standards are set, policies should take account of the accessibility of the development, the type, mix and use of the development, the availability of, and opportunities for, public transport, local car ownership levels and the need for provision of spaces for charging plug-in and other ultra-low emission vehicles.⁸²

The Plan explains that car ownership in the Parish is high. It is recognised that the availability and convenience of public transport is relatively poor. The area is rural in nature. Therefore there is a high reliance on use of the private car.

The policy refers to Norfolk County Council's parking standards treating them as a minimum, rather than maximum, requirement. However, the policy has in built flexibility indicating that each site will be treated on its merits and its location, access to services and existing highway and parking issues taken into account. Additionally, if the provision of parking would be at odds with the local character or type of housing, the policy can be relaxed.

The policy meets the basic conditions having regard to the NPPF, is in general conformity with strategic policy CS Policy CS9 and will help to achieve sustainable development. No modifications are therefore recommended.

Policy TR2: Sustainable Transport

The NPPF is keen to ensure that transport issues are considered from the earliest stages of plan-making so that, amongst other things, opportunities to promote walking, cycling and public transport use are taken.⁸³

Policy TR2 encourages sustainable transport choices including the promotion of safe walking links to key facilities, the enhancement of footpaths where necessary and the promotion of public transport use through, for example, improved waiting facilities.

⁸² NPPF para 107

⁸³ Ibid para 104

It seems to me that this policy has particular regard to the NPPF, is in general conformity with CS Policies CS9 and CS16 and Policy SP8 of the Local Plan for the Broads and will help to achieve sustainable development. It meets the basic conditions and it is not necessary for me to recommend any modifications to it.

10. Strategy for Delivering Growth

Figure 11 on page 37 of the Plan highlights what infrastructure will need to be provided alongside the growth supported by the Plan.

The six site allocation policies then follow. I have discussed the site allocations in principle earlier in this report. I will therefore confine my comments to the details of the policies which I deal with together in the interests of avoiding a great deal of repetition.

Policies SSA01, SSA02, SSA03, SSA04, SSA05 and SSA06

Policy SSA01 requires a masterplan to be prepared in association with the local community for the three phases of development. This policy sets out the issues the masterplan will need to address. These include habitats, views, and access.

One of the criteria refers to density. I consider a modification is needed in the interests of clarity.

The BA has suggested a revision to criterion h. which I consider is useful and will help to achieve sustainable development. I also refer to trees in line with the NPPF⁸⁴ and discussed earlier in this report.

Policy SSA02 allocates phase 1 of the growth strategy which consists of sites RNP01a, RNP01b, RNP01c and RNP01d as shown on Figure 12.

Reference is made to the masterplan subject of Policy SSA01. It then refers to a number of criteria. One criterion of concern is the reference to at least 10% of housing being designed to the highest prevailing energy efficiency standards. As explained elsewhere in this report, it is not possible for neighbourhood plans to set such standards. A modification is therefore made to delete this aspect of the policy.

The remainder of the criteria set out in Policy SSA01 relate to the delivery of key infrastructure. The NPPF is clear that requirements must only be sought where they are necessary to make the development acceptable in planning terms, they directly relate to the development and they are fairly and reasonably related in scale and kind to the development.⁸⁵ It is not clear to me whether any viability assessments have been

⁸⁴ NPPF para 131

⁸⁵ Ibid paras 56, 57 and 58

carried out, but the landowner has not raised any concerns about the requirements or the viability or deliverability of the sites. It is also apparent that the development is not supported by the community if this infrastructure is not achieved. On balance, I consider the criteria are appropriate given the importance and integral part this infrastructure plays, but there may need to be flexibility over the delivery of some elements during this first phase; it may be that some elements will need to be delivered as part of the second phase. This may be a matter for the masterplan to address in the round.

Policy SSA03 deals with phase two. It also refers to the 10% energy efficiency standard which should be deleted for the reasons given earlier. Otherwise it is clear and appropriate.

Policy SSA04 refers to phase three. Like the previous policies, it refers to the 10% energy efficiency standard which needs to be deleted. Incidentally, I do not read the policy as reserving this site, but allocating it. If it is the intention that this policy is an option, changes need to be made to it, but this is not a modification I need to make in respect of my role.

Policy SSA05 allocates a site of about 0.75 hectares to the east of the school for a mixed use development of retail and offices and up to five dwellings. The site is shown on Figure 14. It is adjacent to existing commercial development.

The policy has a number of criteria covering the creation of a new access, satisfactory car parking, biodiversity net gain, landscaping, drainage and habitats.

I consider the site is suitable for such development and the criteria appropriate. The approach to set out a mixed use development with the residential element supporting the provision of such community infrastructure such as a shop and employment opportunities is sensible.

With these modifications, I consider that Policies SSA01, SSA02, SSA03, SSA04 and SSA05 will meet the basic conditions by helping to boost the supply of housing but also providing on-going improvements to the range of facilities and services Rollesby currently has, enhancing the infrastructure and community cohesion thereby having regard to the NPPF, being in general conformity with the strategic policies of the development plan and helping to achieve sustainable development.

- **Amend criterion d. in Policy SSA01 to read: “Development at a density of no more than 25 dwellings per ha, unless *a higher density would enable delivery of affordable housing;*”**
- **Amend criterion h. in Policy SSA01 to read: “*A comprehensive landscape strategy informed by appropriate evidence including, but not limited to ecological assessments, arboricultural assessment and landscape and visual appraisals as necessary will be required. The landscape strategy will demonstrate how natural features will be retained where reasonable and***

incorporated alongside *new natural and landscaping* features into the layout of the development to achieve the 10% net gain in biodiversity. *New streets should be tree-lined unless there are clear, justifiable and compelling reasons why this would be inappropriate and opportunities taken to incorporate new trees elsewhere in the developments. Existing trees should be retained wherever possible. Appropriate measures must be put in place to secure the long-term maintenance of newly-planted trees. The landscape strategy will also need to consider the impact on the setting of the Broads informed by relevant assessment work;*

- Delete criterion a. from Policy SSA02, criterion b. from Policy SSA03, criterion c. from Policy SSA04

11. Neighbourhood Plan Review

Policy PR1: Planned Review

This policy sets out that a review of the Plan will take place in 2029. Monitoring and review of neighbourhood plans is not currently a requirement. However, the Plan contains an ambitious growth strategy beyond the Borough Council's requirements for the Parish. It also goes beyond the timescale for the CS by some five years although the Local Plan for the Broads extends to 2036. I consider this then to be a sensible and pragmatic approach. The policy meets the basic conditions and no modifications to it are recommended.

8.0 Conclusions and recommendations

I am satisfied that the Rollesby Neighbourhood Development Plan, subject to the modifications I have recommended, meets the basic conditions and the other statutory requirements outlined earlier in this report.

I am therefore pleased to recommend to Great Yarmouth Borough Council that, subject to the modifications proposed in this report, the Rollesby Neighbourhood Development Plan can proceed to a referendum.

Following on from that, I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. I see no reason to alter or extend the Plan area for the purpose of holding a referendum and no representations have been made that would lead me to reach a different conclusion.

I therefore consider that the Rollesby Neighbourhood Development Plan should proceed to a referendum based on the Rollesby Neighbourhood Plan area as approved by Great Yarmouth Borough Council and the Broads Authority on 7 March 2017.

Ann Skippers MRTPI

Ann Skippers Planning
15 November 2021

Appendix 1 List of key documents specific to this examination

Rollesby Neighbourhood Plan 2020 – 2035 Submission Version

Statement of Basic Conditions April 2020 (Collective Community Planning)

Consultation Statement April 2020 (Collective Community Planning)

Strategic Environmental Assessment/Habitats Regulation Assessment Screening Assessment July 2019 (Collective Community Planning)

SEA Screening Opinion & draft Scoping Report for Rollesby Draft Neighbourhood Plan (dated June 2019) September 2019 (GYBC)

Environmental Report April 2020 (Collective Community Planning)

Habitats Regulation Assessment November 2020 (AECOM)

Evidence Base and Key Issues April 2020 (Collective Community Planning)

Housing Needs Assessment May 2019 (AECOM)

Site Options and Assessment May 2019 (AECOM)

Great Yarmouth Local Plan: Core Strategy 2013 – 2030 adopted December 2015

Great Yarmouth Borough-wide Local Plan 2001 adopted February 2001

Local Plan for the Broads 2015 – 2036 adopted May 2019

Great Yarmouth Local Plan Part 2 Final Draft Plan with Proposed Main Modifications and Additional Modifications July 2021

Appendix 2 Questions of clarification from the examiner

Rollsby Neighbourhood Plan Examination

Questions of clarification from the Examiner to the Parish Council and GYBC

Having completed my initial review of the Neighbourhood Plan (the Plan), I would be grateful if both Councils (as appropriate) could kindly assist me as appropriate in answering the following questions which either relate to matters of fact or are areas in which I seek clarification or further information. Please do not send or direct me to evidence that is not already publicly available.

1. When was the Great Yarmouth Borough-wide Local Plan 2001 adopted?
2. Please could GYBC confirm whether any of the saved policies in the Local Plan 2001 are regarded as 'strategic' for the purposes of the relevant basic condition?
3. Please could I be provided with a copy of the Strategic Environmental Assessment (SEA) Scoping Report and any responses received from the statutory consultees on this stage of the SEA process?
4. Please could I be provided with a copy of any response from Natural England on the Habitats Regulations Assessment (HRA) Appropriate Assessment consultation?
5. Please could GYBC provide any comments on the proposed site allocations in the Plan and whether, in their view, there is general conformity with the strategic policies in the relevant development plans and emerging Local Plan Part 2? In particular, could GYBC indicate how the proposed site allocations might affect the delivery of the overall spatial strategy at Borough level for housing?
6. Policy HOU1 provides for sites up to five units in gap sites within the development limits. Why and how has this threshold been set?
7. Policy HOU2 refers to at least 10% of new housing being designed to the highest allowable prevailing energy efficiency requirements. Why and how has this threshold been set?
8. Policy HOU3 refers to "ample" garden areas. Could you explain what is being sought? Is there a clearer way of expressing this?

It may be the case that on receipt of your anticipated assistance on these matters that I may need to ask for further clarification or that further queries will occur as the examination progresses. These queries are raised without prejudice to the outcome of the examination.

Please note that this list of clarification questions is a public document and that your answers will also be in the public domain. Both my questions and your responses should be placed on the Councils' websites as appropriate.

With many thanks,

Ann Skippers MRTPI
Independent Examiner
1 November 2021



Great Yarmouth Borough Council & Broads Authority Rollesby Neighbourhood Plan Examiner's Report – Decision Statement

9th December 2021

1. Purpose of Statement

The Rollesby Neighbourhood Plan has been examined by an independent Examiner and they have issued the Examiner's Report. The report makes a number of recommendations for making modifications to policies within the submitted Neighbourhood Plan. In accordance with Regulation 17A and 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended) and paragraph 12 of Schedule 4B to the 1990 Town and Country planning Act (as amended) Great Yarmouth Borough Council and the Broads Authority (as joint responsible authority) propose to accept each of the examiner's recommendations, as set out below.

2. Plan background

Under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) the plan was submitted to the Borough Council in March 2021, with the parish council having undertaken early local consultations. In accordance with Regulation 16, the Borough Council published and consulted on the submitted plan between April and June 2021.

An independent examiner was then appointed to examine the plan in accordance with paragraph 7 of Schedule 4B to the 1990 Town and Country planning Act (as amended). To aid the examination, the Examiner then asked the Borough Council to undertake a focused consultation on implications of the revised National Planning Policy Framework on the neighbourhood plan. Responses from each of the respective consultations were passed to the Examiner for consideration.

The appointed Examiner has now examined the Rollesby Neighbourhood Plan and published their report with recommendations. The Examiner can only examine the plan in so far as to determine whether it meets the 'basic conditions' required by the legislation. The Examiner can also recommend on that basis whether the plan should proceed to referendum, and if so whether the referendum area should be extended beyond the designated neighbourhood plan area.

Under Regulation 24A of the Neighbourhood Planning (General) Regulations 2012 (as amended), the Borough Council along with the Broads Authority (as part of the neighbourhood plan area falls within the Broads Local Planning Authority Area) have to make a decision on the Examiner's recommendations. The Local Planning Authority must consider whether to decline/refuse the plan or to accept the report recommendations and set out its reasons in a decision statement that must

then be published. It is also possible for the local planning authority to make a decision which differs from that recommended by the examiner, but this would require a statement of reason, further consultation, and the possibility of re-examination.

3. Consideration of Basic Conditions

The Examiner has concluded: *'Subject to those modifications, I have concluded that the Plan does meet the basic conditions and all the other requirements I am obliged to examine.'*

This assessment includes consideration of the Environmental Assessment of Plans and Programmes Regulations 2004 (formerly the Strategic Environmental Assessment Directive) and the Conservation of Habitats and Species Regulations 2017 (or 'Habitat Regulations'). A Screening Determination by Great Yarmouth Borough Council dated September 2019 determined that full SEA was required. Accordingly, a full Environmental Report (ER) was prepared by a consultant working with the parish council. In summary, the Environmental Report finds that with mitigation in place the plan will not have any likely significant adverse effects upon the environment. In respect of this the examiner has concluded that *"In my view, the ER has been prepared in accordance with Regulation 12 of the Regulations."*

In relation to Habitat Regulations Assessment (HRA), the Screening Determination by GYBC of September 2019 also confirmed the need for Appropriate Assessment (AA) as likely significant effects could not be ruled out. In summary, the HRA report finds that with necessary mitigation in place there will be no adverse effects on the site integrity of nearby habitat sites (National Site Network habitat sites). The Examiner concludes that: *"Taking account of the characteristics of the Plan and the characteristics of the areas likely to be affected, I am of the view that EU obligations in respect of SEA have been satisfied ...Given the distance, nature and characteristics of the European sites and the nature and contents of the Plan, I consider that the prescribed basic condition relating to the Conservation of Habitats and Species Regulations 2017 is complied with., namely that the making of the Plan does not breach the requirements of Chapter 8 of Part 6 of the Habitats Regulations 2017."*

As competent authority, Great Yarmouth Borough Council and the Broads Authority accept these findings.

4. Reason for decision

Having considered each of the recommendations within the examiner's report and the reasons for them, Great Yarmouth Borough Council and the Broads Authority has decided to approve each of the recommended modifications. This is in accordance with section 12 of Schedule 4B to the Town and Country Planning Act 1990.

The following table sets out each of the examiner's recommended modifications to the submitted neighbourhood plan, the Council's consideration of those recommendations, and the Council's decision in relation to each recommendation.

Section of Submitted Neighbourhood Plan	Examiner's recommendation	Council consideration of recommendation	Council decision
Whole document	As a result of some modifications consequential amendments may be required. These can include changing section headings, amending the contents page, renumbering paragraphs or pages, ensuring that supporting appendices and other documents align with the final version of the Plan and so on.	The Councils agree with the Examiner that the contents page, renumbering paragraphs or pages, should be renumbered as they appear sequentially.	Accept Examiner's recommended modifications.
Section 2: Neighbourhood Planning	<ul style="list-style-type: none"> Add the word "Authority" after "Broads" In paragraph 8 on page 2 of the plan 	The Councils agree with the Examiner's proposed rewording	Accept the Examiner's recommended modification
Vision & Objectives	No modifications	Agree	Accept Examiner's recommendation. No modification necessary.
Section 5: Policies	<ul style="list-style-type: none"> Change paragraphs 22 – 26 inclusive on page 7 of the Plan and add a new paragraph to read: "22. Great Yarmouth Borough Council's Local Plan includes the Core Strategy 2013 - 2030, which was adopted in 2015. The Borough Council is currently developing a new Local Plan Part 2 which will comprise updates to the Core Strategy, new strategic policies, site allocations and detailed policies. Both the adopted and the emerging Local Plans contain planning policies for the whole of the borough, including Rollesby Parish. This emerging Neighbourhood Plan contains other non-strategic policies for Rollesby Parish itself specifically. 23. In addition, part of the Parish falls under the Broads Authority. In these areas, the Local Plan for the Broads, adopted in 2019, applies. 24. There is no need to repeat or copy the planning policy framework in place in the Local Plans. However, where there are policy details missing that are important for Rollesby, or where it was felt that a slightly different policy is needed, then new policies were developed for the Neighbourhood Plan. Some of the policies in the following sections are not strictly 'planning' related. Nevertheless, it was felt that they were important enough to include in the plan and be called 	The Councils agree with the Examiner's wording which provides clarification between the adopted Core Strategy and Local Plan Part 2 and references the Local Plan for the Broads.	Accept Examiner's recommended modifications

	<p>'Community Actions', being something that the local community and parish council will lead on. 17</p> <p>25. The policies are intended to meet the vision and objectives set out above. They are aimed at guiding decision makers and applicants in order to achieve high standards of development, and development in the right places. Development proposals should have regard to all the planning policies in this Neighbourhood Plan, and of course those in the relevant Local Plans.</p> <p>26. To have more local control over the planning process and particularly where new developed should take place, this Neighbourhood Plan has allocated a number of sites for development, mainly for residential development."</p>		
Policy HO1: Scale and Location of Housing Growth	<ul style="list-style-type: none"> Reword paragraph four of the policy to read: "Within the development limits for the village, development on infill sites should be sympathetic to its context, including the surrounding built environment, its landscape setting and must respect views and the amenity of neighbouring properties." 	The Councils agree with the examiner's reasoning that paragraph 4 of the Policy should be reworded to align with the NPPF requirement to make the effective use of land.	Accept Examiner's recommended modifications.
Policy HO2: Housing Mix	<ul style="list-style-type: none"> Change the fourth paragraph of the policy to read: New housing is encouraged to be designed to a high energy efficiency standard." Delete the first sentence of paragraph 55 on page 14 of the Plan Change the supporting text at paragraph 56 on page 14 of the Plan to read: "Planning practice guidance allows local planning authorities to require planning policies to require energy efficiency standards 20% above building regulations. This is encouraged to be used for Policy HO2 unless the guidance changes and more rigorous standards can be applied." 	The Councils agree with the Examiner's reasoning that that the reference to the M4(2) Standard should be removed to align with National Policy and the M4(2) requirement in the emerging Local Plan Part 2.	Accept Examiner's recommended modifications.
Policy HO3: Design	<ul style="list-style-type: none"> Change criterion b. to read: "New residential development, especially that intended for family occupation, shall include garden areas which are of an appropriate size and which provide a suitable and usable area for the occupiers of the dwelling as well as affording visual delight and reflect the current character of the area" <p style="text-align: right;">Page 208 of 875</p>	<p>The Councils agree with the Examiner's reasoning that that:</p> <ul style="list-style-type: none"> Criterion B should be re-worded to avoid ambiguity The policy should reflect the NPPF's requirement to secure tree-lined streets. 	Accept Examiner's recommended modifications.

	<ul style="list-style-type: none"> • Add a new criterion to the policy that reads: “Tree-lined streets should be included in developments unless in specific cases there are clear justifiable and compelling reasons why this would be inappropriate. Trees should be included within developments where the opportunity arises. Where development is permitted, conditions will be imposed to secure the long-term maintenance of 60 NPPF para 131 61 Ibid 26 newly-planted trees. Existing trees, tree belts and hedgerows should be retained wherever possible.” 		
Policy E1: Protecting and Enhancing the Environment	<ul style="list-style-type: none"> • Change criterion f. of the policy to read: “Incorporate features within site proposals that benefit biodiversity conservation, such as built-in wildlife homes, pollinator strips, native hedging, green walls and roofs and wetlands which can enhance on-site wildlife and provide associated benefits for run-off attenuation and energy efficiency.” • Amend paragraph four of the policy to read: “Any development proposals within or near the Broads Area will need to be accompanied by landscaping proposals that demonstrate how the development will minimise its impact on the Broads landscape and benefit the wider area. Development must suit the location and setting, with landscape design proposals that reflect the area’s special landscape qualities.” • Amend paragraph 76 on page 23 of the Plan to read: “In delivering Policy E1 developers should first look to avoid harm. If harm cannot be avoided, the developer should adequately mitigate any harm to biodiversity. In all instances, developers are expected to enhance biodiversity on site. As a last resort, compensation can be considered if the development must go ahead. Where it is not possible to avoid, mitigate and compensate all harmful impacts on site, the developer should secure enhancement or creation of habitat locally, within the parish.” 	The Councils agree with the Examiner’s reasoning that the proposed modifications are necessary to add clarity and align with the requirements of the NPPF.	Accept Examiner’s recommended modifications.
Policy E2: Landscape Character and Appearance	<ul style="list-style-type: none"> • Add a new paragraph at the end of the policy that reads: “It is expected that planning applications will be accompanied by appropriate evidence, including landscape and visual appraisals as needed, to demonstrate how the proposal meets the criteria in this policy.” 	The Councils agree with the Examiner’s reasoning that the Policy includes the requirement for a landscape and visual appraisal to improve the robustness of the Policy	Accept Examiner’s recommendation. No modification necessary.

	<ul style="list-style-type: none"> Add a new paragraph to the supporting text that reads: “The policy requires planning applications to be accompanied by appropriate and proportionate evidence to show how the requirements of Policy E2 are to be met. Not all developments, for example, extensions to domestic dwellings, will need to submit evidence, but where they do evidence should be up to date and proportionate and appropriate to the type of development sought.” 		
Policy E3: Protecting Dark Night Skies	No modifications	Agree	Accept Examiner’s recommendation. No modification necessary.
Policy E4: Flooding and Drainage	<ul style="list-style-type: none"> Amend the third sentence in paragraph 88 on page 26 of the Plan to read: “The Lead Local Flood Authority has two records of external flooding in the parish dating from 2014 to the present day...” [retain remainder of sentence as existing] 	The Councils agree with the Examiner’s reasoning that that the policy requires amendment to make factual corrections.	Accept Examiner’s recommended modifications.
Policy CA1: Community Facilities	<ul style="list-style-type: none"> Add a new sentence at the end of the policy that reads: “Any new facilities located within the Broads will need to be fully justified.” 	The Councils agree with the Examiner’s reasoning that that the policy requires amendment to align with Broads Local Plan Policy SP16.	Accept Examiner’s recommended modifications.
Policy CA2: Designated Local Green Spaces	<ul style="list-style-type: none"> Replace Figure 9 with a larger scale and clearer map showing the location and boundaries of the three retained LGSs Delete the Moat from the policy Delete the sentence which begins “These should be protected from development...” from the policy Delete the last paragraph of the policy which begins “Development that would harm the openness...” Delete the sixth, seventh and eighth sentences of paragraph 97 on page 29 of the Plan Change “...paragraphs 143 – 147...” in paragraph 97 on page 29 to “...paragraphs 147 – 151...” 	<p>The Councils agree with the Examiner that:</p> <ul style="list-style-type: none"> The map and designations should be modified to add clarity The policy requires amendment to be consistent with the NPPF approach to Green Belts Paragraph renumbering and referencing is necessary 	Accept Examiner’s recommended modifications.
Policy CA3: Investment in Open Space and Public Rights of way	No Modifications necessary	Agree	Accept Examiner’s recommendation. No modification necessary.
Policy TR1: Residential Car Parking Standards	No Modifications necessary	Agree	Accept Examiner’s recommendation. No modification necessary.

Policy TR2: Sustainable Transport	No Modifications necessary	Agree	Accept Examiner's recommendation. No modification necessary.
Policies SSA01, SSA02, SSA03, SSA04, SSA05, SSA06	<ul style="list-style-type: none"> Amend criterion d. in Policy SSA01 to read: "Development at a density of no more than 25 dwellings per ha, unless a higher density would enable delivery of affordable housing;" Amend criterion h. in Policy SSA01 to read: "A comprehensive landscape strategy informed by appropriate evidence including, but not limited to ecological assessments, arboricultural assessment and landscape and visual appraisals as necessary will be required. The landscape strategy will demonstrate how natural features will be retained where reasonable and 36 incorporated alongside new natural and landscaping features into the layout of the development to achieve the 10% net gain in biodiversity. New streets should be tree-lined unless there are clear, justifiable and compelling reasons why this would be inappropriate and opportunities taken to incorporate new trees elsewhere in the developments. Existing trees should be retained wherever possible. Appropriate measures must be put in place to secure the long-term maintenance of newly-planted trees. The landscape strategy will also need to consider the impact on the setting of the Broads informed by relevant assessment work; Delete criterion a. from Policy SSA02, criterion b. from Policy SSA03, criterion c. from Policy SSA04 	The Councils agree with the Examiner's reasoning that the proposed modifications are necessary to add clarity and align with the requirements of the NPPF, in respect to energy efficiency standards and tree-lined streets	Accept Examiner's recommended modifications.

5. Next steps

This Decision Statement and the Examiner's Report into the Neighbourhood Plan will be made available at the following online locations:

- <GYBC webpage>
- <Broads webpage>
- <PC webpage>

Inspection copies?

- Town Hall
- Village Hall

The next stage is for the Neighbourhood Plan to proceed to a referendum within the neighbourhood area. Such a referendum needs to take place within 56 days from the day after the date of the decision. Notice will be given 28 days before the referendum takes place.

URN: 21-157

Subject: Winterton-on-Sea Neighbourhood Plan examination & recommendation

Report to: Full Council – 9 December 2021

Report by: Nick Fountain, Senior Strategic Planner

SUBJECT MATTER

Winterton-on-Sea Neighbourhood Plan Examiner's report & recommendation

RECOMMENDATION

That Full Council:

- Approves the recommended modifications to the Neighbourhood Plan as set out in the Examiner's Report
- Approves the referendum area as the neighbourhood plan area as recommended in the Examiner's Report.
- Agree the Neighbourhood Plan (as modified) proceeds to referendum.
- Approves the publication of a Decision Statement setting out the Council's and the Broads Authority's response to the Examiner's recommendations and announcing the intention for the Neighbourhood Plan to proceed to a referendum.

1. Introduction

- 1.1. A neighbourhood plan is a plan prepared by a local community (usually led by the parish council), that contains land use policies. The Borough Council formally designated the Neighbourhood Area for Winterton-on-Sea in March 2017 at which point the parish council (working with consultants) began preparing the neighbourhood plan. The parish council has engaged with the local community including consultation on a pre-submission draft of the neighbourhood plan.
- 1.2. The designated neighbourhood area, which is the whole parish, also extends into the Broads area, meaning that the Broads Authority has joint responsibility in decision making (with the Borough Council) for local planning authority duties. The Borough Council and Broads Authority have provided advice and assistance over the course of the plan being prepared. The Borough Council also provided some final comments on the plan proposals as part of an informal 'health-check' before the plan was submitted.

Local Plan Working Party

- 1.3. Throughout plan preparation and formal decision making, the progress of the neighbourhood plan has been presented to members of the Local Plan Working Party. Members have had opportunities to feedback ideas to officers to shape consultation responses, and in providing advice and guidance to the parish council. The Examiner's Report recommendations were taken to Local Plan Working Party and endorsed to Full Council on 23rd November 2021.

Final stages of the plan

- 1.4. The plan was submitted to the Borough Council in March 2021, with the parish council having undertaken early local consultations. The Borough Council published and consulted on the submitted plan in May 2021. An independent examiner was then appointed to examine the plan. To aid the examination, the Examiner then asked the Borough Council to undertake a focused consultation on implications of the revised National Planning Policy Framework on the neighbourhood plan. Responses from each of the respective consultations were passed to the Examiner for consideration, though it is worth noting that few responses were received at either of these stages.
- 1.5. The appointed Examiner has now examined the Winterton-on-Sea Neighbourhood Plan and published their report with recommendations. The Examiner can only examine the plan in so far as to determine whether it meets the '[basic conditions](#)' required by the legislation. The Examiner can also recommend on that basis whether the plan should proceed to referendum, and if so whether the referendum area should be extended beyond the designated neighbourhood plan area.
- 1.6. It is worth noting that officers had a chance to look through a draft of this report for fact checking. This included the opportunity to identify any factual errors before the final report was issued on 15th November 2021.
- 1.7. In summary, the Examiner has found that subject to some necessary modifications, the neighbourhood plan meets the basic conditions and can proceed to referendum. No extension has been recommended to the referendum area, which would maintain the whole parish of Winterton-on-Sea as the area over which the referendum would apply.

2. Winterton-on-Sea Neighbourhood Plan

- 2.1. The plan encompasses visions and objectives covering housing, the environment, community assets, traffic and transport. The plan period runs to 2030 aligning with the Core Strategy.
- 2.2. The proposed policies have a particular focus on preserving both the historic character and sensitive environment of the settlement and the parish. In summary the policies in the submission plan seek to:
 - Support low occupancy, affordable homes suitable for young and elderly residents
 - Preserve the historic character of the village centre
 - Restrict new second homes
 - Encourage tourist development
 - Support conservation and habitat enhancement, including biodiversity net gain on new developments
 - Expect mitigation measures against flooding
 - Limit development of high-grade agricultural land

- Support small-scale businesses development within development limits
- Designate Local Green Spaces
- Support car parking facilities and provide basic car parking standards

3. Examiner recommendations

3.1. The full Examiner's Report is attached to this paper. To summarise the Examiner recommendations to the submitted plan are as follows:

- Subject to modifications the plan meets the basic conditions including:
 - Having regard to national policies and advice
 - Is in general conformity with the strategic policies of the Development Plan
 - Meets the retained European Union Obligations (transposed into UK law):
 - The Environmental Assessment of Plans and Programmes Regulations 2004 (Environmental Assessment Regulations)
 - The Conservation of Habitats and Species Regulations 2017 (Habitat Regulations)
 - Does not breach the European Convention on Human Rights
- The modifications to policies and supporting text were relatively minor text changes, with the exceptions of Local Green Space (CA3) policy where text has been removed and design (HO3) where text has been added. Such modifications include:
 - Excluding the Broads Area from affordable housing exception schemes
 - Re-titling the 'Village Centre' (dropped historic)
 - Clarifying support for innovative design
 - Adding requirement for tree-lined streets
 - Applying the national threshold to development for requiring a Surface Water Drainage Strategy
 - Ensuring that all new development takes account of high grade agricultural land
 - Consideration of the historic local character and distinctiveness around the church
 - Ensuring that complementary uses in the primary school are compatible with nearby housing
 - Ensuring Local Green Space policy is consistent with Green Belts as set out in national policy
 - Aligning investment into open spaces with the Local Plan
 - Ensuring that 'Community Aspirations' are distinguished from policies in the plan

4. Decision on Examiner's Recommendations

4.1. Regulation 24A of the Neighbourhood Planning Regulations sets out that the local planning authority needs to make a decision within 5 weeks of the examiner's report being issued unless a date is otherwise agreed with the qualifying body (the parish council). The Local Planning Authority must consider whether to decline/refuse the plan or to accept the report recommendations and set out its reasons in a decision statement that must then be published. It is possible for the local planning authority to make a decision which differs from that recommended by the examiner, but this would require a statement of reason, further consultation, and the possibility of re-examination.

- 4.2. Such decisions must be made within the framework set out in the Regulations and Schedule 4B to the 1990 Town and Country Planning Act (as amended). Broadly speaking the only reasons to decline or reject the plan are where the plan fails to meet the basic conditions or Human Right Convention as set out in the legislative requirements. Based on the Examiner's findings it is considered unlikely that the plan falls short of the basic conditions or wider legislative requirements.
- 4.3. Having carefully reviewed the Examiner's report and recommendations, officers consider that the examination has been carried out correctly in considering the basic conditions and where necessary this has required modifications to the policies and supporting text. Officers, therefore, see no justification to depart from the recommendations contained within the Examiner's report.

Joint decision

- 4.4. The designated neighbourhood area, which is the whole parish, also extends into the Broads area, meaning that the Broads Authority has joint responsibility in decision making (with the Borough Council) for local planning authority duties. The Borough Council has taken the lead in supporting the parish council preparing the plan by providing advice and assistance, organising and coordinating actions, responses, consultations and decisions. The Broads Authority will also need to consider the Examiner's recommendations and come to a decision at their Planning Committee (scheduled on 3rd December 2021). Therefore, a formal joint decision will not be issued until the decision is made by Full Council.

General conformity with existing Local Plan

- 4.5. One of the key basic conditions is that the neighbourhood plan is in general conformity with the strategic policies of the adopted local plan. It is important to note that officers have over the preparation of the plan provided advice in respect of the emerging Local Plan Part 2 (LPP2) strategic policies. While policies from the LPP2 cannot be considered under the basic conditions (as they are not adopted policies), the Examiner's report does have regard to these and officers are content that the neighbourhood plan is in any case in general conformity with these policies. This is of particular relevance as it is anticipated that the LPP2 will be formally adopted at the same Full Council meeting just after the decision on the Examiner's recommendations is made.
- 4.6. Where there are elements of policy that may conflict, these will be resolved by favouring the most recently adopted policy. Therefore, the neighbourhood plan policies would take precedence as they will be formally adopted following the referendum (which will occur after the LPP2 is adopted). Such conflicts should only occur in very limited circumstances and would only apply in non-strategic policy matters.

Environmental Assessment & Habitat Regulations

- 4.7. Another important consideration at this stage is compliance with the Environmental Assessment and Habitat Regulations Assessment (HRA) legislative requirements, as the Borough Council (along with the Broads Authority) is the 'competent authority'. The parish council prepared a screening report which along with the Borough Council's screening assessment was consulted on (with the statutory bodies) and the screening determination published in April 2019.

- 4.8. The screening determination confirmed that the plan would not have any likely significant effects on the environment or any likely significant effects on nearby habitat sites (National Site Network habitat sites), and therefore the plan did not require a full Sustainability Appraisal or Appropriate Assessment. Since then, the plan has been subject to relatively minor updates by the parish council following consultation, and those suggested modifications from the Examiner. Having considered these, officers have concluded that the findings of the 2019 screening determination remain valid and appropriate, meeting the legislative requirements.
- 4.9. It is therefore important to acknowledge that by accepting the Examiner's recommendations, that the Borough Council (and Broads Authority) as competent authority accept the findings of the Screening Determination that the plan would not have any likely significant effects on the environment or any likely significant effects (including the consideration of in-combination effects) on nearby habitat sites (National Site Network habitat sites). The neighbourhood plan is therefore 'screened out' and does not require a full Sustainability Appraisal or Appropriate Assessment.

Neighbourhood Referendum

- 4.10. If the neighbourhood plan and the modifications that the Examiner has proposed are accepted, the plan should proceed to a neighbourhood referendum. The referendum asks whether residents would like the neighbourhood plan to help decide on planning applications in their area. Essentially, a successful vote ensures that the local authority will adopt the plan as part of their Development Plan to be used when determining planning applications.
- 4.11. Such a referendum needs to take place within 56 days from the day after the date of the decision on examiner recommendations. A 28 day notice period of the referendum date also needs to be published within that 56 day period. Having liaised with the Electoral Services team, the referendum could be held on **Thursday 24th February 2022**. The Examiner has recommended that the referendum area is not expanded beyond the designated neighbourhood plan area; and therefore, it would remain as the whole parish area. There appears little justification to disagree with this approach.

Decision Statement

- 4.12. In accordance with the Regulations, the Borough Council must publish a decision statement setting out what action is being taken on the Examiner's report and the recommendations contained within it. A draft statement has been prepared and is attached to this report, with a decision based on accepting all of the Examiner's recommendations. As the decision is joint with the Broads Authority, the statement is on behalf of both councils.

5. Next Steps

- 5.1. Subject to the Examiner's recommendations being accepted, a decision statement will be issued and published on the Borough Council's website. A notice will be published proposing the referendum date (ensuring that the 28 days' notice requirement is met). The referendum will be held in the parish. The result will be determined by a majority of over 50% of the votes cast. The result of that referendum will be reported. Upon a 'yes' vote, the plan must be adopted by the local planning authority within a period of 8 weeks following the referendum date. The plan would then need to be formally adopted by Full Council, forming part of the Development Plan. A decision statement will need to be published on the Borough Council's website.

- 5.2. As discussed above, should Full Council come to a different recommendation to that of the Examiner, a decision statement will still need to be issued and this could require further consultation and potentially re-examination.

6. Financial Implications

- 6.1. The Borough Council has already received £5,000 for the adopted neighbourhood plan area (it has actually received 5 of these through the first 5 adopted areas). This funding will support the payments required to appoint independent examiners.
- 6.2. The Borough Council should receive a further Government grant of £20,000 when a decision statement is issued to send the neighbourhood plan to referendum.
- 6.3. All costs associated with officer resources, the examination and referendum of the Neighbourhood Plans are expected to be covered by this Government funding.

7. Conclusion

- 7.1. The first recommendation is that the Full Council accepts the Examiner's proposed modifications to the Winterton-on-Sea Neighbourhood Plan. This decision accepts that the plan meets the basic conditions. In addition, as the Examiner has advised in the report, it is recommended that the referendum area is maintained as the neighbourhood plan area.
- 7.2. It is then recommended that Full Council agrees that the plan should proceed to referendum. The referendum would be held next year within the required time limit, and **Thursday 24th February 2022** is the proposed date for this to take place.
- 7.3. Finally, to meet the legislative requirements at this stage, it is recommended that Full Council approves the attached Decision Statement for publication on the Borough Council's website.

8. Links

- [Submission version of Winterton-on-Sea Neighbourhood Plan \(pre-examination therefore excludes modifications\)](#)
- [SEA & HRA Screening Assessment](#)

9. Appendices

Appendix 1 – Examiner's Report on Winterton-on-Sea Neighbourhood Plan

Appendix 2 – Winterton-on-Sea Examiner's Report Decision Statement

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?

Area for consideration	Comment
Monitoring Officer Consultation:	n/a
Section 151 Officer Consultation:	n/a
Existing Council Policies:	Local Plan Part 1: Core Strategy, 2001 Borough-wide Local Plan

Financial Implications (including VAT and tax):	See Section 6
Legal Implications (including human rights):	See Section 4
Risk Implications:	See Section 4
Equality Issues/EQIA assessment:	n/a
Crime & Disorder:	n/a
Every Child Matters:	n/a

Winterton-on-Sea Neighbourhood Plan 2020-2030

Report by Independent Examiner to Great Yarmouth Borough Council

Ann Skippers BSc (Hons) MRTPI FHEA FRSA AoU
15 November 2021

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Summary

I have been appointed as the independent examiner of the Winterton-on-Sea Neighbourhood Development Plan.

Winterton-on-Sea is a village on the east coast of Norfolk. The Plan area is valued by residents and visitors alike for the attractive village, the beach and its sand dunes. The older part of the village is closely knit with dense development and narrow lanes whilst newer development emanates out from the village centre. There is a Conservation Area and the Church dates back to the early 13th century and is Grade I listed. Part of the Plan area falls within the Norfolk and Suffolk Broads and this part of the Plan area therefore falls under the jurisdiction of the Broads Authority. With a population of around 1,300, swelled by year round tourism, it supports a number of services and facilities including a primary school, pub and some shops.

The Plan is presented to a high standard and contains 16 policies covering a range of topics from design and Local Green Spaces to principal residence housing. There are no site allocations. All of the policies seek to add local detail to local planning authority level policies or cover issues which are particularly pertinent to the Parish, but may not be included in a local plan. The Plan is accompanied by an evidence base which is a good resource and all the supporting documents are clear and easy to read. The Plan is commendably ambitious in its outlook and in what it seeks to achieve.

It has been necessary to recommend some modifications. In the main these are intended to ensure the Plan is clear and precise and provides a practical framework for decision-making as required by national policy and guidance. These do not significantly or substantially alter the overall nature of the Plan.

Subject to those modifications, I have concluded that the Plan does meet the basic conditions and all the other requirements I am obliged to examine. I am therefore pleased to recommend to Great Yarmouth Borough Council that the Winterton-on-Sea Neighbourhood Development Plan can go forward to a referendum.

In considering whether the referendum area should be extended beyond the Neighbourhood Plan area I see no reason to alter or extend this area for the purpose of holding a referendum.

Ann Skippers MRTPI
Ann Skippers Planning
15 November 2021



1.0 Introduction

This is the report of the independent examiner into the Winterton-on-Sea Neighbourhood Development Plan (the Plan).

The Localism Act 2011 provides a welcome opportunity for communities to shape the future of the places where they live and work and to deliver the sustainable development they need. One way of achieving this is through the production of a neighbourhood plan.

I have been appointed by Great Yarmouth Borough Council (GYBC) with the agreement of the Parish Council and the Broads Authority (BA), to undertake this independent examination. I have been appointed through the Neighbourhood Planning Independent Examiner Referral Service (NPIERS).

Part of the Plan area falls within the Norfolk and Suffolk Broads and falls under the jurisdiction of the BA. I have been instructed by Great Yarmouth Borough Council and therefore can only address my report to that authority as my client. However, all parties are aware that the BA plays an important role as the other authority responsible for progressing the Plan to its next stages.

I am independent of the qualifying body and the local authority. I have no interest in any land that may be affected by the Plan. I am a chartered town planner with over thirty years experience in planning and have worked in the public, private and academic sectors and am an experienced examiner of neighbourhood plans. I therefore have the appropriate qualifications and professional experience to carry out this independent examination.

2.0 The role of the independent examiner

The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The basic conditions¹ are:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- The making of the neighbourhood plan contributes to the achievement of sustainable development
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area

¹ Set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended)

- The making of the neighbourhood plan does not breach, and is otherwise compatible with, retained European Union (EU) obligations²
- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation and referred to in the paragraph above. Only one is applicable to neighbourhood plans and was brought into effect on 28 December 2018.³ It states that:

- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

The examiner is also required to check⁴ whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body
- Has been prepared for an area that has been properly designated for such plan preparation
- Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that
- Its policies relate to the development and use of land for a designated neighbourhood area.

I must also consider whether the draft neighbourhood plan is compatible with Convention rights.⁵

The examiner must then make one of the following recommendations:

- The neighbourhood plan can proceed to a referendum on the basis it meets all the necessary legal requirements
- The neighbourhood plan can proceed to a referendum subject to modifications or
- The neighbourhood plan should not proceed to a referendum on the basis it does not meet the necessary legal requirements.

If the plan can proceed to a referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

² Substituted by the Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018/1232 which came into force on 31 December 2020

³ Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

⁴ Set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act

⁵ The combined effect of the Town and Country Planning Act Schedule 4B para 8(6) and para 10 (3)(b) and the Human Rights Act 1998

If the plan goes forward to referendum and more than 50% of those voting vote in favour of the plan then it is made by the relevant local authorities, in this case GYBC and the BA. The plan then becomes part of the 'development plan' for the area and a statutory consideration in guiding future development and in the determination of planning applications within the plan area.

3.0 The examination process

I have set out my remit in the previous section. It is useful to bear in mind that the examiner's role is limited to testing whether or not the submitted neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).⁶

Planning Practice Guidance (PPG) confirms that the examiner is not testing the soundness of a neighbourhood plan or examining other material considerations.⁷ Often representations suggest amendments to policies or additional policies. Where I find that policies do meet the basic conditions, it is not necessary for me to consider if further amendments or additions are required.

PPG⁸ explains that it is expected that the examination will not include a public hearing. Rather the examiner should reach a view by considering written representations. Where an examiner considers it necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case, then a hearing must be held.⁹

After consideration of all the documentation, I decided that it was not necessary to hold a hearing.

In 2018, the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) published guidance to service users and examiners. Amongst other matters, the guidance indicates that the qualifying body will normally be given an opportunity to comment upon any representations made by other parties at the Regulation 16 consultation stage should they wish to do so. There is no obligation for a qualifying body to make any comments; it is only if they wish to do so. The Parish Council did not make any comments.

The Government published a new National Planning Policy Framework (NPPF) in July 2021 shortly after the Regulation 16 stage had ended and before the examination had commenced. Given that the NPPF is a key document issued by the Secretary of State against which the Plan is examined, I suggested that a short period of consultation specifically on the newly published NPPF be held. This was to give all interested parties, GYBC, the BA and the Parish Council an opportunity to consider whether the new NPPF

⁶ PPG para 055 ref id 41-055-20180222

⁷ Ibid

⁸ Ibid para 056 ref id 41-056-20180222

⁹ Ibid

had any implications for the Plan.

This stage of focused and additional consultation resulted in two representations. The Parish Council was also given an opportunity to comment on any representations received, but chose not to do so.

I am very grateful to everyone for ensuring that the examination has run so smoothly and in particular Nick Fountain at GYBC.

I made an unaccompanied site visit to familiarise myself with the Plan area on 4 November 2021.

Where modifications are recommended they appear in **bold text**. Where I have suggested specific changes to the wording of the policies or new wording these appear in ***bold italics***.

As a result of some modifications consequential amendments may be required. These can include changing section headings, amending the contents page, renumbering paragraphs or pages, ensuring that supporting appendices and other documents align with the final version of the Plan and so on.

I regard these as primarily matters of final presentation and do not specifically refer to such modifications, but have an expectation that a common sense approach will be taken and any such necessary editing will be carried out and the Plan's presentation made consistent.

4.0 Neighbourhood plan preparation

A Consultation Statement has been submitted. It meets the requirements of Regulation 15(2) of the Neighbourhood Planning (General) Regulations 2012.

Work began on the Plan in 2017 following a public meeting to discuss the development of a neighbourhood plan. A Steering Group was established in mid 2017 to lead preparation on the Plan.

An Issues and Options consultation was held with local residents and businesses in November 2018. This took the form of a paper and online survey distributed to all households. This was advertised in the Parish newsletter. An event was also held attended by 60 people.

A dedicated page was set up on the Parish Council website.

Pre-submission (Regulation 14) consultation took place between 19 March – 2 May 2020. This was extended to 16 May because of lockdown restrictions. GYBC then recommended a further six-week period of consultation which ran from 28 May – 9

July. Hard copies and online copies of the Plan were available during this period. It was advertised on the website, via posters around the village, an article in the village newsletter and on Facebook.

I consider that the consultation and engagement carried out is satisfactory.

Submission (Regulation 16) consultation was carried out between 21 May – 16 July 2021.

Just before the examination commenced, as explained earlier, the Government published a new NPPF. In order to give all interested parties, GYBC and the BA and the Parish Council an opportunity to consider whether this had any implications for the Plan, a further two-week period of consultation was carried out. This consultation ended on 21 September 2021.

A total of 10 representations were received. Whilst I make reference to some responses and not others, I have considered all of the representations and taken them into account in preparing my report.

5.0 Compliance with matters other than the basic conditions

I now check the various matters set out in section 2.0 of this report.

Qualifying body

Winterton-on-Sea Parish Council is the qualifying body able to lead preparation of a neighbourhood plan. This requirement is satisfactorily met.

Plan area

The Plan area is coterminous with the administrative boundary for the Parish. GYBC and the BA approved the designation of the area on 18 August 2017. The Plan relates to this area and does not relate to more than one neighbourhood area and therefore complies with these requirements. The Plan area is shown on page 4 of the Plan.

Plan period

The Plan period is 2020 – 2030. This is clearly stated in the Plan itself and confirmed in the Basic Conditions Statement. This requirement is therefore satisfactorily met.

Excluded development

The Plan does not include policies that relate to any of the categories of excluded development and therefore meets this requirement. This is also helpfully confirmed in the Basic Conditions Statement.

Development and use of land

Policies in neighbourhood plans must relate to the development and use of land. Sometimes neighbourhood plans contain aspirational policies or projects that signal the community's priorities for the future of their local area, but are not related to the development and use of land. If I consider a policy or proposal to fall within this category, I will recommend it be clearly differentiated. This is because wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable.¹⁰

In this instance, two Community Policies, arising from the Plan-making process, have been identified. I recommend later in this report that they are renamed as "Community Aspirations" and that an explanatory paragraph regarding their status is included within the Plan. Subject to these modifications, the Plan will satisfactorily deal with this requirement.

6.0 The basic conditions

Regard to national policy and advice

The Government revised the National Planning Policy Framework (NPPF) on 20 July 2021. This revised Framework replaces the previous National Planning Policy Framework published in March 2012, revised in July 2018 and updated in February 2019.

The NPPF is the main document that sets out the Government's planning policies for England and how these are expected to be applied.

In particular it explains that the application of the presumption in favour of sustainable development will mean that neighbourhood plans should support the delivery of strategic policies in local plans or spatial development strategies and should shape and direct development outside of these strategic policies.¹¹

Non-strategic policies are more detailed for specific areas, neighbourhoods or types of development.¹² They can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment as well as set out other development management policies.¹³

¹⁰ PPG para 004 ref id 41-004-20190509

¹¹ NPPF para 13

¹² Ibid para 28

¹³ Ibid

The NPPF also makes it clear that neighbourhood plans should not promote less development than that set out in strategic policies or undermine those strategic policies.¹⁴

The NPPF states that all policies should be underpinned by relevant and up to date evidence; evidence should be adequate and proportionate, focused tightly on supporting and justifying policies and take into account relevant market signals.¹⁵

Policies should be clearly written and unambiguous so that it is evident how a decision maker should react to development proposals. They should serve a clear purpose and avoid unnecessary duplication of policies that apply to a particular area including those in the NPPF.¹⁶

On 6 March 2014, the Government published a suite of planning guidance referred to as Planning Practice Guidance (PPG). This is an online resource available at www.gov.uk/government/collections/planning-practice-guidance which is regularly updated. The planning guidance contains a wealth of information relating to neighbourhood planning. I have also had regard to PPG in preparing this report.

PPG indicates that a policy should be clear and unambiguous¹⁷ to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the planning context and the characteristics of the area.¹⁸

PPG states there is no 'tick box' list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken.¹⁹ It continues that the evidence should be drawn upon to explain succinctly the intention and rationale of the policies.²⁰

Whilst this has formed part of my own assessment, the Basic Conditions Statement sets out how the Plan has responded to national policy and guidance. A table²¹ sets out how the Plan aligns with the (previous) NPPF.

Contribute to the achievement of sustainable development

A qualifying body must demonstrate how the making of a neighbourhood plan would contribute to the achievement of sustainable development.

¹⁴ NPPF para 29

¹⁵ Ibid para 31

¹⁶ Ibid para 16

¹⁷ PPG para 041 ref id 41-041-20140306

¹⁸ Ibid

¹⁹ Ibid para 040 ref id 41-040-20160211

²⁰ Ibid

²¹ Basic Conditions Statement Figure 2 on page 6

The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.²² This means that the planning system has three overarching and interdependent objectives which should be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.²³ The objectives are economic, social and environmental.²⁴

The NPPF confirms that planning policies should play an active role in guiding development towards sustainable solutions, but should take local circumstances into account to reflect the character, needs and opportunities of each area.²⁵

Whilst this has formed part of my own assessment, the table in the Basic Conditions Statement cross references how each Plan policy helps to achieve sustainable development as outlined in the NPPF.²⁶

General conformity with the strategic policies in the development plan

The Plan area falls within two local authority boundaries; GYBC and the BA.

The development plan consists of the Great Yarmouth Local Plan Core Strategy 2013 – 2030 (CS) and the Local Plan for the Broads 2015 – 2036 (LP). A number of saved policies from the Great Yarmouth Borough-wide Local Plan 2001 also remain in force until the emerging Local Plan Part 2 is adopted.

GYBC confirmed that in terms of the saved policies of the Borough-wide Local Plan 2001, Policies HOU7, HOU8 and HOU10 are in regular use and regarded as strategic.

The GYBC Local Plan 2001 was adopted in February 2001, the CS was adopted on 21 December 2015 and the Local Plan for the Boards in May 2019.

The LP is applicable to the part of the Plan area which falls within the BA's jurisdiction. The LP contains three types of policies; strategic, development management and site specific. I have considered the whole plan, but paid particular attention to the strategic policies given the wording of the relevant basic condition.

In addition there are three minerals and waste planning policy documents which also make up the development plan for the area; these are the Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010 – 2026 adopted in September 2011, the Minerals Site Specific Allocations Development Plan Document (DPD) adopted in October 2014 and amended in December 2017 and the Waste Site Specific Allocations DPD adopted in October 2013.

²² NPPF para 7

²³ Ibid para 8

²⁴ Ibid

²⁵ Ibid para 9

²⁶ Basic Conditions Statement Figure 2 on page 6

Whilst this has formed part of my own assessment, the Basic Conditions Statement contains an assessment of how each policy generally conforms to relevant CS and LP policies.²⁷ Where I have not specifically referred to a strategic policy, I have considered all strategic policies in my examination of the Plan.

Emerging Plan

GYBC submitted the Great Yarmouth Local Plan Part 2 (LP Part 2) Development Management Policies and Site Allocations to the Inspectorate on 31 July 2020 for independent examination. Examination hearing sessions took place between 2 March - 29 April 2021. The hearing sessions were formally closed by the Inspector on 29 April 2021. In response to the Inspector's post-hearings note, the Council has prepared potential modifications to the Local Plan Part 2. Public consultation on the potential modifications closed on 3 September 2021. The Inspector's Final Report dated 5 November was received by GYBC during the course of this examination. GYBC's website indicates that "it is currently expected that the Council will consider the adoption of the plan at the Full Council meeting on 09 December 2021".

There is no legal requirement to examine the Plan against emerging policy. However, PPG²⁸ advises that the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which the Plan is tested.

Furthermore Parish Councils and local planning authorities should aim to agree the relationship between policies in the emerging neighbourhood plan, the emerging Local Plan and the adopted development plan with appropriate regard to national policy and guidance.²⁹

Retained European Union Obligations

A neighbourhood plan must be compatible with retained European Union (EU) obligations. A number of retained EU obligations may be of relevance for these purposes including those obligations in respect of Strategic Environmental Assessment, Environmental Impact Assessment, Habitats, Wild Birds, Waste, Air Quality and Water matters.

With reference to Strategic Environmental Assessment (SEA) requirements, PPG³⁰ confirms that it is the responsibility of the local planning authority, in this case GYBC and the BA, to ensure that all the regulations appropriate to the nature and scope of the draft neighbourhood plan have been met. It states that it is GYBC and the BA who must decide whether the draft plan is compatible with relevant retained EU obligations when it takes the decision on whether the plan should proceed to referendum and when it takes the decision on whether or not to make the plan.

²⁷ Basic Conditions Statement Figure 3 on page 12

²⁸ PPG para 009 ref id 41-009-20190509

²⁹ Ibid

³⁰ Ibid para 031 ref id 11-031-20150209

Strategic Environmental Assessment and Habitats Regulations Assessment

The provisions of the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'SEA Regulations') concerning the assessment of the effects of certain plans and programmes on the environment are relevant. The purpose of the SEA Regulations, which transposed into domestic law Directive 2001/42/EC ('SEA Directive'), are to provide a high level of protection of the environment by incorporating environmental considerations into the process of preparing plans and programmes.

The provisions of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), which transposed into domestic law Directive 92/43/EEC (the 'Habitats Directive'), are also of relevance to this examination.

Regulation 63 of the Habitats Regulations requires a Habitats Regulations Assessment (HRA) to be undertaken to determine whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. The HRA assessment determines whether the Plan is likely to have significant effects on a European site considering the potential effects both of the Plan itself and in combination with other plans or projects. Where the potential for likely significant effects cannot be excluded, an appropriate assessment of the implications of the Plan for that European Site, in view of the Site's conservation objectives, must be carried out.

The Basic Conditions Statement refers to the Screening Opinion dated July 2019 which has been prepared by GYBC. Although it is titled SEA Screening Opinion it also covers HRA matters. It also refers to the SEA and HRA Screening Report of April 2019 prepared by Collective Community Planning on behalf of the Parish Council.

After consultation with the statutory bodies, the Screening Opinion concluded that the Plan is not likely to have significant environmental effects. It sets out a number of reasons including conformity with the CS, its operation at a small scale, the absence of site allocations, the limited opportunity for new development and the recognition of the sensitive landscape and conservation of environmental assets.

I have treated this information to be the statement of reasons that the PPG advises must be prepared and submitted with the neighbourhood plan proposal and made available to the independent examiner where it is determined that the plan is unlikely to have significant environmental effects.³¹

Taking account of the characteristics of the Plan, the information and the characteristics of the areas most likely to be affected, I consider that retained EU obligations in respect of SEA have been satisfied.

Turning now to HRA, the Plan area falls within the Winterton-Horsey Dunes Special Area of Conservation (SAC) and the Great Yarmouth North Denes Special Protection Area

³¹ PPG para 028 ref id 11-028-20150209

(SPA). The Screening Assessment also considered other European sites within 15km of the Plan area.

As the Plan does not make any site allocations and many policies seek to conserve or enhance the natural environment, it was considered that the Plan is unlikely to present additional residential or recreational disturbance beyond that identified in the CS.

The Screening Opinion, prepared by GYBC, concludes that the Plan will not have any likely significant effects either alone or in combination with other plans and projects and therefore screens the Plan out from requiring an appropriate assessment.

NE was consulted and did not make any comments.

The conclusion is therefore that the Plan does not require further assessment.

On 28 December 2018, the basic condition prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended) was substituted by a new basic condition brought into force by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 which provides that the making of the plan does not breach the requirements of Chapter 8 of Part 6 of the Habitats Regulations.

Given the distance, nature and characteristics of the nearest European sites and the nature and contents of this Plan, I agree with the conclusion of the Screening Opinion that an appropriate assessment is not required and accordingly consider that the prescribed basic condition is complied with, namely that the making of the Plan does not breach the requirements of Chapter 8 of Part 6 of the Habitats Regulations.

Conclusion on retained EU obligations

National guidance establishes that the ultimate responsibility for determining whether a plan meets EU obligations lies with the local planning authority.³² In undertaking work on SEA and HRA, GYBC has considered the compatibility of the Plan in regard to retained EU obligations and does not raise any concerns in this regard. The BA has not raised any concerns.

European Convention on Human Rights (ECHR)

The Basic Conditions Statement contains a statement in relation to human rights.³³ Having regard to the Basic Conditions Statement, there is nothing in the Plan that leads me to conclude there is any breach or incompatibility with Convention rights. I discuss this aspect further in my assessment of Policy HO4.

³² PPG para 031 ref id 11-031-20150209

³³ Basic Conditions Statement page 15

7.0 Detailed comments on the Plan and its policies

In this section I consider the Plan and its policies against the basic conditions. As a reminder, where modifications are recommended they appear in **bold text** and where I suggest specific changes to the wording of the policies or new wording these appear in ***bold italics***.

The Plan is presented to a very high standard and contains 16 policies. The Plan begins with a helpful contents page.

Introduction

This is an interesting section which sets out the context for the Plan and highlights many interesting attributes about the Parish. It explains that the Plan builds on work undertaken for a Parish Plan in 2004.

Neighbourhood Planning

This section sets out how the Plan has evolved; it does so in an engaging and informative way.

Vision and Objectives

The vision for the area is:

“Winterton-on-Sea will be a thriving community and popular visitor destination, providing a range of local services and facilities.

It will have a good balance between the needs of residents and those visiting for the day or longer. It will retain the quiet, laid-back feel that is fitting for an old fishing village, with low traffic volumes and speeds away from the main roads.

The village will enjoy a good mix of housing, including homes for younger residents and families, which have been designed sensitively and reflecting the local character.

The natural environment, including the sensitive dunes, will still be precious to the community and its condition and ecology will have improved.”

This very locally distinctive and clear vision is supported by seven objectives. All the objectives are articulated well, relate to the development and use of land and will help to deliver the vision.

Housing

It is useful for me at this juncture to set out the planning context. CS Policy CS1 seeks to create sustainable communities, supporting sustainable growth that is of a scale and in a location that complements the character and supports the function of settlements.

CS Policy CS2 sets out how this will be achieved. Winterton-on-Sea is identified as a Primary Village in the CS. The CS describes these as smaller settlements with a small range of services and opportunities for employment, retail and education. They serve a limited local catchment and have a lower level of access to public transport.

CS Policy CS2 directs about 30% of new residential development to the Primary Villages.

Policy SP15 of the Local Plan for the Broads sets out how the BA seeks to meet its objectively assessed housing need. The size and type of new homes is to be based on the latest evidence of local needs. Development is to be located to protect the countryside from inappropriate uses to achieve sustainable patterns of development by concentrating development in locations with local facilities, high levels of accessibility and where previously developed land is used. Elsewhere housing is only permitted where necessary including affordable housing where local housing need has been shown.

Neither the CS, the LP, Local Plan for the Broads or the emerging LP Part 2 allocate any sites for housing development to Winterton-on-Sea. As the latest available figure, emerging LP Part 2 Policy GSP2 sets out a zero housing requirement for the Plan area, although this does not in itself preclude any development coming forward through the neighbourhood planning mechanism.

I turn now to the planning policies.

Policy HO1: Housing Mix

The Plan explains there is a high proportion of detached homes, often of three or more bedrooms, in the area. Home ownership is high. There are few one-bed properties; round 3% of the total stock and about 34% of homes are one or two bed roomed, less than the Borough average. In contrast the Plan explains that about a third of households are single indicating a mismatch between the stock and need.

This also points to a common phenomenon of a lack of opportunity for older people in the village to downsize thereby 'freeing up' often under-occupied larger properties for families.

The Parish has an increasing ageing population profile. This is increasing faster than surrounding communities suggesting older people are choosing to move to this community.

This could have an impact on the school and its future viability. A mix of homes is needed to attract younger families to stay and move to the community as well as providing for downsizers.

Affordable housing demand outstrips supply, again particularly for smaller units. The Plan explains that no new affordable homes have been constructed recently.

The Plan therefore seeks to ensure that any new development reflects the type and size of home most needed in the locality. This is in line with the supporting text for CS Policy CS2 which acknowledges the need for additional housing to meet local housing needs, especially for young families and older people balanced against the need to protect the individual character and identity of each village.

The NPPF states that the needs of groups with specific housing requirements should be addressed to support the Government's objective of significantly boosting housing supply.³⁴

Nationally, PPG states that the need to provide housing for older people is critical and offering a choice of accommodation to suit changing needs can help independent living for longer.³⁵ The evidence sitting behind the emerging LP Part 2 also indicates that the Borough has a relatively aged population structure and this is likely to become more pronounced.³⁶

The policy seeks a mix of housing types on all sites. For sites of five or more units, the policy seeks 33% of dwellings to be two bedroomed or less. Whilst there is little explanation of this threshold in the Plan, it does reflect the five units threshold for affordable housing in designated rural areas meaning there is some precedent for such a figure in planning terms. Given the requirements of the policy a threshold below this number would be difficult to deliver in my view. I am therefore comfortable with this as a policy basis particularly given the inbuilt flexibility within the policy which acknowledges the importance of evidence and viability considerations.

The policy will have regard to national policy, contribute to the achievement of sustainable development and be in general conformity with strategic policy, particularly CS Policies CS2, CS3 and LP Policy SP15. It therefore meets the basic conditions and no modifications are recommended.

³⁴ NPPF para 60

³⁵ PPG para 001 ref id 63-001-20190626

³⁶ Emerging Local Plan Part 2, Tracked Changes Version page 126

Policy HO2: Affordable Housing

Given the background explained above in relation to Policy HO1, the Plan supports the provision of affordable housing in schemes which would not otherwise provide affordable housing, considering such provision to be a significant community benefit, helping to deliver sustainable development in the Plan area.

The NPPF states that the provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies can set a lower threshold of 5 units or fewer).³⁷

The policy then represents a departure from the NPPF. However, given the need to provide more affordable housing, the identified benefits of such provision for this community and the lack of any such provision in recent years, I consider that such a departure is, in this instance, justified. The policy also does not lower the threshold in the NPPF, but rather indicates it support for schemes which provide affordable housing.

The policy then supports small-scale rural exception sites or entry-level exception sites for affordable housing outside the development limits of the village. Three criteria are included; firstly that the site is “reasonably adjacent” to the development limits, secondly the site has reasonable and safe access to local amenities using sustainable transport and lastly that the homes are provided to those in local housing need in perpetuity.

Entry-level homes are referred to in the NPPF.³⁸ Such sites should not be on land already allocated for housing. They should comprise one or more of the types of affordable housing defined in the NPPF’s glossary. They should be adjacent to existing settlements and be proportionate in size, not compromise the protection given to areas or assets of particular importance and comply with local design policy and standards.

The Plan acknowledges that the policy takes a departure from the stance in the NPPF as is indicates that sites should be “reasonably adjacent” rather than adjacent. The supporting text explains what this means in the Parish and why such a departure is being made. The policy also includes caveats other than location; it refers to access to local services and facilities and the need for such housing to remain in perpetuity.

CS Policy CS4 explains that one of the greatest challenges facing the Borough is the need to provide additional affordable housing. Within this policy, support is given for housing on small rural exception sites subject to a number of criteria including where the site is within or adjacent to the existing settlement. The policy therefore also does not precisely align with the wording of CS Policy CS4. However, GYBC, at fact check stage, has indicated disagreement with me over this and has confirmed that CS Policy CS4 has a similar level of flexibility given it permits adjacent sites.

³⁷ NPPF para 64

³⁸ Ibid para 72

Given the overwhelming need for affordable housing in the community and given the nature of the village and its coastal location and the opportunities within it for much needed affordable housing, I consider this is justified. I note that GYBC has not objected to this policy although the BA has raised concerns.

In reaching this conclusion, I am mindful of the need to promote a sustainable pattern of development that meets the development needs of the area³⁹ and that in rural areas planning policies should be responsive to local circumstances and support housing developments that reflect local needs.⁴⁰

The NPPF continues that local planning authorities should support opportunities to bring forward rural exception sites.⁴¹

The NPPF also indicates that, in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and policies should identify opportunities for villages to grow and thrive.⁴² Therefore given the community have identified opportunities through policy to address the provision of affordable housing, I consider the policy has regard to the NPPF. There is no reason to suspect that this policy would constrain the delivery of important national policy objectives and every reason to suspect that this policy would provide an opportunity for much needed affordable housing to be built.

There is a minor addition to the supporting text to make it read better.

Part of the Plan area falls within the jurisdiction of the BA. The NPPF is clear that entry-level homes should not be permitted within the BA area. I consider this should be acknowledged in the Plan. A modification is therefore made to address this.

In addition, a Written Ministerial Statement (WMS) of 24 May 2021 introduced First Homes, a new scheme to provide homes for first time buyers at a minimum discount of 30% and which replaces entry-level exception sites. I note that there is a transition period for plan-making in relation to First Homes. Neighbourhood plans submitted for examination before 28 June 2021 are not required to reflect the First Homes policy requirements.⁴³ This applies in this case. I also note that one of the criteria the WMS refers to the First Homes exception sites is for sites to be adjacent to existing settlements. I consider my discussion above also covers this point. It may be useful to consider an early update to the Plan in respect of First Homes.

With these modifications, the policy will meet the basic conditions. It has regard to national policy, will be in general conformity with CS Policy CS4 by adding a local layer of detail and flexibility given the circumstances and nature of this Plan area and help to achieve sustainable development.

³⁹ NPPF para 11

⁴⁰ Ibid para 78

⁴¹ Ibid

⁴² Ibid para 79

⁴³ WMS of 24 May 2021 and PPG para 018 ref id 70-018-20210524

- Add the word “to” before “...the settlement” in the third sentence of paragraph 38 on page 10 of the Plan
- Add a new sentence at the end of the policy that reads: *“It should be noted that national policy does not permit entry-level exception sites within the Broads Authority area.”*

Policy HO3: Design

The NPPF states that 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.⁴⁴

It continues that neighbourhood plans can play an important role in identifying the special qualities of an area and explaining how this should be reflected in development.⁴⁵

It refers to design guides and codes to help provide a framework for creating beautiful and distinctive places with a consistent and high quality standard of design.⁴⁶

It continues that planning policies should ensure developments function well and add to the overall quality of the area, are visually attractive, are sympathetic to local character and history whilst not preventing change or innovation, establish or maintain a strong sense of place and optimise site potential.⁴⁷

Policy HO3 sets out the expectations for new development whilst not seeking to stifle innovation. It refers to the Historic Village Centre which is defined on Figure 4 on page 22 of the Plan. The proposed Historic Village Centre designation is supported by a Character Appraisal which forms Appendix 1 of the Plan.

I explain in my discussion of Policy E3, the modifications I consider should be made to this proposed designation, but make a modification here to this policy to reflect the modifications made to Policy E3 later in this report.

Turning now to the criteria, only one of the criteria gives some cause for concern; the policy states that proposals outside of the village centre of an innovative design with high environmental standards will be supported. This could inadvertently lead to development which would not otherwise be acceptable. A modification is made to address this point.

⁴⁴ NPPF para 126

⁴⁵ Ibid para 127

⁴⁶ Ibid para 128

⁴⁷ Ibid para 130

The latest revision of the NPPF⁴⁸ makes it clear that the Government's intention is that all new streets include trees unless in specific cases there are clear justifiable and compelling reasons why this would be inappropriate. In addition, opportunities should be taken to incorporate trees elsewhere in developments; appropriate measures should be in place to secure the long-term maintenance of newly-planted trees; and existing trees should be retained where possible. The NPPF indicates that planning policies should ensure that streets are tree-lined.⁴⁹ Therefore, to have regard to national policy it is necessary to include such requirements in Policy HO3.

With these modifications, the policy will meet the basic conditions. It will have regard to the NPPF, be in general conformity with CS Policies CS1, CS9, CS10 and CS12 and Local Plan for the Broads Policies SP3 and SP5 in particular and help to achieve sustainable development.

- **Delete the word "historic" from paragraphs two and three and five of the policy and change all references to "village centre" to "Village Centre"**
- **Add the words "*subject to other policies of the development plan*" at the end of the first sentence of paragraph three of the policy that begins: "Proposals outside of the [historic] village centre that are of an innovative design..."**
- **Add a new criterion to the policy that reads: "*Tree-lined streets should be included in developments unless in specific cases there are clear justifiable and compelling reasons why this would be inappropriate. Trees should be included within developments where the opportunity arises. Where development is permitted, conditions will be imposed to secure the long-term maintenance of newly-planted trees. Existing trees, tree belts and hedgerows should be retained wherever possible.*"**

Policy HO4: Principal Residence Housing

A Second and Holiday Homes Evidence Base document has been prepared in support of this policy. This explains that data from the Census 2011 showed that just over 13% of homes in Winterton-on-Sea have no usual residents and that this had increased slightly since 2001. A comparison with nearby coastal communities shows that Winterton-on-Sea has a lower proportion than some, but nevertheless still considerably more than the Great Yarmouth and national averages. Anecdotal evidence from the Steering Group suggest the number of holiday and second homes has risen over the last few years.

In some streets of the village, the number of holiday and second homes outnumbers those occupied by permanent residents. These roads are all within the village centre. Some 67 holiday homes have been identified using publicly available sources of information.

⁴⁸ NPPF para 131

⁴⁹ Ibid

Council tax records have also been investigated. These show around a third of homes are second or holiday homes, but this figure includes the holiday units at Harmanus and the Winterton Valley estate.

The impact of such a high proportion of holiday homes has resulted in higher house prices, pricing out local people and families. In turn this impacts upon the viability of certain facilities and services such as the school for example. The presence of empty homes for part of the year can lead to a sense of isolation for those living near to such properties and impacts on the sustainability of the resident population in terms of community cohesion.

There is little doubt that the benefits brought by visitors and tourism are recognised and supported by the community. However, the impact of a high number of properties left empty for long periods is of great concern.

The local community feel that any increase in holiday and second homes threatens the long-term viability and vitality of the village as a sustainable year-round community. The near closure of the primary school due to a decline in numbers and the sense of isolation felt by those living close to empty homes is illustrative of some of the issues.

Policy HO4 therefore seeks to restrict the occupation of any new dwellings as “principal residences” i.e. the sole or main home of the occupants. The restriction would last in perpetuity and be secured via planning condition or obligation.

It would not apply to those proposals specifically for tourist accommodation.

In my judgment, the adverse impact on the local community and the local economy in terms of availability of housing and its affordability through the uncontrolled growth of second homes does merit the restriction of new second homes in relation to the achievement of sustainable development.

The NPPF is very clear that the purpose of the planning system is to contribute to the achievement of sustainable development.⁵⁰ The three overarching objectives are interdependent and should be pursued in mutually supportive ways.⁵¹

Policy HO4 does not restrict housing per se; it seeks to support strong, responsive and vibrant communities through the provision of a sufficient number and range of homes to meet the needs of present and future generations. This is very much part of the social objective referred to in the NPPF.⁵² The restriction on occupation will help to mean that new homes are built in the right place, helping to build a strong, responsive and competitive economy, a key part of the economic objective. Finally, the policy will make effective use of land bearing in mind the constraints of the Plan area, part of the environmental objective.

⁵⁰ NPPF para 7

⁵¹ Ibid para 8

⁵² Ibid

Turning now to human rights, I do not consider that the policy is incompatible with the Human Rights Act 2008 or Article 8 of the ECHR. The planning system often imposes restrictions on occupation, for example in relation to agricultural occupancy or affordable housing or housing for older people. It is argued that the policy is in the economic and social well-being of the fabric of Winterton-on-Sea, now and in the future. The policy would protect the rights and freedoms of others currently adversely affected by the unrestricted occupancy.

The policy only applies to new dwellings; it does not restrict the whole housing market. Furthermore support is given to holiday and tourist accommodation elsewhere in the Plan.

Therefore the objective of the policy to provide homes for local people, but importantly also to support an increase in the number of year-round residents, creating a more balanced and sustainable community in Winterton-on-Sea, is appropriate and justified.

I am also mindful that a similar policy has been adopted in St Ives, Cornwall. Whilst each policy must be considered on its own merits, as I have done here, the wording of the policy is similar and therefore I consider it to be enforceable.

There is a small revision to paragraph 43 to make the supporting text read better.

With this modification, the policy will meet the basic conditions by having regard to the NPPF and helping to achieve sustainable development.

- **Add the word “of” after “The socio-economic effects...” in the first sentence of paragraph 43 on page 12 of the Plan**

Policy HO5: Tourist Accommodation

The NPPF supports a prosperous rural economy and one of the ways of achieving this is through support for sustainable rural tourism and leisure developments which respect the character of the countryside.⁵³

Policy HO5 supports tourist accommodation if the proposal meets three criteria. Firstly, such development is located within the development limits or on sites which are well-related to the village and at an appropriate scale. Secondly, it supports appropriate conversions of existing buildings. Lastly, the development should be for short stay lets only. This latter requirement could be achieved through planning conditions or obligations and incidentally I note this element is similar in wording to Policy DM30 of the Local Plan for the Broads.

⁵³ NPPF para 84

CS Policy CS8 promotes visitor accommodation and attractions as well as supporting the development of high quality tourist facilities of a suitable scale when considering infrastructure requirements and the settlement hierarchy. It specifically refers to the Winterton-Horsey Dunes SAC, seeking to protect it from additional recreational pressure by seeking to provide facilities to mitigate the impact of tourism.

There is no conflict between this policy and Policy HO4.

I note that paragraph 49 on page 13 of the Plan is clear that Policy HO5 will only apply outside of the BA's jurisdiction. I consider this is clearly set out and that this approach is acceptable.

I consider the policy meets the basic conditions. It has regard to the NPPF in that it supports sustainable rural tourism and the policy sets out what this means in this Plan area, is in general conformity with CS Policy CS8 in particular and will help to achieve sustainable development. No modifications are recommended.

Environment

Policy E1: Protecting and Enhancing the Environment

The NPPF⁵⁴ is clear that planning policies should contribute to and enhance the natural and local environment including through minimising impacts on biodiversity and providing net gains.

The Plan explains that the dunes are particularly valued by residents and visitors and the dunes, dune grassland, dune heath and beach give, what the Plan describes, as a "...wild and windswept character".⁵⁵ I saw this myself at my site visit.

The dunes are a Site of Special Scientific Interest (SSSI), and Area of Outstanding Natural Beauty (AONB), a SAC and National Nature Reserve (NNR). However, there is some evidence of the dunes being in an unfavourable condition and active plans are in place to support their conservation.

There are three County Wildlife Sites (CWS).

Policy E1 seeks a 10% net gain in biodiversity. The Government announced it would mandate net gains for biodiversity in the Environment Bill. The Environment Bill received Royal Assent on 9 November 2021. The mandatory biodiversity gain is, as I understand it, likely to become law through secondary legislation in 2023.⁵⁶ Whilst this is not yet a statutory requirement, there is some basis for introducing a policy basis in this Parish given its plethora of sites and its location in and close to the Norfolk and

⁵⁴ NPPF para 174

⁵⁵ The Plan para 50 on page 15

⁵⁶ Source of information Local Government Association www.local.gov.uk accessed 12 November 2021

Suffolk Broads. The NPPF promotes the pursuance of opportunities for securing net gains⁵⁷ and PPG indicates that policies can be used to set out a suitable approach.⁵⁸ No representations have raised concerns about the introduction of this into policy.

The policy then expects development to incorporate conservation and/or habitat enhancement with the Winterton-Horsey Dunes SAC and the three CWSs.

Finally, the policy resists development that would have a negative impact on the Winterton-Horsey Dunes SAC or SSSI.

I consider the policy meets the basic conditions. It takes its lead from the NPPF and will help to achieve sustainable development given the net gain in biodiversity currently sought. The policy is supported by local evidence and is in general conformity with CS Policies CS9 and CS11 and Local Plan for the Broads Policy SP6 in particular and will help to achieve sustainable development.

Policy E2: Surface Water Flooding and Drainage

I note that this policy is numbered E4 in the Plan and that later policies are numbered E2 and E3. I recommend that the policies are numbered in sequence and that is a simple editing matter.

This policy requires any development within areas of high and medium risk from surface water flooding and any site of five or more dwellings to have a proportionate Surface Water Drainage Strategy. The Lead Local Flood Authority (LLFA) has welcomed the policy but advises that the thresholds in the policy should be reviewed to align with the NPPF and their own Guidance Document. A modification is therefore made to address this concern and ensure the policy has regard to the NPPF and will achieve sustainable development.

I note the LLFA highlight the importance of considering surface water within the Plan area. They recommend that the Plan includes a caveat that any development demonstrates there is no increased risk of flooding and mitigation measures are implemented to address surface water within development sites. As part of their recommendation, the inclusion of SuDs is referred to. Whilst I do not recommend the inclusion of the text and policy the LLFA recommends as this would amount to a significant rewrite of this part of the Plan, I do consider the information given by the LLFA is sufficient to justify the policy as written, particularly as the policy has inbuilt flexibility over the appropriateness of such use.

The second element supports proposals which improve surface water drainage.

SuDs are to be considered in all developments.

⁵⁷ NPPF para 179

⁵⁸ PPG para 021 ref id 8-021-20190721

On-site water storage is required.

The last element of the policy requires new development to have mains sewerage and where this is not possible, an assessment to show that any impact on the SAC is acceptable.

The NPPF is clear that inappropriate development in areas at risk of flooding should be avoided.⁵⁹ It continues that development should incorporate SuDs unless there is clear evidence this would be inappropriate.⁶⁰

The CS states that the use of SuDs has a key role in reducing flood risk⁶¹ and Policies CS11, CS12 and CS13 all refer to the appropriate use of SuDs in all developments. CS Policy CS13 in particular addresses flood risk.

Policy SP2 of the Local Plan for the Broads requires appropriate surface water drainage mitigation measures and Policy DM6 indicates SuDs should be used, unless soil conditions and engineering feasibility indicate otherwise.

The LLFA also advises to update a link on page 18 of the Plan.

With these modifications, I consider the policy will have regard to the NPPF, be in general conformity with CS Policies CS11, CS12 and CS13 in particular as well as Policy SP2 of the Local Plan for the Broads and help to achieve sustainable development thereby meeting the basic conditions.

- **Delete the words “and all developments of 5 or more properties” from the first paragraph of the policy and replace with “*and for other development in line with national policy requirements*”**
- **Update the link on page 18 of the Plan**

Policy E3: High Grade Agricultural Land

The Plan explains the village is surrounded by agricultural land and paddocks. Some of the land is Grade 1 or 2. Figure 3 shows the agricultural land classification. The policy only supports major development on Grade 1 or 2 agricultural land in exceptional circumstances.

The exceptional circumstances are set out in the policy and are that there is a demonstrable need for the development and no alternative sites on poorer quality land are available, the development is shown to be the most sustainable option or there is overriding community benefit. The circumstances are written in the alternative.

⁵⁹ NPPF para 159

⁶⁰ Ibid para 167

⁶¹ CS page 93

The NPPF recognises the wider benefits from natural capital and ecosystems services including the economic and other benefits of the best and most versatile agricultural land.⁶²

CS Policy CS6 refers to minimising the loss of the best and most versatile agricultural land, only permitting development if it can be shown there is an overriding sustainability benefit and no realistic opportunity for the development to go elsewhere.

I can see no reason why this policy refers only to major development. The NPPF and CS Policy CS6 do not make any such differentiation. A modification is therefore made to ensure the policy applies to all development and is clearly worded.

I consider that the circumstances set out should be collected together and not be read in the alternative in order to be in general conformity with the NPPF and CS Policy CS6 in particular.

I note that paragraph 61 on page 18 of the Plan is clear that this policy will only apply outside of the Broads Authority jurisdiction. I consider this is clearly set out and that this approach is acceptable.

With these modifications, the policy will have regard to the NPPF, will be in general conformity with strategic policies CS Policies CS6 and CS11 in particular and will help to achieve sustainable development.

- **Change the first sentence of the policy to read: “*Development on Grade 1 or 2 agricultural land that is viable arable land...*” [retain remainder of sentence to bullet points]**
- **Change both words “or” at the end of the first and second bullet points of the policy to “and”**

Policy E4: Protecting Winterton-on-Sea’s Heritage

The NPPF is clear that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.⁶³ It continues that plans should set out a positive strategy for the conservation and enjoyment of the historic environment.⁶⁴

Winterton-on-Sea is a distinctive village and Parish. As a small fishing community, the village has evolved over the years. The village core is centred around a village green and there are many houses of distinct character and appearance as well as the landmark Church tower.

⁶² NPPF para 174

⁶³ Ibid para 189

⁶⁴ Ibid para 190

There is a Conservation Area (CA) which is in two parts. The Church is a Grade I listed building.

This policy seeks to designate a “Historic Village Centre”, shown on Figure 4 on page 22 of the Plan. I find Figure 4 to be difficult to decipher and suggest it is replaced in the interests of clarity with a better map.

The proposed designation would include part of the CA, but also the east side of Wilmer Avenue, an additional part of Back Part and the village green. The supporting text makes reference to the Character Appraisal (Appendix 1 of the Plan). I checked with GYBC and the Parish Council whether this was the document referred to in paragraph 65 and it was confirmed it is.

Much of the proposed area overlaps with the CA. The policy seeks to make the Historic Village Centre equivalent to the CA. This would need to go through the requisite procedures. It may well be that it would be appropriate to extend the CA at some point in the future. However, given this is not the case at the present time, the policy needs some differentiation.

The additional elements added to form the designation are not justified sufficiently in the Character Appraisal in terms of their historic value and the line drawn on Figure 4.

However, the purpose of the designation seems to me to have a different intention from that of the CA and there is benefit to the proposed identification of the village centre in policy terms. I therefore propose that the designated area is retained, but it is referred to as the village centre rather than the historic village centre. When I look at the policies the designation is important for and relevant to, I do not feel this approach will significantly change the intention and purpose of the relevant policies. A modification is therefore made to this effect.

The policy does not explicitly designate the [now] Village Centre and so a modification is made to ensure this is clear.

In addition the policy indicates that development should preserve and enhance the character of these areas (the CA and the Historic Village Centre). This does not reflect the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. In any case, given the other modifications I have made to the policy, its wording now needs to be revised.

Paragraph 66 of the supporting text refers to Policy HO4 on design. This policy number will now have changed as a result of a sequencing error in the Plan. This should be amended in the interests of accuracy. In addition, it may be that this policy also changes its number and paragraph 65 will then need updating to ensure it refers to the correct policy number. Both issues are considered to be minor editing matters.

With these modifications, the policy will have regard to the NPPF, be in general conformity with CS Policies CS9 and CS10 and help to achieve sustainable development thereby meeting the basic conditions.

- **Revise Figure 4 to make it clearer and retitle it to “Winterton-on-Sea’s Conservation Area and Village Centre” and amend key as necessary**
- **Change the title of the policy to “Protecting Winterton-on-Sea’s Heritage *and its Village Centre*”**
- **Add a new sentence at the start of the policy which reads: “*A Village Centre is designated and is shown on Figure 4.*”**
- **Delete the word “Historic” from “Historic Village Centre” in the last sentence of paragraph one of the policy**
- **Reword the [existing] second paragraph of the policy to read: “*Any development should take account of the landscape setting, open spaces, heritage assets and the key views and vistas of the Church which make a valued contribution to the area. Development should make a positive contribution to local character and distinctiveness.*”**
- **Delete the word “Historic” from “Historic Village Centre” in two places in paragraph 65 of the supporting text**

Community Assets

Policy CA1: Winterton-on-Sea Primary School

The village has both a primary and nursery school. The primary school has faced potential closure in the past because of declining numbers.

This policy supports complementary uses of the primary school and nursery grounds as long as the principle function as an education facility is maintained and there is benefit to the local community. A travel plan is also required to support any proposal.

In principle, this policy has the potential to support the school site and benefit the local community. I have considered whether the term “complementary uses” is sufficiently clear. I conclude that it is. However, I am mindful that the school is close to residential properties and consider it would be helpful to add a criterion to ensure that any other uses are compatible with the surrounding context of the school site.

The NPPF indicates that a sufficient choice of school places should be available.⁶⁵ This policy will help to ensure that the school is retained and meets the needs of the local community.

A modification is also made to change “principle” in the policy to “principal” meaning the most important.

With this modification, the policy will meet the basic conditions. It will have regard to the NPPF, be in general conformity with strategic policy and help to achieve sustainable development.

- **Change the first sentence of the policy to read: “Proposals for complementary uses of the primary school and nursery grounds will be supported where they maintain its *principal* function as an education facility, *benefit* the wider community *and are compatible with the amenities of nearby residents.*”**

Policy CA2: Economic Development

Policy CA2 supports small businesses and economic development within the development limits of the village. Development should have sufficient off-road parking or not generate a material increase in traffic in the Village Centre. The policy gives more information about what this means in the Plan area in the supporting text. Lastly, any proposal should be accompanied by a travel plan.

The NPPF supports a prosperous rural economy.⁶⁶ However, it also permits various types of development in rural areas including through the conversion of existing buildings and new buildings and the diversification of land-based rural businesses.⁶⁷ The retention and development of accessible local services is also promoted.⁶⁸ It continues that planning policies should recognise that sites to meet local business needs and community needs in rural areas may have to be found adjacent to or beyond existing settlements and in locations that are not served well by public transport.⁶⁹

I therefore consider this policy is too restrictive having regard to the NPPF.

CS Policy CS6, amongst other things, encourages the development of small-scale business units including those that support the rural economy and rural diversification and supporting development essential to sustain a rural workforce including community facilities.

⁶⁵ NPPF para 95

⁶⁶ Ibid para 84

⁶⁷ Ibid

⁶⁸ Ibid

⁶⁹ Ibid para 85

CS Policy CS8 promotes visitor accommodation and attractions as well as supporting the development of high quality tourist facilities of a suitable scale when considering infrastructure requirements and the settlement hierarchy. It specifically refers to the Winterton-Horsey Dunes SAC, seeking to protect it from additional recreational pressure by seeking to provide facilities to mitigate the impact of tourism.

Policy SP10 of the Local Plan for the Broads supports proposals that contribute towards sustainable economic growth, prosperity and employment as long as there are no adverse impacts on the special qualities of the Broads and there is sufficient infrastructure to accommodate proposals.

The simplest way of dealing with this issue is to modify the policy so that it only applies within the development limits as per the first sentence of the policy. A modification is therefore made to ensure the policy has regard to the NPPF and is realistic in its policy expectation approach to economic development within the Plan area.

There are consequential amendments to the policy and its supporting text as a result of the recommended modifications to Policy E4.

With these modifications, the policy will meet the basic conditions by having regard to the NPPF, be in general conformity with CS Policies CS6 and CS8 and Policy SP10 of the Local Plan for the Broads and help to achieve sustainable development.

- **Retitle the policy “*Economic Development within the Development Limits*”**
- **Delete the word “Historic” from the second bullet point of the policy and from the first bullet point of paragraph 73 on page 24 of the Plan**

Policy CA3: Designated Local Green Spaces

Seven areas of Local Green Space (LGS) are proposed.

The NPPF explains that LGSs are green areas of particular importance to local communities.⁷⁰

The designation of LGSs should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.⁷¹ It is only possible to designate LGSs when a plan is prepared or updated and LGSs should be capable of enduring beyond the end of the plan period.⁷²

The NPPF sets out three criteria for green spaces.⁷³ These are that the green space

⁷⁰ NPPF para 101

⁷¹ Ibid

⁷² Ibid

⁷³ Ibid para 102

should be in reasonably close proximity to the community it serves, be demonstrably special to the local community and hold a particular local significance and be local in character and not be an extensive tract of land. Further guidance about LGSs is given in PPG.

I saw each of the proposed spaces at my site visit.

1. **The Allotments** are adjacent to the Church and graveyard. They are well used and used to grow food, encourage people to take exercise and are valued for contributing to community cohesion.
2. **Bulmer Pit** is a pond. It is valued for its wildlife.
3. **Duffles Pond** is a community wildlife area and adjacent to the allotments. It has walkways and seating. It is valued for its wildlife and recreation, but also has historic importance as it used to grow with for wicker basket making.
4. **Green space adjacent to the Village Hall** is in two areas either side of the Village Hall and provides an attractive setting for it as well as an amenity space and seating area. It is used for village events such as the fete and for picnics.
5. **The Playing Field** is valued as a recreation area. There is a cricket and football pitch and is well used for sports activities and walking. The car park at the front has been included in the proposed designation and I recommend this is removed given this part of the area is not a green space.
6. **The Children's Playground** is valued for its recreation. It is a large grassed area with play equipment.
7. **The Village Green** has historic importance and is valued for its setting and attractive planting. There is a boat with planting and the eye catching village sign as well as trees and seating.

In my view, all the proposed LGSs meet the criteria in the NPPF satisfactorily subject to the removal of the car park for the Playing Field.

All are demonstrably important to the local community, all are capable of enduring beyond the Plan period, all meet the criteria in paragraph 102 of the NPPF and their designation is consistent with the local planning of sustainable development and investment in sufficient homes, jobs and other essential services given the housing figures for this local area and other policies in the development plan and this Plan.

Turning now to the wording of the policy, the NPPF indicates that policies for managing development within a LGS should be consistent with those for Green Belts. The supporting text to the Plan seeks to explain why some of the development which is regarded as not inappropriate in the NPPF for green belts would not be suitable in this particular location. Whilst it would, in principle, be possible that a policy could diverge

from national policy, there needs to be substantive evidence to support taking such an approach.

However, following a recent Court of Appeal case with regard to the lawfulness of a LGS policy in a neighbourhood plan (*Lochailort Investments Limited v. Mendip District Council and Norton St Philip Parish Council*, [2020] EWCA Civ 1259), I consider it necessary to delete any wording that sets out how development proposals should be managed. The restrictions on development with regard to LGS designation will continue to apply through the NPPF. This will ensure that policies for managing development within a LGS are consistent with those for Green Belts. This approach helps to ensure that the policy meets the basic conditions and is lawful.

Subject to the above modifications, Policy CA3 has regard to national policy, contributes towards sustainable development, particularly the environmental objective and is in general conformity with strategic policy thereby meeting the basic conditions.

- **Remove the car parking area from WLGS5, the Playing Field from Figure 5**
- **Delete the sentence which begins “These should be protected from development...” from the policy**
- **Delete the penultimate paragraph of the policy which begins “Development that would harm the openness...”**
- **Delete the last paragraph of the policy which begins “Two of the green spaces...” from the policy but move to the supporting text if desired**
- **Retaining the first sentence of paragraph 76 on page 25 of the Plan, delete the remainder of this paragraph**

Policy CA4: Investment in Open Space

Access to a network of high quality open spaces is important for the health and well-being of communities as well as delivering benefits for nature and helping to address climate change.⁷⁴

This policy sets out the expectation that new development will contribute to the provision of open space. It sets out the priorities for any contributions received which include LGSs and the improvement of public rights of way.

Whilst the policy has regard to the NPPF, is in general conformity with strategic policy CS Policy CS15 in particular and will help to achieve sustainable development, I consider

⁷⁴ NPPF para 98

it needs modification to make its intentions clearer. With this modification, it will meet the basic conditions.

- **Add at the start of the policy: “Applicable development will be expected to contribute towards the provision of high-quality open space within the community, with a contribution in line with the policy in the relevant Local Plan.”**

Traffic and Transport

Policy TR1: Public Car Parking

Policy TR1 supports the change of use and development of existing public car parking sites as long as equivalent replacement parking is provided or the loss of the parking facility provides an overriding public or environmental benefit.

The policy supports the provision of new car parking outside the village centre where this does not increase traffic through the centre of the village and is well located. Given the nature of the village and the number of visitors it draws, public car parking is an important issue. The Plan explains that often visitors park on the street causing congestion. The availability of public transport means that most visitors and residents use a car.

CS Policy CS8 promotes visitor accommodation and attractions as well as supporting the development of high quality tourist facilities of a suitable scale when considering infrastructure requirements and the settlement hierarchy. It specifically refers to the Winterton-Horsey Dunes SAC, seeking to protect it from additional recreational pressure by seeking to provide facilities to mitigate the impact of tourism.

I consider it important that the amount and quality of parking is improved to ensure it is safe and convenient. This policy seeks to achieve that. The policy therefore meets the basic conditions, particularly helping to achieve sustainable development and no modifications are recommended.

Policy TR2: Residential Car Parking Standards

The NPPF is clear that if local parking standards are set, policies should take account of the accessibility of the development, the type, mix and use of the development, the availability of, and opportunities for, public transport, local car ownership levels and the

need for provision of spaces for charging plug-in and other ultra-low emission vehicles.⁷⁵

The Plan explains that car ownership in the Parish is high. It is recognised that the availability and convenience of public transport is relatively poor. The area is rural in nature. Therefore there is a high reliance on use of the private car.

The policy sets a minimum car parking standard for new residential development. If the provision of parking would be at odds with local character or type of housing, the policy can be relaxed.

The policy meets the basic conditions having regard to the NPPF, is in general conformity with strategic policy CS Policy CS9 and will help to achieve sustainable development. No modifications are therefore recommended.

Policy TR3: Walking

The NPPF is keen to ensure that transport issues are considered from the earliest stages of plan-making so that, amongst other things, opportunities to promote walking, cycling and public transport use are taken.⁷⁶

Policy TR3 promotes walking by expecting new development to improve existing footways and footpaths or create new ones. The policy recognises that, in the village centre, the lack of footways forms an integral part of the area's character and so has in-built flexibility.

The policy has particular regard to the NPPF, is in general conformity with CS Policies CS9 and CS16 and Policy SP8 of the Local Plan for the Broads and will help to achieve sustainable development. It meets the basic conditions and it is not necessary for me to recommend any modifications to it.

A reference to the Historic Village Centre needs to be changed in the light of the modifications recommended to Policy E3.

- **Delete the word "Historic" from paragraph 100 on page 33 of the Plan**

Community Policies

There are also two Community Policies in this section on traffic and transport. There has been no previous explanation of these policies. However, it is, as explained earlier, possible for neighbourhood plans to contain non development and land use aspirations

⁷⁵ NPPF para 107

⁷⁶ Ibid para 104

if they are clearly identified. In this case, I consider it would be preferable for the Community Policies to be called something other than policies to make sure there is clarity. In addition it would be useful to add an explanatory paragraph elsewhere in the Plan to set out the status of these aspirations.

- **Change the “Community Policy” to “Community *Aspiration*” [this will apply throughout the Plan document and this modification is not repeated elsewhere]**
- **Add a new paragraph at an appropriate location in the Plan which reads: “A number of Community Aspirations have also been developed alongside the planning policies. These cover issues which are not development and use of land related, but nevertheless are important considerations which arose through work on the Plan. Their status is as non-statutory aspirations which the Parish Council will seek to progress during the lifetime of the Plan.”**

Appendix 1: Character Appraisal

This is a useful document.

8.0 Conclusions and recommendations

I am satisfied that the Winterton-on-Sea Neighbourhood Development Plan, subject to the modifications I have recommended, meets the basic conditions and the other statutory requirements outlined earlier in this report.

I am therefore pleased to recommend to Great Yarmouth Borough Council that, subject to the modifications proposed in this report, the Winterton-on-Sea Neighbourhood Development Plan can proceed to a referendum.

Following on from that, I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. I see no reason to alter or extend the Plan area for the purpose of holding a referendum and no representations have been made that would lead me to reach a different conclusion.

I therefore consider that the Winterton-on-Sea Neighbourhood Development Plan should proceed to a referendum based on the Winterton-on-Sea Neighbourhood Plan area as approved by Great Yarmouth Borough Council and the Broads Authority on 18 August 2017.

Ann Skippers MRTPI
Ann Skippers Planning
15 November 2021

Appendix 1 List of key documents specific to this examination

Winterton-on-Sea Neighbourhood Plan 2020 – 2030 Submission Version March 2021

Statement of Basic Conditions January 2021 (Collective Community Planning)

Consultation Statement August 2020

Strategic Environmental Assessment Screening Opinion July 2019 (GYBC) which includes the Habitats Regulations Assessment Screening Opinion

Strategic Environmental Assessment and Habitats Regulations Assessment Screening Assessment April 2019 (Collective Community Planning)

Evidence Base and Key Issues Summer 2018 (Small Fish)

Evidence Base Update January 2021 (Collective Community Planning)

Second and Holiday Homes Evidence Base September 2020 (Collective Community Planning)

Great Yarmouth Local Plan: Core Strategy 2013 – 2030 adopted December 2015

Great Yarmouth Borough-wide Local Plan 2001 adopted February 2001

Local Plan for the Broads 2015 – 2036 adopted May 2019

Great Yarmouth Local Plan Part 2 Final Draft Plan with Proposed Main Modifications and Additional Modifications July 2021



Great Yarmouth Borough Council & Broads Authority Winterton-on-Sea Neighbourhood Plan Examiner's Report – Decision Statement

9th December 2021

1. Purpose of Statement

The Winterton-on-Sea Neighbourhood Plan has been examined by an independent Examiner and they have issued the Examiner's Report. The report makes a number of recommendations for making modifications to policies within the submitted Neighbourhood Plan. In accordance with Regulation 17A and 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended) and paragraph 12 of Schedule 4B to the 1990 Town and Country planning Act (as amended) Great Yarmouth Borough Council and the Broads Authority (as joint responsible authority) propose to accept each of the examiner's recommendations, as set out below.

2. Plan background

Under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) the plan was submitted to the Borough Council in March 2021, with the parish council having undertaken early local consultations. In accordance with Regulation 16, the Borough Council published and consulted on the submitted plan in May 2021.

An independent examiner was then appointed to examine the plan in accordance with paragraph 7 of Schedule 4B to the 1990 Town and Country planning Act (as amended). To aid the examination, the Examiner then asked the Borough Council to undertake a focused consultation on implications of the revised National Planning Policy Framework on the neighbourhood plan. Responses from each of the respective consultations were passed to the Examiner for consideration.

The appointed Examiner has now examined the Winterton-on-Sea Neighbourhood Plan and published their report with recommendations. The Examiner can only examine the plan in so far as to determine whether it meets the 'basic conditions' required by the legislation. The Examiner can also recommend on that basis whether the plan should proceed to referendum, and if so whether the referendum area should be extended beyond the designated neighbourhood plan area.

Under Regulation 24A of the Neighbourhood Planning (General) Regulations 2012 (as amended), the Borough Council along with the Broads Authority (as part of the neighbourhood plan area falls within the Broads Local Planning Authority Area) have to make a decision on the Examiner's recommendations. The Local Planning Authority must consider whether to decline/refuse the plan or to accept the report recommendations and set out its reasons in a decision statement that must

then be published. It is also possible for the local planning authority to make a decision which differs from that recommended by the examiner, but this would require a statement of reason, further consultation, and the possibility of re-examination.

3. Consideration of Basic Conditions

The Examiner has concluded: *'Subject to those modifications, I have concluded that the Plan does meet the basic conditions and all the other requirements I am obliged to examine.'*

This assessment includes consideration of the Environmental Assessment of Plans and Programmes Regulations 2004 (formerly the Strategic Environmental Assessment Directive) and the Conservation of Habitats and Species Regulations 2017 (or 'Habitat Regulations'). After consultation with the statutory bodies, the submitted Screening Opinion concluded that the Plan is not likely to have significant environmental effects. The Screening Opinion also concludes that the Plan will not have any likely significant effects upon nearby habitat sites (National Site Network designated habitat sites) either alone or in combination with other plans and projects, and therefore screens the Plan out from requiring an appropriate assessment.

The Examiner concludes that: *'Taking account of the characteristics of the Plan, the information and the characteristics of the areas most likely to be affected, I consider that retained EU obligations in respect of SEA have been satisfied... Given the distance, nature and characteristics of the nearest European sites and the nature and contents of this Plan, I agree with the conclusion of the Screening Opinion that an appropriate assessment is not required and accordingly consider that the prescribed basic condition is complied with, namely that the making of the Plan does not breach the requirements of Chapter 8 of Part 6 of the Habitats Regulations.'*

As competent authority, Great Yarmouth Borough Council and the Broads Authority accept these findings.

4. Reason for decision

Having considered each of the recommendations within the examiner's report and the reasons for them, Great Yarmouth Borough Council and the Broads Authority has decided to approve each of the recommended modifications. This is in accordance with section 12 of Schedule 4B to the Town and Country Planning Act 1990.

The following table sets out each of the examiner's recommended modifications to the submitted neighbourhood plan, the Council's consideration of those recommendations, and the Council's decision in relation to each recommendation.

Section of Submitted Neighbourhood Plan	Examiner's recommendation	Council consideration of recommendation	Council decision
Whole document	As a result of some modifications consequential amendments may be required. These can include changing section headings, amending the contents page, renumbering paragraphs or pages, ensuring that supporting appendices and other documents align with the final version of the Plan and so on.	The Councils agree with the Examiner that the contents page, renumbering paragraphs or pages, should be renumbered as they appear sequentially.	Accept Examiner's recommended modifications.
Vision & Objectives	No modifications	Agree	Accept Examiner's recommendation. No modification necessary.
Policy HO1: Housing Mix	No modifications	Agree	Accept Examiner's recommendation. No modification necessary.
Policy HO2: Affordable Housing	<ul style="list-style-type: none"> Add the word "to" before "...the settlement" in the third sentence of paragraph 38 on page 10 of the Plan Add a new sentence at the end of the policy that reads: "It should be noted that national policy does not permit entry-level exception sites within the Broads Authority area." 	The Councils agree with the Examiner's reasoning that the policy requires amendment to align with the NPPF in that entry-level homes should not be permitted within the BA area & the minor grammatical tweak for clarity.	Accept Examiner's recommended modifications.
Policy HO3: Design	<ul style="list-style-type: none"> Delete the word "historic" from paragraphs two and three and five of the policy and change all references to "Village Centre" Add the words "subject to other policies of the development plan" at the end of the first sentence of paragraph three of the policy that begins: "Proposals outside of the [historic] village centre that are of an innovative design..." Add a new criterion to the policy that reads: "Tree-lined streets should be included in developments" 	<p>The Councils agree with the Examiner's reasoning that:</p> <ul style="list-style-type: none"> The defined Village Centre should be made more distinct to the Conservation Area To ensure that the plan aligns with other policies of the development plan 	Accept Examiner's recommended modifications.

	unless in specific cases there are clear justifiable and compelling reasons why this would be inappropriate. Trees should be included within developments where the opportunity arises. Where development is permitted, conditions will be imposed to secure the long-term maintenance of newly-planted trees. Existing trees, tree belts and hedgerows should be retained wherever possible."	<ul style="list-style-type: none"> The policy should reflect the NPPF's requirement to secure tree-lined streets. 	
Policy HO4: Principal Residence Housing	<ul style="list-style-type: none"> Add the word "of" after "The socio-economic effects..." in the first sentence of paragraph 43 on page 12 of the Plan 	The Councils agree with the Examiner's reasoning for the minor grammatical tweak.	Accept Examiner's recommended modifications.
Policy HO5: Tourist Accommodation	No modifications	Agree	Accept Examiner's recommendation. No modification necessary.
Policy E1: Protecting and Enhancing the Environment	No modifications	Agree	Accept Examiner's recommendation. No modification necessary.
Policy E2: Surface Water Flooding and Drainage [shown as Policy E4 in the Submitted plan]	<ul style="list-style-type: none"> Delete the words "and all developments of 5 or more properties" from the first paragraph of the policy and replace with "and for other development in line with national policy requirements" Update the link on page 18 of the Plan I note that this policy is numbered E4 in the Plan and that later policies are numbered E2 and E3. I recommend that the policies are numbered in sequence and that is a simple editing matter. 	<p>The Councils agree with the Examiner's reasoning that the policy requires amendment to align with national policy & that the link should be updated.</p> <p>The Councils agree with the Examiner that the policies should be renumbered as they appear sequentially.</p>	Accept Examiner's recommended modifications.
Policy E3: High Grade Agricultural Land	<ul style="list-style-type: none"> Change the first sentence of the policy to read: "Development on Grade 1 or 2 agricultural land that is viable arable land..." [retain remainder of sentence to bullet points] 	The Councils agree with the Examiner's reasoning that the policy could apply to all types of development (not just major development) and that all of the criteria should apply.	Accept Examiner's recommended modifications.

	<ul style="list-style-type: none"> Change both words “or” at the end of the first and second bullet points of the policy to “and” 		
Policy E4: Protecting Winterton-on-Sea’s Heritage	<ul style="list-style-type: none"> Revise Figure 4 to make it clearer and retitle it to “Winterton-on-Sea’s Conservation Area and Village Centre” and amend key as necessary Change the title of the policy to “Protecting Winterton-on-Sea’s Heritage and its Village Centre” Add a new sentence at the start of the policy which reads: “A Village Centre is designated and is shown on Figure 4.” Delete the word “Historic” from “Historic Village Centre” in the last sentence of paragraph one of the policy Reword the [existing] second paragraph of the policy to read: “Any development should take account of the landscape setting, open spaces, heritage assets and the key views and vistas of the Church which make a valued contribution to the area. Development should make a positive contribution to local character and distinctiveness.” Delete the word “Historic” from “Historic Village Centre” in two places in paragraph 65 of the supporting text 	<p>The Councils agree with the Examiner’s reasoning that:</p> <ul style="list-style-type: none"> The defined Village Centre should be made more distinct to the Conservation Area The revised wording to protect the landscape and character aspects of the village centre and Conservation Area better aligns the policy with local and national policy. 	Accept Examiner’s recommended modifications.
Policy CA1: Winterton-on-Sea Primary School	<p>Change the first sentence of the policy to read: “Proposals for complementary uses of the primary school and nursery grounds will be supported where they maintain its principal function as an education facility, benefit the wider community and are compatible with the amenities of nearby residents.”</p>	<p>The Councils agree with the Examiner’s reasoning that the policy requires amendment to consider neighbouring residential properties & the minor grammatical tweak for clarity.</p>	Accept Examiner’s recommended modifications.
Policy CA2: Economic Development	<ul style="list-style-type: none"> Retitle the policy “Economic Development within the Development Limits” 	<p>The Councils agree with the Examiner’s reasoning that:</p> <ul style="list-style-type: none"> The policy only applies to such development within the 	Accept Examiner’s recommended modifications.

	<ul style="list-style-type: none"> Delete the word “Historic” from the second bullet point of the policy and from the first bullet point of paragraph 73 on page 24 of the Plan 	<p>Development Limits and should be titled as such</p> <ul style="list-style-type: none"> The defined Village Centre should be made more distinct to the Conservation Area 	
Policy CA3: Designated Local Green Spaces	<ul style="list-style-type: none"> Remove the car parking area from WLGS5, the Playing Field from Figure 5 Delete the sentence which begins “These should be protected from development...” from the policy Delete the penultimate paragraph of the policy which begins “Development that would harm the openness...” Delete the last paragraph of the policy which begins “Two of the green spaces...” from the policy but move to the supporting text if desired Retaining the first sentence of paragraph 76 on page 25 of the Plan, delete the remainder of this paragraph 	<p>The Councils agree with the Examiner’s reasoning that:</p> <ul style="list-style-type: none"> Local Green Spaces (LGS’s) should relate to the criteria set out in the NPPF, and this would not apply to the car park in WLGS5 The policy should be worded consistently with Green Belt policy as set out in the NPPF Supporting text should be amended accordingly 	Accept Examiner’s recommended modifications.
Policy CA4: Investment in Open Space	Add at the start of the policy: “Applicable development will be expected to contribute towards the provision of high-quality open space within the community, with a contribution in line with the policy in the relevant Local Plan.”	The Councils agree with the Examiner’s reasoning that the policy requires amendment to align with the Local Plan.	Accept Examiner’s recommended modifications.
Policy TR1: Public car parking	No modifications	Agree	Accept Examiner’s recommendation. No modification necessary.
Policy TR2: Residential Car Parking Standards	No modifications	Agree	Accept Examiner’s recommendation. No modification necessary.

Policy TR3: Walking	Delete the word “Historic” from paragraph 100 on page 33 of the Plan	The Councils agree with the Examiner’s reasoning that the defined Village Centre should be made more distinct to the Conservation Area	Accept Examiner’s recommended modifications.
Community Policies	<ul style="list-style-type: none"> • Change the “Community Policy” to “Community Aspiration” [this will apply throughout the Plan document and this modification is not repeated elsewhere] • Add a new paragraph at an appropriate location in the Plan which reads: “A number of Community Aspirations have also been developed alongside the planning policies. These cover issues which are not development and use of land related, but nevertheless are important considerations which arose through work on the Plan. Their status is as non-statutory aspirations which the Parish Council will seek to progress during the lifetime of the Plan.” 	The Councils agree with the Examiner’s reasoning that ‘community policies’ should be clearly distinct from policies and therefore identified as aspirations.	Accept Examiner’s recommended modifications.

5. Next steps

This Decision Statement and the Examiner's Report into the Neighbourhood Plan will be made available at the following online locations:

- <GYBC webpage>
- <Broads webpage>
- <PC webpage>

Inspection copies?

- Town Hall
- Village Hall

The next stage is for the Neighbourhood Plan to proceed to a referendum within the neighbourhood area. Such a referendum needs to take place within 56 days from the day after the date of the decision. Notice will be given 28 days before the referendum takes place.

URN: 21-153

Subject: Local Plan Part 2 - Adoption

Report to: Council – 9th December 2021

Report by: Samuel Hubbard – Strategic Planning Manager

SUBJECT MATTER

This report recommends the adoption of Local Plan Part 2 following the conclusion of the examination in public and the publication of the Inspector's Report. Attached to the report is the final version of the Local Plan Part 2 with the modifications required by the Inspector following the examination.

RECOMMENDATION

Policy and Resources Committee recommend that Council :

- **Adopt the Great Yarmouth Local Plan Part 2 (Appendix 1 to this report) is adopted.**
- **Approve the Policies Map to be updated to reflect the Local Plan Part 2 as shown in Appendix 2 to this report.**
- **Revoke the Interim Housing Land Supply Policy (2014).**

1. Introduction and Background

- 1.1. The Core Strategy (Local Plan Part 1) was adopted in December 2015 and sets out strategic policies governing how development should be planned in the Borough. It sets out the overall level of growth and the distribution of growth. It also includes policies to secure regeneration, deliver housing of all types and tenures, support the local economy and protect and enhance the natural, built and historic environments.
- 1.2. The Local Plan Part 2 (which is attached to this report) builds upon and supplements the policies within the Core Strategy, in some cases adding detail to them.
- 1.3. The Final Draft Local Plan Part 2 was approved for publication under Regulation 19 of the Town and County Planning (Local Planning) Regulations (2012) by Council on the 20th February 2020. The 20th February Council decision also gave delegated authority to:
 - Submit the plan for examination following the representations period along with a request to recommend any modifications necessary to make the plan sound and a request to confirm the five-year housing land supply.

- Work with the Planning Inspector and participants to agree any necessary modifications and undertake a public consultation on those modifications (should they arise).
- 1.4. On the 28th February the Local Plan was published for representations to be received. The representations period (consultation period) was planned to run to the 23rd April 2020. However, due to the impact of the Covid-19 pandemic and associated restrictions the consultation period was first extended and then repeated to ensure regulatory requirements were met and to ensure that everyone had a chance to make representations (following Counsel's advice). This was detailed in an update report to Policy & Resources committee on the 19th May 2020.
- 1.5. The plan was submitted for examination by the Planning Inspectorate on 31st July 2020. Planning Inspector Gareth Wildgoose was appointed to examine the plan. The hearings took place virtually between March and April 2021. The hearings can still be viewed on the Council's Youtube channel (<https://www.youtube.com/channel/UCcXjvwYFXW1zCUuE-MdZ8dw>).
- 1.6. On 19th May 2021 the Inspector wrote to the Council with his initial findings following the hearings. The letter concluded that the plan can be made sound providing a number of 'main modifications' are made to the plan. These were reported to Policy and Resources Committee on 1st June 2021. These modifications were then consulted on from 9th July 2021 to 3rd September 2021. Following consideration of comments received during this consultation, the Inspector issued his final report into the plan on the 5th November 2021.

2. Inspector's Report

- 2.1. The Inspector's Report can be read in Appendix 3 and 4 to this report. The Inspector's Report concludes that the plan is legally compliant and is sound subject to a number of 'main modifications' as detailed in the appendix to his report (Appendix 4 to this committee report). The modifications are the same as those consulted on over the summer as detailed above with a small number of tweaks and corrections to the wording.
- 2.2. The majority of the modifications are technical changes to the detailed wording of policies to improve the effectiveness of policies when used in determining planning applications. They do not change the overall thrust or effect of the policy. The most significant modifications are as follows:
- **New Policy UCS4** . Ensures Policy CS4 from the Core Strategy is consistent with the affordable housing thresholds set out in the National Planning Policy Framework.
 - **New Policy UCS5**. Removes the gypsy and traveller pitch requirement from Policy CS5 as it is considered out of date. The new Policy also supports the potential extension to the Gapton Hall site should future needs arise. Finally, the policy commits the Council to an immediate review of the evidence on Gypsy and Traveller accommodation need to inform the Local Plan review.
 - **All site allocations** – extra detail on highway access requirements and pedestrian and cycle improvements as requested by Norfolk County Council.

- **Policies GN4 and GN5 - Beacon Park and Beacon Park Extension** - Protection of employment uses in Beacon Park and Extension in light of new permitted development rights and changes to the use classes order.
- **Policy CA1 – Land West of Jack Chase Way.** Number of modifications including:
 - Consolidation of local centre and healthcare land on site allocated by Policy CA1 – Land west of Jack Chase Way to ensure more effective use of land .
 - Requiring playing fields on the school site to be used as open space to ensure more effective use of land.
 - Requirement for greater consideration of heritage assets including World War 2 gun batteries associated with Nova Scotia Farm.
- **Policy OT2** – addition of vehicular access on to Thurne Way to give flexibility to ensure early delivery of the site due to potential access constraints at Barton Way.
- **Policy H4** – addition of caveats reducing the amount of open space required if there is a local surplus of provision.

2.3. On submission of the Local Plan, the Council requested that the Inspector confirmed the Council's five-year supply of housing land on adoption. The report concludes that, if adopted promptly, the plan establishes a five-year supply of deliverable housing sites. This essentially confirms the Council's five-year supply as per paragraph 75 of the National Planning Policy Framework. This will mean the supply cannot be challenged until 31st October 2022. After that date it is highly likely that the Council will still be able to demonstrate a comfortable five-year supply position, however, it could be disputed and debated at an appeal.

3. Adoption of the Local Plan Part 2

- 3.1. Section 23 of the Planning and Compulsory Purchase Act states that if a Planning Inspector finds a Local Plan sound subject to 'Main Modifications', as discussed above, a local planning authority may adopt that Local Plan with the 'Main Modifications' and any 'additional modifications'. Officers have identified a number of 'additional modifications' to the plan (from that published in February 2020) to address minor factual inaccuracies or improve the clarity of the supporting text. These are not necessary to make the plan sound but do improve the quality of the plan and address some concerns raised by representors. These are included in Appendix 5 to this report.
- 3.2. Appendix 1 to this report includes a final version of the Local Plan Part 2 incorporating all the 'main modifications' and 'additional modifications'. This report recommends adoption of the Local Plan Part 2.
- 3.3. Adoption of the Local Plan Part 2 will supersede all remaining saved policies in the Borough-wide Local Plan of 2001. These policies are listed in Appendix B of the Local Plan Part 2 (Appendix 1 to this report).
- 3.4. Once adopted the Local Plan Part 2 will form part of the development plan for the Borough alongside the Core Strategy (adopted in 2015).

4. Policies Maps

- 4.1. The adoption of the Local Plan Part 2 necessitates updates to the adopted Policies Map, which was last updated on adoption of the Core Strategy. The Policies Map is a geographic illustration of the policies contained within the adopted development plan.
- 4.2. Draft Policies Maps detailing how they will be updated following the adoption of the Local Plan Part 2, were prepared and published alongside the draft plan as detailed above.
- 4.3. Following the examination, the Inspector's Report identifies a small number of changes are required to the policy maps (as submitted in July 2020) to address concerns raised in representations and ensure the policies in the plan are sound. These include:
 - Changes to the Development Limits to include the East Coast Hospice site (south of Beacon Park) and to ensure they reflect the full extent of site allocations and planning permissions for development.
 - Amendment to the Coastal Change Management Area to represent the 'hold-the-line' policy for the Hopton frontage (which was amended as a result of the Gorleston to Lowestoft Strategy)
 - To show the Broads Authority area on the Policies Map
- 4.4. The revised Policies Map is appended to this report in Appendix 2.

5. Interim Housing Land Supply Policy (2014)

- 5.1. The Interim Housing Land Supply Policy was adopted in 2014 to help support the delivery of housing in the interim period prior to the adoption of the Local Plan Part 2, particularly in circumstances where a five-year supply could not be demonstrated. Upon adoption of the Local Plan Part 2 this policy no longer has relevance and therefore it is recommended that Council formally revoke this policy. The policy can still be found on the Council's website at present - <https://www.great-yarmouth.gov.uk/article/2490/Interim-Housing-Land-Supply-Policy>. It will be removed following revocation.

6. Financial Implications

- 6.1. Preparation of the Local Plan is provided for in the agreed Strategic Planning budget.
- 6.2. The adoption of the Local Plan Part 2 will help facilitate growth which in turn will lead to economic benefits to the Borough and potentially increased New Homes Bonus. The Local Plan Part 2 will also play a role in supporting and framing future bids for external funding.

7. Legal and Risk Implications

- 7.1. The Council has a statutory duty to keep its Local Plan up-to-date. The Local Plan Part 2 can now be adopted under Section 23 of the Planning and Compulsory Purchase Act 2004. The plan has been found to be legally compliant by the Planning Inspector. It is supported by a Sustainability Appraisal Report and a Habitat Regulations Assessment which satisfy requirements under the Environmental Assessment of Plans and Programmes Regulations 2004 and the Conservation of Habitats and Species Regulations 2017. The Local Plan is supported by numerous other evidence base documents, all of which are available on the Council's website: <https://www.great-yarmouth.gov.uk/article/2501/Strategic-planning>
- 7.2. An Equality Impact Assessment has also been undertaken and is included as Appendix 6 to this report.

- 7.3. Following adoption, a person aggrieved by the Local Plan Part 2, may under Section 113 of the Planning and Compulsory Purchase Act 2004, make an application to the High Court to challenge it. Such an application must be made within six weeks of adoption.

8. Conclusion

- 8.1. The Local Plan Part 2 is now at a stage where it can be adopted by the Council.
- 8.2. It is recommended that Policy and Resources Committee recommends the following to Full Council:
- That the Great Yarmouth Local Plan Part 2 (Appendix 1 to this report) is adopted.
 - That the Policies Map is updated to reflect the Local Plan Part 2 as shown in Appendix 2 to this report.
 - That the Interim Housing Land Supply Policy (2014) is revoked.

9. Background Papers

Appendices:

- Appendix 1 – Final Local Plan Part 2 (as modified) for adoption
- Appendix 2 – Updated Policies Map
- Appendix 3 – Inspectors Report
- Appendix 4 – Inspectors Report Appendix
- Appendix 5 - Additional Modifications Schedule
- Appendix 6 – Equality Impact Assessment

Area for consideration	Comment
Monitoring Officer Consultation:	Through ELT
Section 151 Officer Consultation:	Through ELT
Existing Council Policies:	Local Plan Part 1 (Core Strategy) & Corporate Plan
Financial Implications (including VAT and tax):	Addressed in the report
Legal Implications (including human rights):	Addressed in the report
Risk Implications:	Addressed in the report
Equality Issues/EQIA assessment:	Report prepared - Appendix 6 to report
Crime & Disorder:	n/a
Every Child Matters:	n/a

Local Plan Part 2 – Adoption (Policy & Resources Committee)

Appendix 1 – Final Local Plan Part 2 (as modified) for adoption



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INTRODUCTION

Local Plan Context

The Borough of Great Yarmouth is situated on the east coast of Norfolk, with the towns of Great Yarmouth and Gorleston-on-Sea at its centre, spanning 24 kilometres of coastline. Inland, the Borough contains dispersed rural settlements of varying sizes, most of which are adjacent parts of the Broads network.

This Local Plan sets out the level of growth in the Great Yarmouth Local Plan area (i.e. the Borough excluding those parts within the Broads Authority area) which needs to be planned for in the Borough, where that growth should be located and how it should be delivered. It also sets out the planning policies which the Council will use in determining planning applications.

The Great Yarmouth Local Plan covers the period 2013-2030.

The Great Yarmouth Local Plan is split into two Parts. The Core Strategy (Local Plan Part 1) was adopted in December 2015 and sets out strategic policies governing how development should be planned in the Borough. It sets out the overall level of growth and the distribution of growth. It also includes policies to secure regeneration, deliver housing of all types and tenures, support the local economy and protect and enhance the natural, built and historic environment. Part 1 also includes two strategic site allocations for development.

Part 2 of the Local Plan builds upon and supplements the policies within the Core Strategy and adds detail to them. Given the timescales passed since the adoption of the Core Strategy, this plan includes some amendments to policies within the Core Strategy, principally around housing and retail requirements. Part 2 also identifies specific sites for allocation for different uses.

The Local Plan Part 2 includes both Strategic and Non-Strategic Policies. Neighbourhood Plans have to be in general conformity with Strategic Policies of the Local Plan.

Given the passage of time it has been necessary to amend and evolve the scope of the Local Plan Part 2 from what was originally envisaged in the Core Strategy. There are a small number of matters which the Core Strategy stated the Local Plan Part 2 would include but are no longer considered necessary or appropriate.

The supporting text of Policy CS6 referred to the intended inclusion of a policy in the Local Plan Part 2 to manage the re-designation of land and buildings within local employment areas. However, on reflection it is not considered necessary to include an additional policy which would be largely repetitious of that already provided in Policy CS6 and the associated approach as otherwise set out in national policy.

Policy CS7 referred to the designation of secondary shopping frontages and holiday frontages in the Local Plan Part 2 where appropriate. Whilst these frontages are not specifically identified it is considered that Policies GY1, R3, GY5 and GY6 provide sufficient and effective scope to encourage traditional 'secondary shopping' and 'tourist shopping' type uses to come forward whilst avoiding unnecessary duplication of local or national planning policy.

The supporting text to Policy CS11 referred to Local Green Spaces and if appropriate, to identify them in the Local Plan Part 2. Having reflected on the approach set out in the National Planning Policy Framework and associated National Planning Practice Guidance, the plan does not specifically designate Local Green Spaces. However, it does seek to protect existing open spaces under Policy E3.

Several Neighbourhood Plans in preparation are seeking to designate Local Green Spaces and this is considered to be a more appropriate mechanism to identify sites of such significant community value.

Policy CS12 stated that in preparing the Local Plan Part 2, potential areas suitable for wind energy will be considered and the plan will identify any suitable areas. The Council considers that given the need in the National Planning Policy Framework for proposals for wind energy to have the full backing of the local community it is considered that it would be more appropriate for such suitable areas to be identified in a Neighbourhood Plan where proposals are subject to a referendum. The Council has no specific evidence at present to suggest where suitable areas for wind turbines might exist but will help support Neighbourhood Plans in identifying them if requested.

Sustainability Appraisal

Sustainability Appraisal is an iterative process which must be carried out during the preparation of a Local Plan. Its purpose is to promote sustainable development by assessing the extent to which the emerging Plan, when considered against alternatives, will help to achieve relevant environmental, economic and social objectives. A sustainability appraisal has been undertaken on all the different policy options and site options considered during the preparation of the Local Plan Part 2. The sustainability appraisal also considers the cumulative effect of the Local Plan Part 2 on sustainability objectives together with the Core Strategy.

Duty to Cooperate

The duty to cooperate is a legal duty on local planning authorities, county councils and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.

Great Yarmouth Borough Council has engaged constructively with all partners during the preparation of the Local Plan Part 2. Principally this has been through the preparation of the Norfolk Strategic Planning Framework which constitutes a Statement of Common Ground for the Norfolk authorities.

Parts of the Borough are within the designated Broads Area. Planning policies, development and land use within the Broads Area are controlled by the Broads Authority. The Borough Council works closely with the Broads Authority and has had due regard to its Local Plan in preparing the Great Yarmouth Local Plan Part 2. The Borough Council and the Broads Authority have a 'Duty to Cooperate Statement' agreeing that the Borough Council will meet the full housing needs of the Borough. In addition, the two authorities are part of the wider Norfolk Strategic Planning Framework.

Great Yarmouth Borough Council has also engaged constructively with East Suffolk Council where there are strong links with the north of the district. The Waveney Local Plan which covers the northern part of East Suffolk sets out plans to meet the objectively assessed needs for its area. Therefore, there is no need for Great Yarmouth to meet any need arising from East Suffolk in this Local Plan.

Great Yarmouth constitutes its own housing market area and functional economic area and the Local Plan as a whole meets objectively assessed needs for housing and economic development.

In terms of infrastructure provision, the Council has worked constructively with infrastructure providers such as the health sector and Norfolk County Council. This engagement will be ongoing during the implementation of the Local Plan.

A Statement of Common Ground has also been prepared between coastal districts in Norfolk and Suffolk with respect to coastal management.

The Council has also engaged with the Marine Management Organisation, both in the preparation of this Local Plan and in production of the East Inshore and East Offshore Marine Plans. The Local Plan is considered to be consistent and complementary to the Marine Plans.

Early Review of the Local Plan

This plan document completes the current Local Plan, which has a plan period of 2013-2030. The National Planning Policy Framework states that Local Plans should be reviewed every five years and updated as necessary. The Core Strategy was adopted in December 2015 and therefore will need to be reviewed in December 2020. The Part 2 plan anticipates this and makes some changes to key policies in the Core Strategy to ensure they are up to date. However, a full review of the Core Strategy was not considered appropriate as this would likely delay the introduction of site allocations which are essential to meet housing need now. Therefore, it is proposed to commence a full review of the Core Strategy and this plan immediately following the adoption of this plan. In accordance with national policy the plan review will cover a 15 year period.



STRATEGIC POLICIES

1. AMENDMENTS TO CORE STRATEGY

1.1 The intent of the Local Plan Part 2 is to supplement and deliver the Core Strategy (Local Plan Part 1). However, given the passage of time since the Core Strategy was adopted it has become necessary to make a small number of amendments to the Core Strategy to reflect changes in national planning policy and latest available evidence. These changes are not considered to change the fundamental thrust of the Core Strategy or the key relationships between its different elements.

Adjustment to Core Strategy Housing Target

Policy UCS3: Adjustment to Core Strategy Housing Target

Core Strategy Policy CS3a) is amended to read:

"Make provision for at least ~~7,140~~ 5,303 new homes over the plan period..."

Policy Justification and Supporting Text

1.2 Policy CS3 of the Core Strategy set a housing target of 7,140 homes to be built-up to 2030. However, in July 2018 the Government updated the National Planning Policy Framework and National Planning Practice Guidance to introduce a standardised method of calculating housing requirements known as 'local housing need'. The details of this method are set out in National Planning Practice Guidance. The local housing need is now expected to be the default approach to determining minimum housing requirements unless exceptional circumstances justify an alternative approach. The Framework also requires plans to be revised quickly to take into account changes in the new Framework including the introduction of the 'local housing need'. It also makes clear that where housing requirements in Local Plans are more than five years old the 'local housing need' calculated using the new standard method should be used for assessing and maintaining supply. The above policy therefore amends the original Core Strategy housing target to the 'local housing need' requirement calculated by the new standard method.

1.3 This new standard method significantly reduces the housing need within the Borough from 7,140 to 5,303 homes (this is the sum of housing completions taken between years 2013/14 to 2018/19, + 11 years of the annual minimum local housing need at 363). Having accounted for the housing delivered between 2013 and 2019, the remaining housing requirement to 2030 is 3,993 dwellings (363 dwellings per year).

1.4 The Borough Council has considered other influences that may necessitate adjustment to the local housing need requirement. In accordance with paragraphs 60 and 65 of the Framework, the Local Plan does not need to accommodate any housing growth from any area outside of the Borough boundary. In respect of Norfolk, this agreement is formalised in the joint Norfolk Strategic Planning Framework (2019) Statement of Common Ground between the planning authorities. The Borough Council will meet the full housing needs of the Borough. Any housing completions from the Broads Area of the Borough will still count towards meeting the Borough Council's housing target but they are not required to meet the overall needs. To the south in Suffolk, the recently adopted Waveney Local Plan for the northern part of East Suffolk will meet the housing requirements in full of the former Waveney area. Another consideration is that the Borough has very high levels of need for affordable

housing coupled with low viability and consequent low plan requirements for affordable housing (the plan applies housing market areas requiring 10% and 20% affordable housing). A modest uplift in housing need is considered unlikely to result in significant increases in affordable housing; while a radical uplift to meet the full affordable housing need would be completely unachievable and impractical in policy and housing market terms. For these reasons, each of these factors therefore have no effect on the local housing need target.

1.5 Over the last few years, the Borough Council has been unable to demonstrate a deliverable 5-year housing land supply. There is a recent history of under-delivery on the Core Strategy target, with a total of 1,310 dwellings completed since the start of the Core Strategy period up to April 2019. When measured against the original Core Strategy stepped target for the period at 300 dwellings per annum (a total target of 1,800 dwellings), this causes a deficit of 490 dwellings; but measured over the original Core Strategy's annualised housing target (a total target of 2,520 dwellings), this causes a deficit of 1,210 dwellings. It is therefore clear that the delivery of the original housing target set out in the original Core Strategy was extremely challenging and that the use of the new standard method will be both more appropriate and achievable. Crucially, the new local housing need target will enable the Borough Council to demonstrate a deliverable supply of housing land over a five year period and therefore ensure that development is plan-led in the Borough. Adoption of the new standard method for calculating housing need will not only bring the Borough in line with the Government's requirement at the earliest opportunity but it would also allow the Borough Council to bring the housing target to a level which is considered more realistic and achievable within the plan period.

Provision of Housing to Meet the Need

1.6 The Local Plan Part 2 seeks to provide 7,020 dwellings over the remainder of the plan period. While this is a significant addition to the local housing need target, a buffer of around 32% on the target will provide greater flexibility to deliver the local housing need, particularly in the context of a persistent past under-delivery of housing to meet local plan housing needs. This provision is comprised of:

- 1,691 houses already completed (between April 2013 and March 2020);
- 2,850 houses committed through planning permissions (and resolutions to grant planning permission following Development Control Committee);
- 177 houses remaining to be built in the strategic allocations at Great Yarmouth Waterfront (CS17) and Beacon Park, Bradwell (CS18) (which are expected to be delivered in the plan period);
- 1,636 houses allocated through this plan (which are expected to be delivered in the plan period); and
- 666 houses projected to come forward as 'windfall' (unallocated) sites.

1.7 With the deliberate over-provision of housing, the Local Plan Part 2 has inbuilt flexibility to ensure that the plan will deliver the housing need within the plan period. The plan is not over-reliant on any single site to deliver, and the plan provides a variety of locations, site sizes, types and tenures of housing to meet its need. There is also the potential to significantly boost local housing supply and delivery should the housing market perform strongly over the plan period.

Amendments to CS4 - Delivering affordable housing

Policy UCS4: Amendments to CS4 - Delivering affordable housing

Paragraph a) of Policy CS4 is amended to read:

- a) Maximise the provision of additional affordable housing within the overall provision of new residential developments. Table 7 below indicates the affordable housing thresholds and percentage targets that will be sought through negotiation for each of the housing sub-market areas. ~~In order to decide whether a particular site exceeds the requisite size thresholds set out above, the Council will assess not only the proposal submitted but also the potential capacity of the site.~~ Affordable housing provision for key sites will be considered separately, in accordance with policies CS17 and CS18

Table 7 Affordable housing sub-market area's is amended to read:

		Threshold figure	Percentage sought¹
Affordable housing sub-market area 1	Caister-on-Sea, Gorleston, Great Yarmouth North and Northern Rural	5 dwellings 10 dwellings or site area of 0.5 hectares or more	20% affordable
Affordable housing sub-market area 2	Bradwell, Great Yarmouth South and South Quay, Gorleston West and South West Rural	5 dwellings 10 dwellings or site area of 0.5 hectares or more	10% affordable
Affordable housing sub-market area 3	Great Yarmouth Town Centre	15 dwellings or site area of 0.5 hectares or more	10% affordable

Policy Justification and Supporting Text

1.8 Policy CS4 of the Core Strategy sets out affordable housing requirements for new residential developments. Table 7 of the Policy sets out development size thresholds where affordable housing will be sought. Sites of 5 or more dwellings in sub-market areas 1 and 2 are required to provide affordable housing and site of 15 or more dwellings are required to provide affordable housing in sub-market area 3. Since the adoption of the Core Strategy there have been revisions to national planning policy with respect to the thresholds for affordable housing requirements. The National Planning Policy Framework clarifies that the provision of affordable housing should not be sought for developments that are not 'major sites' (for housing, 10 or more homes or sites of an area over 0.5 hectares or more), other than in rural designated areas (where policies may set out a lower threshold of 5 units or fewer). Therefore, Policy UCS4 amends Table 7 with respect to the thresholds to reflect this change in national planning policy, together with its associated exemptions.

¹ The only potential exemptions from the requirements of Table 7 are through case-by-case consideration of development viability in the limited specific circumstances as set out in Policy GSP8, or those that are otherwise set out in national policy.

Amendments to CS5 - Meeting the needs of gypsies, travellers and travelling showpeople

Policy UCS5: Amendments to CS5 - Meeting the needs of gypsies, travellers and travelling showpeople

Paragraph a) of Policy CS5 is amended to read:

- a) Safeguard the existing travellers site at Gapton Hall (~~25~~ **24** pitches) for use by gypsies and travellers, **and explore opportunities for the reconfiguration and/or extension of the site to meet identified needs.**

Paragraph b) of Policy CS5 is amended to delete:

- ~~b) Seek to identify 10 additional permanent pitches for use by gypsies and travellers within the borough~~

Amend Policy CS5 to include a new paragraph after e):

- f) **The Council commits to an immediate review of the evidence in relation to the needs of gypsies, travellers and travelling showpeople following adoption of the Local Plan Part 2 as part of the Local Plan Review.**

Policy Justification and Supporting Text

1.9 Policy CS5 of the Core Strategy sets out the Council's approach to meeting the needs of gypsies, travellers and travelling showpeople. The policy was based upon the conclusions of the Council's 2013 Strategic Housing Market Assessment (SHMA), setting out a requirement to identify 10 additional permanent pitches for gypsies and travellers, in addition to the safeguarding of the existing traveller's site at Gapton Hall for 25 pitches. The policy also provided a criterion-based approach to allow additional sites to come forward where necessary and in accordance with the policies of the plan.

1.10 The Planning Policy for Traveller Sites (August 2015) was published at a late stage of the examination of the Core Strategy and reflected a national policy shift in the approach with respect to planning for, and meeting the need of gypsies and travellers. As a consequence, the evidence has necessarily been updated to reflect national policy following the adoption of the Core Strategy and has informed the approach taken in this Plan. This has coincided with a recalculation of the borough's needs for new gypsies and travellers' pitches, as concluded in the Council's most up-to-date evidence base², published in October 2017. This calculated a revised need for new gypsy and traveller pitch provision is 4 pitches. This reflects a reduction from 10 new pitches, as required by Core Policy CS5(b).

1.11 Following the adoption of the Core Strategy the Council has not received any planning applications in relation to, nor received any sites put forward for consideration in the Local Plan Part 2 for, gypsy and travellers sites. Consequently, the Council considers that it is neither justified nor

² 'RRR Consultancy (Norfolk Caravans and Houseboats Accommodations Needs Assessment including for Gypsies, Travellers and Travelling Show people) October 2017

effective to retain the existing requirement in Core Policy CS5b) to identify land for 10 additional permanent pitches and thus it is proposed to remove this requirement in the policy.

1.12 To help ensure that the plan brings forward opportunities to meet the most recent evidence of reduced need, it is proposed to amend Core Policy CS5(a) to allow the potential reconfiguration and/or extension of the gypsy and traveller site at Gapton Hall to be explored. The Gapton Hall site remains safeguarded in the Local Plan and currently has capacity for 24 gypsy and traveller pitches (18 permanent, 6 transit), however the internal layout of the site has potential to be reconfigured or extended to provide a small number of additional on-site pitches which would help to meet either most or all of the recalculated need by 2030. By amending Policy CS5(a), the Local Plan provides clarity on the Council's approach to meeting this need.

1.13 The Local Plan is sufficiently flexible to potentially allow new sites and pitches to come forward without reliance upon the possible extension of the Gapton Hall site. The criterion based approach of Policy CS5(d) and Policy GSP1 provide sufficient scope for a range of sites within or outside of the development limits to come forward as windfall to meet this need and any additional need arising for gypsies and travellers during the plan period.

1.14 The current needs assessment was published in 2017 and it is normal practice to review such assessment every five years. Furthermore, the occupation of the existing Gapton Hall site has considerably altered following the surveys undertaken to inform the most recent assessment. This affirms the need for an immediate review of the evidence, whilst maintaining a flexible policy to respond to more up-to-date evidence as it becomes available, alongside the criteria-based approach of Policy CS5 for the determination of planning applications. Policy UCS5, therefore, also amends Policy CS5 to include a commitment from the Council to review the assessment of need for gypsies, travellers and travelling showpeople as part of the immediate review of the Local Plan following its adoption.

Amendments to CS7- Strengthening our centres

Policy UCS7: Amendments to CS7 – Strengthening our centres

Great Yarmouth Town Centre Boundary

The Policies Map is amended by the re-alignment of the Great Yarmouth Town Centre Boundary.

Bradwell District Centre Boundary and Local Centres

Core Strategy CS7a), Table 12 is amended **as follows**:

Classification	Location
Main Town Centre	Great Yarmouth
Town Centre	Gorleston-on-Sea
District Centres	Bradwell (Proposed) Beacon Park and Caister-on-Sea
Local Centres	<p>Well defined groups of shops and services in the borough's villages and main towns, such as The Green, Martham; Bells Road, Gorleston; and Northgate Street, Great Yarmouth</p> <ul style="list-style-type: none"> • <u>In Great Yarmouth:</u> <ul style="list-style-type: none"> ○ <u>Northgate Street</u> ○ <u>St Peters Road</u> ○ <u>Beresford Road</u> ○ <u>Camden Terrace</u> • <u>In Gorleston-on-Sea:</u> <ul style="list-style-type: none"> ○ <u>Bells Road</u> ○ <u>Magdalen Way</u> ○ <u>Lowestoft Road</u> ○ <u>Church Lane</u> ○ <u>Almond Road</u> • <u>In Bradwell:</u> <ul style="list-style-type: none"> ○ <u>Burgh Road</u> ○ <u>Crab Lane</u> • <u>In Caister-on-Sea:</u> <ul style="list-style-type: none"> ○ <u>(Proposed) Land west of Jack Chase Way, as allocated by Policy CA1</u> • <u>In Belton:</u> <ul style="list-style-type: none"> ○ <u>Bell Lane</u> • <u>In Hemsby:</u> <ul style="list-style-type: none"> ○ <u>Kings Way, including land allocated for small-scale shopping facilities under Policy HY1</u> • <u>In Martham</u> <ul style="list-style-type: none"> ○ <u>The Green</u> • <u>In Ormesby St Margaret:</u> <ul style="list-style-type: none"> ○ <u>North Road/Cromer Road</u> • <u>In Winterton-on-Sea:</u> <ul style="list-style-type: none"> ○ <u>Black Street</u>

~~a. The Policies Map **is amended to show** a District Centre Boundary for Beacon Park.~~

Retail Requirements

Core Strategy CS7b) is amended to delete:

~~c. Seek to allocate in accordance with the retail hierarchy and the sequential approach between 2,152sqm (net) and 4,305 sqm (net) of new 'food' shopping floorspace, and up to 8,865 sqm (net) of new 'non-food' shopping floorspace, in identified opportunity sites in the borough, up to 2031.~~

Policy Justification and Supporting Text

Great Yarmouth Town Centre Boundary

1.15 The decline in high street retailing is a national phenomenon, however, Great Yarmouth is among some of the towns hardest hit by these changes, with high vacancy rates (above the national average) and declining footfall. It has become increasingly necessary to positively manage the shift away from one that is heavily focused upon town centre retailing, to one which, whilst retaining an appropriate amount of retail space, also allows a greater range and flexibility to bring forward other town centre uses to reinforce its future vitality.

1.16 Under this context, it is proposed to alter the extent and coverage of the existing Great Yarmouth Town Centre Boundary (laid down in the 2015 Core Strategy) to better reflect the Council's current approach to controlling where new town centre uses, including retail, should be prioritised first.

1.17 A fundamental change is the creation of a new Primary Shopping Area 'PSA' in Great Yarmouth, designated to be the main area where new town centre uses, particularly retail, will be focused. The PSA is a smaller, more compact area than the 2015 town centre boundary, and wraps around the traditional 'heart' of the town centre, the main retail core fixed around the Market Place and the principal retailing streets contiguous to it. New retail development proposals will need to have regard to the PSA first when applying the necessary sequential and impact tests. This will help to prioritise retail growth at the heart of Great Yarmouth and is consistent with national policy. Further direction on the application of sequential and impact assessments are provided in Policies R1 and CS7 (as amended).

1.18 Moving out from the PSA, the delineation of Great Yarmouth's Town Centre Boundary has been altered to include those areas of the town where wider town centre uses will be encouraged or sought. This includes uses that are not just limited to retail e.g. leisure and entertainment uses (cinemas, restaurants, health and fitness centres etc), offices, as well as art, cultural and tourism development (theatres, museum, hotels and conference facilities).

1.19 To reflect this approach, the re-aligned Town Centre Boundary includes the areas around Greyfriars Way and Queen Street, as well as Church Plain and Priory Row which function as important commercial areas to the town. The area around and including the Great Yarmouth St Nicholas Minster is also included to allow it further flexibility to bring forward ancillary cultural and community uses, where appropriate. The extent of the Great Yarmouth High Street Heritage Action Zone (HAZ), which also includes the St Nicholas Minster and much of the historic town centre within the medieval walls has also been included within the Town Centre Boundary. Lastly, the Town Centre Boundary has also

been re-aligned to exclude areas which are no longer considered necessary or appropriate under the Town Centre Boundary designation. This includes part of King Street and Regent Road.

1.20 Over the past 10 years, the 'natural' contraction of the town centre has been most apparent in King Street with many retail units being converted out of traditional shopping uses or remaining vacant. To help manage the ongoing transition of this area out of 'traditional shopping' uses, the Town Centre Boundary has been re-aligned to exclude the area of King Street south of St George's Theatre to Nottingham Way and relies upon Policy GY4 to manage future land uses within this area.

1.21 Regent Road provides a range of retail, café, restaurant leisure uses, however its function as a link between the town centre and seafront means that these uses are distinctly characterised by their seasonal nature and tourism offer. Policy GY5 provides direction on the types of uses that will be supported within Regent Road and therefore it is excluded from the re-aligned Town Centre Boundary.

Bradwell District Centre Boundary

1.22 Policy CS7 (as amended) of the Core Strategy identifies a 'Retail Hierarchy' for the Borough. Bradwell was identified as a 'proposed' District Centre. At the time of the Core Strategy's preparation the proposals for the major housing and other growth in the area were not sufficiently advanced for certainty about the location and nature of such a centre. Since that time the progress of development and planning permissions in the general Bradwell area allows the location to be defined.

1.23 The area defined for the District Centre is within the growth area referred to as 'Beacon Park development at land south of Bradwell' in the Core Strategy. Policy CS18g) of the Core Strategy states that proposals for the growth area will include 'new community, retail and health facilities to meet the day to day needs of new and existing residents and improve, where possible, existing facilities in Bradwell and Gorleston'. The new District Centre is intended to provide facilities for residents and workers in the Beacon Park growth area and the areas around. The naming of the District Centre as 'Beacon Park' is considered to most appropriately reflect that breadth. (Even though most of the area served is in Bradwell Parish, and the area is treated as part of the functional area of Bradwell in this Plan, the site itself is just outside the parish boundary and in Gorleston Ward.)

1.24 This adjustment of the Core Strategy is complemented by Policy BL1 in the Bradwell section of this Plan.

Retail Requirement

1.25 Policy CS7b) of the Core Strategy establishes the level of new retail need that is required in the Borough to 2030. The Core Strategy retail need was based upon the Council's 2011 Retail Study, which was subsequently refreshed in 2014 during the plan's examination. This identified a need for up to 4,300 square metres (net) of new 'food' floorspace and up to 8,900 square metres (net) of new 'non-food' floorspace.

1.26 Since the adoption of the Core Strategy there has continued to be major structural changes and shifts in the retail economy, in particular tightened and selective consumer spending, the growth in internet shopping and the subsequent physical and technological response by many retailers e.g. reconfiguring store formats/location and driving forward with online presence. During the intervening years in the Borough, the vacancy rate in Great Yarmouth town centre has continued to increase, its

impact being mostly felt within the core shopping areas, with many in long term levels of vacancy. It is considered necessary to recalculate the Borough's future retail (food and non-food) floorspace requirements to 2030 to better reflect the current retail environment, otherwise there remains a risk that over-inflated retail requirements may be used to deliberately encourage further out of town centre development, to the detriment of the Borough's centres.

1.27 In 2019 the Council undertook a refresh of the Borough's retail capacity to 2030. This was prepared taking into account the most up to date national policy and guidance, and was underpinned by a household telephone survey of 1,000 people across the Borough and wider area to gain robust evidence on current shopping patterns. The refresh also took into account the amount of new retail floorspace that was already 'committed' by current planning consents in the Borough. In summary, the retail capacity refresh determined that there was no need for any new retail (food or non-food) floorspace to be allocated over the short (to 2025) and medium (to 2030) term. There was little or no further need in the long (to 2040) term, however this lies beyond the current period of this plan and will be considered again as part of any new retail needs assessment through the next review of the Local Plan.

1.28 On the basis of the current evidence published since the adoption of the Core Strategy, there is no longer a quantitative need for new food and non-food shopping floorspace. Consequently, there is not a requirement under national policy for the Council to specifically identify and allocate sites for new retail-led development and therefore Policy UCS7 deletes the previous retail requirement provided in Policy CS7b). Notwithstanding this, there is evidence of a limited number of locational requirements and accessibility deficits in localised shopping provision that will need to be addressed, including to support the delivery of some of the allocations in this Plan. Therefore, where market interest and demand does arise for new retail development, this will be supported in the town, district and local centres in accordance with the plan's retail hierarchy in Policies CS7 (as amended), CS17, R1, R5 and BL1 and on the land allocated by Policy CA1 to create a new local centre in Caister-on-Sea and on the land allocated by Policy HY1 for small-scale shopping facilities.

Local Centres

1.29 Policy R5 of the Local Plan Part 2 identifies Local Centres on the Policies Map and sets out policy requirements. Given the list of local centres is now more precise than what was referenced in Policy CS7 it is considered necessary to update this list to ensure consistency with Policy R5. Given that the Local Plan Part 2 allocates land for a further Local Centre at Caister to help create a mixed-use development which reduces the need to travel and support and strong vibrant new community, it is considered necessary to also specifically identify this as well. Policy HY1 allows for small-scale retail which will in effect expand the Local Centre in Hemsby for the benefit of local people and tourists alike. Therefore, this Policy is also cross-referenced in the amendments to Policy CS7 for consistency.

2 GENERAL STRATEGIC POLICIES

2.1 The Local Plan Part 2 also includes a small number of Strategic Policies which complement the policies of the Core Strategy. Strategic Policies are those policies which address the strategic priorities of the Borough Council. They help set out the overall strategy for development, infrastructure provision and the conservation and enhancement of the natural, built and historic environment.

2.2 Importantly, Neighbourhood Plans must be in general conformity with the Strategic Policies in the Local Plan.

Development Limits

Policy GSP1: Development Limits

Development Limits are defined on the Policies Map. Development will be supported in principle within the Development Limits subject to compliance with other relevant policies in the development plan.

Development will not be permitted on land outside of Development Limits except where:

- a. it comprises agricultural or forestry development;
- b. it comprises the provision of utilities and highway infrastructure; or
- c. specific policies in the Local Plan indicate otherwise.

Policy Justification and Supporting Text

2.3 The Local Plan makes provision for more than enough development to meet needs over the plan period and therefore satisfies the presumption in favour of sustainable development for plan making. In order for the strategy to be successful, it is necessary that the Local Plan controls and limits development in certain locations. The Local Plan also needs to give clear signals to developers, the community and infrastructure providers about where development will take place and where it will not take place. Development Limits are one of the key policy tools available to achieve this and guide the location, type and amount of development to ensure it delivers, and is consistent with, the overall strategy for development as detailed in the Core Strategy. Development Limits also help to avoid urban/suburban sprawl, the unplanned coalescence of settlements and unnecessary loss of agricultural and undeveloped land. This is particularly important in Great Yarmouth Borough given that much of the agricultural land is high grade.

2.4 The Development Limits defined on the Policies Map do not necessarily include the whole area of every settlement, but exclude areas on the edge of settlements considered unsuitable for general development. This might be, for example, in order to maintain their open and rural character, to avoid development eroding the gaps between settlements, or to discourage backland development (especially where there are large or long back gardens) where this is judged likely to be inappropriate.

2.5 Land within Development Limits is considered broadly suitable for development in principle, however, considerations in other policies of the plan and other material considerations will be relevant in determining whether development will be permitted or not. The policy restricts

development outside of Development Limits except where other policies of the plan indicate otherwise. These include:

- allocations in Neighbourhood Plans under Policy GSP2;
- affordable housing exception sites under Policy CS4 of the Core Strategy;
- rural workers' housing, under Policy H5;
- conversion of rural buildings to residential uses under Policy H7;
- replacement dwellings, under Policy H8;
- domestic extensions and outbuildings within existing residential curtilages, under Policy H9;
- residential annexes, under Policy H10;
- housing for the elderly, under Policy H11;
- traveller accommodation, under Policy CS5;
- retail development, under Policy R1 and Policy R8;
- small-scale employment, under Policy B1;
- tourism and leisure related uses under Policies L1, L2 and L3;
- community and educational facilities, under Policy C1 and C2;
- farm diversification, under Policies R8 & L3; and
- development relocated from a Coastal Change Management Area, under Policy E2.

Housing requirements for Neighbourhood Plan Areas

Policy GSP2: Housing requirements for Neighbourhood Plan Areas

The 'indicative housing requirement' for the following designated Neighbourhood Areas is zero:

- a. Rollesby
- b. Hopton-on-Sea
- c. Winterton-on-Sea
- d. Hemsby
- e. Fleggburgh (including Billockby and Clippesby)
- f. Filby
- g. Any future designated neighbourhood areas

Neighbourhood Plans can allocate land for housing within or outside of the defined Development Limits in addition to the above requirement. In these cases, this will be judged in consideration of:

- h. the proportion of overall planned Borough housing growth indicated for that tier of the settlement hierarchy by Core Policy CS2;
- i. the relationship of the site to the existing built up area of the settlement;
- j. the settlement size, provision of and access to local services and facilities and infrastructure (including road, pedestrian and cycle access); and
- k. the conservation and enhancement of the landscape, heritage, environment and wildlife qualities of the area and its surroundings, with particular regard to formal designations of these (where applicable).

Policy Justification and Supporting Text

2.6 A Neighbourhood Plan is a formal plan and can be prepared by a local community (usually a parish council). It provides the opportunity to shape (but not prevent) development in the area. Once adopted, a Neighbourhood Plan forms part of the development plan and the policies included within it are used to help decide planning applications in the area.

2.7 A Neighbourhood Plan can allocate sites for development including housing. In accordance with paragraphs 65 and 66 of the NPPF, the above policy sets out the indicative housing requirement figures for the Borough's designated Neighbourhood Areas and this is zero. This is due to the provision of housing through existing commitments and the consideration of housing from elsewhere within the Borough to meet the overall housing need of the Borough. Whilst the requirement is zero for each area, this should not discourage or prohibit Neighbourhood Plans from allocating housing to respond to the latest evidence of local housing need, provided that the policy criteria is met. The policy criteria ensures that housing allocations that do come forward through Neighbourhood Plans will be in accordance with the Local Plan to provide housing strategically across the Borough. Some Neighbourhood Areas are both within the Great Yarmouth Borough Council planning area and the

Broads Authority planning area. The Broads Authority do not allocate a housing figure for Neighbourhood Plans. So, the target remains at zero for any Neighbourhood Plan areas that are also within the Broads Area.

2.8 Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan. The above policy criteria primarily builds upon Policy CS2 which sets out the broad locations for growth based on the scale and level of service provision in settlements within the Borough. It is important that any new development is of an appropriate scale, well located to access local services and facilities (such as schools, shops and access to public transport), which will complement the existing built form of settlements, and will not have any significant adverse effect upon designated landscape, heritage, or ecological assets and be in conformity with other policies in the Core Strategy.

2.9 It is understood that Rollesby Parish Council is considering to allocate sites for residential development. This will be acceptable provided that it meets the criteria set out in the above policy.

2.10 The housing requirement as set out in Policy GSP2 does not prohibit unplanned 'windfall' development from coming forward within Neighbourhood Plan Areas, where proposals are compliant with other relevant policies of the Development Plan.

Strategic gaps between settlements

Policy GSP3: Strategic gaps between settlements

The gaps between the following built up areas, will be protected from development which individually or cumulatively, significantly reduces either the physical size of the gaps themselves, their general openness or, where relevant, their rural character at:

- a. Great Yarmouth and Caister-on-Sea;
- b. Bradwell and Belton;
- c. Gorleston-on-Sea and Hopton-on-Sea;
- d. Caister-on-Sea and Ormesby St Margaret, and
- e. Hopton-on-Sea and Corton (East Suffolk Local Planning Authority Area).

Policy Justification and Supporting Text

2.11 The Borough is characterised by a number of settlements, generally located close to one another. The Local Plan seeks to maintain the separate identities of these, and maintain distinct gaps as far as practicable. The Core Strategy stated this Plan would include Strategic Gaps between Great Yarmouth and Caister-on-Sea, Bradwell and Belton, and Gorleston-on-Sea and Hopton-on-Sea, and consider others. The Development Limits provide a degree of control to such ends, but this policy applies further considerations to development which may be proposed outside those limits in accordance with other policies of the Plan.

2.12 The Strategic Gap between Great Yarmouth & Caister-on-Sea seeks to preserve an area of undeveloped land between the settlements, particularly along the undeveloped coast and alongside the A149 (Caister Road/ Yarmouth Road). The area includes Bure Park, paddocks and allotments alongside the A149 as well as the Caister Golf Course and Great Yarmouth Racecourse.

2.13 The Strategic Gap between Bradwell & Belton comprises the area between the edge of Bradwell and the Belton Housing Allocation (BN1) along New Road and is largely undeveloped, aside from the Sports and Social Club. The land between the two settlements is largely made up of Grade 2 agricultural land and preserves a rural gap between the built-up areas.

2.14 The Strategic Gap between Gorleston-on-Sea & Hopton-on-Sea comprises land in agricultural uses and the Gorleston Golf Course. The Strategic Gap is identified to maintain this gap and preserve the village character of Hopton-on-sea.

2.15 The Strategic Gap between Caister-on-Sea & Ormesby St Margaret comprises small-scale development with open gaps along Yarmouth Road which helps maintain the identity of the two settlements. This character between the settlements is sought to be preserved through this policy, particularly in the context of recent development to the north of Caister-on-Sea.

2.16 The Strategic Gap between Hopton-on-Sea & Corton helps reduce the risk of further coalescence between the settlements across the local planning authority boundaries. This approach to 'separation' is similarly recognised and shared by East Suffolk District Council.

New development in Coastal Change Management Areas

Policy GSP4: New development in Coastal Change Management Areas

Land to the seaward side of the Coastal Change Management Area Line as identified on the Policies Map is defined as a Coastal Change Management Area. Robust evidence (such as a review of the Shoreline Management Plan) that emerges over the lifetime of the plan which revises the area at risk from coastal change will be considered when determining whether a proposal is within the Coastal Change Management Area or not. Within the Coastal Change Management Area development will be carefully controlled to minimise risk to life and property, to avoid increasing the pressure for new or improved coastal defences, and to guard against development which could have adverse impacts on coastal erosion and vulnerability elsewhere.

Coastal management proposals will be supported where these are consistent with the Shoreline Management Plan recommendations, and can be demonstrated not to have significant adverse impacts elsewhere.

Where development is proposed in the 20 year erosion 'horizon' of the Shoreline Management plan, only a limited range of development types directly linked to the coastal strip, such as beach huts, cafes/tea rooms, car parks and sites used for holiday or short-let caravans and camping will be permitted and appropriately time limited through conditions.

Other development will be permitted where it:

- a. is demonstrated to be a compatible form of development in regard to any anticipated potential increase in erosion and flood risk due to coastal change during the planned life of the development having regard to the indicative erosion zones identified in the Shoreline Management Plan; and
- b. will provide a wider benefit to the local coastal community and/or economy; and
- c. would not impact significantly on the stability of the coastline, the rate of shoreline change, or increase demands for investment in coastal defences.

Permanent new residential development will not be permitted within the Coastal Change Management Area.

All planning applications for development within the Coastal Change Management Area and 30 metres inland beyond it must be accompanied by a Coastal Erosion Vulnerability Assessment which demonstrates that the development will not result in an increased risk to life or property.

Policy Justification and Supporting Text

2.17 This policy supplements Policy CS13 of the Core Strategy by identifying a Coastal Change Management Area (CCMA) to reduce risk from coastal change by avoiding inappropriate development in vulnerable areas or adding to the impacts of physical changes to the coast.

2.18 The CCMA is defined on the Policies Map and is based on evidence from the Shoreline Management Plan (2012). The Shoreline Management Plan determines appropriate, strategic policies for coastal management that balance the many and often competing aspirations of stakeholders with

proper regard for economic and environmental sustainability. The primary output is an 'intent for management' over a 100 year timeframe. The plan identifies the indicative future coastline in 100 years-time based on the management measures set out in the plan. The CCMA is based on the area likely to be impacted by coastal change within the next 100 years (2005 baseline) as identified by the Shoreline Management Plan. This essentially comprises the area between the current shoreline and the expected coastline in 100 years. It should be noted that the expected future coastline as identified in the Shoreline Management Plans is not precise and typically represents a mid-point of a range of where the coastline might be in 100 years. It may be that during the lifetime of this plan further evidence is published which indicates the area of land at risk from coastal change over the next 100 years is different to that detailed in the Shoreline Management Plan. In this scenario the Council will treat the revised area predicted to be at risk as the Coastal Change Management Area for the purposes of this policy.



2.19 Shoreline Management Plans provide a strategic approach to the management of the coast. As such, proposals for new coastal management works should be in accordance with the management policies identified in the Shoreline Management Plan. Where there is a need and/or a desire to develop a coastal management scheme that is contrary to the current Shoreline Management Plan, this should be dealt with through a review of the Shoreline Management Plan prior to a planning application being considered.

2.20 The policy describes the circumstances in which new development will be permitted within a CCMA. The acceptability of a development proposal will depend upon the 'horizon' that the proposal falls in as identified in the Shoreline Management Plan, as this will need to be considered against the

effective lifetime of the development proposed. New permanent residential development will not be permitted within a CCMA, as within its expected 100 year lifetime (i.e. by 2105) it would likely be at risk of loss.

2.21 All planning applications for development within the Coastal Change Management Area need to be accompanied by a Coastal Erosion Vulnerability Assessment. The assessment should consider the management proposals for the coastline and the likelihood of investments being made and the risk of erosion impacting upon the development in light of these factors. The assessment should demonstrate that the development will not be at risk from coastal change for the lifetime of the development. In this regard, the assessment should comply with Policy CC1 of the East Inshore and Offshore Marine Plans. The assessment will also need to demonstrate that the proposed development will not increase the risk of erosion (e.g. from surface water run-off). There are inherent uncertainties with coastal change and the likely level of erosion over a 100 year period. There is also a lack of certainty over the potential for investments to be made in the management of the coast, even where the policy is 'hold the line'. As such, any planning applications for development within 30 metres of the Coastal Change Management Area should also be accompanied by a Coastal Erosion Vulnerability Assessment.

2.22 The policy has also been produced with regard to the Statement of Common Ground on Coastal Zone Planning between the Borough Council of King's Lynn & West Norfolk, North Norfolk District Council, Great Yarmouth Borough Council, East Suffolk Council and the Broads Authority, the area covered by Coastal Partnership East (with the exception of King's Lynn and West Norfolk). The Statement of Common Ground includes a set of agreements which include alignment of planning policies for the coast. Policy GSP4 is consistent with the approaches set out in adopted and emerging Local Plans across the Norfolk and Suffolk Coast and by ensuring policies for managing the coast are 'strategic' (i.e. Neighbourhood Plans have to be in conformity with them).

2.23 A Supplementary Planning Document will be prepared to provide further information and aid in the interpretation and implementation of coastal change policies in the Local Plan.

National Site Network designated habitat sites and species impact avoidance and mitigation

Policy GSP5: National Site Network designated habitat sites and species impact avoidance and mitigation

National Site Network designated habitat sites in and around the Borough will be protected from likely significant effects through implementation of the Borough Council's Habitats Monitoring and Mitigation Strategy.

In order to avoid or mitigate the cumulative potential adverse impacts on these sites associated with the occupancy of new residential and tourist development, a financial charge will be levied on net new accommodation development in the Borough, and applied to monitoring and mitigation measures under the guidance of an expert advisory panel.

In order to avoid or mitigate the cumulative potential adverse impacts arising from such development sites by virtue of their size and/or proximity to National Site Network designated habitat sites, site specific measures will also be required.

Cumulative Impacts

New residential and tourist accommodation development in the identified areas will be required to make the specified financial contribution to the Council's Monitoring and Mitigation Programme to address its cumulative contribution to likely significant effects on designated National Site Network habitat sites.

The charge will be updated annually to reflect inflation. The level of charge and identified areas will be kept under review as part of the Monitoring and Mitigation programme and adjusted if this is found necessary.

Emerging Evidence

The Norfolk planning authorities are working together to identify and mitigate the wider strategic impacts of recreational pressure on National Site Network habitat sites. As a result of these findings, the charge may be updated and the details incorporated into a Supplementary Planning Document where appropriate.

Specific Impacts

Where a proposed residential or tourist development is identified (in the allocation of the site, or in the process of considering the planning application) as having, in itself, a potential significant adverse impact on a National Site Network designated habitat site or sites, permission will be subject to the specific provision of suitable mitigation measures appropriate to the circumstances. These may typically include one or more of the following.

- a. Enhanced informal recreational provision [Sustainable Accessible Natural Greenspace], on (or in close proximity to) the site to limit the likelihood of additional recreational pressure (particularly that relating to exercising dogs) on nearby relevant nature conservation sites. This provision will be likely to consist of an integrated combination of:

- informal open space (over and above the Council's normal standards for play space);
 - landscaping, including landscape planting and maintenance; and
 - a network of attractive pedestrian routes (and car access to these where they are not adjacent to the development sites), which provide a variety of terrain, routes and links to the wider public footpath network.
- b. A financial contribution (in addition to the standard cumulative charge indicated above) to enhanced management of nearby designated nature conservation sites and/or alternative green space.
- c. A programme of publicity to raise awareness of relevant environmental sensitivities and of alternative recreational opportunities.

Project-level Habitat Regulations Assessment

Where necessary, planning applications will need to be supported by a Habitat Regulations Assessment (HRA). To provide sufficient information for the Borough Council to make a determination as the competent authority, applicants will be required to submit a shadow HRA³ setting out where there may be likely significant effects, where necessary undertaking Appropriate Assessment, and providing details of avoidance and/or mitigation measures to protect the integrity of the relevant National Site Network habitat site or sites.

Where adverse effects on a National Site Network habitat site or sites cannot be ruled out, planning permission will not be granted.

Policy Justification and Supporting Text

2.24 In accordance with Core Strategy Policy CS11 (b) and (c), the above policy supports on the work of the Habitats Monitoring and Mitigation Strategy, in addressing likely significant effect on National Site Network habitat sites resulting from increased visitor pressures from new planned development. This Plan is supported and evidenced by a Habitat Regulations Assessment (HRA) Report. The HRA concludes that following the implementation of the monitoring and mitigation measures set out in the Habitats Monitoring and Mitigation Strategy, it is likely that there will be no significant effects on National Site Network habitat sites through the new planned development of this Local Plan.

2.25 Of particular relevance, are the following National Site Network habitat sites: Winterton-Horsey Dunes Special Area of Conservation (SAC), North Denes Special Protection Area (SPA), Breydon Water SPA and Ramsar site, Broadland SPA and Ramsar site, and The Broads SAC. One of the main identified impacts from the Plan's HRA is the increased recreational pressures at Winterton-Horsey Dunes SAC and North Denes SPA, both of which provide nesting habitat for the protected little tern colonies.

2.26 The policy sets an initial planning contribution (currently £110, updated annually or when new evidence arises) per new dwelling (or equivalent, including tourist accommodation) to facilitate the

³ A Shadow Habitat Regulations Assessment is a report which provides evidence to inform the Council's duty as competent authority to complete the Habitat Regulations Assessment prior to any approval of planning permission.

implementation of a suite of monitoring and mitigation measures identified in the Habitats Monitoring and Mitigation Strategy. The charge applies across the Borough and is mandatory in order to comply with the Habitat Regulations. As such the contribution will not be reduced due to reasons of viability in the limited circumstances otherwise set out in Policy GSP8. The Borough is relatively small and therefore has relatively short travel distances to access nearby National Site Network habitat sites, which may result in increasing visitor pressures from new residential development (as noted in the Visitor Surveys at European Protected Sites across Norfolk during 2015 & 2016) which further affirms the requirement for the mandatory approach taken by Policy GSP5 and relative to Policy GSP8.

2.27 A single charge per net dwelling unit will be levied. For caravans and hotels where single unit sizes can vary substantially, the charge will apply per six bed-spaces. Other forms of tourist development such as holiday attractions or supporting facilities such as car parks will be considered on a case by case basis, supported by a project-level shadow HRA submitted by the applicant that should identify potential impacts and appropriate mitigation.

2.28 Charges must relate to net increased recreational pressures. Therefore, residential extensions and replacement dwellings are exempt from the charge. Other special reductions or exemptions in charges will only be considered where it is clearly demonstrated that the additional bed-spaces developed will not result in any additional recreational visits to protected sites (e.g. types of residential institution where the residents are not mobile). Where such special reductions/exemptions are given, conditions or other measures will be used to limit the use accordingly, in order that the charge can be applied in the event that the circumstances justifying the reduction or exemption no longer pertained.

2.29 The policy provides for an annual review of the charge to reflect inflation and, for example, any increase or reduction in mitigation measures required, identified through the monitoring process. The majority of such charges will be pooled for application to monitoring and predominantly non-infrastructure related mitigation measures such as wardening under the Strategy.

2.30 Depending upon the type, extent and location of development, there is the potential to require further financial contributions to ensure the protection of National Site Network habitat sites from new development. Residential development sites within immediate proximity to National Site Network habitat sites, and tourist development (including tourist development that does not result in new accommodation), may be applicable for separate, additional contributions where these have been identified as more likely to give rise to increased visitor pressures or create direct adverse impacts. These may be collected by Section 106 agreements or by other means such as Section 111 undertakings.



2.31 A number of National Site Network habitat sites extend beyond local plan boundaries. The Borough Council is working collaboratively with other authorities (for example, through the Norfolk Strategic Planning Framework) to ensure that the impacts of planned development are considered and dealt with strategically across local plan boundaries. Depending on the outcome of this work, it may be that the charge is updated. In the event of this, the up-to-date details would be set out in a Supplementary Planning Document where

appropriate, or alternatively as part of a reviewed local plan document.

2.32 The Borough Council is also liaising at least biannually with key stakeholders including Natural England, the Norfolk Wildlife Trust, the Broads Authority and the RSPB, forming an Advisory Panel to guide the successful implementation of monitoring and mitigation measures.

2.33 Following recent caselaw⁴, it is important that Appropriate Assessment is undertaken before any mitigation measures are applied to deal with potential adverse effects. The above policy therefore sets out that in such cases a project-level HRA will be required, with applicants preparing a shadow HRA to provide evidence to inform the Borough Council's determination on such matters as competent authority. To simplify this process for low-impact developments (i.e. those located further than 400m away from National Site Network habitat sites and of a smaller scale of less than 10 dwellings or 1-20 tourist bed spaces) applicants may be able to use the Borough Council's [template HRA from its website](#). In all other cases, applicants will be expected to provide their own shadow HRA undertaken by an appropriate qualified individual (such as an ecologist).

⁴ The 'Sweetman' case - People Over Wind & Sweetman v. Coillte Teoranta (C-323/17)

Green Infrastructure

Policy GSP6: Green Infrastructure

To contribute to and enhance the natural environment, provide a proactive approach to mitigating and adapting to climate change and deliver net-gains for biodiversity, opportunities will be sought through development to strengthen and extend the area's Green Infrastructure network, including for the benefit of nature conservation, recreation or landscapes, creating resilience to current and future pressures on the ecological network or any appropriate combination of these.

Particular endeavours will be made in this regard:

- a. along the coast, and the Yare and Bure valley corridors;
- b. in the vicinity of The Broads, where this helps conserve or enhance its natural beauty, wildlife or cultural heritage, or its enjoyment by the public;
- c. in, or in the vicinity of, the Norfolk Coast Area of Outstanding Natural Beauty, where this helps conserve or enhance its natural beauty; and
- d. along other important ecological corridors or to support priority habitats or species.

The Borough Council will work with the other Norfolk planning authorities to develop a County-wide strategy to improve Green Infrastructure provision, in order to accommodate growth while improving nature conservation, landscape, quality of life and encouraging healthy lifestyles.

Policy Justification and Supporting Text

2.34 The above policy seeks to enhance the Borough's Green Infrastructure network supporting policies CS11, CS15 and GSP5. The policy recognises the potential for green infrastructure to improve nature conservation and the protected landscapes, identifying landscapes of specific importance such as The Broads.

2.35 The Local Plan Policies Map does not define specific designated sites or ecological corridors, these designations are generally made and defined by other organisations. The Borough Council will work with other conservation bodies to identify, protect and enhance the natural environment. In accordance with Policies GSP5 and GSP8 of this plan and CS11 of the Core Strategy and national planning policy, the Borough Council will continue to protect and where possible enhance the hierarchy of international, national and local designated sites, to support the measures of Biodiversity Action Plans, and take advantage of opportunities to strengthen the wider ecological network. The Council when determining planning applications for development will have regard to national planning policy on protection and recovery of priority species.

2.36 Consideration will need to be given to how Green Infrastructure could contribute to demonstrating 'biodiversity net gain' should this pass through into legislation. DEFRA consulted on its proposal to implement a requirement for greenfield sites to achieve a 10% net gain in biodiversity (i.e. habitats and species). In such cases the baseline biodiversity for a site (i.e. the undeveloped site) will be crucial, but also the opportunities to provide improvements onsite as part of the development. Where these are not available, there may be opportunities to enhance local or more strategic green infrastructure features to meet this requirement.

Potential strategic cycling and pedestrian routes

Policy GSP7: Potential strategic cycling and pedestrian routes

Potential Strategic Cycling and Pedestrian Routes, as identified on the Policies Map, will be safeguarded from development which would prejudice their potential for future cycling or walking routes.

An alternative use of any identified safeguarded route will only be permissible where a convenient, alternative route for the use is re-provided.

The Council will work with adjacent planning authorities in Norfolk and Suffolk to seek opportunities to improve greater strategic coverage of cycling and pedestrian access.

Policy Justification and Supporting Text

2.37 The Local Plan Part 1 seeks to promote sustainable means of transport by reducing the dependency on the car and improving general accessibility by enhancing linkages between existing 'green travel' routes in order to create a coherent network of footpaths, cycle ways and bridleways. This has the benefit of offering a mode of travel that helps contribute towards healthier lifestyles, improved quality of life for residents and an attraction for visitors.

2.38 The borough benefits from having a number of former railways which, radiating from the main urban area, have the potential to significantly increase the network and distance of 'green travel' routes across the borough and in some cases, link strategic with other protected railways in neighbouring plans (e.g. Local Plan for The Broads).

2.39 Whilst there is no immediate prospect of the former railway trackways being converted, they are nonetheless a finite resource, and their future importance is recognised by their safeguarding. This policy also provides a clear steer to other stakeholders, such as Norfolk County Council who are currently investigating what the future benefits that individual stretches of former railways across Norfolk may bring towards improving health, mental well-being, increased biodiversity and alleviation of congestion.

2.40 Between Gorleston-on-Sea and Lowestoft there is a specific need to bring forward future proposals for enhanced cycling and pedestrian provision. The inter-connectedness of the two towns means that there is significant movement between them for work and for facilities, such as the James Paget University Hospital. Major development planned around Corton (East Suffolk District) is likely to increase this need further, but also provide an opportunity to shape how this provision may be possibly met, such as continuing southwards the cycle path adjacent to the A47 or providing a more rustic route of former railway lines.



2.41 To help bring forward an appropriate solution, the Borough Council will continue to work with East Suffolk Council to encourage such provision and any complementary measures required within the Borough.

Planning obligations

Policy GSP8: Planning obligations

To provide necessary infrastructure and facilities, the Council will consider the need to require planning obligations where they:

- a. are necessary to make the development acceptable, directly related to the development and fairly and reasonably related in scale and kind to the development; and
- b. cannot be secured by a planning condition.

In the above circumstances, the following types of planning obligations may be considered for residential development:

- c. Affordable housing, in accordance with Policies CS4 (as amended by UCS4), H1 & H2.
- d. Educational needs; unless the proposal comprises:
 - entirely 1 bed accommodation; or is
 - limited by a specific age-related restriction e.g. sheltered housing.
- e. Library needs; unless the proposal comprises:
 - residential care homes; or
 - student accommodation.
- f. Healthcare needs
- g. Pedestrian and highway safety improvements.
- h. Recreational open space and green infrastructure, in accordance with Policy H4.
- i. National Site Network designated habitat sites monitoring and mitigation measures, in accordance with Policies CS11 & GSP5.

Other contributions may be considered where they meet criteria a. and b. (as above).

Development viability with respect to planning obligations will only be considered at the planning application stage under limited particular circumstances where:

- j. the cumulative total for planning obligations would exceed £15,000 per unit in addition to the affordable housing requirement under Policy CS4 (as amended by UCS4); or
- k. the development scheme is on previously developed land.

Policy Justification and Supporting Text

2.42 Planning obligations, commonly referred to as 'developer contributions' or 'section 106' agreements are legal obligations which are often entered into to make development possible, typically by providing infrastructure, facilities, or affordable housing to mitigate the impacts of a development proposal. National policy and guidance is clear that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition, and must only be sought

where they are necessary, directly related to, and both fairly and reasonably related in scale and kind to the development.

2.43 This policy identifies both the range and circumstances that different types of planning obligations may be required when determining new development proposals, giving effect to Core Strategy CS14 and paragraphs 56 and 57 of the National Planning Policy Framework.

2.44 Many of the common planning obligations sought relate to Norfolk County Council matters such as the provision of roads, schools, libraries and fire hydrants. Where relevant, development proposals should have regard to Norfolk County Council's 'Planning Obligations Standards' (available to view at: <https://www.norfolk.gov.uk/rubbish-recycling-and-planning/planning-applications/planning-obligations>). This provides information on the calculation and level at which these planning contributions will be sought, and is reviewed each year to take account of any changes in national guidance or standards, as well as inflation. These standards, together with an assessment of need have informed the level of financial contributions required for the housing allocations in this Local Plan.



2.45 For those infrastructure items listed in the policy from c. to f., such contributions will generally be sought where there is an identified infrastructure need. There may be some circumstances where specific locations benefit from a surplus of such infrastructure provision. In such circumstances, where there is an identified surplus of infrastructure provision to support the proposed development and where improvements to the quality or condition of existing infrastructure are otherwise not required, the Borough Council will not seek contributions for these.

2.46 To assist with the deliverability of development in circumstances where evidence is provided to demonstrate that payments could reasonably be staged and where such infrastructure is not required prior to the commencement of that development, the Borough Council will consider the staging of payments at appropriate phases within the build out of large scale development.

2.47 Some development proposals, particularly larger scale residential schemes will be required to contribute towards healthcare infrastructure. An engagement protocol⁵ has been adopted between all Norfolk local planning authorities, Norfolk and Waveney Sustainability & Transformation Partnership (STP), Clinical Commissioning Groups (CCGs), Health Partners and Public Health Norfolk, to plan for future growth and healthcare service delivery. Through the protocol, the Borough Council will consult Norfolk County Council Public Health and the STP and any other relevant health partners for all housing development proposals over 50 dwellings, as well as all planning applications for care homes, housing for the elderly, student accommodation and any proposals which would lead to the loss of significant public open space.

2.48 The Norfolk and Waveney STP is currently preparing the Great Yarmouth Health Infrastructure Delivery Plan (IDP) to ascertain the land and building requirements for healthcare facilities based upon the housing growth set out in the Great Yarmouth Local Plan. Financial contributions relating to necessary primary, acute and mental healthcare facilities have been calculated from the IDP and included within each of the housing allocations in this Local Plan. Financial contributions related to other individual planning applications will be considered on a case by case basis with regard to the requirements in the IDP and the Health Protocol.

2.49 The Local Plan requires all new residential development to make a contribution towards the provision of new open space, including accessible natural greenspace, to meet the needs of the growing population. This contribution will either take the form of on-site/off-site provision or a financial contribution in lieu. Policy H4 provides further detailed information on the application of this contribution.

2.50 Planning obligations will also be sought for monitoring and mitigation measures to address likely impacts on National Site Network habitat sites. This will be required for the majority of new residential and tourism development coming forward during the Local Plan. The detailed approach relating to this planning obligation is provided in Policy GSP5.

2.51 National policy and guidance is clear that planning applications will be considered as viable where they comply with planning contributions set out in up to date policies, and only in particular circumstances will the consideration of viability be appropriate. The Local Plan Part 2 Viability Assessment indicates that viability is likely to be challenging on brownfield sites (i.e. previously developed land) and in situations where the cumulative total for planning obligations would exceed £15,000 per unit in addition to the affordable housing requirement. Therefore, in these scenarios the Council will consider lowering affordable housing and planning obligation requirements where robust viability evidence is submitted with a planning application. In all cases, viability assessments will need to be in compliance with the National Planning Practice Guidance and have regard to other professional guidance published by the Royal Institute of Chartered Surveyors or other professional bodies. Where viability is a matter at the development stage, changes to the affordable housing tenure mix should be considered before reducing the overall target or other planning obligation requirements as this may improve viability sufficiently.

2.52 National Planning Practice Guidance is clear that planning obligations can be negotiable to provide flexibility in ensuring that planning permissions respond and scheme specific circumstances. Nevertheless, any negotiation on planning obligations which would lead to development proposals

⁵ Planning In Health – August 2019

and/or would create unacceptable impacts (such as upon highway safety) would be resisted, as such circumstances would likely result in refusal of planning permission.

3 POLICIES FOR PLACES: STRATEGIC AREA AND SITE SPECIFIC POLICIES

3.1 This part of the plan sets out specific strategic site allocation policies and area specific policies for the Borough's settlements to deliver the respective visions set out on pages 24-26 of the Core Strategy. The policies in this section are considered to be 'Strategic Policies' like the Amendments to the Core Strategy and General Strategic Policies, as they set out the Council's approach to addressing strategic priorities. The housing and employment allocations are considered to be 'Strategic Policies' as they are essential to achieving the objectively assessed needs for development and the overall spatial strategy for the Borough.

3.2 The strategic site allocations proposed in the plan ensure that objectively assessed needs will be exceeded by a sufficient margin as discussed above in Section 1 of this Plan.

3.3 Policy CS2 of the Core Strategy sets out the general distribution of growth across the plan area and identifies a settlement hierarchy to direct approximate proportions of total new residential growth. The proposed allocations broadly meet the distribution proposed in Policy CS2 which seeks to ensure that the majority of new housing is delivered in the Main Towns and Key Service Centres.

3.4 The plan only includes site specific and area specific policies for the Main Towns, Key Service Centres and Primary Villages. Housing requirements in Secondary and Tertiary villages will be met by existing planning commitments. Neighbourhood Plans may also make allocations for development in these locations alongside other area specific policies relevant to their localities.



Main Towns

3.5 The Core Strategy identifies the settlements of Great Yarmouth and Gorleston-on-Sea as ‘Main Towns’ to deliver approximately 35% of new housing growth over the plan period. A large amount of development is already committed in the Main Towns through existing permissions, strategic allocations (with CS17 – Great Yarmouth Waterfront) and an allowance for windfall, as well as units already completed. The Main Towns are also the focus for employment development and Great Yarmouth Town Centre is the focus for new retail development.

Table 3.1 Summary of expected housing delivery in Main Towns

Homes Built 2013-2020	Existing Housing Commitments	Homes allocated in Local Plan expected to be delivered in plan period	Anticipated Windfall	Total Growth 2013-2030
627	914	617	430	2588

Great Yarmouth

3.6 Great Yarmouth is one of the eastern-most towns in the UK and has developed over a period of 1,000 years. The current population is around 28,500 persons. Across the River Yare, to the south and southwest of Great Yarmouth town is Gorleston-on-Sea. To the west is Breydon Water (in The Broads 'national park', and outside of the Great Yarmouth Plan Area) and its surroundings.



3.7 The Town benefits from its coastal location, with the River Yare and Outer Harbour together supporting domestic and international port activity, and the sandy beaches providing the basis for tourism. Great Yarmouth port and quay areas have maintained their strategic importance from the Napoleonic Wars and through the World Wars. The Port serves the growing offshore energy industry, with increasing emphasis on offshore renewables projects in the North Sea.

3.8 The Town is rich in historic assets with the largest unparished church in the country, one of the best preserved medieval walls in the country, a large number of listed buildings including the piers, The Hippodrome, St George's Theatre and the Winter Gardens. Nelson's Monument is a Grade I listed structure located in South Denes built in memorial to Admiral Nelson. The built form of the oldest part of the Town is also distinguished by a network of over 100 narrow, historic rows. The Town's Venetian Waterways and Boating Lake (Grade II listed on the Historic Parks and Gardens Register), dating from the mid-1920s have recently been restored. The Great Yarmouth High Street Heritage Action Zone (HAZ) was designated in early 2020 and aims to create an enhanced historic environment in the centre of the town. The zone covers the area from St Nicholas Minster Church to St Georges Theatre and includes parts of King Street, the Market Place and the historic rows. The HAZ will focus on re-using, restoring and enhancing vacant properties along with improvements to the public realm.

3.9 Great Yarmouth has the largest town centre in the Borough and functions as the main retail, commercial and cultural destination for the Borough. Like many similar sized towns across the country, Great Yarmouth has suffered the loss of many major high street retailers, either moving out of the town or to the out-of-centre offer at retail parks.

3.10 Much of the Town to the immediate east and west banks of the river is at risk of flooding (within Flood Zone 3A), with the most significant risk posed from tidal flooding.

3.11 Overall, there is little opportunity for further expansion of the settlement. Within the existing built-up area there are few large-scale brownfield development opportunities remaining. The main exception to this is the Great Yarmouth Waterfront area, which is already an adopted strategic allocation.

Great Yarmouth Town Centre Area

Policy GY1: Great Yarmouth Town Centre Area

The Great Yarmouth Town Centre Boundary, Primary Shopping Area and Protected Shopping Frontage is defined on the Policies Map.

Main Town Centre Use Development (as defined by the National Planning Policy Framework) will be permitted within the Great Yarmouth Town Centre Area in accordance with Policy R1 and Policy CS7 of the Core Strategy (as amended by Policy UCS7).

Proposals for the change of use of active ground floor uses outside of the Protected Shopping Frontage area will only be permitted where it would not individually or cumulatively have a significant adverse impact on the character, appearance, retail function, viability or vitality of the centre. Within Protected Shopping Frontages changes of use will be considered in accordance with Policy R2.

To support the continued viability and vitality of Great Yarmouth town centre, consideration will be given to:

- a. increasing residential uses within the town centre through the re-purposing of vacant buildings and/or upper floors;
- b. proposals which enhance and expand the Great Yarmouth Market Place and its associated facilities;
- c. new development proposals which re-purpose, reconfigure or potentially redevelop vacant or underutilised buildings and space to improve the vitality, appearance, permeability and connectivity of the town centre;
- d. supporting the refurbishment or replacement of shop frontages; or
- e. measures or enhancements which improve the appearance, safety and environmental quality of the area and public realm.

Within the town centre, improvements to car parking provision will be considered where this:

- f. makes the town centre a more attractive place to shop, live or visit;
- g. supports local businesses; or
- h. maintains or improve the quality of the townscape.

All development proposals should have regard to the Great Yarmouth Town Centre Regeneration Framework and Masterplan and any subsequent updates thereof, including any emerging town centre strategies or policies arising from the outcome of the Future High Street Fund.

Policy Justification and Supporting Text

3.12 Great Yarmouth Town Centre is identified within the Core Strategy retail hierarchy (under Policy CS7, as amended) as the Borough's 'main' town centre. The town centre is principally contained within the historic market place, stretching north-south between the Great Yarmouth St Nicholas Minster, Market Place and King Street; and east-west between Market Gates Shopping Centre, Market Row

and the River Yare. The main retail core of the town centre is fixed around the Market Place and the principal retailing streets that are contiguous to it. This forms the delineation of the Great Yarmouth Primary Shopping Area, where main town centre uses, and in particular retail, will be focused. A wider town centre boundary has been delineated which reflects the location of other supporting town centre uses such as commercial and residential, lying within the functional area of the town centre.

3.13 Great Yarmouth is the largest retail, leisure and service centre within the Borough, providing a wide range of activities, uses and functions. It does, however, continue to face a myriad of challenges affecting its vitality and viability, including rising levels of vacancies, tightened and selective customer spending, and continued competition from out-of-centre retailing. Managing the future role and direction of the town centre is a priority of the Council and new investment opportunities and initiatives are currently being pursued in the town centre through the Council's adopted Great Yarmouth Town Centre Regeneration Framework and Masterplan and Future High Streets Fund. This policy seeks to support the vitality and viability of Great Yarmouth town centre in accordance with the Core Strategy and national policy, and in the context of supporting new development opportunities and initiatives currently being pursued by the Council.



3.14 The main retailing frontages situated along the Market Place, King Street (to corner of Regent Road) and Market Row are designated as Protected Shopping Frontage, therefore new changes of use within this area will need to be carefully considered under Policy R2. Outside of the Protected Shopping Frontages, the Council will allow more flexibility to the types and range of active ground floor uses in consideration of the character, appearance, retail function, viability and vitality of the town centre.

3.15 Non-main town centre uses, including residential uses can play an important role to support the vitality of centres providing activity and critical mass to support services and facilities. Proposals for residential uses will be particularly encouraged on upper floors. Consideration will be given to the repurposing of vacant buildings to residential use where this would not be detrimental to the function and character of the town centre, such as the permanent loss of ground floor activity within the Protected Shopping Frontages area.

3.16 The Great Yarmouth Market Place lies at the heart of the town centre and is an example of an extremely high quality townscape and built environment, providing a direct connection to the town's past heritage. The southern end of the Market Place is home to the town's permanent covered market which consists of around 40 small stalls; however its current canopy structure is in a poor condition. The revitalisation of the permanent covered market is identified as a key objective in the Great Yarmouth Town Centre Regeneration Framework and Masterplan therefore proposals which seek to strengthen the market's central role in the town's social and economic life, enhance the tourist experience, dwell time and spend within the town centre, will be generally supported.

3.17 Many of the major and traditional retailers are beginning to change their store formats and locational requirements in response to the growth of online sales and to provide a more exciting and engaging shopping experience. Out-of-centre retail parks are often favoured to meet this demand due to the often perceived constraints of traditional town centre environments e.g. tighter shopping environments and restrictions from conservation areas and listed buildings, (however these can be overcome through good design and appreciation and regard to context and setting etc). It is essential, therefore, that consideration be given where potential opportunities exist to provide larger modern units either through the re-purposing, reconfiguration or potential redevelopment of underutilised space in Great Yarmouth town centre. Any new development proposals should be designed to maximise pedestrian permeability and connectivity to drive footfall within the town centre.

3.18 Along King Street and the Market Place, the main array of shop frontages and facades are located in the town centre. Some frontages form part of, or are attached to, listed buildings and many are in a poor state of condition or of a design which does not complement the listed building or enhance the historic setting of the town. The Council will support the refurbishment or replacement of shopfronts, particularly where this strengthens the local distinctiveness of the town and its heritage. The reinstatement of original ground floor frontages, such as historic townhouses, will also be encouraged for their contribution to the town's historic character, unless this has an adverse impact on the Protected Shopping Frontage, or on the designated heritage assets, as per Policies R2, E5 and CS10.

3.19 Improvements or measures which upgrade or enhance the town centre's public realm and facilities for the enjoyment of residents, shoppers and businesses operating in the area will be encouraged. This may include the provision of new public facilities e.g. toilets, seating, public art, as well as well-designed and attractive wayfinding signage to optimise the movement of people around the town centre and to wider facilities and attractions in the town. The Council will also consider ways in which to address deficiencies in the public realm for example seeking environmental improvements or encouraging the replacement or alteration of buildings and structures which present a blank facade at ground level or an impediment to pedestrian movement.

3.20 The Council will consider proposals which improve the overall quantitative and qualitative car parking offer within the town centre. Proposals will be particularly encouraged where these contribute to vitality of the town centre and help to enhance the townscape. New proposals should be considered in combination with Policy I1.

Market Gates Shopping Centre

Policy GY2: Market Gates Shopping Centre

Land at Market Gates Shopping Centre, as identified on the Policies Map, is designated for main town centre uses, and where appropriate, residential, as part of a mixed-use scheme.

The Council will encourage future development in this location that seeks to improve linkages between Market Place and Temple Road, as well as improvements to the public realm around the bus station.

To maintain core retail frontage within the existing Shopping Centre, any new proposals which provide frontage to the shopping centre entrance (off Market Place); or provide frontage along its principal internal corridor (linking Market Place and Regent Road); will be determined against Policy R2 'Protected Shopping Frontage'

Policy Justification and Supporting Text

3.21 The Market Gates Shopping Centre is designated within the Great Yarmouth Town Centre Boundary and Primary Shopping Area. It is the premier covered shopping centre in the Borough and is highly visible from, and connected to, the Market Place and performs a key anchor role for the town centre.

3.22 There is a need for the Market Gates Shopping Centre to diversify in order to respond to structural changes in the retail market. This policy provides greater flexibility to allow a wider mix of main town centre uses, such as a hotel or cinema, to strengthen both the offer of the shopping centre and town centre more generally. New residential uses, where part of an appropriate mixed-use development scheme, may also be considered as these can play an important role in ensuring the vitality of the town centre.

3.23 To facilitate these changes, the Council will consider the merits of potential changes of use, and partial or comprehensive redevelopment of the Market Gates Shopping Centre. Proposals which improve connections between the Market Place and Temple Road, and in particular enhancements to the public realm around the Bus Station will be encouraged.

3.24 Whilst this policy allows for a greater flexibility of uses within the shopping centre, it is necessary to retain, where possible, certain areas within the shopping centre for core shopping uses, as the vitality of the town centre would likely be undermined if the main shopping units providing active frontage to Market Gates (and by extension, to the Market Place) were to be significantly diluted out of core retail uses.

3.25 To ensure that the existing Market Gates Shopping Centre retains a principal focus on core retail uses, any proposal coming forward on units which provide frontage either; to the main shopping centre entrance off the Market Place; or along the principal internal shopping corridor between Market Place and Regent Road, will be determined against Policy R2 'Protected Shopping Frontage'.

Hall Quay Development Area

Policy GY3: Hall Quay Development Area

Hall Quay Development Area, is a specific area within the Great Yarmouth Town Centre Area (Policy GY1) as defined on the Policies Map. Hall Quay has the potential to contribute to the regeneration of the town centre by improving the public realm and widening the food, drink and leisure offer. Within the Hall Quay Development Area new development proposals and uses will be particularly supported where they contribute to any of the following strategic aims:

- a. Addresses a gap in the town centre's food and drink offer.
- b. Complements and improves the town's early evening and night-time economy.
- c. Introduces new recreational and leisure uses to support the tourist and visitor economy.
- d. Helps to bring listed buildings back into permanent active use.

The following uses will be focused within buildings which provide principal frontage to Hall Quay.

- e. Food and drink uses.
- f. Hotels.
- g. Retail and office uses where these provide active ground floor frontage.
- h. Residential uses on upper floors.

To help deliver the policy aspirations for Hall Quay, the Council will help to bring forward projects and proposals which:

- i. reduce the dominance of traffic and highway uses along Hall Quay;
- j. improve the public realm and townscape of the area;
- k. improve pedestrian linkages with the rest of the town centre, utilising The Rows, where possible; or
- l. encourage improved short stay mooring and information facilities for visiting leisure craft in the general vicinity of Haven Bridge.

The adopted Hall Quay Planning Brief Supplementary Planning Document provides further supplementary policy and guidance to more closely define the type, size and form of development to be brought forward through this policy.

Policy Justification and Supporting Text

3.26 This policy adds further detail to Core Policy CS7(d) by specifying the particular town centre uses which will be actively encouraged within Hall Quay in order to help bolster a widening of the town centre's food, drink and leisure offer.



3.27 Hall Quay is situated within Great Yarmouth's town centre but in recent years the area has undergone a period of significant commercial change, with many of the high street banks having moved or relocated to the Market Place leaving vacant many of the large and listed former banking halls fronting the quay. The re-purposing of this area towards a new food, drinking and leisure 'cluster' is identified in the Council's adopted Town Centre

Regeneration Framework and Masterplan and a subsequent Planning Brief Supplementary Planning Document was adopted in July 2019 to provide further supplementary guidance to more closely define the type, size and form of development to be brought forward in this area.

3.28 Development proposals which are located or positioned along the principal frontage to Hall Quay will be carefully managed to ensure that an appropriate mix and type of uses are brought forward to help to stimulate activity and prioritise pedestrian movement within the area. In pursuance of this, new food and drink and hotel proposals will be particularly supported within the area. Other retail and office related uses may also be permitted where these continue to provide active ground floor frontage i.e. window displays, entrances and views of internal activity. Residential uses will be generally supported within the entire policy area, but will be restricted to upper floors only where proposed in buildings fronting Hall Quay. This is to help avoid blank or un-activated frontages on Hall Quay.

3.29 The policy also seeks to support the implementation of other complementary projects to help fully deliver the vision of Hall Quay, as envisaged by the Town Centre Regeneration Framework and Masterplan. This includes supporting major highway and public realm improvements to help reduce the dominance of the highway in order to engineer an environment more conducive to the uses being proposed in Hall Quay e.g. casual dining, public open space.

3.30 The role of Great Yarmouth as a destination/stopover for sailing yachts and motor-boats is poorly represented, with negligible facilities and information for visiting craft. The encouragement of a greater number of leisure craft to visit the town will help to strengthen its tourist economy and the presence and appearance of mooring vessels would both complement and help support planned leisure-focused regeneration of Hall Quay.

3.31 Such facilities could take a number of forms, and could potentially be located either at Hall Quay, or on the opposite bank near the Ice House. Arrangements for the management and maintenance of such facilities would be an important factor, as would ensuring that the facility does not compromise commercial craft movements and other port activities, but both of these are successfully achieved in many other ports and towns.

King Street enhancement area

Policy GY4: King Street enhancement area

This area of King Street (as defined on the Policies Map), comprises many buildings of heritage value in a variety of uses.

To preserve and enhance the heritage assets, their settings, and overall appeal of this area, the Council will:

- a. encourage the restoration and renovation of existing units;
- b. support the residential conversion of buildings currently in a main town centre use; and
- c. in all development proposals, expect the historic character of the buildings to be enhanced by restoring/retaining attractive features of the building frontage that contribute to the heritage, local distinctiveness and general appearance of King Street.

Policy Justification and Supporting Text



3.32 The King Street enhancement area was formerly within the Town Centre Boundary as defined by the Policies Map following the adoption of the Core Strategy. It has now been removed from the Town Centre Boundary, as defined by the Policies Map, to allow its diversification beyond a focus upon main town centre uses. Policy GY4 provides flexibility to regenerate the area of King Street towards a more residential offer whilst enhancing its historic qualities as a periphery area to the town centre. Such enhancements can take place by

retaining and restoring key building features of the facades. These could include (but should not be limited to): doors, windows, sills, arches, balconies, railings, and the continued use of original materials where they are still in place. The policy extends along the length of King Street and incorporates properties which currently provide frontage between 120 to 140 King Street (western side) and 33 - 60 King Street (eastern side).

3.33 The Borough Council will ensure that the historic environment and mix of uses (including main town centre uses where appropriate) will continue to provide a strong 'sense of place' to King Street, which is a vital component in its regeneration. Accordingly, the policy supports the continued use of existing units in main town centre use within this area, particularly where there are opportunities to enhance buildings currently in a poor condition. In considering the heritage value of the buildings and the potential to impact on these, the Borough Council will have regard to Core Strategy policies CS9 and CS10, Policy E5 of this plan and national planning policy.

3.34 Residential conversions will also be supported within this area, particularly where these help to bring back into use either vacant or underutilised heritage assets. When submitting residential conversion proposals, applicants should have regard to Policy A1 to ensure the amenity of both

existing and likely future adjacent occupiers are duly considered, and if necessary, mitigated against the impact of the development.

3.35 Restrictions to some types of ‘permitted development’ will also apply as the entire area covered by this policy lies within the adopted King Street Conservation Area, with many of the buildings listed.

Regent Road

Policy GY5: Regent Road

The Regent Road area defined on the Policies Map will be promoted as a vibrant link between the seafront and town centre in terms of both access and activities.

New development proposals and uses will be supported where it:

- a. provides year-round active ground floor frontage to Regent Road;
- b. conserves or enhances the Conservation Area and the setting of any nearby Listed Buildings, particularly with regard to any shopfronts and/or advertisements;
- c. integrates successfully with any existing residential or holiday accommodation properties in the immediate vicinity, and preserves or enhances the amenities of their occupiers; and
- d. does not undermine the vitality or viability of Great Yarmouth Town Centre.

Subject to the criteria above, the following uses will be supported in Regent Road.

- e. Ground-floor retail, food and drink uses.
- f. Leisure uses.
- g. Upper floor self-contained residential accommodation.

Uses which meet both tourist and local needs would be especially welcomed.

Policy Justification and Supporting Text

3.36 Regent Road is a strategically important link between the town centre and the seafront providing a range of retail, cafe, restaurant and leisure uses. This policy supports development proposals that will improve the overall quality of development, and conserving and enhancing the best of the character of Regent Road in order to strengthen this strategic historic, cultural and commercial link between the seafront and the town centre. This area is currently constrained from reaching its full potential, in part due to the preponderance of the seasonality of uses focused on summer tourism. Therefore, the policy seeks to redress this balance by encouraging new retail and leisure uses which support year-round use and maintain active frontages to Regent Road.

3.37 Regent Road is excluded from being within the Great Yarmouth Town Centre boundary. Therefore, to appropriately balance the strategic aim of improving Regent Road's offer and role in Great Yarmouth without undermining the vitality and viability of Great Yarmouth's town centre, a threshold of 200sqm (net) is used as a basis to determine the scale that retail development uses will be considered generally appropriate in Regent Road, without having to undergo sequential assessment. This is based upon the Council's adopted impact assessment threshold set out in Policy CS7.



3.38 When assessing individual proposals for retail, food and drink and leisure uses in Regent Road, these will only be permitted where it provides ground floor frontage to Regent Road and does not exceed 200sqm (net) floorspace. Retail, food and drink and leisure uses over 200sqm (net) floorspace, or other main town centre uses will only be considered in Regent Road where these meet the requirements of the retail sequential and impact assessments.

3.39 All hot-food/takeaway proposals will also need to have regard to Policy R7 to ensure that they are compatible with the amenity of the area and do not have any adverse effects on neighbouring uses and occupiers.

3.40 Regent Road has a number of heritage assets including Grade II* Listed St Mary's Church, Grade II Listed Regent Cinema, townhouses, and a conservation area covering its entirety. All new development proposals including changes of use and new shopfront/advertisements in Regent Road will be required to contribute positively to the historic character of the area.

3.41 A mix of uses serving the needs of the local community and visitors alike is encouraged. Regent Road also provides accommodation for local residents and visitors, therefore development that respects and provides opportunities to improve the amenity of existing and future occupiers will be sought.

Great Yarmouth Seafront Area

Policy GY6: Great Yarmouth Seafront Area

Within the 'Great Yarmouth Seafront Area' as defined on the Policies Map, the Council principally aims to:

- a. encourage year-round, sustainable tourism;
- b. encourage investment in major new tourism, leisure and entertainment facilities;
- c. resist the loss of key tourism uses to non-tourism uses;
- d. conserve the seafront's heritage assets and bring them back into viable, active use where possible;
- e. promote high quality design;
- f. maintain and improve the public realm and the area's open spaces; and
- g. manage access and traffic.

The following uses will be generally encouraged within the Great Yarmouth Seafront Area, subject to the consideration of compatibility with the existing surrounding uses and potential impact on the character and setting of the Seafront Conservation Area:

- h. Hotels.
- i. Self-catering accommodation.
- j. Bed & Breakfast establishments where the owner is resident on the premises.
- k. Food and drink uses.
- l. Holiday entertainment.
- m. Dance halls and nightclubs.
- n. Amusement arcades.
- o. Sport and leisure facilities.
- p. Other ancillary facilities and uses to support the above.

Within the Great Yarmouth Seafront Area, proposals for self-contained residential apartments, offices and similar business uses will only be permitted on upper floors of buildings. Residential accommodation which is not self-contained, and other forms such as houses of multiple of occupation, hostels and similar uses, will not be permitted within the Seafront Area.

Policy Justification and Supporting Text

3.42 Great Yarmouth's Seafront Area provides the main focus for holiday makers with the greatest concentration of tourist attractions and range of other related tourism and entertainment uses. It is therefore strategically important to the Borough's economy.

3.43 The holiday market is changing, and this policy provides sufficient flexibility to support major and incremental investment in the seafront area to support the evolution and improvement to its overall

offer. This policy also provides further detail to Core Policy CS8 to assess development proposals and appropriate uses along the Seafront.

3.44 Maintaining and encouraging new vibrant and visually active uses along the seafront is fundamental for the continued vitality of the Borough's tourism, leisure and cultural offer. They provide interest and 'pull' along the extent of its area, and help to encourage a variety of visitors, spend and footfall throughout the year. In furtherance of this, investment in new leisure, entertainment and tourist uses will be flexibly supported throughout the Seafront Area and particularly where this maintains or re-introduces ground floor frontage and/or activity to the seafront. Tourist and leisure proposals which activate the upper floors of seafront buildings will also be positively encouraged, particularly where this helps to secure the long-term maintenance and integrity of heritage assets.



3.45 Proposals for food and drink uses such as café/restaurants, drinking establishments and takeaways provide a complementary function to the tourist and leisure offer along the seafront. However, it is necessary to manage these proposals more carefully to ensure that their proposed concentration (as a main town centre use) does not undermine the vitality of Great Yarmouth town centre, nor the amenity of adjacent residents or business occupiers, especially where in the form of new kiosks or stalls. Individual proposals for new cafe/restaurants, drinking establishments and takeaway uses will be considered generally acceptable in principle where it provides up to 200sqm (net) floorspace in the Seafront Area. Proposals over 200sqm (net) floorspace will only be considered acceptable where these meet the requirements of the retail sequential and impact assessment. Under both circumstances, proposals will need to satisfy compliance against Policies R6 and R7.

3.46 The Council will resist the loss of tourism uses to non-tourism uses where it currently provides ground floor activity or frontage to the Seafront Area. Within upper floors, there will be more flexibility to determine non-tourist related uses. Where it is demonstrated that there is no longer a need for upper-floor tourist related uses, the Council may allow proposals for self-contained residential apartments, offices (subject to compliance with the sequential test set out in Policy R1 and Policy CS7

of the Core Strategy) and similar business uses to support the viability and vitality of the area. Proposals for residential accommodation which is not self-contained, and other forms such as houses of multiple occupation, hostel and other similar uses will not be permitted within the Seafront Area.

3.47 The Seafront Area contains many nationally recognisable listed buildings, including the Britannia and Wellington Piers, former Empire Cinema, Hippodrome and Winter Gardens, and also lies mostly in, or adjacent to, multiple conservation areas including the Seafront conservation area. The quality and condition of the Seafront's heritage assets is currently of some concern, with the Grade II* Winter Gardens and seafront conservation area both being identified by Historic England as being in poor condition⁶. There is a need to ensure that all development proposals both complement and enhance the historic fabric of the Seafront Area, have regard to the setting of designated heritage assets and be of high quality design in line with Policies CS9, CS10, and E5 and the National Design Guide. Proposals which seek active, viable uses of key seafront heritage assets will be particularly encouraged and supported for the benefit of maintaining the long-term maintenance and integrity of heritage assets. Proposals for new illuminated signage and advertisements will also be managed carefully in line with Policies CS9 and A3 to balance their needs against their potential impact on the amenity and character of designated heritage assets.

3.48 The Seafront's public realm facilities and open space will continue to be upgraded or enhanced for the needs and enjoyment of residents, tourists and businesses operating in the area. Consideration will be given to the provision of new public facilities such as toilets, seating and shelters, and well designed, attractive signage, wayfinding to optimise the use of open space, the beach and wider resorts and facilities linked to the town centre and train & bus stations. The Council will also consider ways in which to address deficiencies in the public realm, for example seeking environmental improvements or encouraging the replacement or alteration of buildings and structures which present a blank facade at ground level or an impediment to pedestrian movement.

3.49 The Council will continue to liaise with the local highway authority, public transport providers and local accessibility groups to strengthen pedestrian and cycling access throughout the Seafront area, and ensure, as far as practicable, access for people with disabilities to all public areas and facilities. Where new parking for cars, motorcycles, cycles and coaches is required, proposals will be considered where the form does not detract from the streetscape and holiday appeal of the seafront.

⁶ Heritage at Risk Register, Historic England

Great Yarmouth Back of Seafront Improvement Area

Policy GY7: Great Yarmouth Back of Seafront Improvement Area

Within the 'Back of Seafront Improvement Area', as defined on the Policies Map, the aims will be to:

- a. improve the character, amenity and physical conditions of properties by encouraging existing and new uses and investment which strengthen its positive characteristics;
- b. improve the street scene through environmental improvements and the encouragement of the refurbishment and maintenance of properties;
- c. avoid uses which typically give rise to disturbance and loss of amenity (to ensure compliance with Policy A1); and
- d. Use available enforcement powers pro-actively to control developments adversely affecting the area.

In order to achieve those aims the following uses will be encouraged in the area:

- e. Self-contained dwellings (including houses and apartments).
- f. Hotels providing wholly or predominantly short term holiday accommodation.
- g. Offices and other light industrial and research & development facilities.
- h. Health and related facilities.
- i. Professional services to visiting members of the public where the likely number and types of visits will not give rise to disturbance and are compatible with the limited on street parking in the locality.
- j. The development of further Houses in Multiple Occupation (and commensurate uses) within this area will be resisted, and such uses steered to alternative locations.

In determining applications for development in this area the following considerations will be given particular attention:

- k. Improvement to the physical condition and maintenance of properties will be encouraged.
- l. Resisting the infilling of curtilages to the rear of sides of existing properties.
- m. Provision of adequate, concealed bin storage for the intended use, out of sight from the street.
- n. Flexibility in the current parking arrangements.

Policy Justification and Supporting Text

3.50 The above policy provides guidance for assessing development proposals and appropriate uses in areas at the back of Great Yarmouth seafront. These areas are built-up and largely contain Bed and Breakfast (B&B) establishments and residential properties. As the demand for holiday accommodation has changed over the years, the previous predominance of hotels and B&Bs in these areas has lessened. The intention of the policy is to manage that process of change.

3.51 The area has significant potential for the future by making the best use of its pleasant buildings, proximity to the sea and relatively low property values. A study into appropriate land uses in the

former 'Borough-Wide Local Plan' Secondary Holiday Accommodation Areas, identified the potential of encouraging more family occupancy and professionals' offices into the area, but recognised the challenges of limited parking and an increasingly run down character.

3.52 The Council has previously undertaken successful environmental enhancements in parts of the area, but there is not sufficient funding currently available for this to be rolled out over the whole area. Notwithstanding this, this policy provides a clearer steer to the future management of spaces and amenity within the area, including the resistance of infilling of some building curtilages to avoid additional pressure on parking space and ensuring adequate and concealed bin storage to maintain and improve the character and amenity of the area.



3.53 Within the area, consideration will also be given to providing some flexibility in car parking provision requirements in order to encourage investment in the locality and in recognition of the constraints of the layout of the area and the proximity of public transport and public parking facilities. However, changes which would place major demands on parking in the locality will be resisted in order to avoid significantly exacerbating the existing pressure on parking in the locality.

3.54 There has been a tendency over a number of years for former hotels and B&Bs in the area to become Houses in Multiple Occupation (HMOs), and this has led to complaints and generally more negative perceptions of the area. While there is a recognised need for HMOs in the Borough, a significant minority of them can result in problems for neighbouring occupiers, and an increasing concentration of them is not conducive to either the continued success of the remaining tourism businesses, nor in gradually developing a positive new character for the area. The policy therefore seeks to resist further HMO use in this particular area. This is consistent with the approach of Policy H12 Houses in multiple occupation which details when and where HMOs will be permitted.

3.55 The policy provides positive encouragement of other forms of residential accommodation and professional uses which will contribute to improving the character and physical condition of the buildings, and more generally improve the overall appearance of the area. To help manage this transition of uses, particular on the amenity of existing and adjacent occupiers, Policy A1 (Amenity) should be considered.

Great Yarmouth Racecourse

Policy GY8: Great Yarmouth Racecourse

Within the 'Great Yarmouth Racecourse' area, as defined on the Policies Map, the existing racecourse use will be safeguarded for its role as a major visitor attraction and local amenity.

Support will be given to development proposals which:

- a. are ancillary to the racecourse use;
- b. help secure the racecourse's long term future; and
- c. protect and enhance the North Denes SSSI located within the race track.

Policy Justification and Supporting Text

3.56 This policy provides a positive approach to help guide the future long-term use of the Great Yarmouth Racecourse, a strategically important leisure facility and visitor attraction. The Great Yarmouth Racecourse has been established on the North Denes since the 1920s, and provides a major 'all year round' visitor attraction that contributes to the tourism offer in the Borough and the wider region, being only one of two horse racing courses within Norfolk (the other being Fakenham). The policy seeks to safeguard the racecourse and maximise its future role in contributing to the Borough's tourism and leisure offer. The policy therefore complements the ambitions of Policy CS8 of the Core Strategy.

3.57 In recent years the use of the racecourse and its ancillary facilities have been widened to flexibly accommodate alternative tourism uses such as conferencing and wedding facilities and areas for camping and caravanning leisure. This policy therefore continues to support future development proposals which are both ancillary to the racecourse and expected to continue securing its long-term future use for the benefit of the tourism economy, both locally and regionally.

3.58 Within the centre of the racecourse lies part of the North Denes Site of Special Scientific Interest (SSSI).

3.59 New development proposals will be assessed in combination with Policy A1 (Amenity) and Policy CS11(a) (Enhancing the natural environment) to minimise any unreasonable impact upon the amenities of existing and future businesses, as well as the integrity of the North Denes SSSI.

Great Yarmouth North Denes Airfield

Policy GY9: Great Yarmouth North Denes Airfield

The continued use of the North Denes airfield for aeronautical use, and especially helicopter operations, will be encouraged in the interests of the long term value of the facility to the area's offshore and other industries.

Development to facilitate such operations, including crew, passenger, maintenance and storage facilities will be supported.

Temporary changes to alternative uses would be acceptable if it would not prejudice its long term availability for the intended aeronautical use.

Development which would lead to permanent loss of the aeronautical use will be resisted unless it can be conclusively demonstrated that there is no realistic potential for such use in the longer term.

Any new built development proposals will need to be accompanied with a site-specific Flood Risk Assessment and a Landscape and Visual Impact Assessment.

Policy Justification and Supporting Text

3.60 This policy complements Core Policy CS16(f), providing the framework by which the continued availability and re-use of North Denes Airfield for aeronautical uses will be encouraged.

3.61 Although the use of the airfield for helicopter operations has been suspended by the current owner (who has focused its operations elsewhere) the airfield is a specialised and finite facility, located in close proximity to the Norfolk coast and on a main transport corridor with good links to Great Yarmouth and its Enterprise Zones. The retention of the airfield is therefore considered necessary given its strategic importance in the context of the continued growth of the offshore energy sector in Great Yarmouth and the Borough's economy overall.

3.62 The Council's Level 1 Strategic Flood Risk Assessment identifies the airfield as being within Indicative Flood Zone 3b. To clarify the risk from flooding, any new built development proposals will need to be accompanied with a site-specific Flood Risk Assessment. If the Assessment confirms that the site is within Flood Zone 3b, new built development will be prohibited, being contrary to national policy.

3.63 The site is adjacent to the Caister Water Recycling Centre. As such, in line with Policy A1, any development proposals should be supported by an odour assessment to ensure amenity impacts are avoided and mitigated.

3.64 The site is immediately adjacent the Broads Area. Therefore, in addition to national planning policy, development proposals will need to consider the requirements of policies CS11: Enhancing the natural environment, and Policy E4: Trees and landscape. Applicants will be required to submit a Landscape and Visual Impact Assessment (LVIA) to consider and address any landscape impacts arising. Accordingly, the Broads Authority will be consulted on any significant development proposals on this site.

Great Yarmouth Port & Harbour Area

Policy GY10: Great Yarmouth Port & Harbour Area

The Port and Harbour Area defined on the Policies Map will be reserved for port activities such as maritime related transport, storage, industrial and office uses, and small-scale uses ancillary to these.

Proposals for port-related developments, and in particular development related to the offshore energy industry, will be encouraged.

Business uses and infrastructure which are unrelated to port operations will be permitted only where it can be demonstrated it is compatible with the continuing long-term availability and adequacy of port related land. In particular that of the quays and land immediately adjacent to them must be available for port-related surface storage and to facilitate the requirements of vessels moored at the quayside.

Existing business uses which do not conform to the above will be given assistance to relocate elsewhere where this frees up land to strengthen port related activities in general, and the offshore energy sector in particular.

Housing will not be permitted in the Port and Harbour Area, because of its strategic significance for the Borough's economic future.

Policy Justification and Supporting Text

3.65 The port, quays and harbour in Great Yarmouth and Gorleston-on-Sea (along sections of the west bank of the River Yare) are key strategic infrastructure assets for the Borough supporting offshore-related industries, and particularly the offshore energy industry. In accordance with Policy CS6, the above policy recognises the strategic need and importance of retaining land for such uses. The strategic importance of the South Denes part of the port area is recognised in the Norfolk Strategic Planning Framework. National access to this area will be significantly improved via the strategic road network when the Great Yarmouth Third River Crossing is in place. The scheme has been granted a Development Consent Order by the Secretary of State and construction is expected to commence in January 2021.

3.66 Within part of this area there are further opportunities to encourage offshore energy and related port and logistics activities at the South Denes Enterprise Zone; and within the Local Development Order (LDO) for South Denes (2012) which enables some types of development through self-certification.

3.67 Existing business uses that do not contribute to offshore-related industries are given assistance by the Borough Council to relocate to a suitable alternative location, freeing up further land for the appropriate uses.

3.68 In determining new proposals for port related developments, applicants should have particular regard to the impact of traffic from increased port activity on the Great Yarmouth seafront and wider town area, in compliance with Core Policy CS16.

3.69 Residential development is not considered to be compatible with port related activity, as it would permanently reduce land conveniently located for port related activities. This would compromise the strength and future potential of one of the Borough's key growth industries. Accordingly, residential development will not be permitted in the Great Yarmouth Port and Harbour Area.

3.70 The 24-hour operational nature of the Port & Harbour Area means it has the potential to impact on the amenity of neighbouring uses. In accordance with national planning policy and Policy A1, when considering amenity, the Council will apply the 'agent of change' principle. This ensures that unreasonable restrictions are not placed on existing businesses, facilities and uses in the port as a result of new development in close proximity to the port. It will be for the applicant (the agent of change) to demonstrate that suitable mitigatory measures can be incorporated into the development to minimise any impacts on amenity to occupants of the new development arising from existing operations at the port.

Gorleston-on-Sea

3.71 Gorleston-on-Sea is the Borough's 'second' town, located across the River Yare and to the south of the town of Great Yarmouth. It has a current population of around 25,600. 'Gorleston', as it is more commonly known, runs from the southern part of the west bank of the River Yare, past the river mouth towards the smaller coastal settlement of Hopton-on-Sea. To the west is the connected settlement of Bradwell, effectively forming a large urban conurbation.

3.72 Gorleston has a long history of port-related industry including fishing, shipbuilding and, more recently the offshore energy industry. The town is also a popular seaside resort, offering more modest facilities than Great Yarmouth but with a distinctive character of its own. Features include Gorleston Pavilion and the Ocean Room, along with its golden sandy beach.

3.73 Gorleston has a number of major economic drivers. Beacon Park Business Park has been one of the country's most successful Enterprise Zones, and now hosts a regionally significant cluster of offshore, renewable and other high-tech businesses. In addition, the James Paget University Hospital is a strategic community facility serving an area stretching beyond the Borough and County boundaries, which also provides a large number and variety of jobs to the area. Gorleston Town Centre is a thriving, resilient high street, providing day-to-day food, services, and evening economy uses and functions.



Land South of Links Road Housing Allocation

Policy GN1: Land south of Links Road, Gorleston-on-Sea

Land to the south of Gorleston-on-Sea (25 hectares) as identified on the Policies Map is allocated for approximately 500 dwellings with open space. The site should be developed in accordance with the following site-specific criteria:

- a. Provide two points of access from Links Road to the residential development, with visibility in accordance with current highway standards.
- b. All residential access roads should link internally within the site.
- c. Provision of formal cycle crossing facilities at Links Road and 3.0m shared use cycle paths:
 - to link the north side of Links Road between the A47 and the existing cycle path that joins Links Road (west of no.61);
 - along the entire south-side frontage of Links Road, to link with the existing facility at the A47; and
 - at the western side of the development, between Links Road and the southwestern corner of the site, connecting with the existing facility at the A47.
- d. The development shall have an active frontage at Links Road.
- e. Parking spaces should have regard to Norfolk County Council standards for provision, with a mix of parking solutions applied to ensure a well-designed and safe environment for all users.
- f. A mix of housing sizes, types and tenures must be provided, including:
 - a minimum of 15% affordable housing, provided on site, with the tenure mix reflecting the needs and demands of the local area; and
 - provision of retirement and/or housing with an element of care equivalent to at least 10% of the total housing for the site (50 units or more).
- g. Provision of appropriate structural landscaping and new publicly accessible open space to the south of Masons Farm of approximately 5.15 hectares in accordance with Policy H4 to:
 - mitigate the visual impact of the development, especially from views to the south from Hopton-on-Sea; and
 - provide an acoustic barrier to the A47.
- h. Financial contributions will be required towards the improvement of local primary schools, local healthcare facilities and enhanced library provision to serve the development.
- i. Development should exhibit exceptional urban design and include a series of locally distinctive, walkable neighbourhoods set in an overall framework of a thoughtful and high-quality design ethos.
- j. A variety of materials and finishes/treatments across the development should be applied with innovation and local distinctiveness clearly evidenced.

- k. Retention of trees where practicable with suitable replacements provided where trees are required to be removed.
- l. Development proposals should minimise impacts on and provide net gains for biodiversity and ensure that where appropriate, mitigation measures are undertaken.
- m. Submission of a site-specific Flood Risk Assessment.
- n. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system could contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the sustainable drainage measures should be included with the submission.
- o. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.
- p. Submission of a Transport Assessment and Travel Plan and implementation of agreed highway mitigation measures, including features to encourage lower vehicle speeds at Links Road.
- q. Submission of a Heritage Impact Assessment accompanied by the results of an archaeological field evaluation, with any relevant mitigation measures set out.
- r. A planning application should be supported by evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible.
- s. Submission of a shadow habitats regulation assessment and provision of necessary mitigation measures, including a contribution to the Council's Habitats Monitoring and Mitigation Strategy in line with Policy GSP5.

Policy Justification and Supporting Text

3.74 Whilst the site proposed is noted to be within the parish boundary of Hopton-on-Sea, the site would in effect represent a sustainable extension to the settlement of Gorleston-on-Sea, with close access to services notably within Gorleston-on-Sea, Bradwell and Beacon Park. The location is in particularly close proximity to the James Paget University Hospital, Beacon Business Park and the schools to the north.

3.75 The allocation site is on the southern edge of the built-up area of Gorleston-on-Sea, between the A47 trunk road and Warren Road. The site is currently in arable use.

3.76 The site has good access to existing services and facilities in Gorleston-on-Sea and in the future will have good access to a primary school, community centre and retail facilities which are to be provided as part of the major housing development to the south of Bradwell and the proposed Beacon Park District Centre, off Woodfarm Lane. The site is also well located to Beacon Business Park and the James Paget University Hospital. A range of other amenities are accessible by regular public transport or the cycling network.

3.77 Vehicular access is possible off Links Road, which provides a suitable carriageway width for through traffic. No direct access is to be taken off the A47 trunk road. Necessary improvements to

integrate the site into the existing pedestrian and cycling networks will be sought as part of the development of the site. Highway modelling to inform the Local Plan has identified that development on this site has the potential to impact upon the capacity of the A47/Beaufort Way roundabout. This should be further investigated through a site-specific Transport Assessment with necessary mitigation identified and secured. A Travel Plan should also be submitted identifying measures to encourage sustainable modes of transport.

3.78 The site will be expected to provide 15% affordable homes (approximately 75 dwellings) on site. This level of affordable housing provision has been blended to take account of the site straddling two affordable housing market areas.

3.79 An element of retirement and/or housing with an element of care, such as sheltered housing, very sheltered housing, extra care housing or a care home, totalling at least 10% of the housing units on site (about 50 units) should also be provided to meet the needs of the borough's ageing population. The site presents an ideal opportunity to accommodate this need when taking into consideration the level of development combined with the site's good accessibility and integration with existing amenities, such as James Paget University Hospital. To ensure timely delivery, the provision of retirement/extra care housing should be provided before the occupation of the 250th dwelling (50%) on the site. The affordable housing requirement will not apply to the accommodation comprising retirement/extra-care, care housing, as this type of housing has less viability to cross-subsidise the delivery of affordable housing.

3.80 The design of the whole scheme is exceptionally important. The development should be designed so that it creates a locally distinctive neighbourhood which is sympathetic to the environment it lies within. There should be a good variety of house types and styles and a variety of different materials and treatments used, as well as thoughtful landscaping, green infrastructure and tree-planting to encourage healthy living. Design tools such as the Building for Healthy Life criteria should be applied when designing the scheme and assessing the quality of the design. Proposals will need to be in accordance Policies CS9 and A2 on design and the National Design Guide.

3.81 The layout and design of the main roads within the site must enable appropriate permeability by buses. The layout of all streets should have regard to desire lines for pedestrians to minimise the length of journeys. As such cul-de-sacs, private drives and road with unnecessary bends which frustrate pedestrian and cycle movements should be avoided where possible.

3.82 Car parking provision within the site should have regard to Norfolk County Council Parking Standards both with regard to the number of spaces per dwelling and the width of parking spaces to accommodate modern cars (2.5m). Parking provision should include a mix of solutions including on-plot parking, well designed on-street parking and parking courts. Rear parking courts should only be used in limited circumstances where spaces are well surveilled, secure and close to the respective dwellings. Continuous front curtilage parking should be avoided as this creates a car-dominated environment as well as limiting the scope for on-street visitor parking. Where garages are provided, they must be a minimum of 3m wide (internal dimensions) to allow people to park within them and be able to open the car doors sufficiently wide to enter/leave the car with relative ease. The highway authority may consider applying waiting restrictions within the development's road layout to protect visibility splays from parked vehicles, particularly at Links Road to secure the safe operation of the proposed highway accesses.

3.83 There is a lack of capacity in nearby primary schools, therefore a financial contribution of £3,940 per dwelling will be required to expand local primary schools.

3.84 The development will put pressure on existing primary, acute, intermediate and mental healthcare facilities as evidenced in the Infrastructure Plan (2020). As such, a financial contribution will be required to improve these facilities to address the impact. Based on modelling using the Healthy Urban Development Unit Planning Contributions model, it is estimated that the contribution from this site will need to be in the region of £2,315 per dwelling.

3.85 The development will put pressure on the existing Gorleston library, therefore it is necessary for the development to make a contribution of £319 per dwelling towards enhanced library provision in line with the Norfolk County Council's standards for provision.

3.86 The site is relatively flat with open land around. Maintaining a clear gap between the built-up area of Gorleston-on-Sea and that of Hopton-on-Sea is an important consideration. To this end, the allocation policy provides for the open space provision to the southern end of the site (south of Masons Farm), together with structural landscaping around the site, that will help to maintain that gap, provide a soft edge to the development and provide an acoustic barrier to the adjacent A47 trunk road. Part of the site may also be used to facilitate rollback of the adjacent golf course. Whilst the precise details of the open space provision (such as the mix of facilities) will need to be discussed and agreed with the Council at appropriate stages of the scheme, the level of provision must meet the requirements of (currently emerging) Policy H4.

3.87 The site is located in an area of low flood risk, and provision of sustainable drainage systems will limit/prevent any increased surface water run-off. The sand-based geology of the site suggests that good drainage can be achieved. A site-specific Flood Risk Assessment will need to be undertaken to support development proposals and detail the intended surface water strategy.

3.88 There is a likelihood of archaeological potential on site and any planning application must be supported by a heritage statement accompanied by the results of an archaeological field evaluation and should demonstrate the impacts of development on archaeological remains and proposals for managing those impacts.

3.89 The site is underlain by a defined Mineral Safeguarding Area for sand and gravel. In accordance with current (and emerging) policies from the Minerals and Waste planning authority, Norfolk County Council, the above policy requires that on-site minerals should be considered for prior extraction where appropriate.

3.90 A Shadow Habitats Regulations Assessment must be prepared and submitted to the Council in accordance with Policy GSP5. This Assessment should set out the potential impacts of the development on nearby National Site Network habitats sites and identify necessary on-site and (if necessary) off-site mitigation measures. In addition, the in-combination effects of the development will necessitate the payment of a contribution per dwelling, in line with the Council's Habitats Monitoring and Mitigation Strategy.

Table 3.2 Summary of Expected Developer Contributions

Infrastructure	Land Requirements	Indicative Developer Contributions ⁷
Education (expansion of local primary schools)	n/a	£3,940 per dwelling
Primary, Acute, Intermediate and Mental Healthcare	n/a	£2,315 per dwelling
Library Improvements	n/a	£319 per dwelling
Public Open Space	5.15 hectares	n/a

⁷ Developer contributions have been estimated based on the current required levels of service provision and published standards at the time of preparing the plan. It is likely that both the costs and the need for additional infrastructure could change by the time a planning application may be submitted and require a re-evaluation of developer contributions in line with the most up to date published standards.

Emerald Park Housing Allocation

Policy GN2: Emerald Park, Gorleston-on-Sea

Land at Emerald Park Football Ground (2.3 Hectares) as identified on the Policies Map, is allocated for approximately 100 dwellings. The site should be developed in accordance with the following site specific criteria:

- a. Provision of safe and appropriate vehicular access and necessary highway improvements to integrate the site into the pedestrian and cycling networks, including:
 - vehicular access from Woodfarm Lane as far south as a satisfactory highway access layout will allow; and
 - improvement of Woodfarm Lane to a minimum width of 6.0m.
- b. Provide a mix of housing types and sizes, including a minimum of 10% affordable dwellings to reflect the needs and demands of the local area.
- c. Re-provision of an appropriate equivalent recreational facility, at a minimum equalling the quality of facility currently available at Emerald Park. The full funding or re-provision to be secured and demonstrated by legal agreement (i.e. Section 106 agreement) prior to the loss of any facility at Emerald Park.
- d. Submission of an appropriate desk-based archaeological assessment prior to development, in accordance with the NPPF.
- e. Retain existing trees along the south western border of the site in accordance with the Tree Preservation Orders.
- f. Where further trees may be removed which are not protected, suitable replacements are provided in appropriate alternative locations and remain for the amenity of future residents.
- g. Financial contributions will be required towards enhanced library provision and the improvement of local healthcare facilities to serve the development.
- h. Provide a financial contribution for off-site open space in accordance with Policy H4.
- i. Submission of a site-specific Flood Risk Assessment.
- j. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system could contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the sustainable drainage measures should be included with the submission.
- k. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.
- l. Submission of a Transport Assessment and Travel Plan and provision of measures necessary to mitigate impacts and encourage sustainable travel.

- m. A planning application should be supported by evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible.
- n. Submission of a shadow habitats regulations assessment and provision of necessary mitigation measures including a contribution to the Council's Habitats Monitoring and Mitigation Strategy in line with Policy GSP5.

Policy Justification and Supporting Text

3.91 The site is located to the south-west of the built-up area of Gorleston-on-Sea. Land immediately to the north and east of the site is currently used as the Magdalen Recreation Ground with residential and commercial development beyond. To the south lie allotments, beyond which is the James Paget University Hospital. Westwards the land comprises major new residential development that is currently being built as part of the South Bradwell urban extension (Wheatcroft Farm), with the rest of the Beacon Business Park area located beyond to the south. The site is currently in use as the ground for Gorleston Football Club.

3.92 The site is well related to existing services and facilities in Gorleston-on-Sea. It is within walking distance of primary and secondary educational facilities, the James Paget University Hospital, as well as other facilities and amenities accessible by regular public transport. New community and retail facilities are also planned nearby as part of the South Bradwell urban extension and proposed Beacon Park District Centre.

3.93 The site has been proposed for residential allocation by the current landowner, with Gorleston Football Club proposed to relocate to East Norfolk Sixth Form College. Were this to progress, Emerald Park would be lost as a football ground and hence as a community facility – in addition to the Men's First Team, the club runs a Reserves side, a Women's team and a large number of children's teams, and so is a very important part of the local community. It would therefore clearly be inappropriate to allow for any development of this site to take place until the current facility has been relocated to a different site and it can be demonstrated that a new site is deliverable and fully funded. The facilities of the site (pitch standard, spectator stands, admission turnstiles, clubhouse, changing rooms, bar, parking etc) must also (as a minimum) be of sufficient standard to meet the criteria for admission/retention to the league within which Gorleston Football Club's Men's First Team plays (currently the Thurlow Nunn League).

3.94 Vehicular access should be taken off Woodfarm Lane and will require necessary visibility splays for both vehicles exiting and entering the site from Woodfarm Lane. Woodfarm Lane is quite narrow and lacks sufficient footpaths or cycleways to safely connect the site to nearby amenities including the school off Oriel Avenue. The road will require widening and provision of new footways and cycleways to connect to existing facilities to the north and south of Woodfarm Lane. To improve the safety of Woodfarm Lane, it may be necessary to modify the existing prohibition of motor vehicles traffic regulation order.

3.95 The site has been identified by Norfolk Historic Environmental Service as having considerable archaeological potential. They have requested that a programme of mitigatory work is undertaken to determine the scope and extent of any further work that may be required.

3.96 The development will put pressure on the existing Gorleston library, therefore it is necessary for the development to make a contribution of £319 per dwelling towards enhanced library provision in line with the Norfolk County Council's standards for provision.

3.97 The development will put pressure on existing primary, acute, intermediate and mental healthcare facilities as evidenced in the Infrastructure Plan (2020). As such, a financial contribution will be required to improve these facilities to address the impact. Based on modelling using the Healthy Urban Development Unit Planning Contributions Model, it is estimated that the contribution from this site will need to be in the region of £2,096 per dwelling.

3.98 Policy H4 sets out the open space requirements for residential developments. The site is in close proximity to open space providing a range of uses and therefore it is not necessary to have additional open space on-site. Furthermore, it would not be an effective use of land with an on-site open space requirement. However, there are wider deficits of open space in the locality and therefore an off-site open space contribution is required to improve open space provision in the locality.

3.99 The site is underlain by a defined Mineral Safeguarding Area for sand and gravel. In accordance with current (and emerging) policies from the Minerals and Waste planning authority, Norfolk County Council, the above policy requires that on-site minerals should be considered for prior extraction where appropriate.

3.100 A Shadow Habitats Regulations Assessment must be prepared and submitted to the Council in accordance with Policy GSP5. This Assessment should set out the potential impacts of the development on nearby National Site Network habitat sites and identify necessary on-site and (if necessary) off-site mitigation measures. In addition, the in-combination effects of the development will necessitate the payment of a contribution per dwelling (currently £110), in line with the Council's Habitats Monitoring and Mitigation Strategy.

3.101 A planning application for development of this site has been submitted (reference 06/18/0707/O) as well as a planning application for a replacement facility at East Norfolk Sixth Form College (reference 06/18/0533/F) but at the time of writing this plan, neither have yet been determined.

Table 3.3 Summary of Expected Developer Contributions

Infrastructure	Land Requirements	Indicative Developer Contributions ⁸
Primary, Acute, Intermediate and Mental Healthcare	n/a	£2,096 per dwelling
Library Improvements	n/a	£319 per dwelling
Public Open Space	n/a	up to £1,800 per dwelling

⁸ Developer contributions have been estimated based on the current required levels of service provision and published standards at the time of preparing the plan. It is likely that both the costs and the need for additional infrastructure could change by the time a planning application may be submitted and require a re-evaluation of developer contributions in line with the most up to date published standards.

Land at Ferryside, High Road, Housing Allocation

Policy GN3: Land at Ferryside, High Road, Gorleston-on-Sea

Land at Ferryside, off High Road, Gorleston (0.56 hectares) as identified on the Policies Map, is allocated for approximately 20 dwellings. The site should be developed in accordance with the following site specific criteria:

- a. Provision of safe and appropriate access to the satisfaction of the local highways authority, including:
 - vehicular access only from High Road, specifically no vehicular access from Ferryboat Lane, nor Malthouse Lane; and
 - the improvement of the footway at Malthouse Lane along with visibility from Ferryboat Lane.
- b. Provide a mix of housing types and sizes, including a minimum of 10% affordable dwellings to reflect the needs and demand of the local area.
- c. A well designed scheme that is sympathetic to the surrounding historic character of the area.
- d. Retention of the historic flint wall.
- e. Retention of all trees with Tree Preservation Orders where practicable. Suitable replacement trees should be provided where the trees are required to be removed in order to achieve a well-designed development.
- f. Car parking provision for residents and guests.
- g. Financial contributions will be required towards enhanced library provision and the improvement of local healthcare facilities to serve the development.
- h. Provide a financial contribution for off-site open space in accordance with Policy H4.
- i. No development shall take place until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority.
- j. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system could contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the sustainable drainage measures should be included with the submission.
- k. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.
- l. Submission of a shadow habitats regulation assessment and provision of necessary mitigation measures including a contribution to the Council's Habitats Monitoring and Mitigation Strategy in line with Policy GSP5.

Policy Justification and Supporting Text

3.102 The site is within the existing built-up area of Gorleston-on-Sea. The land is brownfield, with a disused office building occupying the site. Surrounding land uses include residential to the south and a fire station with business/industrial uses to the north and east associated with the river frontage.

3.103 The site is within walking distance of Gorleston town centre and other amenities including schools and a health centre. There is a bus stop in front of the site offering regular bus services between Gorleston-on-Sea and Great Yarmouth.

3.104 Vehicular access will be taken from High Road only. Vehicular access to the site from Ferryboat Lane or Malthouse Lane is not considered to be appropriate and will be resisted. The site will require appropriate improvements to footway provision at Malthouse Lane and visibility splays from Ferry Boat Lane.

3.105 The site is adjacent to a conservation area, in close proximity to a number of listed buildings, and there are protected trees within the site. The site itself contains a building of local heritage interest, but this is now partially demolished. A flint wall running to the boundary of Malthouse Lane contributes to the amenity of the site. A well designed scheme that is sympathetic to the local environment, i.e. retaining key features including the protected trees and the historic flint wall, has the potential to positively enhance the character of the site and the conservation area. Taking account of those constraints, the Council's assessment of the site allocation suggests that a lower density of development is required when compared with the standards set in Policy H3 and that typically only 20 dwellings could be accommodated. A recent appeal decision⁹ relating to the site allocation has granted planning permission for a higher density of development comprising 6 houses and 28 flats with associated works. Nonetheless, it is reasonable that approximately 20 dwellings reflects an appropriate threshold for the allocation as it would be necessary, should the existing planning permission not be brought forward, that an alternative proposal also demonstrate that the constraints can be overcome through high quality urban design and landscaping.

3.106 The site has been identified by the Norfolk County Council Historic Environment Service as having considerable archaeological potential. Remains are anticipated relating to a former Augustinian Friary and this historic River Yare crossing point. The policy therefore requires an Archaeological Written Scheme of Investigation to be submitted to the Borough Council for consultation with Norfolk County Council Historic Environment Service prior to the commencement of the development.

3.107 The development will put pressure on the existing Gorleston library, therefore it is necessary for the development to make a contribution of £319 per dwelling towards enhanced library provision in line with the Norfolk County Council's standards for provision.

3.108 Policy H4 sets out the open space requirements for residential developments. In accordance with this, the above policy seeks to provide off-site open space owing to the limited size of the site and quantity of housing proposed in order to make efficient use of land.

3.109 The development will put pressure on existing primary and acute, intermediate and mental healthcare facilities as evidenced in the Infrastructure Plan (2020). As such, a financial contribution will be required to improve these facilities to address the impact. Based on modelling using the

⁹ Appeal Ref: APP/U2615/W/20/3245040, application Ref: 06/16/0190/F - date of decision: 6 July 2021

Healthy Urban Development Unit Planning Contributions model, it is estimated that the contribution from this site will need to be in the region of £1,678 per dwelling.

3.110 The development viability of brownfield sites is challenging. Therefore, in line with Policy GSP8, reductions to affordable housing provision and/or other planning obligation contributions will be considered if justified by a site-specific viability assessment. Development viability will not be a reason for departing from other policy requirements such as the protection and provision of trees, the character of the surrounding historic environment and the retention of the flint wall.

3.111 The site is within an area where development is likely to give rise to in-combination effects on internationally protected habitats and species. This will necessitate the payment of a contribution per dwelling, in line with the Council's Habitats Monitoring and Mitigation Strategy.

Table 3.4 Summary of Expected Developer Contributions

Infrastructure	Land Requirements	Indicative Developer Contributions ¹⁰
Primary and Acute Healthcare	n/a	£1,678 per dwelling
Library Improvements	n/a	£319 per dwelling
Public Open Space	n/a	up to £1,800 per dwelling

¹⁰ Developer contributions have been estimated based on the current required levels of service provision and published standards at the time of preparing the plan. It is likely that both the costs and the need for additional infrastructure could change by the time a planning application may be submitted and require a re-evaluation of developer contributions in line with the most up to date published standards.

Beacon Business Park

Policy GN4: Beacon Business Park

The land defined as the Beacon Business Park as indicated on the Policies Map, will be reserved for development proposals for new, extended or replacement office, research & development, light industrial and storage & distribution uses which are of high quality and distinctive design. Such employment uses will be particularly encouraged where they promote higher value technology, research and development sector business uses, and those associated with the offshore energy industry.

Residential development, and industrial employment uses (falling under class uses B2 and related Sui Generis Uses) or those uses which could give rise to excessive disturbance on existing occupants will not be permitted within this area.

Policy Justification and Supporting Text

3.112 Beacon Business Park has been a major success story for the Borough. With the benefit of Enterprise Zone status, it has grown to a regionally important employment site with a specialist focus on the offshore energy industry, and is recognised as such in the Norfolk Strategic Planning Framework. The site provides employment and business space for high tech sectors including the offshore energy industry.

3.113 Some forms of development can be permitted by 'self-certification', a simplified form of planning permission through the Beacon Park Local Development Order (2012) applying to the original business park area. This policy addresses development proposals that fall outside of the Local Development Order parameters and therefore require express planning permission.

3.114 Heavy industrial development would not be compatible with the high quality office space (and other related businesses) encouraged on this business park, and would compromise its appeal and long term success in attracting the target type of businesses. Such uses should therefore be located on other suitable employment sites. (The South Denes area, for example, makes provision for the heavier industrial activities of the offshore energy sector).

3.115 The Borough Council when determining planning applications will consider whether it is necessary to restrict the use of new development to the uses specified in the policy through planning conditions to avoid changes of use to other uses within the same use class (Class E) which would be inappropriate for a business park and could undermine the sequential test approach to main town centre uses. Similarly, the Council when determining planning applications will consider whether it is necessary to use planning conditions to restrict future changes of use to other uses outside of Class E which are otherwise permitted through the General Permitted Development Order.

3.116 Residential development is considered inappropriate within this specialist employment area, and if permitted would reduce land available to support the offshore energy industry, and could compromise the strength and success of the industry within the local economy. Ample residential land is available nearby and elsewhere in the Borough. Accordingly, residential development will not be permitted within Beacon Business Park.

Beacon Park Business Park Extension

Policy GN5: Beacon Business Park extension

Land west of the existing business park at Beacon Park (comprising approximately 20 hectares), as defined on the Policies Map, is allocated for office, research & development, light industrial and storage & distribution uses.

Particular encouragement will be given to uses associated with:

- a. the offshore energy industry;
- b. higher value technology and employment (directly or supporting in the locality); and
- c. research and development activities.

Development proposals should both contribute to, and complement the existing environmental quality in the surrounding development through high standards of design quality, distinctiveness and connectivity for both buildings and landscaping.

Residential development will not be permitted. Exceptionally, other business uses and premises (such as heavy industry, large scale storage and distribution) will be permitted only where they can satisfactorily demonstrate they will not unacceptably erode the environmental, amenity and design standards intended for this business park.

The Borough Council will consider imposing conditions to restrict the use of new development to avoid changes to alternative uses within the same use class (Class E) which would not be appropriate in the business park. The Council will also consider imposing conditions to remove permitted development rights to limit changes of use of land and premises to those that would be appropriate in the business park.

A planning application should be supported by:

- d. evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible;
- e. submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system could contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the sustainable drainage measures should be included with the submission; and,
- f. submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.

Policy Justification and Supporting Text

3.117 Building on the success to date of Beacon Business Park, it is proposed to extend the business park. The extension of the Enterprise Zone for this area of land has already been agreed. Development proposals will be expected to have regard to the Borough Council's masterplan which sets out the high-level context for its development.

3.118 In accordance with Core Strategy Policies CS6(c) and CS18(e), the above policy allocates an extension to the west of the existing business park at Beacon Park (identified in Policy GN4) with a focus on high quality office space, light industry, research and development, and especially uses

associated with the offshore energy industry. The site will need to be developed at a high standard to maintain the strategic importance of this business park and attract the appropriate occupiers. The detailed layout and landscaping will need to have regard to surrounding uses of land and should enhance connectivity to encourage walking and cycling.

3.119 The business park is a sequentially appropriate location for offices that could not be accommodated within higher order settlement centres (i.e. the main towns) and this enables the business park to extend and cluster the specialised uses to meet the ambitions of its Enterprise Zone status. Based on the plan approach to retail and in accordance with policies UCS7, BL1 and R1, the sequential test would still need to be applied to retail use or development in this location.

3.120 Alternative uses, including those within the same use class as that permitted, have the potential to undermine the function of the business park. To protect the function and use of the business park as a centre for the offshore energy industry, higher value technology and research and development, the Borough Council when determining planning applications will consider whether it will be necessary by planning condition to restrict the specific use as part of a grant of planning permission.

3.121 The site is underlain by a defined Mineral Safeguarding Area for sand and gravel. In accordance with current (and emerging) policies from the Minerals and Waste planning authority, Norfolk County Council, the above policy requires that on-site minerals should be considered for prior extraction where appropriate.

Shrublands Community Facility

Policy GN6: Shrublands Community Facility

Land at Shrublands, Gorleston on Sea, (2.4 Hectares) as identified on the Policies Map, is allocated as a mixed use scheme for healthcare facilities, community facilities and an ancillary element of housing with care. The site should be developed in accordance with the following site specific criteria:

- a. Access is to be taken from Magdalen Way only, with visibility in accordance with current highway standards.
- b. Submission of a transport statement and implementation of any agreed mitigation requirements, including:
 - Improvement of frontage footway to a minimum width of 2.0m; and,
 - the bus stop at site frontage to be improved to meet current highway requirements.
- c. Provision of a new healthcare facility to help meet the current and future needs of local NHS providers.
- d. Provision of an ancillary element of housing with care.
- e. Conserve and enhance the setting of heritage assets including:
 - retention and reuse of the onsite Grade II listed farmhouse building; and
 - the Grade II listed Cemetery Chapel and Lodge;
- f. Parking is to be provided having regard to the Norfolk County Council Parking Standard for the healthcare and community uses.
- g. An element of community use is to be retained on site (including the use of open space and existing buildings or any potential new buildings) and if this is not feasible, compensatory provision of community facilities to an equivalent quality with accessibility to the local community that it serves will be required.
- h. Retention of trees where practicable with suitable replacements provided where trees are required to be removed.
- i. Submission of a site-specific Flood Risk Assessment demonstrating how the site can be developed and occupied safely.
- j. Submission of details showing how sustainable drainage measures will integrate with the design of the development and a suitable plan for the future management and maintenance of the Sustainable drainage systems should be included.
- k. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.

- I. Submission of a shadow habitats regulations assessment and provision of necessary mitigation measures including a contribution to the Council's Habitats Monitoring and Mitigation Strategy in line with Policy GSP5.

Policy Justification and Supporting Text

3.122 The site is allocated for mixed-use development to facilitate an update to the healthcare and community use currently provided on site. The current healthcare facility is housed in a temporary building. This allocation would allow the permanence of the healthcare provision on this site whilst allowing the site to be updated to provide healthcare to future anticipated standards.

3.123 The retention of the farmhouse building and consideration of the potential impacts on its setting is sought owing to its historic importance as a Grade II listed building and its general significance on the site. The complementary reuse of the building is also sought due to its current under-utilisation and potential for future community or healthcare uses. The design and landscaping of the site will also need to consider the setting of the two Grade II listed buildings within the cemetery north of the site.

3.124 Vehicular access will be taken off Magdalen Way only and will require appropriate improvements to the footway width and the bus stop along the site's frontage to ensure it meets current highway accessibility requirements. The site should also provide car parking to meet the anticipated demand for the site having regard to the latest parking standards set out by Norfolk County Council as the Local Highway Authority.

3.125 The current availability of community use on site should be facilitated in any future scheme for the site and future provision made. If this cannot be achieved, owing to the extent of redevelopment or intensification of uses on site, then a replacement community facility of equivalent quality which is accessible to the same community that it serves will be required in accordance with Policy CS15.

3.126 An element of housing with care should be provided on the site as this would be compatible with the healthcare use currently provided on site and the permanence of the healthcare facility which this policy is seeking to safeguard. This would have to be at an appropriate scale to not prejudice the delivery of the healthcare facility.

3.127 The retention of trees (and provision of suitable replacements if trees are removed) is also sought where practicable on site for the amenity of local residents, future users of the facilities and future residents.



Key Service Centres

3.128 The Core Strategy identifies the settlements of Bradwell and Caister-on-Sea as ‘Key Service Centres’ to deliver approximately 30% of new housing growth over the plan period. A large amount of development is already committed in the Key Service Centres through existing permissions, strategic allocations (with the phased construction of CS18 – Beacon Park, south Bradwell) and an allowance for windfall, as well as units already completed.

3.129 The table below sets out a summary of proposed housing delivery within the Key Service Centres.

Table 3.5 Summary of expected housing delivery in Key Service Centres

Homes Built 2013-2020	Existing Housing Commitments	Homes allocated in Local Plan expected to be delivered in plan period	Anticipated Windfall	Total Growth 2013-2030
644	1062	435	47	2188

Bradwell



3.130 Bradwell is one of the larger settlements in the Borough with a current population of around 10,500 people. It is located in the south of the Borough, contiguous with Gorleston-on-Sea and close to Great Yarmouth.

3.131 Bradwell has evolved from a small rural community: a collection of hamlets and farmsteads clustered around commons and greens, that saw little change until the 20th century. During the 1950s the settlement grew substantially towards the railway in the north and Gorleston-on-Sea to the east, with further waves of major estate scale development taking place during the 1980s and 1990s.

3.132 Bradwell now has a predominantly residential character. It has relatively good public transport links, but few local shops or

employment opportunities (excluding the nearby Beacon Park Business Park) for its size, nor an obvious 'centre'.

3.133 The Core Strategy includes a major urban extension to the south of Bradwell, which is currently under construction. This will eventually provide a further 1,000 new homes, new land for employment, and community facilities such as a new primary school and a district centre.

3.134 The Council's Strategic Flood Risk Assessment has identified that the built-up area of Bradwell is generally not constrained by fluvial flood risk. The risk from surface water flooding is significantly higher, given the urbanised nature of the settlement. The areas along Lord's Lane, Sun Lane and Primrose Drive have been identified as particularly at risk by the Great Yarmouth Surface Water Management Plan.

Beacon Park District Centre

Policy BL1: Beacon Park District Centre

The Town and District Centres are defined on the Policies Map.

At the Beacon Park District Centre, the following uses will be encouraged to support the day to day retail and community needs for the residents of the Beacon Park growth area:

- a. A retail food superstore.
- b. Petrol filling station.
- c. Other complementary uses ancillary to A & B above, to support the vitality and viability of the District Centre, limited to:
 - food and drink uses;
 - car showrooms;
 - social & healthcare facilities; and
 - leisure, art & cultural facilities.

In determining proposals for the uses listed above, the Council will have regard to the scale and nature of each proposal relevant to its position within the overall retail hierarchy.

The planning and layout of the proposed Beacon Park District Centre should be developed in accordance with the following site-specific criteria:

- d. New car showrooms, petrol filling stations and proposed food and drink uses should be positioned with clear visibility and proximity from Beaufort Way.
- e. Structural landscaping should be provided across the site and along the north-western and eastern perimeters of the site.
- f. The overall design layout should not have a harmful impact upon residential amenity, traffic or the environment that could not be overcome by the imposition of conditions.
- g. Submission of a site-specific Flood Risk Assessment.
- h. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.
- i. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system will contribute to the amenity of the development.

The Borough Council will continue to liaise with Norfolk County Council and the James Paget University Hospital to bring forward an appropriate access solution to enable a future direct connection between the District Centre and hospital.

Policy Justification and Supporting Text

3.135 In accordance with Core Strategy Policy CS7(a) (as amended), the above policy provides strategic detail on the nature of the new District Centre and how it should be delivered in order to serve residents and workers in the Beacon Park growth area and the wider fringes of Bradwell and Gorleston-on-Sea. The policy provides further detail as to the types and manner of the uses to be brought forward in the District Centre.

3.136 The principal use brought forward in the centre is a major new foodstore and petrol filling station to meet local needs arising from the development of housing and business premises in the vicinity. The provision of a major new foodstore and petrol filling station will also help to drive footfall and therefore the viability of other ancillary retail and community uses within the District Centre, which are critical to promote social interaction and sustain cohesive communities.

3.137 The policy allows a degree of flexibility in its development to accommodate the anticipated layout and positioning of the proposed uses, particularly in relation to likely access and goods and servicing requirements. Proposed uses such as car showrooms, petrol filling stations or pubs and restaurants would likely require clear visibility and proximity from the main highway and thus will be encouraged near to Beaufort Way or the access spur from the Beaufort Way roundabout.

3.138 New residential development is planned beyond both the site's north-western boundary and to the east, adjacent Woodfarm Lane. Appropriate structural landscaping should be provided along these perimeter boundaries to provide a softer edge to the development and help reduce the likely impact of the planned commercial uses upon the amenities of future residents to the north. Landscaping will also be required to soften the impact of surface car parking and reduce the appearance of a car dominated environment. Buildings should be aligned to provide a strong frontage on Beaufort Way and to limit extensive views of surface car parking.

3.139 The site is located in an area of low flood risk, and provision of sustainable drainage systems will limit/prevent any increased surface water run-off. The sand-based geology of the site suggests that good drainage can be achieved. A site-specific Flood Risk Assessment will need to be undertaken to support development proposals and detail the intended surface water strategy, including details of how surface water emanating from the proposed petrol filling station will be addressed.

3.140 The James Paget University Hospital is a major employment base but has poor pedestrian access to nearby facilities and services and would benefit from an improved connection to the proposed district centre. A desire line between the district centre and hospital exists with a new connection possible to be taken off Woodfarm Lane. The Borough Council will continue to liaise with the highways authority and the James Paget University Hospital to bring forward this aspiration with the plan.



Caister-on-Sea



3.141 Caister-on-Sea is one of the larger settlements in the Borough with a total population of approximately 9,000 people. It is located on the coast north of Great Yarmouth and separated from its built-up area by only a short stretch of open land. Caister-on-Sea was an important settlement for the Romans, and the remains of the historic shore fort are still evident, once overlooking what was then a vast estuary between Caister-on-Sea and Burgh Castle. The fort is now in the centre of the settlement which has grown around it as sea level has changed and taking advantage of land reclaimed during the medieval period.

3.142 Caister's recent history is intertwined with tourism: the UK's oldest holiday camp was established here in 1906. The opening here of a new halt on the coastal railway stimulated further tourism and housing development in the area. Following successive waves of housing development, by the end of the 20th century the extent of Caister-on-Sea had largely reached its current size and extent, owing in part to the constraint eventually imposed by the Caister bypass constructed in the 1980s.

3.143 Today, Caister-on-Sea is a bustling service centre with a vibrant high street, and has a nursery, primary and secondary schools, doctors surgery, dentist, pharmacy, post office, public houses, a large supermarket and a range of other local shops serving residents both locally and further afield.

3.144 Extending development north and south of the settlement risks potential coalescence with nearby settlements. This is a particular issue towards the settlements of Ormesby St Margaret and Great Yarmouth; the Local Plan Part 2 identifies 'strategic gaps' to address development proposals within these areas.

3.145 To the south and south-east, flood risk constrains expansion. Part of the coastal frontage of the settlement (particularly north) is within the Coastal Change Management Area which is also addressed Policy GSP4 of Local Plan Part 2.

Land West of Jack Chase Way Housing Allocation

Policy CA1: Land west of Jack Chase Way, Caister-on-Sea

Land to the west of Jack Chase Way, Caister-on-Sea (28.37 hectares), as identified on the Policies Map, is allocated for residential development of approximately 665 dwellings, approximately 60 retirement/care units, a site for a primary school, a site for healthcare uses and a Local Centre. This should be developed in accordance with the following site specific criteria:

- a. Provide for approximately 665 dwellings offering a mix of house types and sizes.
- b. The site must deliver 20% affordable housing on site, with the tenure mix reflecting the needs and demands of the local area.
- c. Set out a phasing strategy that maximises the delivery of housing within the Plan period.
- d. Open space should be provided on-site where feasible, comprising informal open/recreational space, children's play space and a walking trail in accordance with Policy H4. If necessary to supplement on-site provision, the delivery of new off-site open space in close proximity to the site should be secured by planning obligation and/or financial contributions should be made towards improvements to the quality and accessibility of existing off-site open spaces to serve the development in accordance with Policy H4.
- e. Land must be safeguarded for a two-hectare site for a primary school, to accommodate up to two forms of entry, as well as appropriate financial contributions for education. This should be towards the middle of the allocation site. At least 0.8 ha of the open space within the school site shall be the subject of a community use agreement for joint recreational use by the public.
- f. Land must be safeguarded for a Local Centre of approximately 1.75 hectares, comprising a small top-up/convenience foodstore, healthcare facility, retirement/care units and potentially small-scale employment uses and a community facility. It should be located towards the middle of the allocation site.
- g. Financial contributions will be required towards the healthcare facility together with contributions towards acute, intermediate and mental healthcare to serve the development.
- h. Financial contributions will be required towards a new community facility and enhanced library provision to serve the development.
- i. Development should exhibit exceptional urban design and include a series of locally distinctive, walkable neighbourhoods set in an overall framework of a thoughtful and high-quality design ethos, with the non-residential elements integrating effectively and efficiently with residential areas. A variety of materials and finishes/treatments across the development should be applied with innovation and local distinctiveness clearly evidenced.
- j. Key major internal roads should be designed to be accessible by buses.

- k. Parking spaces should have regard to Norfolk County Council standards for provision, with a mix of parking solutions applied to ensure a well-designed and safe environment for all users.
- l. There must be at least two safe and appropriate vehicle access junctions from Jack Chase Way provided in accordance with current highway standards. No vehicular access shall be taken from the A149.
- m. There must be the provision of safe and appropriate crossing points of Jack Chase Way for walking and cycling to encourage the movement of people from the site to the existing Caister-on-Sea village and vice versa.
- n. A single 3 metre wide shared use cycle path should be provided along Jack Chase Way providing connections to Norwich Road, Prince of Wales Road and the residential areas to the north-east of the site. Where feasible, a connection should be made to the recreation area east of Jack Chase Way.
- o. There must be good connections to the wider countryside through the provision/extension of footpaths/ bridleways where possible.
- p. Development proposals should minimise impacts on and provide net gains for biodiversity, including maintaining the existing hedgerow along Jack Chase Way where practically possible, and ensure that where appropriate, mitigation measures are undertaken.
- q. Development proposals need to be accompanied by a Landscape Visual Impact Assessment which will inform an appropriate landscaping scheme for the treatment to the site's southern and western boundary which must be enhanced to limit the impacts on the wider landscape, including the nearby Broads area and the setting of Caister Castle.
- r. Street lighting and any other lighting that forms part of the scheme should be designed to limit the visual and light pollution impact of the proposed development including on the setting of the Broads.
- s. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.
- t. Submission of a site specific Flood Risk Assessment and submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system could contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the sustainable drainage measures should be included with the submission.
- u. Development proposals should take into account the results of the Council's Heritage Impact Assessment; and must demonstrate that any negative impacts on the significance of designated and non-designated heritage assets and their settings, have been avoided and if this is not possible, mitigated. In particular the development should acknowledge and respect the setting of the former WWII gun batteries on Nova Scotia Farm and include an area of open space to the south of these assets. A further Heritage Impact Assessment will be required at the planning application stage to inform the detailed design. This should be

accompanied by an archaeological assessment. Any necessary mitigation should be included in the development proposals.

- v. A planning application should be supported by evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible.
- w. Submission of a Transport Assessment and Travel Plan and provision of measures necessary to mitigate impacts and encourage sustainable travel.
- x. Submission of a shadow habitats regulations assessment and provision of necessary mitigation measures including a contribution to the Council's Habitats Mitigation and Monitoring Strategy in line with Policy GSP5.

Policy Justification and Supporting Text

3.146 The site is one of the largest residential developments to be provided in the Borough and will balance the major growth (already largely committed) at the other Key Service Centre of Bradwell as allocated in the Core Strategy.

3.147 The biggest challenge of the site is to provide a sustainable extension to Caister-on-Sea which would successfully integrate the new community with the existing settlement, when the two are divided by the current Caister bypass (Jack Chase Way). An appropriate solution will be required to ensure safe and easy pedestrian, cycle and vehicular access between the development site and existing settlement, without unduly impeding through traffic or encouraging it to divert through the centre of Caister-on-Sea. This solution may include the reduction of the Jack Chase Way speed limit to 40mph. It is therefore particularly important that there are "pull" factors on the site to encourage the existing residents of Caister-on-Sea to cross Jack Chase Way, such as a primary school, formal recreation facilities and community facilities.

3.148 Approximately 60 retirement/care units such as sheltered housing, very sheltered housing, extra care housing or a care home, should also be secured and provided to meet the needs of the Borough's ageing population. The site presents an ideal opportunity to accommodate this need when taking into consideration the level of development combined with the proposed provision of services on the site. The affordable housing requirement will not apply to the accommodation comprising retirement/extra-care, care housing, as this type of housing has less viability to cross-subsidise the delivery of affordable housing.

3.149 The design of the whole scheme is exceptionally important. The development should be designed so that it creates a locally distinctive neighbourhood which is sympathetic to the environment it lies within. There should be a good variety of house types and styles and a variety of different materials and treatments used, as well as thoughtful landscaping, green infrastructure and tree-planting to encourage healthy living. The density of the development will be over 40 dwellings per hectare. As such semi-detached and detached properties should be used sparingly to avoid a cramped form of development with little spacing between and in front of properties. Where detached and semi-detached properties are provided, they should be in lower density character areas with appropriate space and landscaping surrounding them. Buildings should effectively turn corners to avoid blank frontages and help create a sense of enclosure.

3.150 The layout and design of the main roads within the site must enable appropriate permeability by buses. The layout of all streets should have regard to desire lines for pedestrians to minimise the length of journeys. As such cul-de-sacs, private drives and roads with unnecessary bends which frustrate pedestrian and cycle movements should be avoided where possible.

3.151 Car parking provision within the site should have regard to Norfolk County Council Parking Standards both with regard to the number of spaces per dwelling and the width of parking spaces to accommodate modern cars (2.5m). Parking provision should include a mix of solutions including on-plot parking, well designed on-street parking and parking courts. Rear parking courts should only be used in limited circumstances where spaces are well surveilled, secure and close to the respective dwellings. Continuous front curtilage parking should be avoided as this creates a car-dominated environment as well as limiting the scope for on-street visitor parking. Where garages are provided, they must be a minimum of 3m wide (internal dimensions) to allow people to park within them and be able to open the car doors sufficiently wide to enter/leave the car with relative ease.

3.152 Design tools such as Building for Healthy Life criteria should be applied when designing the scheme and assessing the quality of the design. Proposals will need to be in accordance Policies CS9 and A2 on design and the National Design Guide.

3.153 A development of this size, at some distance from the main facilities in Caister-on-Sea, will require on-site provision of local services. Accordingly, a requirement is imposed for a Local Centre including suitable retail uses, healthcare centre, approximately 60 retirement/care units and potentially employment and community type uses. The policy requires this area to be approximately 1.75 hectares, however, a smaller area could be provided if it can be demonstrated that the above uses could be suitably accommodated on a smaller site.

3.154 In order to mitigate the impacts of the allocation on education, contributions will be required towards a new primary school on the site. These are likely to total £5,360 per dwelling. In addition, a two-hectare site for a new primary school needs to be safeguarded and provided on-site, at a central, accessible location. Typically, the provision of land for new educational requirements would be provided at no cost to Norfolk County Council Children's Services.

3.155 The development will put pressure on existing primary, acute, intermediate and mental healthcare facilities as evidenced in the Infrastructure Plan (2020). As such, a financial contribution will be required to improve these facilities to address the impact. Based on modelling using the Healthy Urban Development Unit Planning Contributions model, it is estimated that the contribution from this site will need to be in the region of £2,416 per dwelling. In addition, land within the Local Centre should be made available to the relevant health authorities, as there is very little capacity for physical growth of the local health surgeries.

3.156 Caister-on-Sea is in need of a new community centre and this development will increase demand for community facilities. Therefore, a financial contribution of £692 per dwelling is required to help deliver a new facility as evidenced in the Infrastructure Plan (2020). The development will put pressure on the existing Caister-on-Sea library, therefore it is necessary for the development to make a contribution of £319 per dwelling towards enhanced library provision in line with the Norfolk County Council's standards for provision.

3.157 There is a need for informal recreation space/children's play space and formal recreation space at appropriate locations in the development. The precise details (such as the mix of facilities) will need

to be discussed and agreed with the Council at appropriate stages of the scheme, but the level of provision must meet the Council's standards of 103sqm per dwelling as set out in Policy H4. It may not be possible to meet the entire requirement on-site. Therefore, off-site provision of open space in close proximity to the site may be necessary together financial contributions to the improvement of existing open space in the locality in line with Policy H4.

3.158 The site is an area with a rich and varied historic environment. It is situated in proximity to a number of designated and important non-designated heritage assets, including:

- Caister Castle (Scheduled Monument and Grade I listed building;
- WWII gun battery at Nova Scotia Farm (non-designated)

A Heritage Impact Assessment has been prepared by the Council, which has assessed the impact of the development of the site in principle on the settings of nearby heritage assets. A slight impact on the setting of Caister Castle was found. The assessment identified mitigation measures including maintaining the tree belt around the site and orientating the public buildings on the site and streets to respect views of the castle tower. With regard to the WWII gun batteries, a slight impact was found with mitigation. Recommended mitigation included the provision of an open space in front of the assets. Interpretation boards could also be of benefit. The orientation of streets and buildings to the south of the assets could also help in the interpretation of the historic setting by allowing for longer views towards Great Yarmouth harbour. A further Heritage Impact Assessment will be required at the planning application stage to inform the detailed design. This should be accompanied by an archaeological assessment. Any necessary mitigation should be included in the development proposals.

3.159 Significant landscaping will be required to limit the site's impact on the wider landscape, with particular emphasis on the setting of the Broads to the south west. The site is near to an intrinsically dark area of the Broads (see the Local Plan for the Broads). If there is lighting associated with the scheme it should be designed to not affect the intrinsic dark skies of the Broads.

3.160 The site is underlain by a defined Mineral Safeguarding Area for sand and gravel. In accordance with current (and emerging) policies from the Minerals and Waste planning authority, Norfolk County Council, the above policy requires that on-site minerals should be considered for prior extraction where appropriate.

3.161 The scale of the development proposed will require a Transport Assessment. This should be underpinned by traffic surveys which have been conducted in both the peak summer holiday period as well as outside of the holiday season. Mitigation measures will need to be secured through the design of the scheme, planning conditions, Section 106 or Section 278 agreements. A Travel Plan should be submitted identifying measures to encourage sustainable modes of transport.

3.162 A Shadow Habitats Regulations Assessment must be prepared and submitted to the Council in accordance with Policy GSP5. This Assessment should set out the potential impacts of the development on nearby National Site Network habitat sites and identify necessary on-site and (if necessary) off-site mitigation measures. In addition, the in-combination effects of the development will necessitate the payment of a contribution per dwelling, in line with the Council's Habitats Monitoring and Mitigation Strategy.

Table 3.6 Summary of Expected Developer Contributions

Infrastructure	Land Requirements	Indicative Developer Contributions ¹¹
Education (new primary school with nursery provision)	2 hectares	£5,360 per dwelling
Health Centre	0.75 hectares	£949 per dwelling
Acute, Intermediate and Mental Healthcare	n/a	£1,466 per dwelling
Community Facility	Potential for use of land on Local Centre	£692 per dwelling
Library Improvements	n/a	£319 per dwelling
Public Open Space	7.47 hectares	n/a

¹¹ Developer contributions have been estimated based on the current required levels of service provision and published standards at the time of preparing the plan. It is likely that both the costs and the need for additional infrastructure could change by the time a planning application may be submitted and require a re-evaluation of developer contributions in line with the most up to date published standards.

Primary Villages

3.163 The Core Strategy identifies the settlements of Belton, Hemsby, Hopton-on-Sea, Martham, Ormesby St Margaret and Winterton-on-Sea as 'Primary Villages' to deliver approximately 30% of new housing growth over the plan period. A large amount of development is already committed in the Primary Villages through existing permissions, an allowance for windfall, and units already completed.

3.164 The table below sets out a summary of proposed housing delivery within the Primary Villages.

Table 3.7 Summary of expected housing delivery in the Primary Villages

Homes Built 2013-2020	Existing Housing Commitments	Homes allocated in Local Plan expected to be delivered in plan period	Anticipated Windfall	Total Growth 2013-2030
281	870	584	115	1850

3.165 No allocations were identified in Winterton-on-Sea having taken into consideration the high-level of constraints upon the settlement and the abundance of alternative, more sustainable sites in the other settlements to meet the housing need for Primary Villages.

Belton



3.166 Belton is one of the larger villages in the Borough with a population of about 4,000. It is located 6 miles south-west of Great Yarmouth and ½ mile from the A143, a main arterial road linking Great Yarmouth and Gorleston-on-Sea to Beccles and Diss further beyond.

3.167 Belton has developed from a number of hamlets and farmsteads clustered around commons and greens. Over the past 50 years the village has been significantly infilled and extended, but its historic character is still clearly observable along Station Road South and Church Road.

3.168 Today, Belton is a popular village, with a good range of local facilities including a primary school, children's centre, supermarket, post office

and church clustered together as effectively a small 'centre'. A village hall with playing field and play equipment, and two public houses are also within walking distance of many residents. A wider range of services and facilities are located nearby in Great Yarmouth and Gorleston-on-Sea; connections are provided within the village, by regular public transport.

3.169 The Great Yarmouth and Waveney Settlement Fringe Study identifies the northern and south-western areas of Belton as being more sensitive to new development given their setting adjacent to The Broads area and significant tracts of woodland forming three separate County Wildlife Sites (Bremar Pony Stud, Howards Common & Belton Common).

3.170 The Council's Strategic Flood Risk Assessment has identified that broadly the existing built-up area of Belton is not constrained by flood risk, however land which is very much on the northern, western and southern periphery of the village is within fluvial flood risk zones 2&3 (medium and high risk). Land eastwards of the settlement is, however, not constrained by fluvial flood risk.

Land south of New Road Housing Allocation

Policy BN1: Land south of New Road, Belton

Land to the south of New Road (of around 4.1 hectares), as identified on the Policies Map, is allocated for residential development of approximately 100 dwellings.

The site should be developed in accordance with the following site-specific criteria:

- a. Appropriate vehicular access via a new roundabout junction at New Road and/or Church Lane, and necessary highway improvements to integrate into the existing pedestrian and cycling networks including:
 - Widening to 3.0m of existing cycleway at north side of New Road eastwards between Stepshort and recreational ground;
 - Provision of 3.0m shared use cycleway/footway along entire New Road frontage, extending westwards to its junction with Stepshort;
 - Pedestrian and cycle access to between Church Lane and St Georges Road;
 - Pedestrian and cycle link to St James Crescent;
 - Frontage development at Church Lane, together with provision of 2.0m wide footway and carriageway widening to a minimum of 5.5m; and,
 - Provision of bus stops in both direction at New Road frontage.
- b. Conserve the rural character of Church Lane by maintaining its hedges and trees and avoiding new properties having vehicular access onto it.
- c. Provide a mix of housing types and sizes, including a minimum of 10% affordable dwellings, to reflect the needs and demand of the local area.
- d. Provision of approximately 1 hectare of public open space on site in accordance with Policy H4.
- e. Financial contributions will be required towards enhanced library provision and the improvement of local healthcare facilities to serve the development.
- f. Appropriate landscaping treatment to the site's eastern boundary to help address the visual impact of the proposed development between Belton and Bradwell.
- g. Submission of details showing how sustainable drainage measures will integrate with the design and layout of the development and positively contribute to the biodiversity and amenity of the area. A suitable plan for the future maintenance and management of the drainage measures should be included with the submission.
- h. Submission of a site-specific Flood Risk Assessment.
- i. Submission of a Heritage Impact Assessment accompanied by an Archaeological Field Evaluation of the site.

- j. A planning application should be supported by evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible.
- k. Submission of a Transport Assessment and Travel Plan along with implementation of any agreed highway measures.
- l. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.
- m. Submission of a shadow habitats regulations assessment and provision of necessary mitigation measures including a contribution to the Council's Habitats Monitoring and Mitigation Strategy in line with Policy GSP5.

Policy Justification and Supporting Text

3.171 The allocation is in agricultural use and is located to the east of Church Lane and south of New Road. To the east, the site is open in character in agricultural use which provides separation between Belton and Bradwell. The site is within walking distance of the village primary school, children's centre and supermarket, with St George's Road and St James Crescent providing the direct routes via Church Lane.

3.172 Planning consent granted to the north of New Road for 64 dwellings includes the provision of a roundabout to serve the proposed development. On-site access to this allocation should be taken off a new spur from the proposed roundabout at New Road and/or Church Lane. Appropriate foot way provision to connect the site to the existing footpath on New Road should also be provided. Direct vehicular access on to Church Lane will be avoided to preserve its rural character. The site would benefit from better integration into the existing pedestrian and cycling networks particularly between Stepshort and the recreational ground and between Church Lane and St Georges Road therefore new improvements will be required of the development. The site has the potential to impact upon the Beccles Road/Mill Lane junction and should be further investigated through a site-specific Transport Assessment with necessary mitigation measures secured. A Travel Plan should also be submitted identifying measures to encourage sustainable modes of transport.

3.173 The area immediately east of the site is identified in Policy GSP3 as being part of the Strategic Gap between Belton and Bradwell. Landscaping treatment along the site's eastern boundary will help to preserve the sense of separation between Belton and Bradwell.

3.174 The site is located in an area of low flood risk and provision of sustainable drainage systems will be expected on site to limit or prevent any increased surface water run-off. A site-specific Flood Risk Assessment will need to be undertaken to support development proposals and detail the intended surface water strategy.

3.175 The development will put pressure on local libraries, therefore it is necessary for the development to make a contribution of £319 per dwelling towards enhanced library provision in line with the Norfolk County Council's standards for provision.

3.176 The development will put pressure on existing primary, acute, intermediate and mental healthcare facilities as evidenced in the Infrastructure Plan (2020). As such, a financial contribution will be required to improve these facilities to address the impact. Based on modelling using the

Healthy Urban Development Unit Planning Contributions model, it is estimated that the contribution from this site will need to be in the region of £2,246 per dwelling.

3.177 There are heritage assets with archaeological interest identified on the site, therefore the potential for unearthing further archaeological deposits are considered likely. The policy requires the developer to submit a Heritage Impact Assessment accompanied by the results of an archaeological field evaluation to understand the significance of any archaeological remains on site and how this will be best addressed through the development of the site.

3.178 A Shadow Habitats Regulations Assessment must be prepared and submitted to the Council in accordance with Policy GSP5. This Assessment should set out the potential impacts of the development on nearby National Site Network habitat sites and identify necessary on-site and (if necessary) off-site mitigation measures. In addition, the in-combination effects of the development will necessitate the payment of a contribution per dwelling, in line with the Council's Habitats Monitoring and Mitigation Strategy.

3.179 The site is underlain by a defined Mineral Safeguarding Area for sand and gravel. In accordance with current (and emerging) policies from the Minerals and Waste planning authority, Norfolk County Council, the above policy requires that on-site minerals should be considered for prior extraction where appropriate.

Table 3.8 Summary of Expected Developer Contributions

Infrastructure	Land Requirements	Indicative Developer Contributions ¹²
Primary, Acute, Intermediate and Mental Healthcare	n/a	£2,246 per dwelling
Library Improvements	n/a	£319 per dwelling
Public Open Space	1 hectare	n/a

¹² Developer contributions have been estimated based on the current required levels of service provision and published standards at the time of preparing the plan. It is likely that both the costs and the need for additional infrastructure could change by the time a planning application may be submitted and require a re-evaluation of developer contributions in line with the most up to date published standards.

Hemsby



3.180 Hemsby is one of the larger villages in the Borough, with a resident population of approximately 3,000. It is located 6 miles north of Great Yarmouth, close to Winterton-on-Sea, Ormesby St Margaret and Martham.

3.181 The village has Viking origins but predominantly grew as a collection of farmsteads around the 14th century parish church. The village expanded significantly during the late 19th century, due in part to the arrival of the railways and the village's popularity as a seaside destination, the latter helping to establish a settlement pattern of major holiday resorts and attractions to the east of the village.

3.182 Hemsby remains a popular seaside village with a reasonable range of facilities including a primary school, small supermarket,

post office, doctors surgery and two public houses all within reasonable walking distance of residents. Much of the tourist industry is located along the coastal stretch, with the south-eastern area known as Newport. A greater range of seasonal facilities are clustered along Beach Road serving the holiday trade. Hemsby has a wide selection of holiday caravan and chalet parks with direct access to the beach and a decent range of attraction facilities to entertain visitors. Despite its size and proximity in relation to Great Yarmouth and Gorleston-on-Sea, Hemsby has established its own national presence as a seaside resort. Recent investments by established holiday parks show that Hemsby continues to make an important contribution to the Borough's economy.

3.183 The Great Yarmouth and Waveney Settlement Fringe Study identifies the area to the south of Hemsby as being more sensitive to new development due to its proximity to The Broads area and its area with national and international designations for nature conservation. These include The Broads Special Area of Conservation (SAC), the Broadland Special Protection Area (SPA), the Broadland Ramsar site, and Trinity Broads Site of Special Scientific Interest (SSSI).

3.184 The Great Yarmouth Surface Water Management Plan identifies the built-up area of Hemsby as being particularly at risk from surface water flooding, with Haycroft Road, Barleycroft Road and Beach Road notably affected. The risk of flooding from the river (fluvial) is not generally considered to be a problem within the present built-up area. However, land close to the recreational ground on the western periphery of Hemsby is within fluvial flood risk zones 2&3 (medium and high risk). To the east of the settlement, the coastal frontage is also identified as being with the Coastal Change Management Area which is addressed in Policy GSP4.

Land at former Pontins Holiday Camp Housing Allocation

Policy HY1: Land at Former Pontins Holiday Camp, Hemsby

Land at the former Pontins Holiday Camp, Hemsby (of around 8.9 hectares) as identified on the Policies Map, is allocated for approximately 190 dwellings together with tourism and retail facilities.

The site should be developed in accordance with the following site specific criteria:

- a. Provision of safe and appropriate access to the satisfaction of the local highways authority, including:
 - appropriate vehicular access to be taken off Kings Way;
 - prohibiting vehicle access to Back Market Lane;
 - a traffic signal controlled crossing at Kings Way and any other measures agreed by the local highway authority necessary to integrate the site into the existing pedestrian footpath network; and
 - Submission of a Transport Assessment, Travel Plan and delivery of any agreed highway measures.
- b. Provision of a mix of housing types and sizes, including a minimum of 20% affordable dwellings to reflect the needs and demand of the local area.
- c. Provide approximately 2 hectares of land for tourism use within the overall site.
- d. Provision of small-scale local shopping facilities.
- e. Approximately 1.95 hectares of open space should be provided on-site in accordance with Policy H4 comprising informal open and/recreation space and children's play space.
- f. Financial contributions will be required towards the expansion of early education providers and local primary schools, the improvement of local healthcare facilities, and enhanced library provision to serve the development.
- g. Appropriate structural landscaping should be provided to separate the proposed residential and tourism elements of the site.
- h. Retention of significant trees which contribute to the layout and character of the development.
- i. Submission of details demonstrating how the site will be decontaminated, specifically proposed treatment and disposal of asbestos material, to the satisfaction of the local environmental health service.
- j. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.
- k. Submission of details showing how sustainable drainage measures will integrate with the design and layout of the development and positively contribute to the biodiversity and amenity of the area. A suitable plan for the future maintenance and management of the drainage measures should be included with the submission.

- l. Submission of a site specific Flood Risk Assessment.
- m. A planning application should be supported by evidence which assesses the quality and quantity of mineral resource. Extraction of materials prior to the development of this site is encouraged where practical and environmentally feasible.
- n. Submission of a shadow habitats regulations assessment and provision of necessary mitigation measures including a contribution to the Council's Habitats Monitoring and Mitigation Strategy in line with Policy GSP5.

Policy Justification and Supporting Text

3.185 The allocation site was formerly in use as a holiday camp until its closure in 2009 and has since remained vacant. The former holiday chalets and other buildings and structures remain on site, though in a derelict condition and subject to continuing vandalism. In July 2019, a resolution to approve outline planning consent was granted for up to 190 dwellings, 50 static caravans and a small element of local shopping facilities. Elements of the above policy will apply when determining the reserved matters application. Should the planning consent lapse, the policy above will remain extant and apply to any future outline or full planning applications for the site.

3.186 The redevelopment of the site will significantly enhance the visual amenity of the village and make a significant contribution to the area's housing need in a popular location. The site is located centrally and well-integrated into the existing services and facilities in Hemsby, which are accessible by walking and cycling.

3.187 Vehicular access to the site should be taken off appropriate points along Kings Way. No vehicular access will be permitted off Back Market Lane. The site will require necessary improvements to integrate the development into the existing pedestrian network including a new traffic signal controlled crossing at Kings Way.

3.188 Approximately two hectares of land should be provided for tourism and/or holiday accommodation uses. This should be provided towards the north of site, with direct access off Beach Road. Some small-scale local retail facilities should also be provided along the western site boundary, adjacent to and served off Kings Way, and suitably connected into the pedestrian network both within and outside the site.

3.189 The site offers a number of protected trees and mature planting which should be incorporated within the overall landscaping and design of the site. Furthermore, an element of structural landscaping will be required in order to maintain an appropriate separation/buffer between the residential and potential tourism elements of the site. There is a need for informal recreation space/children's play space and formal recreation space at appropriate locations in the development. The precise details (such as mix of facilities) will need to be discussed and agreed with the Council at the appropriate stage of the scheme, but the level of provision must meet the Council's standards of 103sqm per dwelling. This results in a requirement for approximately 1.95 hectares across the site.

3.190 There is a need to provide a financial contribution to upgrade early education and junior school facilities within the local area. Hemsby Primary School is located close by, however when taking into account currently permitted sites in the area, the primary school will have insufficient future capacity and cannot be expanded on its current site. The next nearest primary schools are Ormesby Village

Infant and Ormesby Junior where there is scope for possible expansion. It is understood that some children living within the Hemsby catchment do choose to attend school in Ormesby. Therefore, a financial contribution of £2,131 per dwelling will be required to expand class spaces at both Ormesby Junior School and a contribution of £1,360 per dwelling will be required to expand early education provision.

3.191 The development will put pressure on existing primary, acute, intermediate and mental healthcare facilities as evidenced in the Infrastructure Plan (2020). As such, a financial contribution will be required to improve these facilities to address the impact. Based on modelling using the Healthy Urban Development Unit Planning Contributions model, it is estimated that the contribution from this site will need to be in the region of £2,172 per dwelling.

3.192 The development will put pressure on local libraries, therefore it is necessary for the development to make a contribution of £319 per dwelling towards enhanced library provision in line with the Norfolk County Council's standards for provision.

3.193 A Shadow Habitats Regulations Assessment must be prepared and submitted to the Council in accordance with Policy GSP5. This assessment should set out the potential impacts of the development on nearby National Site Network habitats sites and identify necessary on-site and (if necessary) off-site mitigation measures. The HRA should also include assessment for potential hydrological linkage to National Site Network habitats sites, and where this cannot be ruled out, a surface water management strategy to mitigate such potential effects. In addition, the in-combination effects of the development will necessitate the payment of a contribution per dwelling, in line with the Council's Habitats Monitoring and Mitigation Strategy.

3.194 The demolition of the site is likely to lead to the release of asbestos, therefore the policy requires a decontamination strategy to be submitted to the Council.

3.195 The site is underlain by a defined Mineral Safeguarding Area for sand and gravel. In accordance with current (and emerging) policies from the Minerals and Waste planning authority Norfolk County Council, the above policy requires that on-site minerals should be considered for prior extraction where appropriate.

Table 3.9 Summary of Expected Developer Contributions

Infrastructure	Land Requirements	Indicative Developer Contributions ¹³
Primary, Acute, Intermediate and Mental Healthcare	n/a	£2,172 per dwelling
Early Education Provision	n/a	£1,360 per dwelling
Education (expansion of Ormesby Junior School)	n/a	£2,131 per dwelling
Library Improvements	n/a	£319 per dwelling
Public Open Space	1.95 hectares	n/a

¹³ Developer contributions have been estimated based on the current required levels of service provision and published standards at the time of preparing the plan. It is likely that both the costs and the need for additional infrastructure could change by the time a planning application may be submitted and require a re-evaluation of developer contributions in line with the most up to date published standards.

Hopton-on-Sea



3.196 Hopton-on-Sea (more commonly referred to as 'Hopton') is located along the coast in the south-east of the Borough, and adjacent to the boundary with East Suffolk District and Suffolk. It has a population of approximately 3,000. The settlement pattern of Hopton is typical of other medium-sized villages in the area, developing along a main road with scattered farmsteads followed by significant post-war development. The arrival of the railway had a considerable impact on the size of Hopton, with holiday parks, camps and associated leisure-based uses expanding the village eastwards to the coast.

3.197 To the west, the village has sustained a more residential function and character, comprising several estate scale developments, the last large-scale development being completed in the early 2000s to the south of the village. Hopton is relatively self-contained, with a good range of facilities including a primary school, doctors surgery, dentist, pharmacy, two convenience stores, two public houses, a gym and village hall, all

within a reasonable walking distance for residents. Its close proximity to both Gorleston-on-Sea and Lowestoft via the A47 trunk road means that residents are particularly well served by sustainable transport to a greater range of facilities and employment opportunities.

3.198 The surrounding area to Hopton is not considered by the Great Yarmouth and Waveney Settlement Fringe Study to be highly sensitive to new development, though the Council is keen to preserve a distinct gap between Hopton and the built-up area of Gorleston-on-Sea to the north, and with Corton (outside the plan area) to the south.

3.199 The Council's Strategic Flood Risk Assessment identifies that broadly speaking the existing built-up area of Hopton is not constrained by flood risk. The coastal front of the settlement is identified as being within the Coastal Change Management Area which is addressed in Policy GSP4.

3.200 The Council is keen to see Longfulans Lane improved so that traffic from the south of the village can conveniently reach the A47 without passing through Station Road and the heart of the village. A housing development recently permitted to the north of Longfulans Lane should help to contribute towards this aim.

Access Improvements in the south of Hopton-on-Sea

Policy HPI: Access improvements in the south of Hopton-on-Sea

Improvements to the Longfulans Lane and the area around it will be sought, in order to encourage motor traffic away from Station Road, and to make the area safer and more attractive for cyclists and pedestrians.

Developments proposed in the area indicated on the Policies Map will be assessed to identify whether they offer any opportunity for financial and/or land contributions or through the layout of a scheme to provide such improvements, in light of the scale, nature and location of the proposal.

Policy Justification and Supporting Text

3.201 Traffic from the Potters Resort and other premises in the vicinity (including those to the south, across the county boundary) tends to move via Station Road, to the detriment of amenity and safety in the heart of the Hopton-on-Sea. Longfulans Lane and Lowestoft Road provides an alternative which avoids those problems, but its current narrow width, lack of a footway and sharp bend onto Lowestoft Road deters its use.

3.202 The Borough Council seeks gradual improvement of the network in this location as the opportunities arise. The housing development permitted to the north of Longfulans Lane, for example, is designed to provide a safer and more direct pedestrian and cycle link from Longfulans Lane towards the north-west and some widening of Longfulans Lane.

3.203 Any future developments within the indicated area may, depending on their scale, nature and location, exacerbate the existing problems or provide the potential for some mitigation of them. The Council will seek advice from the local highway authority when considering developments in this area to assess whether they have such potential, and how this might best be addressed.

Land to the West of Coast Road Housing Allocation

Policy HP2: Land to the west of Coast Road, Hopton-on-Sea

Land to the West of Coast Road (3.3 Hectares) as identified on the Policies Map, is allocated for a mixed use development comprising: approximately 40 dwellings, staff accommodation and continued business use for adjacent Potters Resort. The site should be developed in accordance with the following criteria:

- a. Provide a mix of housing types and sizes, including a minimum of 10% affordable dwellings, to reflect the needs and demand of the local area.
- b. Provision of access improvements to the satisfaction of the local highway authority including:
 - the improvement of access to the south of Hopton in accordance with Policy HP1;
 - provision of 2.0m wide footway at Coast Road frontage. Access to be provided at Coast Road;
 - improvement of Longfulans Lane to a minimum width of 6.0m for extent of site.
 - Improvement of Longfulans Lane junction with Coast Road;
 - development to have an active frontage at the highway to develop a sense of place and encourage reduced vehicle speeds;
 - pedestrian and cycle links to be provided to link with site to west; and,
 - submission of a Transport Statement along with implementation of any agreed highway measures.
- c. Car Parking is provided to a satisfactory level and standard for future residents, staff and visitors of Potters Resort to ensure that this does not create a displacement of the current car parking site into the village of Hopton.
- d. Provision of approximately 0.41 hectares of public open space on-site in accordance with Policy H4.
- e. Financial contributions will be required towards the improvement of local primary schools, enhanced library provision and the improvement of local healthcare facilities to serve the development.
- f. Staff accommodation, residential and any B8 or other business use should not be in conflict with any existing neighbouring uses.
- g. Submission of a site-specific Flood Risk Assessment and a Foul Drainage Strategy. As well as details of how Sustainable drainage measures will be integrated into the design and a plan for their future management and maintenance.
- h. A planning application should be supported by evidence which assesses the quantity and quality of mineral resources. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible.

- i. Submission of a shadow habitats regulation assessment and provision of necessary mitigation measures including a contribution to the Council's Habitats Monitoring and Mitigation Strategy in line with Policy GSP5.

Policy Justification and Supporting Text

3.204 The site is adjacent to a recently consented housing site to the west and in conjunction could provide improvements to access to the south of Hopton-on-Sea which would support a long-term ambition by the Borough Council to improve the existing Longfulans Lane, in accordance with Policy HP1.

3.205 The allocation of the site also supports the existing tourism use and business use at Potters Resort. Tourism makes up a large part of the Borough's economy and development of this site would help support its continued use and its valued input into the local economy. In order to provide some flexibility for the spaces used for staff accommodation and storage and the low density character of the surrounding area adjacent to the Strategic Gap between Hopton and Corton (Policy GSP3), a lower density of development is considered necessary compared to the standards set out in Policy H3.

3.206 In accordance with Policy GSP5, the applicant should demonstrate through a shadow Habitat Regulations Assessment that any potential impacts on nearby National Site Network sites will be fully mitigated. To address in-combination effects from the development, a contribution per dwelling will be required.

3.207 Hopton Primary School has insufficient capacity to accommodate the additional demand for places likely to arise from this development. Financial contributions are therefore required in order to improve capacity. These contributions are likely to be £3,940 per dwelling.

3.208 The development will put pressure on existing primary, acute, and mental healthcare facilities as evidenced in the Infrastructure Plan (2020). As such, a financial contribution will be required to improve these facilities to address the impact. Based on modelling using the Healthy Urban Development Unit Planning Contributions model, it is estimated that the contribution from this site will need to be in the region of £1,813 per dwelling.

3.209 The development will put pressure on local libraries, therefore it is necessary for the development to make a contribution of £319 per dwelling towards enhanced library provision in line with the Norfolk County Council's standards for provision.

3.210 The site is underlain by a defined Mineral Safeguarding Area for sand and gravel. In accordance with current (and emerging) policies from the Minerals and Waste planning authority Norfolk County Council, the above policy requires that on-site minerals should be considered for prior extraction where appropriate.

Table 3.10 Summary of Expected Developer Contributions

Infrastructure	Land Requirements	Indicative Developer Contributions ¹⁴
Primary, Acute and Mental Healthcare facilities	n/a	£1,813 per dwelling
Education (expansion of local primary schools)	n/a	£3,940 per dwelling
Library Improvements	n/a	£319 per dwelling
Public Open Space	0.41 hectares	n/a

¹⁴ Developer contributions have been estimated based on the current required levels of service provision and published standards at the time of preparing the plan. It is likely that both the costs and the need for additional infrastructure could change by the time a planning application may be submitted and require a re-evaluation of developer contributions in line with the most up to date published standards.

Martham



3.211 Martham is approximately 10 miles north of Great Yarmouth, and within 3 miles of Hemsby, Winterton-on-Sea, and a number of other smaller villages. It is of Saxon origin and grew around the village green and 14th century church, both of which remain as village landmarks. The village remained relatively compact until the arrival of the railway in the 19th century, which was followed by significant infilling along the principal routes into the village. Though the railway closed in the 1950s, the settlement has continued to expand, with several estate scale developments being built during the 1970s, 1980s and 1990s.

3.212 Today, Martham is the largest Primary Village in the Borough, with a residential population of 3,500. It has

an extensive range of local services including a primary school, nursery school, post office, library, public house, two convenience stores and a range of other local village shops. Key social facilities such as Flegg Secondary School and the James Kittle medical centre are also situated within the village, meaning that Martham also assumes more of a 'service centre' role for the surrounding smaller villages such as Repps with Bastwick, Rollesby and Somerton in the north of the Borough.

3.213 The Council's Strategic Flood Risk Assessment identifies that broadly the settlement is not constrained by flood risk, except to the north and north-west periphery of the built-up area. In Martham the risk from surface water flooding is much greater, particularly along the eastern and southern edges of the village, where local areas of ponding are apparent.

3.214 The Great Yarmouth and Waveney Settlement Fringe Study identifies areas to the north of Martham as generally being more sensitive to new development, due its exposed character and contribution to the setting of The Broads.

Land North of Hemsby Road

Policy MA1: Land north of Hemsby Road, Martham

Land north of Hemsby Road (4.08 Hectares) as identified on the Policies map is allocated for approximately 95 residential dwellings and employment development. The site should be developed in accordance with the following site-specific criteria:

- a. Provide a mix of house types and sizes, including a minimum of 20% affordable dwellings, to reflect the needs and demand of the local area.
- b. 1.32 hectares of the site should be developed for employment use (offices, research and development, and light industrial uses). This land should not be developed for residential uses unless evidence is provided that the land has been marketed for an appropriate length of time and there has been no reasonable interest in the land for employment purposes.
- c. Safe and suitable access to be provided to the satisfaction of the local highway authority, with appropriate integration in the existing pedestrian and cycling networks, including:
 - development layout to include a highway link to the north-west and provide a connection to Back Lane;
 - access to be from Hemsby Road; and
 - frontage footway to be improved to 2.0m minimum width.
- d. An active frontage should be provided along Hemsby Road.
- e. The existing hedgerow surrounding the site should be protected where possible.
- f. Pedestrian access should be provided to the residential development to the north.
- g. It can be demonstrated that:
 - an approved contamination remediation scheme has been carried out in full; and
 - a validation report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.
- h. Conserve the adjacent Martham conservation area and take opportunities through design to enhance its setting.
- i. Provide a financial contribution for improvements to the quality and accessibility of off-site open space to serve the development in accordance with Policy H4.
- j. Financial contributions will be required towards the improvement of local primary schools and early education, enhanced library provision, and the improvement of local healthcare facilities to serve the development.
- k. A planning application should be supported by evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible.
- l. Details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system will contribute to the amenity and biodiversity

of the development. A suitable plan for the future management and maintenance of the drainage measures should be included with the submission.

- m. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.
- n. Submission of an archaeological field evaluation prior to development.
- o. Submission of Transport Assessment and Travel Plan and implementation of any identified highway mitigation measures, including reducing vehicle speeds at Hemsby Road, and measures to encourage sustainable transport. The Transport Assessment should include a comprehensive walk to school assessment.
- p. Submission of a site-specific Flood Risk Assessment demonstrating how the site can be developed and occupied safely.
- q. Submission of a shadow habitats regulation assessment and provision of necessary mitigation measures including a contribution to the Council's Habitats Monitoring and Mitigation Strategy in line with Policy GSP5.

Policy Justification and Supporting Text

3.215 This site was previously granted planning consent but this lapsed in 2018. The site is well related to Martham and has the potential to be developed in parallel with the existing housing site to the north to provide a distinct eastern edge to the settlement of Martham.

3.216 Access should be from Hemsby Road and a strong frontage should be provided along Hemsby Road to encourage reduced vehicle speeds. The existing 30mph speed limit along Hemsby Road shall also be extended eastwards by the local highway authority to align with the full extent of the site along Hemsby Road. The existing footway should be widened. In achieving these aims it will also be necessary to protect the existing hedgerow where possible. Pedestrian access should be provided to the residential development to the north of the site in order to provide permeability through the eastern part of Martham and to provide access to open space being provided on the development to the north. A new pedestrian connection to Back Lane should be provided and it will be necessary to explore further the supporting Transport Assessment whether the southern extent of Back Lane should be closed to motor vehicles.

3.217 The site is to be developed at a density of around 35 dwellings per hectare. This is in line with similar developments within Martham. It also is in line with the objective of making effective use of land, with the site being defined as Grade 1 agricultural land.

3.218 Approximately 1.32 hectares of the western part of the site is safeguarded employment land under Policy CS6 of the Core Strategy. The provision of small-scale employment uses on this site will help support the sustainability of Martham as a village providing a local source of employment and reducing the need to travel. This is particularly important given the amount of recent housing development which has taken place in the village and the amount of existing commitments. Therefore 1.32 hectares of the site should be developed for employment uses including offices, research and development, and light industrial uses which are compatible with the surrounding residential development. If it can be demonstrated through marketing that there is no interest in developing this land for employment use, then the 1.32 hectares could be released for additional housing to the 95

homes proposed for the site. Policy CS6 requires marketing to take place for a period of 18 months. A shorter period could be considered appropriate if evidence is provided to justify the use of a shorter period (e.g. the length of time similar land and premises are normally marketed for). The land should be marketed at a reasonable price reflecting market value and should be on competitive terms and conditions. The marketing should include advertisements in the local press and online as well as targeted approaches. Marketing evidence should include a full record of enquiries together with reasons as to why the sale/lease did not progress.

3.219 Given the close proximity of the village green, playing field and proposed open space on the development to the north of the site which is currently under construction, it is considered desirable to require an off-site financial contribution towards improving existing open spaces rather than further on-site provision in this location. This contribution should be in line with Policy H4.

3.220 There is insufficient capacity in the early education sector and the local primary school to accommodate the additional demand for places likely to arise from this development. Financial contributions are therefore required in order to improve capacity. These contributions are likely to be £1,360 per dwelling for early education and £3,940 per dwelling for the primary school.

3.221 The development will put pressure on Martham Library, therefore it is necessary for the development to make a contribution of £319 per dwelling towards enhanced library provision in line with the Norfolk County Council's standards for provision.

3.222 The development will put pressure on existing primary, acute, intermediate and mental healthcare facilities as evidenced in the Infrastructure Plan (2020). As such, a financial contribution will be required to improve these facilities to address the impact. Based on modelling using the Healthy Urban Development Unit Planning Contributions model, it is estimated that the contribution from this site will need to be in the region of £2,203 per dwelling.

3.223 The site is underlain by a defined Mineral Safeguarding Area for sand and gravel. In accordance with current (and emerging) policies from the Minerals and Waste planning authority, Norfolk County Council, the above policy requires that on-site minerals should be considered for prior extraction where appropriate.

3.224 The site has previously been tested for contaminated land during the planning application process, for application ref 06/14/0817/O. There may be contaminants present on the site related to former industrial uses on parts of the site. Therefore the policy requires a remediation scheme to be carried out in full.

3.225 A Shadow Habitats Regulations Assessment must be prepared and submitted to the Council in accordance with Policy GSP5. This Assessment should set out the potential impacts of the development on nearby National Site Network habitat sites and identify necessary on-site and (if necessary) off-site mitigation measures. The HRA should also include assessment for potential hydrological linkage to National Site Network habitat sites, and where this cannot be ruled out, a surface water management strategy to mitigate such potential effects. In addition, the in-combination effects of the development will necessitate the payment of a contribution per dwelling, in line with the Council's Habitats Monitoring and Mitigation Strategy.

Table 3.11 Summary of Expected Developer Contributions

Infrastructure	Land Requirements	Indicative Developer Contributions ¹⁵
Education (expansion of early education sector)	n/a	£1,360 per dwelling
Education (expansion of local primary schools)	n/a	£3,940 per dwelling
Primary, Acute, Intermediate and Mental Healthcare	n/a	£2,203 per dwelling
Library Improvements	n/a	£319 per dwelling
Public Open Space	n/a	up to £1,800 per dwelling

¹⁵ Developer contributions have been estimated based on the current required levels of service provision and published standards at the time of preparing the plan. It is likely that both the costs and the need for additional infrastructure could change by the time a planning application may be submitted and require a re-evaluation of developer contributions in line with the most up to date published standards.

Ormesby St Margaret

3.226 The settlement of Ormesby St Margaret is located 5 miles north of Great Yarmouth and to the west of the smaller coastal settlement of Scratby. Together the settlements have a population of around 3,900 residents, with the majority of people residing in the settlement of Ormesby St Margaret.



3.227 The settlement has a good range of local services and facilities including an infant school and a junior school, a village surgery, a newsagent and other village shops, a post office, a pharmacy, churches, a pub, restaurants and a petrol station.

3.228 The Council's Strategic Flood Risk Assessment identifies that broadly the settlement is not constrained by flood risk except in the north-west periphery of the settlement, within fluvial flood risk zones 2&3 (medium and high risk). The risk of flooding from surface water is more significant within the village, and is particularly at risk near the Village Green.

3.229 The Great Yarmouth and Waveney Settlement Fringe Study identifies areas to the southeast of Ormesby St Margaret as generally

being more sensitive to new development, due its exposed character and contribution to the setting of local heritage assets such as Ormesby Hall and Duncan Hall School. The Local Plan also seeks to preserve a distinct gap between the village and Caister-on-Sea to the south-east.

Land south of Cromer Road Housing Allocation

Policy OT1: Land south of Cromer Road, Ormesby St Margaret

Land south of Cromer Road (8.56 hectares) as identified on the Policies Map is allocated for residential development of approximately 190 dwellings. The site should be developed in accordance with the following site-specific criteria:

- a. Provide a mix of house types and sizes, including a minimum of 20% affordable dwellings, to reflect the needs and demand of the local area.
- b. Provision of an agreed access strategy and necessary improvements to integrate the site into the existing pedestrian and cycling networks including:
 - Two vehicular accesses at Cromer Road. No vehicular access to be taken from/to the A149
 - The development shall have an active frontage along Cromer Road, together with 2.0m wide footway along its full extent
 - Provision of bus stops in both directions along the Cromer Road frontage; and
 - Connecting the existing footway on Filby Lane to provide safe pedestrian/cycling access to the east of the site.
- c. Submission of a Transport Assessment and Travel Plan and implementation of any identified highway mitigation measures.
- d. Provide appropriate boundary treatment including the retention of the planted woodland to the south and east of the site to minimise the acoustic impact of the A149.
- e. Protection and enhancement of the remains of St Peter's Church and the adjacent Conservation Area.
- f. Submission of an archaeological field evaluation which includes trial trenching prior to development, in accordance with the NPPF.
- g. Provision of approximately 1.96 hectares of public open space on site in accordance with Policy H4, which should include the ground remains of St Peter's Church.
- h. Financial contributions will be required towards the improvement of the local junior school and early education, enhanced library provision and the improvement of local healthcare facilities.
- i. Submission of protected species surveys (bat and barn owls may be present).
- j. A planning application should be supported by evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible.
- k. Submission of a site-specific Flood Risk Assessment demonstrating how the site can be developed and occupied safely.

- l. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system could contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the sustainable drainage measures should be included with the submission.
- m. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.
- n. Submission of a shadow habitats regulation assessment and provision of necessary mitigation measures including a contribution to the Council's Habitats Monitoring and Mitigation Strategy in line with Policy GSP5.

Policy Justification and Supporting Text

3.230 The site is located to the immediate south-west of the settlement and has good access to local services and facilities. Vehicular access should be taken from two points along Cromer Road. Direct access taken from the A149 is not considered to be appropriate and will be resisted. The site will benefit from frontage development along Cromer Road, together with new bus stops and new footway provision along its full extent to help integrate sustainably into the current network, encouraging pedestrian access to nearby amenities.

3.231 An existing tree belt protects the site from the A149 main road to Great Yarmouth, which should be enhanced to protect new development from traffic noise and soften the impact of the development with the surrounding landscape.

3.232 Development will result in the loss of some Grade 2 agricultural land, however, the majority of land around the settlement is similarly high graded.

3.233 The site will require further detailed investigation of archaeological interest, owing to the remains of St Peter's Church (potentially dating back to the 12th century). This heritage asset is non-designated, and comprises foundations of the original structure. The surrounding townscape is of historic importance, particularly to the east of the site, and this is protected by a Conservation Area. To avoid and reduce impacts, the policy seeks to incorporate the remains of St Peter's Church into the on-site open space provision. Along with carefully integrated design, the existing tree boundary will help to maintain the character of the area.

3.234 The site is underlain by a defined Mineral Safeguarding Area for sand and gravel. In accordance with current (and emerging) policies from the Minerals and Waste planning authority, Norfolk County Council, the above policy requires that on-site minerals should be considered for prior extraction where appropriate.

3.235 The tree boundary is extremely likely to provide habitats for protected species such as bats and barn owls. A full protected species survey will be required to assess the potential to impact upon protected species or habitats. Such surveys will need to be carried out by suitably qualified person(s) at the right time of the year, using methods appropriate for the species of the area.

3.236 There is insufficient capacity in the early education sector and the local junior school to accommodate the additional demand for places likely to arise from this development. Financial contributions are therefore required in order to improve capacity. These contributions are likely to be £1,360 per dwelling for early education and £2,130 per dwelling for the junior school.

3.237 The development will put pressure on local libraries, therefore it is necessary for the development to make a contribution of £319 per dwelling towards enhanced library provision in line with the Norfolk County Council's standards for provision.

3.238 The development will put pressure on existing primary, acute, intermediate and mental healthcare facilities as evidenced in the Infrastructure Plan (2020). As such, a financial contribution will be required to improve these facilities to address the impact. Based on modelling using the Healthy Urban Development Unit Planning Contributions model, it is estimated that the contribution from this site will need to be in the region of £2,300 per dwelling.

3.239 A Shadow Habitats Regulations Assessment must be prepared and submitted to the Council in accordance with Policy GSP5. This Assessment should set out the potential impacts of the development on nearby National Site Network habitat sites and identify necessary on-site and (if necessary) off-site mitigation measures. The HRA should also include assessment for potential hydrological linkage to National Site Network habitat sites, and where this cannot be ruled out, a surface water management strategy to mitigate such potential effects. In addition, the in-combination effects of the development will necessitate the payment of a contribution per dwelling, in line with the Council's Habitats Monitoring and Mitigation Strategy.

Table 3.12 Summary of Expected Developer Contributions

Infrastructure	Land Requirements	Indicative Developer Contributions ¹⁶
Education (expansion of early education sector)	n/a	£1,360 per dwelling
Education (expansion of junior school)	n/a	£2,130 per dwelling
Primary, Acute, Intermediate and Mental Healthcare	n/a	£2,300 per dwelling
Library Improvements	n/a	£319 per dwelling
Public Open Space	1.96 hectares	n/a

¹⁶ Developer contributions have been estimated based on the current required levels of service provision and published standards at the time of preparing the plan. It is likely that both the costs and the need for additional infrastructure could change by the time a planning application may be submitted and require a re-evaluation of developer contributions in line with the most up to date published standards.

Land north of Barton Way Housing Allocation

Policy OT2: North of Barton Way, Ormesby St Margaret

Land north of Barton Way, Ormesby St Margaret (1.68 hectares) as identified on the Policies Map is allocated for residential development of approximately 32 dwellings. The site should be developed in accordance with the following site-specific criteria:

- a. Provide a mix of house types and sizes, including a minimum of 20% affordable dwellings, to reflect the needs and demand of the local area.
- b. Provision of safe and appropriate access to the satisfaction of the local highways authority including:
 - vehicular access to be taken from Barton Way and/or Thurne Way only;
 - the widening of Barton Way and/or Thurne Way (along entire length up to the vehicular access) to a road width size of at least 5.5m and all junctions between the site and North Road and Station Road being made to a safe and acceptable standard;
 - improvements to maintain the public right of way FP2 along the southern boundary of the site; and,
 - incorporate natural surveillance of the public right of way through the site design and layout.
- c. A well-designed scheme, reflecting the local character of the area with appropriate landscaping along the north and eastern boundaries of the site.
- d. Provide a contribution to off-site open space in accordance with Policy H4.
- e. Financial contributions will be required towards the improvement of the local junior school and early education, enhanced library provision and the improvement of local healthcare facilities.
- f. Submission of a site-specific Flood Risk Assessment demonstrating how the site can be developed and occupied safely.
- g. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system could contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the drainage measures should be included with the submission.
- h. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.
- i. A planning application should be supported by evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible.

- j. Submission of a shadow habitats regulation assessment and provision of necessary mitigation measures including a contribution to the Council's Habitats Monitoring and Mitigation Strategy in line with Policy GSP5.

Policy Justification and Supporting Text

3.240 The site is well located adjacent to the north of the existing built-up area with good access to local services and facilities. Vehicular access can be achieved via Barton Way provided that it is widened to the required Highway Authority standard at its narrower sections. In doing this, existing street trees should be protected where possible and replaced where lost. The site can also be potentially accessed from Thurne Way. The site can be easily integrated into the settlement with good connectivity and minimal impact upon the surrounding countryside. However, a lower density than that set out in Policy H3 is required to reflect the character of the area. This proposed allocation would provide a deliverable development opportunity for a small to medium sized housebuilder.

3.241 The site is located in an area of low flood risk, and provision of sustainable drainage systems will limit/prevent any increased surface water run-off. A site-specific Flood Risk Assessment will need to be undertaken to support development proposals and detail the intended surface water strategy.

3.242 Located approximately 500m east of the site is the Grade II listed Duncan Hall School which sits within landscape grounds. While the above allocation will need to have regard to the setting of this heritage asset, it is unlikely that development will have a significant effect given the scale and extent of the existing built-up area and the relatively minor extension that this site will provide.

3.243 The site is underlain by a defined Mineral Safeguarding Area for sand and gravel. In accordance with current (and emerging) policies from the Minerals and Waste planning authority, Norfolk County Council, the above policy requires that on-site minerals should be considered for prior extraction where appropriate.

3.244 There is insufficient capacity in the early education sector and the local junior school to accommodate the additional demand for places likely to arise from this development. Financial contributions are therefore required in order to improve capacity. These contributions are likely to be £1,360 per dwelling for early education and £2,131 per dwelling for the junior school.

3.245 The development will put pressure on existing primary, acute and mental healthcare facilities as evidenced in the Infrastructure Plan (2020). As such, a financial contribution will be required to improve these facilities to address the impact. Based on modelling using the Healthy Urban Development Unit Planning Contributions model, it is estimated that the contribution from this site will need to be in the region of £1,797 per dwelling.

3.246 The development will put pressure on local libraries, therefore it is necessary for the development to make a contribution of £319 per dwelling towards enhanced library provision in line with the Norfolk County Council's standards for provision.

3.247 The site is reasonably small and there will be limited space within the allocation site to provide useful open space to serve local residents. The policy therefore sets out that an off-site contribution will be required to meet Policy H4 and could be up to £1,800 per dwelling. In that regard, it is evident that there may be particular opportunities to improve existing local open spaces south of the allocation site, such as the small play area at Millview.

3.248 A Shadow Habitats Regulations Assessment must be prepared and submitted to the Council in accordance with Policy GSP5. This Assessment should set out the potential impacts of the development on nearby National Site Network habitat sites and identify necessary on-site and (if necessary) off-site mitigation measures. The HRA should also include assessment for potential hydrological linkage to National Site Network habitat sites, and where this cannot be ruled out, a surface water management strategy to mitigate such potential effects. In addition, the in-combination effects of the development will necessitate the payment of a contribution per dwelling, in line with the Council's Habitats Monitoring and Mitigation Strategy.

Table 3.13 Summary of Expected Developer Contributions

Infrastructure	Land Requirements	Indicative Developer Contributions ¹⁷
Primary, Acute and Mental Health Care facilities	n/a	£1,797 per dwelling
Education (expansion of early education sector)	n/a	£1,360 per dwelling
Education (expansion of junior school)	n/a	£2,131 per dwelling
Library Improvements	n/a	£319 per dwelling
Public Open Space	n/a	up to £1,800 per dwelling

¹⁷ Developer contributions have been estimated based on the current required level of service provision and published standards at the time of preparing the plan. It is likely that both the costs and the need for additional infrastructure could change by the time a planning application may be submitted and require a re-evaluation of developer contributions in line with the most up to date published standards.

NON-STRATEGIC POLICIES

4.1 This section of the plan sets out a suite of non-strategic policies covering a range of topics. These more detailed policies will principally be used in the determination of planning applications. The policies often add further detail to strategic policies contained within the Core Strategy. Neighbourhood Plans do not need to be in general conformity with the non-strategic policies of the Local Plan.

5 DESIGN AND AMENITY

Amenity

Policy A1: Amenity

Development proposals will be supported where they protect or promote a high standard of amenity to ensure a suitable living environment in the locality.

Planning permission will be granted only where development would not lead to an excessive or unacceptable impact on the amenities of the occupiers of existing and anticipated development in the locality, in terms including:

- a. overlooking and loss of privacy;
- b. loss of light and overshadowing and flickering shadow;
- c. building and structures that will be overbearing;
- d. nuisance and disturbance from:
 - waste and clutter
 - intrusive lighting
 - visual movement
 - noise
 - poor air quality (including odours and dust); and
 - vibration.

Where adverse impacts on amenity are an inevitable consequence of an otherwise desirable use and configuration, measures to mitigate unacceptable impacts will be expected to be incorporated in the development.

On large scale and other developments where construction operations are likely to have a significant and long-term impact on local amenity, consideration will be given to conditions to mitigate this thorough a construction management plan covering such issues as hours of working, points of access and methods of construction.

Policy Justification and Supporting Text

5.1 This policy is intended to aid the delivery of the quality of the local environments promoted by the Core Strategy Policies CS1(a) and (b), CS9, especially paragraphs (a) and (f). It does this by setting out

a non-exclusive list of the main amenity considerations that will need to be addressed by those preparing or deciding planning applications.

5.2 In assessing compliance with this policy, the Council will draw on expert advice from statutory consultees and its Environmental Services Section.

5.3 In terms of issues arising from odours, a particular consideration will be the proximity of development to water recycling centres (sewage treatment works). Anglian Water advise that developments within 400m of a water recycling centre should be accompanied by an odour assessment as set out in their Asset Encroachment Policy. The odour assessment will need to demonstrate that adverse impacts can be avoided through the layout of the site or suitable mitigation measures can be secured as part of the development.

5.4 In implementing this policy the Council will ensure that new development does not result in unreasonable restrictions placed on existing businesses and operations as a result of new development. It will be for the applicant (the agent of change) to demonstrate that suitable mitigatory measures can be incorporated into the development to minimise any impacts on amenity to occupants of the new development arising from existing operations. Such mitigatory measures will be secured and enforced by planning conditions.

Housing design principles

Policy A2: Housing design principles

Proposals for new housing development will be expected to demonstrate high quality design which reflects local distinctiveness and creates attractive and functional environments. In so doing, proposals should meet the following requirements:

a. Context

- Development should reflect and have regard to local context, including the surrounding built environment, topography, landscape and drainage.
- Development should take advantage of opportunities to enhance the immediate street scene and local landscapes/townscape.
- The layout should reflect or complement the existing urban grain.
- Key views should be retained and new views of key natural and built features should be created where possible.

b. Identity

- New homes should be architecturally locally distinctive, innovative and visually attractive through the scale and proportions, use of materials, facades and detailing.
- A range of house types and styles should be provided on any housing development sites with a balance of symmetry and variety.
- Street design and landscaping should reflect positive local existing and historical precedents.
- Large-scale housing developments which comprise significant extensions to existing settlements (such as those allocated by Policies CS18, GN1 and CA1) should include a variety of character areas within them in order to allow different areas and neighbourhoods to each have their own identity.

c. Built Form

- Housing developments should create walkable neighbourhoods with recognisable streets and spaces which promote legibility.
- The development should seek to create a visual sense of enclosure with a good relationship between the height and massing of buildings, landscape features and the street.
- Houses should effectively turn corners at street junctions to avoid blank walls and non-active frontages.
- There should be sufficient spacing and landscaping around detached homes.
- Buildings should face streets with private areas to the rear of the buildings.

d. Movement

- Housing development should be designed around a clear hierarchy of connected streets which are orientated to address key pedestrian desire lines, promote permeability and create a legible environment.
- Cul-de-sacs should be avoided where they frustrate pedestrian permeability.

- Larger-scale housing developments which comprise significant extensions to existing settlements (such as those allocated by Policies CS18, GN1 and CA1) should have streets designed to accommodate public transport.
- Connections and through routes should be made to adjoining land and highways to improve permeability and to avoid sterilising future sites for development.
- Housing developments should include a mix of parking solutions to ensure highway safety and avoid a car-dominated environment.
- Continuous front curtilage parking should be avoided. Parking spaces in the front curtilage of dwellings should only be provided where landscaping or a front garden can also be provided to reduce the impact of cars.
- Rear parking courts should also be avoided unless they are well-overlooked, secure, small in scale and well-related to the car-owners property.

e. Nature and Public Spaces

- Existing natural features and trees should be incorporated in the development.
- Landscaping should be provided throughout the site including tree-lined streets.
- Open spaces should include natural features, be well overlooked, have a clear purpose and be in an accessible location within the development.
- Lighting should be consistent with the objective of preserving dark skies and avoiding excessive light pollution in line with Policy E6 and national planning policy and guidance on Light Pollution.

f. Functional, Healthy and Sustainable Homes

- New homes must be built to meet requirement M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings where practicable.
- Developers should consider options to improve the energy efficiency of homes and reduce their carbon footprint through choice of materials, orientation, fenestration, solar gain, ventilation, renewable energy and shading.
- Convenient and discreet bin storage should be provided to serve each new dwelling.
- Homes and external areas should be designed to be secure and reduce the risk and fear of crime.

g. Lifespan

- Housing developments should be designed where possible to be adaptable to changing needs and existing and emerging technologies such as home-working, digital connectivity and electric/autonomous vehicles.
- Developers should ensure plans are in place for the long-term stewardship and management of public spaces.

Planning applications will be refused for housing development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account the above criteria and the National Design Guide and any future local design guide/code.

Policy Justification and Supporting Text

5.5 This policy when assessing housing design, adds detail to Core Strategy Policy CS9 and reflects the NPPF chapter 'Achieving well-designed places' and the new National Design Guide.

5.6 The Council will consider preparing a local design guide/code to further expand upon this policy and Policy CS9.

5.7 The policy is framed around the key headings set out in the National Design Guide and provides some specific local requirements for design. In terms of context, regard should also be had to policies on the historic and natural environment including Policies CS10, CS11, E4 and E5. Evidence including Conservation Area Appraisals, the Great Yarmouth & Waveney Settlement Fringe Landscape Sensitivity Study (December, 2016), the Great Yarmouth Borough Landscape Character Assessment (April, 2008) and the Broads Landscape Character Assessment should be considered. Site specific heritage impact assessments, where necessary, may also help inform setting the context of the development. Development should take into account key local features and create and maintain views to key buildings and landmarks such as Caister Castle and Great Yarmouth St Nicholas Minster and natural features such as the coast and The Broads.

5.8 The policy expects new development to be locally distinctive. Standard house types which have been repeated from elsewhere in the country with no adaptation to address local context will not be appropriate. Contemporary architecture will be supported but it must take cues from the local natural or built environment. Materials used should relate to local materials and existing buildings. For large-scale developments, it will be important to provide a range of character areas to reduce the sense of a large housing estate.

5.9 A key quality of a well-designed place is a sense of enclosure which results from the spatial organisation of landscape features and/or buildings. Appropriate levels of enclosure create spaces which are visually pleasing and provide a connection between the pedestrian, the landscape or the building. Appropriately scaled terraced homes which are well related to the street achieve this. As do detached and semi-detached homes with generous landscaping around them. Therefore, detached buildings should have appropriate space around them to allow for landscaping, including trees, and front gardens to create a sense of enclosure. Another key feature of achieving visually attractive places is an active frontage which creates a sense of security and adds visual interest to the street. Therefore, buildings should face streets and at junctions, effectively turn the corner to provide an active frontage on to both streets.

5.10 In order to promote active lifestyles and reduce the negative impacts of car traffic, it is essential that developments are designed to prioritise walking and cycling. It is therefore important that the layout and arrangement of buildings create permeable and legible routes which are orientated around pedestrian desire lines. Often new housing developments can be 'cellular', with missed opportunities to increase permeability and to mitigate the additional resulting traffic loads on existing roads and junctions. It has also sterilised land which might otherwise have been appropriate for housing by making access impractical. To avoid this, it is necessary to take a longer and broader perspective, and estate-type developments will be expected to provide road and other links between existing roads and to the boundary with other land which may subsequently be developed, especially if this provides a potential prospect of a continuing link through to another existing road at some point in the future.

5.11 It is essential that sufficient and well-designed parking spaces are provided for on new housing developments to avoid problems such as pavement parking and other dangerous on-street parking. In terms of provision, development will need to be in accordance with Policy I1. In terms of design, the main aim is to ensure parking spaces are well-used and do not result in a car-dominated street-scene. It is generally best to have a mix of solutions. For detached and semi-detached houses, it is best to provide parking on-plot to the side of houses to allow for the provision of front gardens and landscaping and maintain a relationship between the building and the street, thus avoiding a car-dominated environment. For streets with terraced housing, a mix of solutions will be required. This could include off-street solutions such as car-ports, parking courts, integral garages, and space in the front curtilage or rear curtilage of the property. Front-curtilage parking should generally be avoided as it can remove the possibility for landscaping, street trees and front gardens, removes the opportunity for on-street parking for visitors, increases the potential for conflicts between pedestrians and vehicles and results in a car-dominated environment with a poor sense of enclosure. Similarly, rear-parking courts should be avoided as they often are poorly used which results in cars parked informally on streets not designed to accommodate them. Rear-parking courts should only be used where they have good access to properties, are secure and well-overlooked to encourage use. On-street parking can be a desirable solution where streets are of sufficient width to accommodate parked cars. Parking bays in streets can also be a positive solution particularly where separated with street trees.



5.12 The retention of existing natural features on a site can provide benefits to biodiversity as well as creating a more mature appearance to the landscape within the development from day one. Street trees, particularly deciduous trees, can have numerous benefits, including creating visually attractive

streets, biodiversity benefits and providing shade in summer and allowing for solar gain in winter. Therefore, most streets within new housing developments should include street trees unless it can be demonstrated inappropriate for other design reasons or not practicable due to site constraints. In addition, existing trees or hedgerows will be important in terms of meeting emerging requirements under the provisions of biodiversity net gain on developments which are expected to be introduced through the forthcoming Environment Bill.

5.13 The Borough has a relatively aged population structure, and this characteristic is likely to become more pronounced in the future, with the number of residents over 85 anticipated to double during the plan period. Additionally, many households have persons with disabilities which require adaptations to homes. Emerging evidence suggests that all new homes in Borough should be designed to be adaptable to meet current and future needs. Therefore, all new homes built in the Borough must meet requirement M4(2) of Part M of the Building Regulations unless it is not practicable to do so. The Local Plan Part 2 Viability Assessment has concluded it is financially viable for all new homes to meet this standard. There may be site-specific circumstances where it is not possible to meet M4(2) requirements, for example, where it is not possible to achieve step-free access due to the topography of the site or flood risk; in these circumstances the M4(2) requirements will not be imposed.

5.14 Developments should be designed to reduce opportunities for crime and disorder. Many of the design principles above will help contribute towards this objective. Regard should also be had to the 'Secured by Design' principles published and routinely updated by the Police.

5.15 Climate change is a key issue facing the Borough. Whilst this Local Plan does not set specific standards for energy efficiency or renewable energy requirements in new developments, developers are encouraged to consider how their housing developments could be more energy efficient and reduce their carbon footprint.

5.16 Housing developments should be designed with consideration of how things might be in future, for example the provision of electric and autonomous vehicles, broadband requirements and energy requirements. Developers also should consider carefully and set out a plan as to how public spaces such as streets, open spaces, drainage and parking courts will be managed in the long-term. Policy H4 sets out requirements for the adoption of open space. For other public spaces, consideration should be given to whether public authorities can adopt them or whether a management company needs to be formed or commissioned.

5.17 The Design and Access Statement should clearly set out how the policy requirements in Policy A2 have been met. Other tools should also be considered such as the Building for Healthy Life criteria.

Advertisements

Policy A3: Advertisements

In assessing advertisement proposals in terms of amenity, regard will be given to the local characteristics of the neighbourhood in terms of potential impact upon the scenic, historic, architectural, landscape or cultural settings, and whether it is in scale and in keeping with these features.

In assessing advertisements in terms of public safety, consideration will be given to the advertisement's potential to become hazardous to users of paths, roads, rail, waterways and aircraft.

Policy Justification and Supporting Text

5.18 The display of advertisements is subject to a separate consent process (Control of Advertisements Regulations, 2007) within the planning system. Advertisements are subject to control only in the interests of amenity and public safety. The above policy indicates how such assessments will be approached. Policies A1 'Amenity' and E4 'Trees and Landscape' will also be of particular relevance to advertisement proposals.

6 HOUSING

Affordable housing tenure mix

Policy H1: Affordable housing tenure mix

As a starting point, the Borough Council will seek the following split in the affordable housing requirement for a site:

- a. 90% Affordable Rent.
- b. 10% Affordable Home Ownership.

Alternative tenures may be accepted where applicants can adequately demonstrate the demand for other affordable housing products and that they are affordable in the local context.

Exemptions to the affordable housing requirement will be made where the site or proposed development:

- provides solely for Build to Rent homes;
- provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
- is proposed to be developed by people who wish to build or commission their own homes; or,
- is exclusively for affordable housing, an entry-level exception site or a rural exception site.

Policy Justification and Supporting Text

6.1 The above policy builds on Policy CS4 (as amended by UCS4) setting out the Borough's affordable housing requirement. However, since the adoption of the Core Strategy, the NPPF (paragraph 64) sets out that planning authorities should expect at least 10% of the homes on major sites to be available for 'affordable home ownership'. However, paragraph 64 of the NPPF does provide an exemption to this requirement where it would significantly prejudice the ability to meet the identified affordable housing needs of specific groups. In the context of the Borough, the effect of this national planning policy requirement would prejudice the ability to meet affordable housing needs. Policy H1, therefore, provides a justified exemption from the national policy requirement to ensure that the affordable housing that is provided will meet the strongest areas of affordable housing need, i.e. affordable rent, and will not prejudice the large proportion of people within this need that do not have the means to purchase affordable home ownership products.

6.2 The Borough has a significant affordable housing need with challenging conditions including low incomes. Evidence shows that of the affordable home ownership products available (as defined in the NPPF, such as starter homes), only a very small proportion of shared ownership housing is currently affordable to local residents. Affordability evidence as set out in the Affordable Housing Tenure Mix Topic Paper indicates that in the limited circumstances where affordable home ownership tenures are affordable, a high level of discount is generally required. Furthermore, there are only a small number of urban wards within Great Yarmouth (reflective of the low value of housing within those areas) where affordable home ownership products can be afforded by local residents at a high level of discount. However, these areas are mis-matched as they are also the areas with the greatest need for

affordable rent tenures, the lowest incomes of the Borough, and consequently where the lowest levels of demand for affordable home ownership products would be expected.

6.3 Another factor which limits the ability of the Borough Council to meet its affordable housing need is the viability of development. With challenging viability, Core Strategy Policy CS4 could only require



proportions of 10% and 20% affordable housing across the housing market areas within the local plan area. Consequently, the amount of affordable housing achieved is considerably below the affordable housing need, and the total affordable housing need cannot feasibly be met by the plan.

6.4 Applying the national planning policy requirement for 10% affordable home ownership would result in affordable housing tenure splits of 100% affordable home ownership in some areas and 50% in other areas of the Borough. Given the stark evidence of affordable housing need across affordable rent tenures and the low incomes unable to support affordable home ownership products, applying the requirement for 10% of homes to be available for affordable home ownership would fall well short of meeting identified local affordable housing needs.

6.5 Furthermore, and notwithstanding the different tenure split set out in Policy H1, it necessarily incorporates a similar approach as national policy to listed exemptions from the affordable housing requirement where a proposal provides solely for Build to Rent homes, provides specialist accommodation for a group of people with specific needs, is a self-build project or is exclusively for affordable housing.

6.6 Policy H1 does contain flexibility where development schemes may be able to demonstrate to the Borough Council that there is sufficient demand for an alternative affordable housing tenure. In each case, it is strongly recommended that applicants seek guidance from the Borough Council's Housing Team to understand the current local affordable housing needs prior to submitting a planning application for residential development.

Delivering Affordable Housing on phased or cumulative developments

Policy H2: Delivering affordable housing on phased or cumulative developments

Where residential sites are proposed adjacent to a recently permitted scheme (within the past 3 years) and identified as phased or cumulative development, as evidenced in addition to one or more of the below criteria, the affordable housing requirement will be calculated based on the total development (i.e. the site subject to the application together with any adjacent plots meeting the criteria below), and not treated individually.

- a. The application site is the same ownership as one or more adjacent plots of land.
- b. There is evidence of previous applications for development of a larger site of which the application site forms a part of.
- c. The site is contiguous to a development that has been either:
 - under construction or completed in the years prior to the application being made; or
 - has been granted planning permission or approval of reserved matters within the last 3 years and remains capable of implementation.

Policy Justification and Supporting Text

6.7 The Borough has a high need for affordable housing. To address circumstances where housing proposals submitted in phases or cumulatively (i.e. those on a larger specific site) would result in a lower overall requirement for affordable housing, the Borough Council will seek to ensure that the affordable housing contribution is based upon the whole site. For example, where a planning application for seven units has already been approved and after a further year another planning application under the same ownership on an adjacent site is submitted for three units, then the affordable housing requirement will be calculated from a total development of ten. If the affordable units could not be provided on the latest planning application, then a contribution for off-site provision will be sought.



Housing density

Policy H3: Housing density

To make an efficient and effective use of land, residential developments will need to meet the following indicative minimum housing densities:

Location - settlement(s)	Net minimum housing density (dwellings per hectare)
Great Yarmouth Town Centre & Gorleston-on-Sea Town Centre, and edge of centre locations	50
Elsewhere in the settlements of Great Yarmouth, Gorleston-on-Sea & Bradwell	35
Caister-on-Sea, Belton, Hemsby, Hopton-on-Sea, Martham, Ormesby St Margaret and Winterton-on-Sea	30
Elsewhere in the Borough	20

In limited circumstances, such as where a site location is particularly sensitive owing to its distinct local character, the Borough Council will consider the acceptability of lower housing densities.

Low density residential developments, particularly those on land graded 1 or 2 in agricultural land value or greenfield land, that do not meet the above minimum standards or fail to demonstrate the limited circumstances set out above will not be permitted.

Policy Justification and Supporting Text

6.8 The above policy builds on the NPPF which encourages local planning authorities to make an effective use of land when meeting housing needs, and suggests the use of density standards to support this aim.

6.9 The density standards seek to 'uplift' housing densities in accessible urban centres, but also set more appropriate and efficient standards to apply in more rural and less accessible locations in the Borough. Much of the greenfield land within the Borough is of agricultural value (including the most productive, Grades 1 and 2 Agricultural Values). Therefore, to make the most efficient use of such land where it is lost, lower density residential developments will only be permitted in limited circumstances.

6.10 The standards have been established following an assessment of existing densities, densities of newly permitted residential developments, and densities of emerging site allocations, all of which were calculated across a number of settlements to categorise the standards. For the purpose of calculating the developable area for residential development (the net area), areas of on-site open space should be excluded.

Open space provision for new housing development

Policy H4: Open space provision for new housing development

New residential developments will be expected to make provision for publicly accessible recreational open space based upon the following Borough-wide standards unless it can be demonstrated through the Council's published evidence, or the submission of a more up-to-date open space assessment, that there is a sufficient local surplus of provision in the listed types of open space to meet the needs of existing residents and those arising from future occupiers of the proposal.

- a. 103 square metres per dwelling, comprising approximately:
 - 24% for outdoor sport;
 - 18% for informal amenity green space;
 - 6% for suitably equipped children's play space;
 - 2% for allotments;
 - 10% for parks and gardens; and
 - 40% for accessible natural green space.
- b. Any new provision will generally be expected to be provided on site, except to the extent that the size, circumstances and surroundings render this impractical or undesirable, in which case, where possible, an equivalent financial contribution will be required for the improvement or enhancement of the quality and/or accessibility of public open space provision in the locality that would otherwise be capable of meeting the needs of the development.
- c. Flexibility may be provided in the balance between on and off-site provision, and between the types of open space, in the light of the nature of the development and the availability of existing open space in the vicinity. Developments of 20 dwellings and above, however, will generally be expected to meet the requirement for children's play space on or adjacent to the site where local deficits exist (i.e. other requirements may, subject to the foregoing criteria, be provided elsewhere).
- d. Robust arrangements for the management and maintenance of the on-site provision in perpetuity will be required to be demonstrated. (This will not be relevant where a financial contribution is accepted in lieu of the whole of normal on-site provision.) This requirement may be met by:
 - the Borough Council's agreement to adopt recreation space, which will require a minimum of 20 years financial contribution paid to it for by the developer in advance of adoption; or
 - an agreement with the relevant Parish or Town Council for it to adopt the space and commit to (for which it may require an appropriate financial contribution from the developer); or
 - the establishment of an adequately funded private management entity with responsibility for its maintenance and management in perpetuity.
- e. Acceptability of a financial contribution in lieu of on-site provision will be dependent on meeting the following additional requirements:

- a development that contains sufficient space to ensure a high standard of layout and amenity to the residents and neighbours of the proposed development and to ensure it integrates well into the wider landscape or townscape setting; and
 - a reasonable prospect of delivery of appropriate off-site provision in the locality in the near future, having regard to the amount of the financial contribution, the existence of administrative arrangements for delivery, and (where relevant) the availability of suitable land.
- f. All types of outdoor open space should seek to enhance biodiversity by improving the potential for habitat connectivity.

A Supplementary Planning Document will be produced by the Borough Council to provide further detail and guidance on providing open space in new residential development.

Policy Justification and Supporting Text

6.11 This policy adds detail to Core Strategy Policies CS14 and CS15, and Policy GSP5, in securing the appropriate amount of open space (or appropriate contributions) from new residential development.

6.12 To ensure the adequate provision of recreational open space in the Borough, the requirements of this Policy are supported by the Borough Council's Open Space Study (2013) and the Play, Sport and Leisure Study (2015), and the Fields in Trust 'Guidance for Outdoor Sport and Play, Beyond the Six Acre Standard'. The policy is flexible in allowing on and off-site provision for open space, as well as variation from the standard requirement where justified. Off-site provision would normally involve making a financial contribution and could take the form of the provision of a new open space or could involve improvements to existing facilities which are accessible to the development.

6.13 Where applicants can demonstrate that the local open space needs are different to those set out in the Borough-wide standards (i.e. in the policy), they will need to submit a local open space needs assessment. The starting point for any assessment will be to consider any surpluses and deficits in open space provision as shown in the Borough Council's existing open space evidence. When assessing such needs, in addition to the quantity of open space provision, consideration must also be given to the qualitative state of the facility in question and the accessibility of the facility to residents from the development proposal site. Appendix D sets out further detail on the most recently evidenced accessibility standards for each type of open space. The contribution that an open space makes towards local amenity, public realm, biodiversity and the wider green infrastructure network should also be considered as part of any open space needs assessment.

6.14 To ensure that new open space provision remains valuable in the long term and that its contribution to amenity and recreation is secured in perpetuity, it is essential there are robust arrangements in place for the management and maintenance of the space. The Borough Council will carefully consider the desirability of adopting such open space, but is under no obligation to do so. Where the Council does agree to adopt open space it will require a minimum of 20 years maintenance costs



paid through a contribution to ensure the costs do not place additional burdens on the finances of the local authority. Where the Borough Council does not agree to adopt open space, a suitable alternative arrangement must be secured such as by agreement with a parish or town council to adopt the open space, or a private management company.

6.15 Based on the full provision of open space policies as set out in the above policy requirement, a full off-site contribution for open space to the Borough Council will cost £1,800 per dwelling. The costing breakdown for the provision and maintenance of each type of open space is set out in Appendix D. A Supplementary Planning Document will be produced setting out further detail and guidance on the provision of open space.

Rural workers dwellings

Policy H5: Rural worker dwellings

New permanent dwellings outside of the Development Limits for rural workers in agriculture, forestry, or other land-based rural business will be permitted where the applicant can satisfactorily demonstrate:

- a. there is a clearly established functional need to live at the immediate area of their work 24 hours a day through the majority of the year;
- b. the business has been established for at least 5 years, has been profitable for at least 2 years, is currently financially sound, and has a clear prospect of remaining so;
- c. the functional need could not be fulfilled by an existing dwelling on the site, or any other accommodation (or building capable of conversion to such) in the area which is suitable and available, or likely to become so, for occupation by the worker(s) involved;
- d. the proposal is satisfactorily positioned on the agricultural, forestry or land-based use, and wherever possible, is sited within an existing group of buildings (where practical to avoid the need for new vehicular access);
- e. the proposed dwelling is reasonably related in size and character to the functional requirement and the value of the holding in its agricultural, forestry or land-based use; and
- f. there have been no previous disposals of potentially suitable properties from the holding, or by the applicant or related businesses or persons within the previous 5 years.

If a new dwelling is essential to support a new rural based activity, it should for the first 5 years be provided by a caravan or other temporary accommodation. Such temporary dwellings will be supported only where:

- g. the proposal satisfies criteria a, c and f above;
- h. the application is supported by clear evidence of a firm intention and ability to develop the enterprise concerned (for example significant investment in new farm buildings is often a good indication of intentions); and
- i. the application is supported by clear evidence that the proposed enterprise has been planned on a sound financial basis, and has a good prospect of becoming a viable long term business.

Policy Justification and Supporting Text

6.16 Core Strategy Policy CS3(d) seeks to ensure the provision of an appropriate range of housing to meet different housing needs, and CS6(i) supports the provision of rural worker's dwellings on economic grounds. The NPPF requires the Council to plan for a mix of housing based on the needs of different groups in the community, and specifically identifies rural worker's dwellings as a potential exception to its presumption against isolated dwellings in the countryside.

6.17 This policy provides the detailed criteria to be addressed by those preparing or deciding planning applications for such dwellings, in order to ensure, for example, that such dwellings are permitted where genuinely required, but avoided where the use or type of dwelling will not meet a long term community need. The policy requires there to be a functional need for a worker to live in the immediate area which could not be fulfilled by an existing dwelling. To demonstrate a functional need, evidence should be provided that the worker needs to attend to the enterprise 24 hours a day for the majority of the year. As such, the functional need in most circumstances is likely to be fulfilled by someone who is employed full-time in a rural enterprise. Where planning permission is granted for a rural workers dwelling, occupancy restriction conditions will be imposed to ensure the dwelling is used for that purpose and remains available for that purpose in the future.

Occupationally restricted dwellings

Policy H6: Retention and removal of existing occupationally restricted rural dwellings

Preference will be given to retaining agricultural or other rural based occupancy dwellings where there is a local need.

This will include a preference for amending the terms of any occupancy condition more restrictive than the criteria set out in Policy H5 to reflect those terms, rather than removing a condition entirely.

Proposals for the removal of occupancy conditions will only be permitted where the applicant can demonstrate that:

- a. the dwelling has been occupied in accordance with the terms of the occupancy condition for a minimum of 5 years; and
- b. permission has been sought to relax any occupancy condition terms more restrictive than set out in Policy H5; or
- c. there is no longer a need for the dwelling by those working, or last working, in the locality in agricultural, forestry or a rural enterprise, established by evidence of marketing for a period of 12 months.

Policy Justification and Supporting Text

6.18 To avoid new isolated market housing in the countryside, which is contrary to Policies CS2 and GSP1 and the National Planning Policy Framework and to maintain a stock of housing suitable for rural needs, proposals to remove occupancy restriction conditions will only be approved in specific circumstances as listed in Policy H6. The onus will be on applicants to demonstrate that the criteria within the policy have been met in order to justify the removal of such restrictions. Before removal of occupancy conditions are considered, evidence will need to be presented that the dwelling has actually been occupied for a minimum period of five years. This is to avoid potential abuses of Policy H5 where a dwelling is built with no full intention of using it for the agricultural purposes. The occupation does not have to be continuous providing it has been occupied for five years in total. In circumstances where an associated rural enterprise has failed before the dwelling subject of the occupational restriction has been occupied for five years, the Council may consider a shorter occupancy period specifically if the circumstances of criterion c) are met.

6.19 Marketing evidence will need to be supplied with any application to demonstrate there is no interest in the unit. The marketing will need to be based on a valuation reflecting an occupancy condition no more restrictive than those in Policy H5 and take place for at least 12 months. The marketing should include advertisements in the local press and online as well as targeted approaches. The marketing evidence should detail all viewings and offers made for the marketing period.

Conversion of rural buildings to residential uses

Policy H7: Conversion of rural buildings to residential uses

The residential conversion or re-use of buildings of heritage or landscape value outside the Development Limits for residential use will be supported where this secures that value in the long term and:

- a. it is demonstrated the building is of permanent and substantial construction and capable of conversion without major or complete reconstruction or replacement; and
- b. any extension, additional building(s) or curtilage provision is complementary to the scale and character of the retained building and its setting;
- c. it would not have a significant adverse effect on the amenities of neighbouring occupiers or the effective operation of nearby businesses;
- d. conditions are applied if this is required to avoid future extensions, curtilage buildings or other domestic paraphernalia undermining heritage or landscape justification for conversion;
- e. ensure that the conversion does not result in the loss of protected species (such as barn owls and bats) and provide compensatory habitat(s) where such loss is unavoidable; and,
- f. the conversion of the building would enhance its immediate setting.

Policy Justification and Supporting Text

6.20 Permitted development rights exist for the conversion of certain redundant agricultural rural buildings to dwellings, but this policy addresses situations not covered by permitted development, and where there is a potential long term heritage or landscape value which can be secured by facilitating a residential conversion of a building. This is in accordance with Core Strategy Policies CS3(c), CS9(a) & (g), CS10(a) and CS11(e), and the NPPF.

6.21 Such developments will also be considered against other relevant historic environment policies (Policies CS10 and E5) and habitat mitigation policy (Policy GSP5), as well as the NPPF.

6.22 The policy facilitates such development in appropriate cases, but recognises that in some cases the changes required for residential use can result in the loss of the very qualities worth preserving. In some cases an interesting building in disrepair may be preferable to an inappropriate new dwelling in the location.

6.23 Where a conversion is, in itself, advantageous, restriction of permitted development rights may be required to ensure that such advantage is maintained in the long term, and not eroded by excessive or poorly designed or located buildings, or other domestic clutter.

6.24 In some cases, particularly with timber framed buildings, a full protected species survey will be required to assess the potential to impact upon protected species (such as barn owls and bats) or habitats. Such surveys will need to be carried out by suitably qualified person(s) at the right time of the year, using methods appropriate for the species of the area.

Replacement dwellings outside of the Development Limits

Policy H8: Replacement dwellings outside of the development limits

The replacement of a single permanent dwelling outside the Development Limits with a new dwelling will be permitted on the same site where:

- a. the existing dwelling is not a building of architectural or historical value which makes a positive contribution to the locality;
- b. the dwelling being replaced has a current lawful permanent residential use and has not been abandoned;
- c. the replacement dwelling's scale, siting and design, and any extension of its curtilage:
 - would not harm the character of the surrounding area or any protected landscape, habitat, species or heritage assets; and
 - would not have a significant adverse effect on the amenities of neighbouring occupiers or the effective operation of nearby businesses; and
- d. any increase in bedrooms would not have an adverse impact on road safety or the free movement of traffic on any road of strategic network significance.

Policy Justification and Supporting Text

6.25 Existing dwellings in the countryside contribute towards the range of dwelling types and sizes required to support a diverse community. Many of these make an important contribution towards the rural character of an area and it is important this is protected. However, housing needs to be adaptable to meet changing requirements of family life, as indicated in Policies CS1 and CS3. As such, it is recognised that in some cases there is a need for the replacement of an existing dwelling with a new dwelling and Policy H8 facilitates this outside of the Development Limits.

6.26 Proposals for replacement dwellings under this policy will also need to have regard to Policies CS10 and E5 on the historic environment.

Residential extensions

Policy H9: Residential extensions

Residential extensions will be permitted both within and outside of Development Limits where they:

- a. maintain or enhance the character and appearance of the building, street scene, its immediate surroundings and the wider townscape or landscape;
- b. would not significantly adversely affect the amenities of any neighbouring occupiers in line with Policy A1; and
- c. do not deprive the property of suitable amenity, utility, parking and highway access for the resulting scale of use.

Policy Justification and Supporting Text



6.27 Permitted development rights exist for certain types of residential extension, but this policy addresses situations not covered by permitted development. The policy is aimed at residential extensions which are specifically ancillary to the main residential use of the building. It is recognised that residential extensions can play an important role in the upgrading and design efficiency of the Borough's existing housing stock. When assessing the suitability of further development, the impact of the proposal on the existing house, the scale of the extension and its potential impact upon the setting of the surrounding area and quality of life of the occupiers and existing residents will be taken into consideration.

6.28 This policy helps to give effect to Core Strategy Policy CS3(b), (f) & (g) and CS9.

Residential annexes

Policy H10: Residential annexes

For the purposes of this policy, Residential Annexes are defined as detached buildings or extensions within the curtilage of a dwelling which provide additional residential accommodation not wholly integrated with the main dwelling.

Proposals for residential annexes will be permitted inside and outside of Development Limits provided that:

- a. the annexe is ancillary, and subordinate in scale, to the principal dwelling, and in particular;
 - it is in the same ownership as, and occupied in conjunction with, the principal dwellings; and,
 - it shares the existing access, curtilage, garden and parking of the principal dwelling without differentiation; and
- b. it is consistent with the policy for residential extensions Policy H9; and
- c. the annexe is capable of practical incorporation with the principal dwelling once there is no longer a need associated with it.

Any permission granted will be subject to a legal agreement to ensure that these requirements continue to be met.

Annexes that are not designed as an integral part of the principal dwelling's curtilage and use will not be permitted under this policy.

Policy Justification and Supporting Text

6.29 To help deliver Core Strategy Policies CS1(a) & (b), CS2(e) and CS3, this policy facilitates the adaption and change of the housing stock to accommodate, for example elderly or growing families, while ensuring that independent dwellings are not created in inappropriate locations or with poor relationships to existing properties. Applications should therefore demonstrate how the annex has been designed to prevent the creation of an independent dwelling including the future use of the unit. The design of the annex should reflect the character of the existing dwelling and be subordinate in size, scale and provision of accommodation to the existing dwelling. In all cases, there will be no boundary treatments that physically separate the accommodation from the main dwelling or a separate vehicular access, and this will be managed by condition.

Housing for the elderly and other vulnerable users

Policy H11: Housing for the elderly and other vulnerable users

The provision of accommodation especially suitable for elderly and other vulnerable people will be encouraged. The following types of development will be permitted:

- a. bungalows within Development Limits;
- b. accessible apartments within Development Limits; and
- c. grouped accommodation with appropriate elements of support, shared facilities and/or nursing care/wardening where either:
 - i. it is located within Development Limits, and
 - close to town or village shops, public transport, community facilities and medical services; and
 - these are easily reached by those without access to a car, as appropriate to the needs and level of mobility of potential residents; or
 - ii. it is located outside Development Limits, and
 - is adjacent to the Development Limits of a Main Town, Key Service Centre or Primary Village;
 - a Travel Plan shows how residents without cars will have access to shops, community facilities and medical services, as appropriate to the needs and level of mobility of potential residents. The plan should also demonstrate how visitors and staff without cars can access the premises. Measures included in the plan will need to be secured by planning condition and/or a planning obligation;
 - a planning condition restricts the occupancy to older people or people with a need for care.

Where sites close to Great Yarmouth or Gorleston-on-Sea town centres become available which are suitable for grouped accommodation under c(i) above, preference will be given to such accommodation over other potential residential uses. Proposals should be supported by evidence demonstrating why grouped accommodation under c(i) would not be viable or suitable for the site.

For elderly accommodation covered by this policy, the design should facilitate the provision of:

- d. generous internal space;
- e. high levels of energy efficiency with good ventilation;
- f. suitable storage space for items that aid mobility;
- g. sheltered external recreational space, and where this cannot be achieved, the provision of external balconies; and
- h. an attractive outlook and/or activity from within this accommodation.

Policy Justification and Supporting Text

6.30 This policy helps to give effect to Core Strategy Policy CS3 (d) & (e) . The Borough has a relatively aged population structure, and this characteristic is likely to become more pronounced in the future, with the number of residents over 85 anticipated to double during the plan period. The provision of accommodation particularly suitable for older people can also free up existing housing stock to make it available for families and other younger people for whom it is more suited.

6.31 Given the significant need for housing suitable for older people and people in need of care, it is necessary to promote this form of development and encourage and prioritise it in certain areas. Where sites become available within or on the edge of a town centre (defined as 300m from the town centre boundary, consistent with Policy R1 for edge of centre sites of Great Yarmouth or Gorleston-on Sea town centres) these should be prioritised for housing suitable for the elderly over other residential uses. Therefore, proposals for new residential development close to the town centres will need to be supported by evidence documenting whether the site is suitable and desirable for grouped accommodation with appropriate elements of support, shared facilities and/or nursing care/wardening for the elderly or vulnerable people. This evidence should include evidence of marketing enquiries, viability information or evidence that the site is not suitable due to size, elevation changes or access.

6.32 As it may be difficult to secure this accommodation on windfall sites within Development Limits, the policy also allows for accommodation for older people and people with care needs outside of Development Limits but adjacent to the more accessible settlements in the Borough. In these situations, it will be necessary to ensure that there is good access to services and facilities for those with no access to a private car. To demonstrate good accessibility, such housing will need to be appropriate for the intended users, for example by providing ramps, lifts and stair lifts.

6.33 The design standards have regard to the principles set out in the 'Housing our Aging Population Panel for Innovation' (HAPPI) report which when published in 2009 sought to consider what reforms were needed to ensure that new build specialised housing meets the future needs and aspirations of older people.

6.34 In addition to this policy, the Borough Council is applying a requirement in Policy A2 that all new housing should be to 'M4(2): Accessible and Adaptable Dwellings' standards where practicable. The intention of this approach will be to maximise the flexibility of new housing to accommodate a wider spectrum of housing needs. This will support housing needs of older people but also those with specialist needs such as those who are disabled and some wheelchair users.

6.35 It is strongly recommended that prior to submitting a planning application, applicants discuss the level of specific elderly or vulnerable users' housing need with the Borough Council and Norfolk County Council.

6.36 In accordance with Policy GSP5, where the potential for increased recreational pressures on nearby internationally protected habitats sites is demonstrated, mitigation measures may be sought in the form of contributions.

Housing in Multiple Occupation

Policy H12: Houses in multiple occupation

The provision of Houses in Multiple Occupation (including, but not limited to, those in use class C4 and related sui generis uses) will be permitted where these will support the well-being of their occupants and neighbours, and maintain and where practicable enhance the character and amenity of the locality.

New Houses in Multiple Occupation (HMOs) will not be permitted in the designated 'Seafront Area' and 'Back of Seafront Improvement Area' due to the need to protect the character and nature of these areas. New HMOs will also not be permitted in the designated 'Hall Quay Development Area' due to the desire for specific types of high-quality re-development in this location.

The concentration of HMOs in a local area must not significantly imbalance the current mix of housing types there (i.e. use class C1 hotels, guest houses and related types and use class C3 dwelling houses). In particular, any proposal that would result in the 'sandwiching' of a single residential or tourist accommodation property between two or more sui generis HMOs will not be acceptable.

For proposed sui generis uses, any proposal that would result in more than 20% of properties within 50 metres of the application site being sui generis HMOs will not be acceptable.

For all HMO proposals:

- a. there must be provision of adequate practical bin storage for the number of potential occupants out of sight from the street such as within the curtilage to the rear of the property, or in covered bin storage within a frontage curtilage, of a scale and of a design which maintains or improves the character and amenity of the area;
- b. the daily functional uses must not unacceptably harm the amenity of adjoining and nearby residents through visual and/or noise intrusion, and/loss of privacy (see Policy A1).

All applications for planning permission will need to state the number of rooms (bedrooms and shared living space), the space per room, and the number of people proposed to occupy each bedroom which will normally only be one or two. The number and size of kitchens and bathrooms must also be stated in the application and must be adequate for the number of people proposed to be accommodated in the HMO.

Any HMO proposals will need to at least meet (but ideally exceed) the minimum room dimensions required to secure a licence from the Council's Environmental Services section under the Housing Act 2004 (or any amended or subsequent legislation), even in cases where a licence is not required.

The Borough Council will produce practical guidance for those considering converting premises to HMOs, which will clarify when planning permission, Environmental Health licensing and/or Building Regulations approval is required, and what the respective combined requirement for these means for each of the different types of HMO.

Policy Justification and Supporting Text

6.37 Houses in Multiple Occupation (HMOs) are, for planning purposes, those properties being shared by three to six tenants who form two or more (separate) households and who share a kitchen,

bathroom and/or toilet (use class C4). Those HMOs with seven or more tenants living there, comprising two or more separate households, are classed as a “large” HMO (which are classed as *sui generis*, rather than in use class C4). (Note that the definition of a “large” HMO under the 2004 Housing Act is slightly different to the planning definition, needing to be five or more tenants, comprising two or more households, with the sharing of key facilities.)

6.38 Great Yarmouth benefits from many hotels, guest houses, boarding houses and bed-and-breakfasts. Changes to tourism patterns over the past 40 years or so, however, have seen a decline in traditional bucket-and-spade holidays, with the result that there has been a reduction in the demand for such holiday accommodation. A number of such buildings, particularly but not exclusively located behind the main seafront, have been converted (either in whole or in part) into residential uses, mostly self-contained flats or HMOs. The financial pressure for conversions of existing guest houses, hotels, etc. and C3 dwellings to HMOs remains strong.

6.39 HMOs undoubtedly play an important role in providing lower-cost accommodation in the Borough, and the Council is keen to ensure that where they are proposed (and present) they are of good standard. However, HMOs can sometimes have amenity impacts both on their residents and on adjoining residents. The Council is therefore anxious to ensure that any new HMO proposals are appropriately located and designed, and that there is not an over-concentration of HMOs in any one area. Considerations such as parking provision, bin storage and general amenity will help to maintain the quality of the local environment for both existing and new residents, and relevant other Local Plan policies will need to be taken into account (such as CS9, A1 and I1).

6.40 Changes to the General Permitted Development Order in 2010 enabled standard residential houses (class C3) permitted development rights to convert to a class C4 HMO dwelling. Due to the existing numbers and concentration of HMOs in the Borough, the Council adopted an ‘Article 4’ Direction in September 2012, covering the whole area of the Borough (excluding those falling within the Broads Authority area). The effect of the Article 4 direction is to remove the permitted development rights for class C3 dwellings to convert to class C4 HMOs, and so means that all such proposals require express planning permission.

6.41 The greater risk of unacceptable amenity impacts, and also impacts on the character of the area, tend to occur with new *sui generis* HMOs. At least some C4 HMOs may have no greater impact on amenity, character and parking (for example) than C3 dwellings, so a slightly less restrictive policy approach in terms of concentration is appropriate. Having a 20% (*sui generis*) HMO limit on properties within 50m of any part of the curtilage of a proposed new *sui generis* HMO is considered to strike a pragmatic balance between:

- i. recognising the need for low-cost accommodation in the Borough, and that conversion to an HMO can sometimes be the most cost-effective way of keeping, or returning a vacant building to active use;
- ii. the amenity and/or character impacts that can sometimes occur with HMOs; and
- iii. being fairly straightforward to calculate and measure on the ground.

6.42 Even if only a small part of an existing HMO’s curtilage is within 50m of a proposed new *sui generis* HMO, this will be taken into account in assessing the 20% limit. In calculating this percentage, the Council will count HMOs which: i) have an extant planning permission for such *sui generis* use; or

ii) have a Certificate of Lawfulness for such use; and/or iii) have a Housing Act licence for “large” HMO use. Any evidence that another property in the vicinity may be in use as a *sui generis* “large” HMO without the necessary permission and licence (a not uncommon scenario) – for example, that an enforcement notice has been served – may also need to be taken into account. For the avoidance of doubt, any authorised C4 HMOs will **not** be counted in the 20% limit.

6.43 For some limited areas of the Borough, further HMOs would undermine the particular plan proposals for them, including the ‘Great Yarmouth Seafront Area’ (Policy GY6) and the ‘Hall Quay Development Area’ (Policy GY3), so no new HMOs will be permitted there. The ‘Back of Seafront Improvement Area’ (Policy GY7) has been, and remains, under significant pressure for new HMOs – many such conversions have taken place over recent decades. Where former guest houses etc are being considered for alternative uses, the Council prefers changes from holiday use to normal C3 dwelling houses and business premises rather than new HMOs, to try to develop a different character to the area.



6.44 Most, but not all, HMOs require a licence from the Council’s Environmental Services department to operate lawfully (see the Council’s Environmental Services [website](#) for details of the licencing process and standards required) and for some conversions and all new builds, Building Regulations standards will also need to be complied with. Licencing is a legally separate process from planning permission – there will be some circumstances where planning permission is required but a licence is not required, some occasions where a licence is required but not planning permission, but in most cases both planning permission and a licence will be needed.

6.45 In terms of minimum room and space standards, these are set out in the 1985 Housing Act (sections 325 and 326), which are also referred to in the 2004 Housing Act. The current minimum bedroom sizes are repeated below for convenience (any person over the age of 10 is counted as an “adult” and children between the age of 12 months and 10 years as 0.5 of an “adult”):

Table 6.1 Space standards

Floor area of room	Number of Persons
10.2 sqm (110sqft) or more	2 people
8.4m ² – 10.2m ² (90 – 110sqft)	1.5 people
6.5m ² – 8.4m ² (70 – 90sqft)	1 person
4.6m ² – 6.5m ² (50 – 70sqft)	0.5 person (i.e. child of 1-10 years old only)
Less than 4.6m ² (50sqft)	Not suitable as sleeping accommodation

6.46 In order to prevent ‘doubling up’ (two or more people living permanently in an HMO room only of sufficient size for a single resident, and so on for larger rooms – which is known to occur in the Borough), a condition will be appended to a planning permission restricting the number of occupants who can permanently reside in each room.

6.47 Whilst the licencing and Building Regulations regimes cover the adequacy (or otherwise) of HMO kitchens and bathrooms, as stated above, there may be cases where planning permission is being applied for in the absence of a licence. Inadequate bathroom and/or kitchen space and facilities (particularly) in some proposed/existing HMOs is a significant issue in the Borough. It is therefore imperative that this information is provided in any application so that a judgement in planning terms can be made as to whether the living conditions would be acceptable in facilities and amenities terms.

6.48 A minimum of two bathrooms and two kitchens for a *sui generis* HMO and a minimum ratio of one kitchen and one bathroom for every six occupants for HMOs with more than 12 bedrooms will be expected. This ratio ensures that the provisions reflect the standards of C4 HMOs considered through permitted development to merit the permitted change from C3. However, the size and usability of kitchens and bathrooms must also be taken into account in considering the appropriateness.

6.49 In order to help mitigate the problems of confusion between the different regulatory regimes (planning, licensing and building control), the Council will produce simple integrated guidance which will make it easier for all to understand the specific requirements for particular types of HMO property when both sets of requirements (where applicable) are combined.

6.50 It is strongly recommended that prospective HMO applicants seek pre-application and pre-licencing advice from the Council before progressing schemes. It is recommended that all applicants apply for planning permission before making a licence application, as there may be elements of any planning permission which would need to be reflected in the consideration/contents of a licence.

6.51 In accordance with Policy GSP5, contributions will be sought for habitat monitoring and mitigation measures where there is an anticipated increase in the potential recreational disturbance to National Site Network habitat sites, as calculated through the Habitats Monitoring and Mitigation Strategy. The contribution is charged per six bed-spaces (as equivalent to a dwelling) and rounded up where it is part of the next six (for example, 8 bed-spaces would round up to 2 equivalent dwellings).

Housing supply and delivery

Policy H13: Housing supply and delivery

Outline planning applications for major housing development should provide evidence on how the site will be delivered to give confidence that completions can occur within five years of consent.

In the event that the Council is unable to demonstrate a five year supply of housing, consideration will be given to applying a shorter than standard time limit to outline applications for major housing development to encourage prompt delivery.

Policy Justification and Supporting Text

6.52 The NPPF seeks to significantly improve the supply of new homes. The Council's Local Plan also seeks to ensure new housing is delivered to meet needs. It is therefore important that proposals for new housing are deliverable.

6.53 The NPPF puts significant weight on the deliverability of housing developments and requires local planning authorities to identify a five year supply of deliverable sites. Where a five year supply cannot be demonstrated the NPPF states that policies in the development plan, including those which are most important for determining applications, are treated as being out-of-date meaning that speculative applications for housing developments could be permitted where they would usually be contrary to development plan.

6.54 There is, however, no direct relationship in Great Yarmouth between planning permissions granted and the delivery of housing. There are currently well over 3,000 dwellings with planning permission, around half of which are one or two years old, yet on average only just over 200 dwellings a year have been completed in recent times. The purpose of the policy is to encourage an increase in housing delivery, while discouraging the grant or renewal of planning permission for speculative development, particularly where it has little prospect of early delivery.

6.55 The NPPF defines a deliverable site as available and suitable for development now and can realistically deliver housing within five years. It assumes that all sites which do not involve major development and all sites which benefit from full/detailed planning permission are deliverable. However, for outline planning permissions, the NPPF states that there needs to be clear evidence that housing completions will begin on site within five years. Policy H13 therefore requires outline planning applications for major housing development to be supported by evidence to demonstrate that completions will occur within five years of consent. Such evidence should include progress on securing a developer, timetable for the submission of reserved matters and discharge of conditions, viability, how any ownership constraints are being resolved and information on funding bids to secure delivery. For developments on land which have a recently lapsed permission, evidence will also be required detailing why the previous permission lapsed and how circumstances have now changed in order that completions will occur within five years.

6.56 In the event that the Council cannot secure a five year supply, it will be important to ensure that new planning permissions (particularly those which are being justified on the basis of a lack of supply) will deliver housing promptly. As such, the Council will consider applying a shorter than standard time limit to outline applications for major housing development. In such circumstances, the

Borough Council will also have regard to national policy by considering the potential to impact on development deliverability and viability.

7 RETAIL

Location of Retail development

Policy R1: Location of retail development

Town Centre Boundaries, District Centre Boundaries and Primary Shopping Areas are identified on the Policies Map.

New main town centre use development (as defined by the National Planning Policy Framework) will be permitted within the designated centre boundaries. Where there are no suitable or available sites within the designated centre, proposals for main town centre use development which are otherwise in accordance with Policy CS7 (as amended by Policy UCS7) will be permitted on edge of centre sites.

For retail development in Great Yarmouth, edge of centre sites should be within 300 metres of the Primary Shopping Area. For the development of other main town centre uses in Great Yarmouth, edge of centre sites should be within 300 metres of Town Centre Boundary.

For all main town centre uses proposed in Gorleston-on-Sea, Bradwell or Caister-on-Sea, edge of centre sites should be within 300 metres of the designated centre.

Where there are no suitable or available sites within designated centres or edge of centre sites, new town centre use development will be permitted on out of centre sites within the Development Limits providing it is otherwise in accordance with Policy CS7 (as amended by Policy UCS7), and:

- a. the location is accessible by public transport and is accessible to pedestrians and cyclists;
- b. the site has good links to the designated centre, or links can be improved;
- c. the proposed use either individually or cumulatively does not undermine the attractiveness or viability of the designated centres; and
- d. the site will not impact upon other neighbouring uses, in terms of traffic, parking and amenity issues.

In addition to the criteria above, development on out of centre sites which are also outside of Development Limits will only be permitted where:

- e. an additional need for retail development has been demonstrated to justify the development; and
- f. there is no suitable and available land within the Development Limits.

Policy Justification and Supporting Text

7.1 This policy provides further detail to Core Strategy Policy CS7 (as amended) by setting out how the development of new town centre uses will be treated within the Borough of Great Yarmouth. The NPPF is clear that town centres are the preferred location for the development of new retail, offices, tourism, cultural and community uses and that their location should be considered sequentially i.e. on town centre sites before edge of centre sites, and if that is not possible, considered on well connected out of centre sites.

7.2 Core Policy CS7 identified a need for between 2,152sqm (net) and 4,305sqm (net) of 'food' shopping floorspace, and up to 8,865sqm (net) of 'non-food' shopping floorspace over the current plan period, however this retail requirement was based upon the Council's 2011 Retail and Leisure Study and so is no longer considered reflective of the current retail environment. In 2019, the Council undertook a refresh of its retail capacity, taking into consideration existing planning commitments for both 'food' and 'non-food' schemes within the Borough. This concluded that there was no longer a need for any further retail floorspace to be identified within this plan up to 2030.

7.3 Although it is presently demonstrated that there is no 'need' for additional retail floorspace within the plan period, it is necessary to be clear where new retail development will be focused when market interest and demand does arise. Core Policy CS7 (as amended) sets out the plan's retail hierarchy which focuses new retail and leisure development towards the 'Main Town Centre' of Great Yarmouth, followed by the 'Town Centre' of Gorleston-on-Sea and then a smaller proportion to the two 'District Centres' in Caister-on-Sea and Bradwell. Finally, a limited amount will be directed to identified 'Local Centres' across the Borough to help sustain the needs of local communities.

7.4 When determining proposals for main town centre uses, the NPPF requires a sequential approach to be undertaken. In Great Yarmouth, a concentrated Primary Shopping Area is designated within the Town Centre Boundary to define where retail development is to be principally focused, reflecting its strategic importance at the top of the retail hierarchy. This means when determining appropriate edge of centre sites in Great Yarmouth, this will be dependent on whether purely 'retail' uses (e.g. shops) or other main town centre uses are being proposed. In the other designated centres of Gorleston-on-Sea, Bradwell, Caister-on-Sea and the Local Centres, appropriate edge of centre sites will be always be for considered as being within 300 metres of the designated centre for main town centre uses.

7.5 To ensure that new proposals do not undermine the viability and vitality of designated centres, and avoids significant adverse impacts on existing, committed and planned public or private investment, development proposals over 200 square metres will need to be accompanied with an impact assessment, as required by Core Policy CS7(f).

Protected Shopping Frontages

Policy R2: Protected shopping frontages

Protected Shopping Frontages are identified on the Policies Map.

Within Protected Shopping Frontages, proposals for retail uses on ground floor frontages will be particularly encouraged and supported.

Proposals to change the use of active ground floor uses from use class E to other uses will only be permitted where:

- a. their primary function is to provide services and/or sales to visiting members of the public; and
- b. they provide an active ground floor frontage (e.g. window displays, entrances and views of internal activity); and
- c. they do not undermine the vitality and viability of the town centre.

Proposals for the change of use of other active ground floor uses will only be permitted where it would not individually or cumulatively have a significant adverse impact on the character, appearance, retail function, viability or vitality of the centre.

Policy Justification and Supporting Text

7.6 This policy supports the Core Strategy (Policy CS7(d)) by identifying 'protected shopping frontages' (as defined on the Policies Map) as the main focus of retail activity within the town centres of Great Yarmouth and Gorleston-on-Sea. Accordingly, the main uses encouraged within these ground floor frontages to support footfall will be retail uses.



7.7 There may be circumstances where alternative uses providing active ground floor uses will be acceptable, such as when they also provide services or sales to members of the public, maintain a fairly dominant retail appearance or where these bring back into active use long-term vacant frontages. It is necessary that alternative uses do not, however, undermine the character and vitality of the main shopping area by creating long stretches of non Class E uses. When assessing proposals for alternative non Class E uses, the Council will have regard to the total number and proportion of different use classes along the immediate frontage and the continuity of Class E uses along the frontage.

7.8 It has not been considered necessary to designate Secondary Shopping Frontages as indicated by Core Policy CS7(d). Secondary Shopping Frontages are usually designated to identify frontages for a greater mix of uses including banks, building societies, estate agents, restaurants and cafes etc. These uses are generally acceptable within the wider town centre area of Great Yarmouth (Policy GY1) and Gorleston (Policy R3) and where in compliance with the criteria in Policy R2. Additionally, it has not been necessary to designate Holiday Shopping Frontages, as indicated by Core Policy CS7(d) as Policies GY5 and GY6 provide further direction on how particular retail uses which support leisure and tourism uses along Regent Road and the seafront will be managed.

7.9 It is noted that some changes of use can take place without the need for planning permission under the General Permitted Development Order 2015 which allows some flexibility of uses within the town centre (subject to size, final proposed land use and whether it is located within a conservation area or not). The ability of the Council to control such proposals highlights the need to give particular scrutiny to proposals that continue to require the submission of a planning application. The Council will consider the use of Article 4 Directions where consistent with the Written Ministerial Statement – Revitalising high streets and town centres made on 1 July 2021 and any subsequent updates to national policy.

Gorleston Town Centre Area

Policy R3: Gorleston Town Centre Area

The Town Centre Boundary and Protected Shopping Frontage is defined on the Policies Map.

New main town centre use development (as defined by the National Planning Policy Framework) will be permitted within the Gorleston Town Centre where the function, scale and nature of the proposal would not undermine the vitality or viability of Great Yarmouth Town Centre.

New proposals will be permitted where they would:

- a. support the enhancement, appearance, safety and environmental quality of the area;
- b. promote the short and long-term reuse of vacant buildings;
- c. seek to enhance the early evening economy;
- d. improve access to Gorleston Town Centre by sustainable modes of transport and encourage multi-purpose trips.

Proposals for the change of use of active ground floor uses outside of the Protected Shopping Frontage area will only be permitted where it would not individually or cumulatively have a significant adverse impact on the character, appearance, retail function, viability or vitality of the centre.

Policy Justification and Supporting Text

7.10 Gorleston Town Centre is identified within the Core Strategy retail hierarchy (Policy CS7, as amended) as the Borough's 'second' town, below Great Yarmouth. The town centre is principally located along the High Street; north-south between School Lane and Sussex Road, and east-west between Church Lane and Baker Street. The high street is compact and tightly contained beside adjacent residential uses, which is reflected in the delineation of its town centre boundary.

7.11 Gorleston-on-Sea functions well as a town centre and compliments, rather than duplicates, the main town centre role fulfilled by Great Yarmouth, performing the principal day-to-day convenience and service destination for local residents, businesses and sixth form college. The main stretch of shopping frontage lies between Cross Street and Baker Street, and is strongly dominated by traditional shopfronts, active ground floors and a vibrant mix of retail and leisure uses with relatively low levels of long term vacancies.

7.12 The policy seeks to protect and enhance the overall role and function of the town centre and therefore supports a range of complementary measures to maintain its continued vitality and viability. The main frontage between Cross Street and Baker Street is designated as Protected Shopping Frontage, therefore new changes of use within this area will need to be carefully considered under Policy R2.

7.13 Non-main town centre uses including residential uses can play an important role to support the vitality of centres, particularly on the upper floors, providing activity and critical mass to support services and facilities. However, this needs to be finely balanced so as not to be detrimental to the function and character of the town centre, such as through the inappropriate loss of shopfronts to residential changes of use.

Caister District Centre

Policy R4: Caister-on-Sea District Centre

Caister-on-Sea District Centre is defined on the Policies Map.

New main town centre use development (as defined by the National Planning Policy Framework) will be permitted within the Caister-on-Sea District Centre where the function, scale and nature of the proposal is consistent with the role of the District Centre and would not undermine the vitality and viability of Great Yarmouth Town Centre.

New proposals will be permitted where they would:

- a. support the appearance, safety and environmental quality of the area;
- b. promote the short and long-term reuse of vacant buildings;
- c. seeks to enhance the early evening economy; and/or
- d. improve access to Caister District Centre by sustainable modes of transport and encourage multi-purpose trips.

Proposals for the change of use of active ground floor uses to non-main town centre uses will be resisted unless it would not, individually or cumulatively have a significant adverse impact on the character, appearance, retail function, viability or vitality of the centre.

Policy Justification and Supporting Text

7.14 Caister-on-Sea is identified within the Core Strategy retail hierarchy (Policy CS7, as amended) as a 'District Centre'. The centre is principally defined along Caister High Street, stretching between Holy Trinity Church in the north to Tan Lane and slightly beyond, in the south.

7.15 There are approximately 40 units within the district centre, including a convenience retailer and a number of smaller independent shops well served by the local community.

7.16 The policy seeks to protect and enhance the overall role and function of the centre and therefore supports a range of complementary measures to maintain its continued vitality and viability.



Local Centres

Policy R5: Local Centres

Local Centres are identified on the Policies Map.

Within Local Centres, limited retail, leisure, community facilities and office development will be permitted where it is of a proportionate scale to provide essential services to the local community.

Within Local Centres, proposals to change the use of existing active ground floor uses to uses other than retail, leisure, community and offices will not be permitted.

Within Local Centres, proposals for the change of use of active ground floor uses from retail use to drinking establishments and hot food takeaways will only be permitted where there would be, either individually or cumulatively, no significant adverse impact on character, appearance, retail function, viability and vitality of the centre, on highway safety or on the amenity of neighbouring uses.

Policy Justification and Supporting Text

7.17 Local Centres are identified in the Core Strategy retail hierarchy (Policy CS7, as amended) below Town and District Centres. Local Centres perform a more limited but important role to provide local residents, and particularly the less mobile and elderly, with day-to-day goods and services. Local Centres typically include a convenience store, post office, pharmacy, newsagent and other shops selling food and beverage. In the Borough, Local Centres have been designated in the following locations:

- In Great Yarmouth:
 - Northgate Street
 - St Peters Road
 - Beresford Road
 - Camden Terrace
- In Gorleston-on-Sea:
 - Bells Road
 - Magdalen Way
 - Lowestoft Road
 - Church Lane
 - Almond Road
- In Bradwell:
 - Burgh Road
 - Crab Lane
- In Caister-on-Sea:

- (Proposed) Land west of Jack Chase Way, as allocated by Policy CA1
- In Belton:
 - Bell Lane
- In Hemsby:
 - Kings Way, including land allocated for small-scale shopping facilities under Policy HY1
- In Martham:
 - The Green
- In Ormesby St Margaret:
 - North Road/Cromer Road
- In Winterton-on-Sea:
 - Black Street

7.18 In 2011, the Retail Study identified the Local Centres as being reasonably healthy, performing an important role to provide top-up shopping within walking distance of local residents. This picture remains reasonably consistent as evidenced by the results of the household survey which underpinned the 2019 Retail Capacity Refresh.



7.19 The vitality and viability of the Local Centres are, to varying degrees, principally anchored by their convenience store offer, and fair better when shops are located within a more consolidated geographic area rather than consisting of a collection of dispersed stand-alone units.

7.20 Policy R5 seeks to protect the retail and service level role that Local Centres provide, recognising the importance of maintaining a strong convenience offer to support their vitality and viability of other adjoining uses.

Kiosks and Stalls

Policy R6: Kiosks and stalls

The principle of developing new retail and food outlets in the form of kiosks or stalls will be permitted within the designated Holiday Accommodation Areas, Town Centre or the Great Yarmouth Seafront Area. Applicants will need to demonstrate that:

- a. the siting of the proposal, including the curtilage of the kiosk or stall and associated street furniture, does not obstruct either local footways, promenades and esplanades;
- b. the design of the kiosk or stall is sympathetic to the surrounding environment, paying particular attention to local street scenes and where applicable, conservation areas, listed buildings and key views;
- c. the cumulative impact of the proposal, including any clustering of such uses or particular types of uses on the local area, are not significantly adverse; and
- d. adequate provision is made for:
 - operational refuse storage out of sight; and
 - litter bin(s) for customers.

Where necessary, conditions may be imposed on proposals to restrict the amount and extent of any external seating, tables, signage, etc.

Policy Justification and Supporting Text

7.21 In specific areas such as the Borough's seafront and coastal resorts, the provision of kiosks and stalls help offer flexible and niche shopping and leisure experiences for residents and tourists, as well as providing an important local economic boost to coastal communities. In town centres, whilst similar benefits are realised, the careful design and position of kiosks and stalls can also help provide activity to existing dead frontages to increase vibrancy and vitality of centres.

7.22 Reflecting this important contribution to the Borough's overall retail, tourism and cultural offer, new kiosk and stall proposals will be generally acceptable where located within the designated Holiday Accommodation Areas, Town Centres and Great Yarmouth Seafront Area. Proposals for new kiosks or stalls outside of these areas will only be acceptable where meeting the requirements of the sequential approach in Policy R1.

7.23 The positioning or appearance of new kiosks and stalls, if poorly thought out can make areas look and feel unattractive by cluttering up streets and highways, intruding upon sight lines, blocking active frontages and introducing unpleasant and inappropriate odours which may have a negative impact upon the vitality of the area and amenity of the existing and future users. To ensure that new kiosks and stalls are developed sustainably and in consideration of the surrounding environment and users, new proposals will also need to demonstrate satisfactory compliance against the detailed criteria in the policy.

Food and Drink Amenity

Policy R7: Food and drink Amenity

When determining the impact of food and drink uses on an area, the following matters will be taken into consideration.

- a. The cumulative impact and effects of clusters of other food and drink uses, including those with unimplemented planning permissions.
- b. The impact of noise and general disturbance, smells, litter and late night activity, including those impacts arising from the use of external areas.
- c. Availability of parking, servicing facilities and public transport.
- d. Highway and pedestrian safety.
- e. Availability of refuse storage space and disposal facilities.
- f. The appearance of any associated extensions, flues and installations

Policy Justification and Supporting Text

7.24 Food and drink uses can be beneficial to the vibrancy, diversity and vitality of centres however, they require careful management to prevent harmful impacts upon the amenity of an area. This policy intends to aid the delivery of appropriate food and drink uses as promoted by Policy CS7(d) by ensuring that the individual and cumulative impacts of food and drink uses do not harm the character of the centre or cause nuisance to residents and other businesses occupiers in the vicinity of food and drink uses.

7.25 The policy provides a non-exclusive list of the main amenity considerations that will need to be addressed by those preparing or deciding planning applications for new food and drink uses.

Rural Retailing

Policy R8: Rural retailing

The development of new or expanded rural retailing uses will only be permitted where:

- a. the retailing is predominantly of the produce of land within a contiguous holding, and the scale and nature of the proposals is consistent with the range, amount and seasonality of that produce;
- b. the scale and nature of the development is not intrusive within the landscape; and
- c. the site has a safe and convenient access to the highway network.

Policy Justification and Supporting Text

7.26 Rural retailing, such as farm shops, nurseries and garden centres can provide a supportive platform to grow local businesses and jobs related to the rural economy.

7.27 In recent years, the range of products sold, particularly in garden centres, has been extended to include other retail goods as well as providing popular activities such as cafes and play areas, however these have the ability to draw trade away from the Borough's town, district and local centres, potentially undermining their future vitality and viability. Garden centres (and similar enterprises) often require large areas of land to accommodate buildings, car parking and display of plants and other goods and by their commercial nature, can be both visually intrusive upon the landscape and have a significant impact on the local highway network.

7.28 To ensure that new or expanded rural retailing use does not undermine the viability and vitality of nearby designated centres, proposals for retail development based in the countryside will be assessed against the above policy criteria. Where a development proposal is planned over 200m² the submission of a Retail Impact Assessment will be required. This complies with the approach set out in Core Policy CS7. Where it is necessary, the Council may limit the range and goods sold by planning condition, in the interest of protecting and not undermining the vitality of existing designated centres.

7.29 Some permitted development rights presently exist for the conversion of agricultural buildings to flexible commercial business and services uses. In circumstances where planning permission is required, Policy R8 will apply.

8 BUSINESS AND INDUSTRIAL DEVELOPMENT

Business Development

Policy B1: Business development

Office, industrial and storage & distribution development uses will be permitted within the Development Limits identified on the Policies Map provided it can be demonstrated that the use and structures will be compatible with, and not significantly detrimental, to the existing allocated and permitted uses and occupiers in the vicinity.

Office uses located outside of defined town, district and local centres, or other suitable employment locations identified through the Local Plan, will be subject to the sequential test as set out in national planning policy.

Outside the Development Limits a more restrictive approach will apply, and proposals will be permitted only where they comply with the criteria above, national planning policy and:

- a. are small-scale and rural in character and sensitive to its surroundings and well-related to existing settlements; or
- b. it can be demonstrated that they could not be accommodated within defined Development Limits; or
- c. they comprise an extension or alteration to existing business premises which does not result in a major change in the scale and impact of the premises or use.

Policy Justification and Supporting Text

8.1 This policy adds detail to Core Strategy Policy CS6 and the NPPF in supporting business development. The criteria within the policy addresses proposals for new and extended business development, and the requirements within and outside of defined development limits as identified on the Policies Map. The policy will help to ensure that business development is located appropriately according to its intended use and potential impacts on the surrounding environment are minimised and avoided where possible.

8.2 The policy allows for business development outside of Development Limits where the proposal is small-scale and rural in character or the proposal cannot be accommodated within Development Limits or it would comprise an extension to existing premises. Proposals which are rural in character may involve the conversion of existing agricultural buildings or other buildings in the countryside. Proposals for new build will need to be of a scale which is compatible with the rural character of the area and be carefully considered against landscape requirements in Policy CS11 and Policy E4. For larger proposals, it will be necessary to demonstrate that it is not possible to accommodate them within Development Limits. This should be demonstrated through evidence which assess the availability and suitability of sites within Development Limits. In these circumstances, it will still be necessary to be in conformity with other policies in the plan, particularly Policy GSP3 on Strategic Gaps and Policies CS11 and E4 with respect to landscape impact. To minimise impacts in these scenarios, it would be preferable for developments to be adjacent or closely related to the Development Limits.

9 LEISURE AND TOURISM

Holiday Accommodation Areas

Policy L1: Holiday accommodation areas

Within the 'Holiday Accommodation Areas', as defined on the Policies Map, the Council principally aims to:

- a. encourage year-round, sustainable tourism;
- b. support proposals which upgrade or enhance existing or replacement visitor accommodation and ancillary tourist facilities;
- c. resist the loss of tourism uses to non-tourism uses; and
- d. maintain and improve the public realm and the area's open spaces.

In order to achieve those aims, the following tourist uses will be generally encouraged within the Holiday Accommodation Areas, subject to consideration of compatibility with the existing surrounding uses and the potential impacts on the landscape and character of the immediate local area;

- e. Hotels.
- f. Camping and caravan pitches.
- g. Self-catering accommodation.
- h. Bed and Breakfast establishments where the owner is resident on the premises and the clients wholly or predominantly there for short term holiday accommodation.
- i. Food and drink uses.
- j. Holiday entertainment.
- k. Visitor attractions.
- l. Amusement arcades.
- m. Small-scale retail units appropriate to serving the needs of the holiday accommodation.

The loss of holiday accommodation within Holiday Accommodation Areas to alternative uses will only be acceptable in specific circumstances where the current use is demonstrated to be unviable due to:

- n. vacancy of the accommodation of at least a one year period; and
- o. marketing of the site for tourist accommodation or an alternative tourist use for at least a one year period; or
- p. the viability of an alternative tourist-related use of the site.

New or expanded holiday accommodation that is developed over the plan period which is located outside of the identified 'Holiday Accommodation Areas' will be treated as being a Holiday Accommodation Area once complete for the purposes of this policy.

Policy Justification and Supporting Text

9.1 This policy sets out the detail required to give effect to Core Strategy Policy CS8, in the Borough Council's approach to promoting tourism, particularly within existing holiday accommodation areas (as defined on the Policies Map). In addition to forms of holiday accommodation, the policy encourages a comprehensive set of ancillary uses suitable to cater for a strong local tourist and leisure industry. The policy is flexible, offering support to proposals that will improve or enhance existing facilities and encourage year-round sustainable tourism.



9.2 Development proposals for food and drink uses, or kiosks and stalls, will be considered carefully against the specific detailed policies (Policies R6 and R7). This will ensure that the local tourist industry is not adversely affected by either the potential over-concentration or nuisance and disturbance that can result from food and drink uses.

9.3 Accommodation within Holiday Accommodation Areas will be maintained for visitor use. Additional permanent residential development within these areas will not be permitted. Permitted new or expanded holiday accommodation will be conditioned to restrict permanent residential occupancy. In specific circumstances, where tourist uses are considered to be unviable, this will need to be demonstrated with the appropriate evidence, including marketing evidence submitted to the Borough Council. The marketing evidence will need to demonstrate that the unit/facility has been marketed at a reasonable price reflecting market value and on competitive terms and conditions. The marketing should include advertisements in the local press and online as well as targeted approaches. Marketing evidence should include a full record of enquiries together with reasons as to why a sale/lease did not progress.

9.4 In accordance with Policies CS11, E4 and national planning policy, such development will require careful consideration of potential impacts upon the setting of the surrounding landscape. Outside of the urban areas, the Borough is largely characterised by open rural spaces and along the coast stretches of cliffs, beaches and dunes. The Borough also comprises parts of the Broads and an Area of Outstanding Natural Beauty which are afforded the highest status of protection.

9.5 Given the extent of existing tourist development within the defined Holiday Accommodation Area, it is not anticipated that this policy will result in a large net gain of tourist development coming forward over the plan period. However, in circumstances where additional holiday accommodation is proposed, a contribution to habitat monitoring and mitigation measures in accordance with Policy GSP5 will be required.

New or expanded tourist facilities outside of Development Limits and Holiday Accommodation Areas

Policy L2: New or expanded tourist facilities outside of Development Limits and Holiday Accommodation Areas

New or expanded tourist facilities (including tourist accommodation) may be permitted outside of the Development Limits and Holiday Accommodation Areas, but only where these:

- a. are an appropriate scale to the character of the area, availability of local services and facilities, and hierarchical level of the nearby settlement;
- b. individually and cumulatively do not significantly change the character of the local countryside, landscape or (where applicable) settlement, taking into account particularly:
 - the quantity, scale, density and design of any additional buildings, structures, caravans, car parks;
 - the types and amounts of traffic movements and any impacts, including those upon the tranquility of the area;
 - the impacts of lighting, advertisements and boundary treatments on the landscape and nightscape;
 - any adverse impact on the nationally significant Broads or the Norfolk Coast Area of Outstanding Natural Beauty, but also undesignated but open rural and coastal landscapes;
 - the potential for any adverse impacts upon environmentally sensitive locations such as National Site Network habitat sites; and
- c. do not have a significant adverse impact on the living conditions of adjoining occupiers.

Small-scale countryside tourism, particularly that involving physical activity or other appreciation of the countryside for its natural or rural qualities, its conservation, or the understanding and enjoyment of the Broads, subject to the above, will be encouraged.

Policy Justification and Supporting Text

9.6 The above policy provides the detailed criteria to support Core Strategy Policy CS8 (parts (j), (k) and (n), in particular) by encouraging new or expanded tourism development outside of urban areas and in more rural locations where they are appropriate to the scale and sensitivity of the location.

9.7 The policy ensures that the character, setting and sensitivity of the countryside (especially nationally and internationally protected sites) will not be adversely affected by tourist facilities outside of built-up areas or existing holiday parks. Small-scale tourist development proposals will be particularly encouraged where they provide an improvement opportunity, for example, to rejuvenate redundant rural buildings of historic or landscape value, or to enhance areas of nature conservation importance.

9.8 In accordance with Policy GSP5, where the potential for increased recreational pressures on nearby internationally protected habitats sites is demonstrated, mitigation measures may be sought in the form of contributions.

Equestrian development

Policy L3: Equestrian development

New and extended equestrian development will be permitted where:

- a. it does not give rise to the need for an additional dwelling on or close to the site;
- b. the scale of development is appropriate to the setting of the area, particularly where the setting of the Broads is relevant;
- c. the appearance of the development, including buildings, landscaping, roadways, ground works and surfacing, fencing and other enclosure, lighting, external storage, parking and general associated paraphernalia does not have significant adverse impacts on either the landscape, intrinsically dark skies, or local amenity;
- d. the operation of the business will not give rise to adverse impacts on the occupants of dwellings and holiday accommodation not under the control of the applicant;
- e. suitable vehicular access, connection to the wider highway network and car, commercial vehicle and trailer parking is available or can be achieved;
- f. the site is well related to a suitable network of off-road rights of way for horse riding (either public rights or rights held by the applicant); and
- g. does not result in a cumulative proliferation of such uses in the immediate vicinity.

Policy Justification and Supporting Text

9.9 The Core Strategy and the NPPF recognise the need to strengthen the rural economy, and the tourist industry, and commercial scale equestrian developments offer such potential.



9.10 The above policy applies to both small and larger (commercial) scale equestrian developments. Such facilities tend to be located in the countryside and depending on their scale, can require large serviced and fenced grounds. The policy criteria will ensure that all equestrian developments are suitable in their landscape setting, taking account of potential impacts and avoiding the development of unnecessary isolated dwellings in the countryside.

9.11 In accordance with Core Strategy Policy CS9: Encouraging well-designed, distinctive places, CS11: Enhancing the natural environment, Policy E4 of the Local Plan Part 2 and paragraph 190 of the NPPF, the potential for such development or uses to adversely impact (particularly those that include lighting) upon dark skies will need to be considered and where relevant addressed. This is particularly relevant where schemes may be located in close proximity to 'intrinsically dark skies' as identified in

the Broads Local Plan. Consideration should also be given to the findings of the Settlement Fringe Study.

9.12 In accordance with Policy GSP5, where the potential for increased recreational pressures on nearby National Site Network habitat sites is demonstrated through the use or development of the site, mitigation measures may be sought.

10 ENVIRONMENT AND CLIMATE CHANGE

Flood Risk

Policy E1: Flood risk

For the purposes of the operation of the sequential test as set out in paragraph a) of Policy CS13 of the Core Strategy, where development is proposed in an area of flood risk as defined by:

- a. the Council's most recent Strategic Flood Risk Assessment, and/or
- b. the Environment Agency 'Flood Map for Planning'.

the following will apply for residential development:

- c. For sites within Great Yarmouth Town the area of search for alternative sites can be limited to Great Yarmouth Town.
- d. For sites outside of Great Yarmouth Town the area of search for alternative sites will need to cover the entire Borough and be considered against the overall supply of housing in the Borough.
- e. For sites comprising 100% affordable housing to meet local needs or exception sites under Policy CS4 the area of search for alternative sites will need to cover the area the specific need is arising from.

Where non-residential uses are proposed, areas of search should be applied proportionately depending upon the type of use.

Planning applications within areas of flood risk (as defined above) will need to be supported by a Flood Warning and Evacuation Plan which covers flood warnings, escape routes and procedures, and awareness of the risks involved. The Flood Warning and Evacuation Plan will be secured by a planning condition.

Policy Justification and Supporting Text

10.1 All development proposals in the Great Yarmouth Borough will be assessed and determined with regard to the management and mitigation against flood risk from all sources. Development will be determined by guidance and policy from the National Planning Policy Framework (NPPF) and National Planning Practice Guidance.

10.2 The NPPF states that development should not be permitted in areas at risk from flooding if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. It therefore requires planning applications for development in areas at risk of flooding to be subject to a Sequential Test to prove that there are no suitable alternative sites at less risk of flooding. For housing development, the appropriate area of search should be the housing market area which is the entire Borough. This Local Plan allocates more than sufficient land for housing to meet needs across the Borough. Therefore, on adoption of this Local Plan, there are suitable, available sites for housing necessary to meet needs. Therefore, proposals for new housing development in areas at risk from flooding will not pass the Sequential Test as there are sufficient alternative sites at a lower risk of flooding.

10.3 However, for proposals within the town of Great Yarmouth, a different approach will be required as most of the town is at risk from flooding (particularly when allowing for climate change over the next 100 years). The implications of the Sequential Test in this regard would rule out developments on most sites across the town which have not been allocated in this Local Plan. This would not be a desirable situation as the town is an otherwise sustainable location for development and needs investment in the form of new homes. This is particularly important with regard to the regeneration of the town centre in accordance with Policy GY1. Furthermore, the Local Plan also has a windfall allowance for the town. Therefore, irrespective of the housing land supply across the Borough, where developments are proposed within Great Yarmouth, the Sequential Test will only need to consider whether at the time of the application there are any suitable and available sites within Great Yarmouth at a lower risk of flooding than the application site. For proposals central to regenerating the town centre, the area of search can be limited to town centre and edge of centre sites.

10.4 For sites comprising 100% affordable housing to meet a specific local need, or an exception site under Policy CS4, a smaller area of search relative to the local need will be appropriate for the Sequential Test. The overall supply of housing across the Borough will not be relevant in these scenarios as these schemes are for the purpose of meeting a local need.

10.5 When assessing non-residential uses, the area of search should be applied proportionately depending on the nature of the use proposed. For example, where education use is proposed, this should be sequentially tested for other alternative sites within the same catchment area. For retail and other main town centre uses, the area of search should reflect the Sequential Test set out in Policy R1.

10.6 Where the Sequential Test can be passed, proposals will still need to be subject to the Exception Test as relevant and set out in national planning policy. The exception test requires demonstration that the sustainability benefits of the development outweigh the risk of flooding and by ensuring that the development is safe for its lifetime and does not worsen flood risk elsewhere. In terms of demonstrating the sustainability benefits of the development, the proposal should be assessed against the sustainability appraisal framework contained within the Sustainability Appraisal Report which accompanies this plan. In terms of demonstrating the site is safe for development, finished floor levels or living accommodation in 'more vulnerable' development should be 300mm above the 1 in 200 year flood event level (including climate change allowance) and safe refuge in the building should be provided 300mm above the 0.1% (1 in 1000 year) flood event level (including climate change allowance).

10.7 The Policy also requires the submission of a Flood Warning and Evacuation Plan with planning applications for development on sites at risk of flooding. The plan should identify the site's location, the risk of flooding and access and egress arrangements. It should identify what warning measures will be put in place and how occupants will be made aware of the risks. The plan should include detailed instructions to occupants about what to do in the event of a flood. The Flood Warning and Evacuation plan and its implementation will be secured by planning condition.

Relocation from Coastal Change Management Areas

Policy E2: Relocation from Coastal Change Management Areas

Proposals for the replacement and relocation of development from within the Coastal Change Management Areas identified on the Policies Map will be permitted both within and outside of Development Limits where:

- a. for commercial (including tourist accommodation), community, agricultural and other business development:
 - the relocated/replacement development is of a scale and type commensurate with that replaced;
 - the relocated/replacement development is located at an appropriate distance inland with regard to Policy GSP4 on Coastal Change Management Areas; and
 - the relocated/replacement development is in a location which is accessible to the coastal community from which it was displaced.
- b. for residential development:
 - the relocated/replacement development is of a scale commensurate with that replaced;
 - the relocated/replacement development is within, adjacent to, or very closely related to one of the settlements identified in settlement hierarchy in Policy CS2 of the Core Strategy;
 - the relocated/replacement development is outside of the Coastal Change Management Area as defined on the Policies Map;
 - the proposed development would replace and relocate uses or structures that are within a Coastal Change Management Area shown on the Policies Map.
- c. for all proposals falling within parts a) and b) the existing site is:
 - cleared of all buildings, structures, and any vehicles, caravans and other paraphernalia which may be stationed upon it, and subsequently maintained likewise; and
 - landscaped in a manner appropriate to its location, surroundings and forecast lifetime; and
 - put to open space, agricultural or other similar use which can adapt to the anticipated change and will not give rise to demands for new built development or additional defences.

The Council may consider enabling development to facilitate relocation schemes under the above criterion. In such cases, applications will need to be supported by evidence of viability which demonstrates that the scale of enabling development proposed is necessary to facilitate the relocation scheme.

Policy Justification and Supporting Text

10.8 This policy supports the aims of Policy GSP4 by providing a basis to relocate and replace existing development from within the Coastal Change Management Area to more suitable areas.

10.9 Significant numbers of residential properties and commercial properties are at risk from coastal erosion within the next 100 years. The National Planning Policy Framework states that local plans should make provision for development and infrastructure that needs to be relocated away from Coastal Change Management Areas. The National Planning Practice Guidance advises that allowing for relocation where planning permission would normally be refused is a way in which this can be achieved.



10.10 Policy E2 allows for the relocation of development within the Coastal Change Management Area to sites more inland, both within and outside of Development Limits. Commercial, community, agricultural and other business development could be relocated to sites less at risk from erosion but still within the Coastal Change Management Area, providing it is in accordance with Policy GSP4. In order to sustain coastal communities, the relocated development should be well-related to the community it was displaced from. Relocated residential development (which has a lifetime of 100 years) should be located outside of the Coastal Change Management area and adjacent, or closely related to, existing settlements (as identified in Table 5 of the supporting text to Policy CS2 of the Core Strategy) in order to avoid development in poorly accessible locations and minimise the impact on the undeveloped countryside. The viability of relocating property at risk from erosion can be challenging. Where evidence is presented which demonstrates that it is necessary, the Council may consider an appropriate scale of enabling development which is sufficient to facilitate relocation schemes.

10.11 The policy also requires the applicant to address the appropriate clearance of the original site, minimising waste and maintaining the quality of the local coastal environment.

Protection of open spaces

Policy E3: Protection of open spaces

Open spaces which provide local amenity, or recreational benefit to the local community, will be protected. Development proposals that contribute to the loss of either of these will only be permitted in limited circumstances and where:

- a. the proposal is ancillary to the space and will add to the value and function of the local open space to the benefit of amenity or the local community; or
- b. the applicant can demonstrate that the local open space is no longer required in its existing open space use or an alternative open space use; or
- c. the loss of space will be replaced by equivalent or better provision in terms of quantity and quality, including accessibility to the local community where relevant.

Policy Justification and Supporting Text

10.12 The above policy builds on the NPPF in protecting open spaces. Open spaces tend to be publicly available and provide local amenity and recreational facilities for the local community. However, they can also be private spaces or provide more subtle functions such as contributing to the character and setting of buildings of historic or architectural value. Open spaces also help support biodiversity, the aesthetic quality of the public realm and built environment and mitigate flood risk.

10.13 Policy E3 seeks to retain existing open spaces, and ensure that they are only lost where it can be demonstrated they are surplus to requirements or the space will be replaced by equivalent or better provision in terms of quantity and quality, including accessibility to the local community where relevant.

10.14 In demonstrating whether an open space is no longer required, an applicant should undertake an open space needs assessment. This assessment should consider the provision of open space with the same use within the site catchment area, alternative open space uses and how the site relates to existing provision for each respective type of open space use in the locality (referring to the types of open space listed in Policy H4 and Appendix D setting out accessibility standards). The contribution an open space makes towards local amenity, public realm, biodiversity and the wider green infrastructure network should be considered as part of an open space needs assessment.

10.15 For the purposes of this policy, amenity includes positive contributions to the character and setting of areas or buildings of particular historic or architectural value. The loss of spaces which form part of the setting of a heritage asset will need to be considered with regard to Policy CS10, Policy E5 and the NPPF.

Trees and landscapes

Policy E4: Trees and landscape

Development will be supported where it:

- a. retains trees, hedgerows, including ancient trees and hedgerows, and landscape features which contribute significant value to the character, amenity or ecology to the locality; and
- b. takes opportunities to enhance those features and qualities, commensurate with the scale and nature of the development.

Where development may impact upon trees, planning applications should be supported by an arboricultural assessment (to BS 5837 or an equivalent standard).

Developments should include landscaping schemes as appropriate to the size and nature of the development in order to mitigate impacts on and where possible enhance the local landscape character.

Development which is either:

- c. within the Norfolk Coast Area of Outstanding Natural Beauty; or
- d. inter-visible with, or otherwise affecting the landscape or setting, of either the Area of Outstanding Natural Beauty or the designated Broads area,

will be carefully controlled to avoid adverse impacts on their landscapes and natural beauty, and the enjoyment of their special qualities, including views out from those areas and the value of dark skies as part of their landscape.

Policy Justification and Supporting Text

10.16 This policy sets out the detail required to give support to Core Strategy Policies CS9 (g) and CS11 parts (d) and (e). Great weight will be given in conserving the landscape and scenic beauty, with particular emphasis on sites that have the highest status of protection, such as The Broads (National Park) and Area of Outstanding Natural Beauty within the Borough.

10.17 When considering the impact of development upon the landscape and the value of existing natural features on a site, the Borough Council will have regard to the Great Yarmouth & Waveney Settlement Fringe Landscape Sensitivity Study (December, 2016), Great Yarmouth Borough Landscape Character Assessment (April, 2008) and the Broads Authority's Landscape Character Assessment.

10.18 Trees and hedgerows, particularly ancient trees and hedgerows, provide an important contribution to the landscape and to biodiversity. Therefore, Policy E4 seeks to retain trees and hedgerows where possible. This is important in terms of meeting emerging requirements under the provisions of biodiversity net gain on developments which are expected to be introduced through the forthcoming Environment Bill. In considering the impacts of development on trees, the Borough Council may require site surveys which identify all trees and natural features on the site and assess their quality, a landscaping plan to indicate natural features to be retained and provided, and identification of specific protection measures (such as root protection zones) for existing features to be retained. Surveys should be to the standard set by the British Standards Institution 'Standards

Publication: Trees in relation to design, demolition and construction – Recommendations’ (BS 5837-2012), or equivalent standard.

Historic environment and heritage

Policy E5: Historic environment and heritage

In accordance with national planning policy and Policy CS10 of the Core Strategy, proposals for development should seek to conserve and enhance the significance of heritage assets, including any contribution made by their setting, by positively contributing to the character and local distinctiveness of the area.

Development proposals within conservation areas, or in a location that forms part of its setting, should take into account the special and distinctive character of the area which contributes to its significance and have regard to the relevant Conservation Area Appraisal and Management Plan.

Non-listed buildings or structures which either make a positive contribution to the significance of a conservation area or are a non-designated heritage asset will be protected from demolition.

Proposals which involve the loss of non-listed buildings/structures which either make a positive contribution to the significance of a conservation area or are non-designated heritage assets will only be permitted where:

- a. the building/structure is structurally unsound and beyond feasible and viable repair for reasons other than deliberate damage or neglect; or
- b. all measures to sustain the existing use or find an alternative use/user have been exhausted and the building risks falling into dereliction.

In all cases replacement buildings, or any new use of the site, should preserve or enhance the character of the area and the significance of heritage assets.

Development proposals which have the potential to impact on Heritage Assets or their settings should be supported by a Heritage Impact Assessment prepared by an individual with relevant expertise. An archaeological assessment must be included with any planning application affecting areas of known or suspected archaeological value to ensure that the preservation and/or recording of archaeological remains can be secured.

Policy Justification and Supporting Text

10.19 This policy sets out the detail required to support Core Strategy Policies CS9 and CS10. The Borough has a rich historic environment with over 400 listed buildings, 13 scheduled monuments, 1 historic park and garden and 17 conservation areas.

10.20 The National Planning Policy Framework recognises the value of heritage assets and provides protection for all heritage assets with Grade I and II* listed buildings, scheduled monuments and Grade I and II* registered parks and gardens granted the highest levels of protection. The Local Plan does not seek to replicate the National Planning Policy Framework or its accompanying guidance which provides sufficient detail for the determination of applications affecting designated heritage assets. Therefore, the Council will rely on national policy and guidance in this regard. However, it is considered necessary to set out some more detailed local guidance particularly around considerations relating to development within conservation areas and proposals with the potential to result in the loss of non-designated heritage assets.

10.21 The Council prepares and updates from time to time Conservation Area Appraisals and Management Plans for the Borough's Conservation Areas. These documents should help inform development proposals within conservation areas to ensure that development conserves and enhances the character of the conservation area. Proposals which would result in a loss of non-designated heritage assets or buildings/structures which positively contribute to a conservation area will be resisted. The policy allows for a loss of a building/structure if it is structurally unsound and beyond feasible repair. In these scenarios, planning applications will need to be accompanied by a structural survey and financial viability evidence to demonstrate that re-use is not structurally feasible or financially viable. The policy also allows for a loss of a building/structure where all measures to find a suitable use for the building have been exhausted. In demonstrating this, evidence of marketing will be required. The marketing evidence will need to demonstrate that the building has been marketed at a reasonable price reflecting market value and on competitive terms and conditions for at least 12 months to ensure all potential options for re-use have been fully explored. The marketing should include advertisements in the local press and online as well as targeted approaches. Marketing evidence should include a full record of enquiries together with reasons as to why a sale/lease did not progress. Where a building/structure is proposed to be lost, the replacement should conserve and enhance the quality of the area.



10.22 Non-designated heritage assets will typically have architectural, artistic, historic or archaeological interest. To help with the implementation of this policy the Council will prepare a Supplementary Planning Document to set out criteria for helping to identify non-designated heritage assets. This could also inform the creation of a local list of non-designated heritage assets and support the identification of buildings and structures of local importance in Neighbourhood Plans.

10.23 The policy also sets out a requirement for development proposals which have the potential to impact on heritage assets or their settings to be supported by a Heritage Impact Assessment and/or an archaeological assessment where there is potential for archaeological remains. Assessments should be prepared by an individual with appropriate expertise. The assessment should have regard to guidance issued by Historic England and consider the local historic environment record. The level of detail should be proportionate to the importance of the asset.

Pollution and hazards in development

Policy E6: Pollution and hazards in development

Development proposals will be supported where the potential for the creation of, or susceptibility to, hazards and pollution (including air and light pollution) has been suitably avoided or suitably mitigated.

Applicants will need to demonstrate their proposals are safe from, and do not give rise to, unacceptable hazards and/or pollution as a result of the following matters:

- a. the proposed development and the activities and substances involved;
- b. the site itself, and any potential existing contamination or land instability; and/or
- c. the proximity of the proposal to any existing hazards;
- d. the cumulative effect of development with respect to pollution and hazards on health, living conditions and the natural environment in combination with nearby development or developed uses.

Any development within the specified distance from the sites identified as notifiable installations, or the development of new notifiable installations, must take account of any risks involved and the need for appropriate separation between hazardous installations and incompatible uses.

Where proposals are within a close proximity (500m) to watercourses, there may be the potential for a hydrological link. Development proposals should take into account the potential for pollutants and demonstrate a strategy for preventing this reaching the watercourses untreated.

Where proposals are in close proximity to nature conservation sites the potential for increased pollution must be suitably mitigated for development to be supported.

Policy Justification and Supporting Text

10.24 In accordance with the NPPF and Policy CS9(f) of the Core Strategy, the above policy sets out the details to assess development proposals where there may be pollution or hazard risks.

10.25 Sites and installations which have quantities of hazardous substances present on-site are designated as notifiable installations by the Health and Safety Executive (HSE). There are a number of sites within the Borough which are identified as notifiable installations as they pose specific issues of safety and possible harm to human health in adjoining areas:

- Bunn Fertiliser,
- Transco, Great Yarmouth Holder Station,
- ASCO Fuels & Lubricants

10.26 Where proposals come forward within a specified distance to the notifiable installations, advice from the Health and Safety Executive (HSE) will be needed due to the proximity of these sites and the inherent nature of risks associated with them. Where there are risks, the emphasis will be on applicants to demonstrate that their proposals are safe and do not give rise to unacceptable impacts. The specified distances are identified by the Health and Safety Executive and are subject to change over time.

10.27 The siting of new notifiable installations will be managed with the aim of keeping the installations separate from housing and other sensitive land uses with which the installations would be incompatible. The Council will consult the Health and Safety Executive and the Environment Agency about the siting of proposals for new notifiable installations.

10.28 The Borough also has a number of explosives sites within its boundary, which it will also seek the advice of the Health and Safety Executive on where proposals come forward within their identified areas.

10.29 Where proposals are within a close proximity (500m) to watercourses, there may be the potential for a hydrological link. Where the watercourses are within, or linked to, any National Site Network habitat sites, the proposals should also be supported with a project level Habitats Regulation Assessment (HRA) which addresses any likely significant effects.

10.30 The National Planning Policy Guidance also provides guidance on air quality and on hazardous substances, this guidance and particularly the flowchart section on how air quality considerations are relevant to the development management process will be referred to where applicable when processing planning applications. Other documents from statutory authorities will be considered such as DEFRA's Clean Air Strategy 2019. Consideration should also be given to Policy A1.

10.31 The impact of potential light pollution from artificial light sources in areas such as the Area of Outstanding Natural Beauty must be suitably mitigated in line with the requirements of the NPPF. Consideration should also be given to Policy A1.

Water conservation in new dwellings and holiday accommodation

Policy E7: Water conservation in new dwellings and holiday accommodation

New residential development, and holiday accommodation in buildings, will be supported only where it meets the higher water efficiency standard of requirement of 110 litres per person per day.

Policy Justification and Supporting Text

10.32 Water efficiency is one of the national technical standards which may optionally be imposed through local planning policy.

10.33 East Anglia faces significant water resource challenges, as a result of relatively low rainfall, and high levels of residential and agricultural water demand. These challenges are likely to be exacerbated by climate change, which is expected to result in lower overall rainfall for the region, including more frequent drought conditions, but along with increased intensity of periods of heavier rainfall. It is therefore important that growth in the region addresses water efficiency, and the Council has obligations in these regards under the European Water Framework Directive and the Natural Environment and Rural Communities Act 2006.

10.34 The Norfolk Strategic Planning Framework identifies Norfolk as an area of serious water stress as a result of the above issues, and the consequent impact these can have on water quality in the sensitive environment which includes many national and internationally designated nature conservation sites and The Broads. Agreement 17 of that Framework commits all the Norfolk planning authorities "to seek to include the optional higher water efficiency standard (110 litres/per person/per day) for residential development".

10.35 In the context of the prevalence of the holiday industry in the Borough, it is considered desirable to include, as far as practicable, new holiday accommodation in this policy's requirement. Caravans and other holiday accommodation which do not constitute 'buildings' for the purposes for Buildings Regulations are unaffected by this policy, but 'built' holiday accommodation is expected to conform to this standard.

10.36 The NPPF states that local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations. Core Strategy Policy CS12 seeks to encourage the prudent use of water and match new development with the available supply of water and avoid adverse impacts on nature conservation.

10.37 The optional higher requirement of 110 litres person day water efficiency is set out in Part G of the Building Regulations. Compliance with that standard will be a condition of planning permission for residential development. The developer would then need to use the water efficiency calculator in Part G2, Appendix A, when completing their Building Regulations assessments, to show how the development meets the requirement.

10.38 The cost of implementing the standard is extremely low in relation to the overall cost of housing and built holiday development, and should therefore have negligible impact on viability.

11 COMMUNITY FACILITIES

Community Facilities

Policy C1: Community facilities

The retention of existing community facilities and the provision of new facilities, particularly in areas with poor levels of provision and in areas of major growth, will be encouraged.

Development leading to the loss of an existing community facility will only be permitted where it is demonstrated that either:

- a. it is to be replaced by a facility of equal or greater quality in a suitable location to meet the day-to-day needs of existing users; or
- b. the area currently served by it would remain suitably provided following the loss; or
- c. it is no longer viable or feasible to retain the premises in a community facility use as demonstrated by a marketing evidence which covers at least a 12-month period of marketing.

Policy Justification and Supporting Text

11.1 The term community facilities is wide-ranging and includes facilities such as schools, colleges and other educational facilities and community centres, doctors, dental surgeries, public houses and sport and recreational facilities. In small rural settlements, facilities could include post offices and local convenience stores, which serve a community and should also continue to be protected under this policy where possible. Policy C1 supports the approach of Core Strategy Policy CS15 and the NPPF.



11.2 This policy sets out the detail required to determine planning applications in relation to community facilities. In demonstrating compliance with criterion C1(b) of the policy, it will be necessary to provide evidence with a planning application which assesses local provision and demand/need for facilities. In demonstrating compliance with criterion C1(c) of the policy, it will be necessary for a planning application to be accompanied by marketing

evidence. The marketing evidence will need to demonstrate that the building has been marketed at a reasonable price for at least a 12-month period, reflecting market value for community uses and on competitive terms and conditions. The marketing should include advertisements in the local press and online as well as targeted approaches. Marketing evidence should include a full record of enquiries together with reasons as to why a sale/lease did not progress.

11.3 Note that there is a specific detailed policy, Policy E3, focused on the protection of open spaces.

Education Facilities

Policy C2: Educational facilities

New, extended or remodelled educational facilities outside of Development Limits, will be permitted where it is demonstrated that the development will provide benefits to the local community that cannot be satisfactorily accommodated within Development Limits.

Policy Justification and Supporting Text



11.4 This policy adds detail to Core Strategy Policy CS15 and NPPF paragraph 94. Given that some existing educational facilities are outside of Development Limits, the policy allows for the development of educational facilities outside of Development Limits where necessary. The policy will help to ensure that educational facilities are located appropriately according to the communities they serve and limiting the potential for adverse impacts on the surrounding environment.

11.5 In accordance with Policy GSP1, proposals for new extended or remodelled educational facilities will generally be supported where they are located within Development Limits.

12 INFRASTRUCTURE

Vehicle parking for development

Policy I1: Vehicle parking for developments

Requirements for vehicle parking (including cycle parking) will be determined with regard to the most up to date standards published by Norfolk County Council.

Where developments in the town and village centres are unable to provide the required parking provision on site, consideration will be given to financial contributions to improve public parking provision.

Development should be designed to enable charging of plug-in and other ultra low-emission vehicles in safe, accessible and convenient locations.

Policy Justification and Supporting Text

12.1 This policy adds detail to Core Strategy Policy CS9 part (e) and NPPF paragraph 105. When determining planning applications, the Borough Council will have regard to the parking standards ([current version: 2007](#)) published by Norfolk County Council. Of particular importance, the standards set the number of spaces per dwellings and the width of parking spaces to accommodate modern cars (2.5m) and garages of 3m wide (internal dimensions) to allow people to park within them and be able to open the doors sufficiently wide to enter/leave the vehicle with relative ease.

12.2 Technology within the motor vehicle industry for electronic vehicles has advanced significantly over the last decade. The Government, in its 'Road to Zero Strategy' published in 2018, has an ambition to achieve 50-70% of all new car sales to be ultra-low emission by 2030. There is an expectation that the use of electric vehicles will increase significantly. To support this more sustainable mode of transport, new developments that provide parking spaces should respond to meet this demand. The Borough Council will be working in partnership with Norfolk County Council to establish the appropriate provision of electric vehicle charging points for residential, retail and commercial developments.



Telecommunications

Policy I2: Telecommunications

New or improved telecommunications infrastructure will be encouraged and supported where:

- a. The installation and any associated apparatus is sited and designed to minimise any unacceptable impact on visual and residential amenity, highway safety, the historic environment and the character and appearance of the area where it would be sited;
- b. any building-mounted installations would not have an unduly detrimental impact on the character of appearance of the building; and
- c. it has been demonstrated that there are no reasonable opportunities for sharing a site, mast or facility with existing telecommunications infrastructure in the vicinity that would result in a greater visual impact.

The Council will continue to work with the telecommunication industry to maximise access to super-fast broadband, wireless hotspots and improved mobile coverage for all residents and businesses. In pursuance of this, new development proposals will be required to demonstrate either:

- d. the proposal will deliver the most viable high-speed broadband connection; or
- e. where fibre connections cannot be currently provided, infrastructure within the site should be designed to facilitate fibre installation in the future.

For relevant development proposals, the Council may also require applicants to submit a Site Connectivity Plan setting out how the fibre connections will be connected to the site in a timely and efficient manner.

Policy Justification and Supporting Text

12.3 Better connectivity provides social and economic benefits to both residents and businesses throughout the borough of Great Yarmouth. The impact of technology and particularly fibre and high speed broadband can help businesses expand and remain competitive, can provide environmental benefits by reducing the need to travel, as well as helping to facilitate learning and skills development and allowing access to community and other services available online.

12.4 This policy establishes criteria to be used when determining proposals for new telecommunications infrastructure, expanding upon Core Policy CS6(k). The criteria in the policy should also be applied in conjunction with appropriate policies elsewhere in the Local Plan when considering the impact of proposals on: landscape character such as the setting of The Broads (Policy CS11), sites and species of ecological importance (Policy CS11) and heritage assets (Policy CS10).

12.5 The policy also provides a framework for the future improvement of telecommunications, particularly where fibre broadband cannot be currently provided, by seeking infrastructure to facilitate its future installation.

12.6 The Council also will continue to work closely with the telecommunication industry to improve access to high speed broadband alongside other partnerships including the Norfolk Strategic Planning Framework and Better Broadband for Norfolk.

Foul Drainage

Policy I3: Foul Drainage

In line with Policy CS11 and CS12 of the Core Strategy, all new development proposals will be expected to demonstrate the following:

- a. that adequate foul water treatment and disposal infrastructure already exists; or that the necessary infrastructure can be provided in time to serve the proposed development;
- b. that no surface water connections should be made to the foul system and connections to the combined or surface water system should only be made in limited circumstances where there are no feasible alternatives; and
- c. that suitable access is safeguarded for the maintenance of water resources and drainage infrastructure.

New development proposals will also be supported where they meet the aims of the Water Framework Directive by improving the condition of the watercourses, including measures such as installing fish and eel passes where appropriate.

Policy Justification and Supporting Text

12.7 The Water Framework Directive (WFD) sets out the need to protect and improve the water environment, applying to all surface water bodies including rivers, streams, lakes, groundwater bodies and coastal waters out to one mile from low water.

12.8 Great Yarmouth is a coastal borough with a number of importance national and European designated sites which are extremely sensitive to the pressure on the water environment.

12.9 This policy provides further detail to Policy CS11 and CS12 to demonstrate how future development proposals will avoid undermining the quality of the Borough's water resources and the likely direct effects upon protected sites.

12.10 The Council will continue to seek the advice of the statutory water bodies on site specific proposals (such as but not limited to; Anglian Water, the Lead Local Flood Authority and the Environment Agency).

APPENDICES

APPENDIX A - MONITORING THE PLAN

Monitoring

A.1 A key part of the process of planning is that of monitoring the implementation and effectiveness of plans and their policies. As time passes the Council and other interested parties will wish to have an understanding of;

whether the adopted policies are being acted upon;

whether they are having the intended effect; and

whether the context in which they operate has changed so much that they are rendered ineffective or inappropriate.

A.2 While informal monitoring and discussion of the value of policies goes on almost continually, a formal Annual Monitoring Report is prepared and published annually by the Council and this includes specific data about the policies and the things they are intended to achieve. These Annual Monitoring Reports provide the Council and public with a series of snapshots of the progress in implementing the plan during the intended period. They inform Council decisions as to whether there is need for any changes to policies or their use, or for any wholesale review or replacement of the whole plan.

A.3 Appendix 5 of the Core Strategy (Local Plan Part 1) set out a Monitoring Framework for how it was intended to monitor the Core Strategy's implementation, including at what point any contingencies or actions (such as the review of a policy) might be triggered. It is now intended to integrate the monitoring of the two parts of the Local Plan (Part 1 and Part 2). The opportunity has also been taken to refine and focus the monitoring of the Core Strategy (Local Plan Part 1) elements to eliminate indicators which were found to be tangential or of doubtful value in measuring the application of policies, and indicators that were no longer available. When considering at what point necessary actions for the plan may be triggered, reference has been made to those triggers and contingencies set out in Appendix 5 of the Core Strategy.

A.4 The following table sets out a framework for monitoring the two parts of the Local Plan:

Table A.1 Local Plan Monitoring Framework

Local Plan Monitoring Framework				
Document(s)	Policy(s)	Indicator(s)	Measure(s)	Trigger/Contingencies
General Development				
LPP1:CS & LPP2	GSP1, GSP3	Qualitative and/or quantitative write up on the current state of the countryside & permitted development within it. Number and type of planning permissions granted outside of Development Limits and/or within Strategic Gaps.	Extent of development outside of Development Limits, and within Strategic Gaps.	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS2, CS9 & CS11)
LPP2	GSP8, H4	No. Section 106 agreements signed. Value committed - by topic (e.g. open space, education, Habitats Monitoring and Mitigation). Value received - by topic (as above).	Section 106 - to understand, guide and publicise the amounts and types of obligations that are achieved through infrastructure funding statements.	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policy CS14)
Housing Development				
LPP1:CS	CS2	Cumulative and annual dwellings completed in each tier of the Settlement Hierarchy. Number of dwellings built on previously developed land. Discussion of brownfield sites and the Brownfield Register .	Compliance with % set out in Policy CS2. Increase the number of new dwellings built on previously developed land year on year.	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policy CS2)

Local Plan Monitoring Framework				
Document(s)	Policy(s)	Indicator(s)	Measure(s)	Trigger/Contingencies
LPP1:CS& LPP2	CS3 (as amended), GSP1,CS17, CS18, GN1, GN2, CA1, HP2, OT2, MA1. OT1, BN1, HY1, GN3	Five Year Supply of (deliverable) housing land, including 20% buffer. Total number of dwellings delivered in the Borough and Housing Delivery Test (last 3 years %).	Supply against national five year housing land supply requirement. Delivery against housing target and national Housing Delivery Test.	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policy CS3)
LPP1:CS & LPP2	CS3, CS17, CS18, GN1, GN2, CA1, HP2, OT2, MA1. OT1, BN1, HY1, GN3	Progress of allocations - planning permissions granted, no. units completed.	Delivery of all housing allocations.	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS2, CS3, CS4, CS17 & CS18) For MA1 if existing consent is implemented explore potential for alternative employment land through Local Plan review.
LPP1:CS & LPP2	CS3, H11	The amount of specialist units & bed spaces permitted and completed for elderly/vulnerable people.	The provision of accommodation especially suitable for elderly and other vulnerable people to support identified local needs.	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policy CS3)
LPP1:CS & LPP2	CS4 (as amended), H2	Total number of affordable dwellings permitted & completed. Discussion on thresholds achieved and any exception schemes.	Performance of affordable housing delivery in relation to Policy CS4 & H2.	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policy CS4)

Local Plan Monitoring Framework				
Document(s)	Policy(s)	Indicator(s)	Measure(s)	Trigger/Contingencies
LPP1:CS	CS5 (as amended),	Total number of traveller pitches built/delivered in the Borough. Maintain a five year supply of deliverable traveller pitches.	Number of new gypsy/traveller pitches over the plan period to 2030 and maintain 5 year supply as set out in Policy CS5.	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policy CS5)
LPP2	H5, H6, H7, H8, H10	Discuss applications for rural/exception dwellings.	Extent of permitted rural residential development and effectiveness of policy in decision making.	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS2 and CS3)
LPP2	H12	The number of HMOs permitted and completed. Commentary on location of HMOs - any permitted contrary to policy.	Performance of Policy H12 measured in terms of the location and amount of HMO's.	N/A
Retail Development				
LPP1:CS & LPP2	CS7 (as amended), UCS7 R1, R2, GY1, GY2, R3, R4, R5, BL1, CA1	Retail Survey: %ground floor units in retail-based uses in designated centres. Number and percentage of vacant units in designated centres; Area of new permitted/completed floor space for town centre of uses in or adjacent to designated centres & outside of retail centres. Discuss general performance (and larger trends), permitted/built	Performance of designated centres (retail hierarchy and protected frontages) & where retail development is locating. Progress of Beacon Park District Centre & allocation.	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS2, CS7 & CS17)

Local Plan Monitoring Framework				
Document(s)	Policy(s)	Indicator(s)	Measure(s)	Trigger/Contingencies
		development outside of designated centres.		
LPP2	R6 R7	Discussion of approved proposals for kiosks/stalls & food and drink uses - locations, extent & potential impacts.	Extent of kiosks/stalls & food and drink uses - are they dominating designated centres/holiday areas or causing nuisance?	N/A
Business and Employment Development				
LPP1:CS & LPP2	CS6, GN4, GY10 CS18, GN5,	Permitted/completed business developments - by site area (hectares) and active floor space (m ²), separating out: Beacon Park Beacon Park extensions Safeguarded employment sites Commentary on performance of areas including development permitted outside of employment areas and Development Limits	Increased occupancy & quality of employment space both by site size and floor space in designated employment areas. Progress of Beacon Park and Great Yarmouth Port and Harbour Area (including South Denes) as strategic employment sites.	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS6 & CS18)
LPP1:CS	CS6	Economic activity rate Unemployment rate Total number of businesses that are VAT registered	Increase economic activity rate, reduce average unemployment & increase business creation - year-on-year	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policy CS6)

Local Plan Monitoring Framework				
Document(s)	Policy(s)	Indicator(s)	Measure(s)	Trigger/Contingencies
LPP2	MA1	Status of existing safeguarded employment land in Martham	Existing safeguarded employment land is lost through the implementation of planning permission 06/20/0390/F	Explore potential to allocate further employment land in Martham as part of the Local Plan review
Leisure Development				
LPP1:CS & LPP2	CS8, L1, L2, L3 GY2, GY5, GY6	Discussion of approved development - locations, resorts, improvements. Extent of development - area/accommodation units or pitches. Progress of designation GY2.	Improvement/growth of tourism industry - mainly within existing designated/allocated areas.	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS7 & CS8)
Environment and Development				
LPP1:CS & LPP2	E5, CS10	Discussion on historic building/heritage project funding works, document progression. Number and percentage of listed buildings at risk.	The state of the Borough's historic environment, heritage and improvements made.	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS9 & CS10)
LPP2	E4	Trees with preservation orders lost/gained on sites where development is undertaken.	The works carried out to protected trees and the protection of TPOs and conservation areas	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS9 & CS11)
LPP1:CS & LPP2	CS13, E1, E6	Number of planning applications approved subject to sustained objections from the Environment Agency or any other statutory consultees on flood risk grounds,	The amount of planning applications approved subject to sustained objections from the Environment Agency or other statutory consultees on flood risk	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS9 & CS13)

Local Plan Monitoring Framework				
Document(s)	Policy(s)	Indicator(s)	Measure(s)	Trigger/Contingencies
		water quality, hazards/pollution or contamination.	grounds, water quality hazards/pollution or contamination.	
LPP1:CS & LPP2	CS13, GSP4, E2	Commentary on development approved and refused in the Coastal Change Management Area and commentary on any relocation of existing development	Extent of new development within the Coastal Change Management Areas and relocation of existing development due to coastal erosion	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policy CS13)
LPP1:CS & LPP2	GSP5, GSP6, CS11	Discussion on the implementation, habitat monitoring results, collected & spent S.106 monies and progress on necessary mitigation. Discussion on quality of Green Infrastructure network Condition of SSSI - Percentage of total area of SSSIs in positive management/with a net gain in biodiversity Discuss findings of Norfolk Biodiversity Information Service (CWS etc). Discuss findings of latest water quality tests (including: estuaries, coastal waters, groundwater, lakes and rivers) by EA.	Implementation of National Site Network Habitats and species impacts avoidance and mitigation. Monitoring, protecting & enhancing the state of the Borough's important habitats, and improvement to the overall green infrastructure network.	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policy CS11)

Local Plan Monitoring Framework				
Document(s)	Policy(s)	Indicator(s)	Measure(s)	Trigger/Contingencies
Community Facilities and Development				
LPP2	C1, C2	Qualitative discussion on gain & loss of community facilities - with specific examples where this has occurred in settlements.	The change in service provision for communities - where gaps occur, why and what can be done to improve provision.	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policy CS15)
Development and Infrastructure				
LPP2	CS14, CS16, I1, GSP7	Discussion on the progress of infrastructure scheme delivery, including any significant schemes relating to vehicle parking policy and cycle trackways.	Whether infrastructure needs have been met, identifying gaps and/or slippage in timetable.	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS14 & CS16)
Site Specific Development/Improvement Areas				
LPP1:CS & LPP2	CS17, GY3, GY4	Discussion of progress on the Great Yarmouth Town Centre Masterplan and Regeneration Framework projects - SPD production; influence on specific proposals.	Improvement of Great Yarmouth Town Centre - progress on the 3 development areas.	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS7 & CS17)
LPP2	GY6, GY8, GY9,	Where relevant update in discussion on the current state & proposals (could include visuals).	General improvement of specific areas in relation to policy requirements.	As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS6 & CS8)

APPENDIX B - POLICIES TO BE SUPERSEDED

B.1 All of the remaining 'saved policies' from the former Borough-Wide Local Plan (2001), as set out below, will be superseded upon adoption of this Local Plan part 2, and then no longer form part of the development plan.

B.2 Some of these policies have been directly or partly replaced by new policies, for others it is considered that they are no longer relevant or appropriate, or that the subject matter is adequately covered by policies of the Core Strategy and/or the National Planning Policy Framework.

Table B.1 – Superseded Policies

Great Yarmouth Borough-Wide Local Plan (2001) 'Saved' policies that are superseded by the Local Plan Part 2: Detailed Policies and Site Allocations	Replacement or Reason
EMP18 – Small-scale businesses within existing settlements	Replaced by Policy B1 Business Development
EMP20 – Grit blasting and other 'bad neighbour' operations	Replaced by Policy E6 Pollution and Hazards in Development
EMP23 – Industry etc. on port operational land	Replaced by Policy GY10 Great Yarmouth Port & Harbour Area
EMP24 – Offices etc. on port operational land	Replaced by Policy GY10 Great Yarmouth Port & Harbour Area
EMP25 – Creation / rationalisation of roads within port operational land	Replaced by Policy GY10 Great Yarmouth Port & Harbour Area
EMP26 – Future rail link to the port	Policy removed, no longer considered appropriate
EMP30 – Development on port operational land	Replaced by Policy GY10 Great Yarmouth Port & Harbour Area
EMP32 – Bollard Quay	Replaced by Policy GY10 Great Yarmouth Port & Harbour Area
EMP33 – Gas House and Malthouse Quay	Replaced by Policy GY10 Great Yarmouth Port & Harbour Area
HOU7 – New residential development	Replaced by Policy GSP1 Development Limits
HOU8 – Individual dwellings or small groups of dwellings	Replaced by Policy GSP1 Development Limits
HOU9 – Developer contributions	Replaced by Policy GSP8 Planning Obligations
HOU10 – New dwellings in the countryside	Replaced by Policy H5 Rural Workers Dwellings
HOU11 – Change of use of existing buildings outside development limits to residential use	Replaced by Policy H7 Conversion of Rural Buildings to Residential Use

Great Yarmouth Borough-Wide Local Plan (2001) 'Saved' policies that are superseded by the Local Plan Part 2: Detailed Policies and Site Allocations	Replacement or Reason
HOU16 – Layout and density of housing proposals	Replaced by Policy A2 Housing Design Principles
HOU17 – Housing density and sub-division	Replaced by Policy A2 Housing Design Principles
HOU18 – Extensions and alterations to dwellings	Replaced by Policy H9 Residential Extensions
HOU20 – Replacement dwellings in the countryside	Replaced by Policy H8 Replacement Dwellings Outside of the Development Limits
HOU21 – New residential homes and nursing homes	Replaced by Policy H11 Housing for the Elderly and Other Vulnerable Users
HOU22 – Primary Holiday Accommodation Areas	Replaced by Policy L1 Holiday Accommodation Areas
HOU23 – Bedsits and other multi occupied residential accommodation	Replaced by Policy L1 Holiday Accommodation Areas, and Policy GY7 Great Yarmouth Back of Seafront Improvement Area, and Policy H12 Houses in Multiple Occupation (HMOs)
HOU24 – Conversion of premises to hostels or common lodging houses	Replaced by Policy H12 Houses in Multiple Occupation (HMOs)
TCM10 – Road closures & diversions within the port area	Policy removed, this policy is no longer considered necessary
TCM18 – Commuted sums for car parking	Replaced by Policy I1 Vehicle Parking for Developments and Policy GY1 Great Yarmouth Town Centre
TCM19 – Parking provision in Great Yarmouth holiday/seafront area	Policy removed - there is adequate coverage in the draft local plan policies and general considerations
TCM20 – Urban parking improvement	Policy removed - there is adequate coverage in the draft local plan policies and general considerations
TCM21 – Caister (North Denes) airfield	Replaced by Policy GY9 Great Yarmouth North Denes Airfield
TCM22 – Vauxhall railway sidings	Policy removed, this policy is no longer considered necessary
SHP4 – Primary and Secondary Shopping Frontages	Replaced by Policy R2 Protected Shopping Frontages
SHP7 – Changes of use in neighbourhood and village shopping areas	Replaced by Policy C1 Community facilities

Great Yarmouth Borough-Wide Local Plan (2001) 'Saved' policies that are superseded by the Local Plan Part 2: Detailed Policies and Site Allocations	Replacement or Reason
SHP8 – Extensions to shops	Replaced by Policy R1 Location of Retail Development
SHP10 – Farm shops	Replaced by Policy R8 Rural Retailing
SHP11 – Garden centres	Replaced by Policy R8 Rural Retailing
SHP12 – Petrol filling stations, service areas and roadside cafes and restaurants	Policy removed - such proposals can be weighed with general considerations and policies
SHP13 – Markets and car boot sales	Policy removed - such proposals can be weighed with general considerations and policies
SHP14 – Retail and food and drink uses in Prime Commercial Holiday Areas	Replaced by Policy L1 Holiday Accommodation Areas and Policy R7 Food and Drink Amenity
SHP 15 – Hot food take-aways	Replaced by Policy R7 Food and Drink Amenity
SHP16 – New retail food kiosks or stalls	Replaced by Policy R3 Kiosks and Stalls
TR4 – Tourist facilities, attractions and accommodation	Replaced by Policy L1 Holiday Accommodation Areas, and Policy GY6 Great Yarmouth Seafront, and Policy GY5 Regent Road
TR5 – Character of holiday areas	Policy removed - there is sufficient coverage in draft area based policies and general considerations
TR7 – New visitor facilities in Prime Commercial Holiday Areas	Replaced by Policy L1 Holiday Accommodation Areas, Policy L2 New or expanded tourist facilities outside of Development Limits and Holiday Accommodation Areas, and Policy GY6 Great Yarmouth Seafront, and Policy GY5 Regent Road
TR9 – Amusement arcades	Policy removed - there is sufficient coverage in draft area based policies and general considerations
TR10 – New leisure or recreational facilities in the countryside and open coastal areas	Replaced by Policy L2 New or expanded tourist facilities outside of Development Limits and Holiday Accommodation Areas
TR11 – Loss and improvement of holiday accommodation	Policy removed - there is sufficient coverage in Policy L1 Holiday Accommodation Areas

Great Yarmouth Borough-Wide Local Plan (2001) 'Saved' policies that are superseded by the Local Plan Part 2: Detailed Policies and Site Allocations	Replacement or Reason
	and Policy GY7 Great Yarmouth Back of Seafront Improvement Area
TR12 – Changes of use in Secondary Holiday Accommodation Areas	Replaced by Policy GY7 Great Yarmouth Back of Seafront Improvement Area
TR15 – Upgrading of chalet and caravan parks	Removed - there is sufficient coverage in Policy L1 Holiday Accommodation Areas and Policy L2 New or expanded tourist facilities outside of Development Limits and Holiday Accommodations Areas
TR16 – New holiday accommodation	Removed - there is sufficient coverage in Policy L1 Holiday Accommodation Areas and Policy L2 New or expanded tourist facilities outside of Development Limits and Holiday Accommodations Areas
TR17 – Conversion of accommodation on holiday sites from time limited to permanent occupation	Policy removed, Policy L1 Holiday Accommodation Areas does not permit new permanent residential uses
TR19 – Conversion of hotels and guesthouses to residential and care uses outside holiday accommodation areas	Policy removed - there is sufficient coverage in Policy L1 Holiday Accommodation Areas and Policy GY7 Great Yarmouth Back of Seafront Improvement Area
TR21 – Great Yarmouth Seafront	Replaced by Policy GY6 Great Yarmouth Seafront
TR22 – Regent Road	Replaced by Policy GY5 Regent Road
TR24 – Gorleston	Policy removed - such proposals can be weighed up with general considerations
TR26 – Hemsby Marrams Management Area	Policy removed - such proposals can be weighed up with general considerations
TR27 – Marrams Area	Policy removed - such proposals can be weighed up with general considerations
EDC2 – Playing field off St. Nicholas Drive, Caister	Policy removed - Policy C1 Community Facilities adequately protects such areas
EDC3 – Redevelopment of school buildings and grounds	Replaced by Policy C1 Community Facilities adequately protects such areas and Policy C2 Educational Facilities also applies
INF6 – Telecommunications masts, antennae and dishes	Policy removed - extensive permitted development rights, and proposals requiring planning permission can be weighed up with general considerations

Great Yarmouth Borough-Wide Local Plan (2001) 'Saved' policies that are superseded by the Local Plan Part 2: Detailed Policies and Site Allocations	Replacement or Reason
INF11 – Protection of waste water and sewage treatment plants	Policy removed - it is considered that Core Strategy Policy CS12 provides adequate coverage to protect such plants
INF16 – New development within coastal areas	Replaced by Policy GSP4 New Development in Coastal Change Management Areas
INF17 – unstable land	Replaced by Policy E6 Pollution and Hazards in Development
INF18 – Hazards and contamination	Replaced by Policy E6 Pollution and Hazards in Development
INF19 – hazardous materials and substances	Replaced by Policy E6 Pollution and Hazards in Development
NNV6 – Areas of local landscape importance	Policy removed - no longer considered necessary, area outside of Development Limits (generally restrictive) and proposals will have regard to Landscape Studies
NNV19 – Equestrian centre developments	Replaced by Policy L3 Equestrian Development
NNV20 – Field shelters for horses	Replaced by Policy L3 Equestrian Development
BNV2 – Areas of archaeological significance	Policy removed - such proposals can be weighed up with general considerations, and conditioned where necessary
BNV8 – Buildings of local importance	Replaced by Policy E5 Historic Environment and Heritage
BNV9 – Demolition and tree works in conservation areas	Replaced by Policy E4 Trees and Landscape
BNV12 – Great Yarmouth town centre medieval streets and rows	Policy removed - such proposals can be weighed up with general considerations, with regard to E5 Historic Environment and Heritage
BNV18 – Alterations and extensions to buildings	Policy removed - such proposals can be weighed up with general considerations
BNV21 – Conversion of rural buildings	Policy removed - such proposals can be weighed up with general considerations, and conditioned where necessary
BNV22 – Advertisements	Policy removed - such proposals can be weighed up with general considerations, with regard to Policy E4 Trees and Landscape

Great Yarmouth Borough-Wide Local Plan (2001) 'Saved' policies that are superseded by the Local Plan Part 2: Detailed Policies and Site Allocations	Replacement or Reason
BNV26 – Advertisement design	Policy removed - such proposals can be weighed in the statutory criteria of amenity and highway safety.
BNV27 – Laser and high intensity light projection systems	Policy removed - such proposals can be weighed up with general considerations, with regard to Policy E4 Trees and Landscape
BNV29 – Drape signs	Policy removed - such proposals can be weighed up with general considerations
REC8 – Provision of recreational, amenity and play space	Replaced by Policy H4 Open Space Provision for New Housing Development
REC11 – Protection of community and street scene	Replaced by Policy E3 Protection of Open Spaces
SG1 – Business Park and Commercial Area	Policy removed - an area is defined through Policy GN4 Beacon Park Business Park and Policy GN5 Beacon Business Park extension
SG6 – Open space adjacent to James Paget Hospital	Policy removed - not considered necessary, no longer requires protection for flight approach and take off (FATO) facilities
SG11 – Landscaping along link road	Policy removed - the link road has been constructed
SG15 – Access / distributor road	Policy removed - the link road has been constructed

APPENDIX C - HOUSING PROVISION AND TRAJECTORY

Table C.1 Housing Summary

Settlement tier	Homes built 2013-2020	Existing housing commitments	Homes allocated in Local Plan expected to be delivered in plan period	Anticipated windfall development expected during plan period	Total housing growth 2013-2030	Percentage against settlement tier
Main Towns	627	914	617	430	2588	36.9%
Key Service Centres	644	1062	435	47	2188	31.2%
Primary Villages	281	870	584	115	1850	26.4%
Secondary Villages	124	169	0	63	356	5.1%
Tertiary Villages	15	12	0	11	38	0.5%
Total	1691	3027	1636	666	7020	

Table C.2 Housing Trajectory

Settlement Tier	2013/ 14	2014/ 15	2015/ 16	2016/ 17	2017/ 18	2018/ 19	2019/ 20	2020/ 21	2021/ 22	2022/ 23	2023/ 24	2024/ 25	2025/ 26	2026/ 27	2027/ 28	2028/ 29	2029/ 30	Total
Main Towns																		
	76	86	85	74	80	103	123	180	239	174	142	190	250	228	203	199	156	2588
Key Service Centres																		
	41	51	59	71	93	159	170	234	168	106	135	149	214	197	136	117	88	2188
Primary Villages																		
	28	31	49	47	17	51	58	84	108	185	252	275	272	171	115	63	44	1850
Secondary Villages																		
	13	20	18	16	17	13	27	33	27	44	22	26	28	14	13	13	12	356
Tertiary Villages																		
	1	3	0	0	5	2	4	6	1	2	2	2	2	2	2	2	2	38
Total	159	191	211	208	212	328	382	537	543	511	553	642	766	612	469	394	302	7020

Picture C.1 Housing Trajectory (Popup full image)

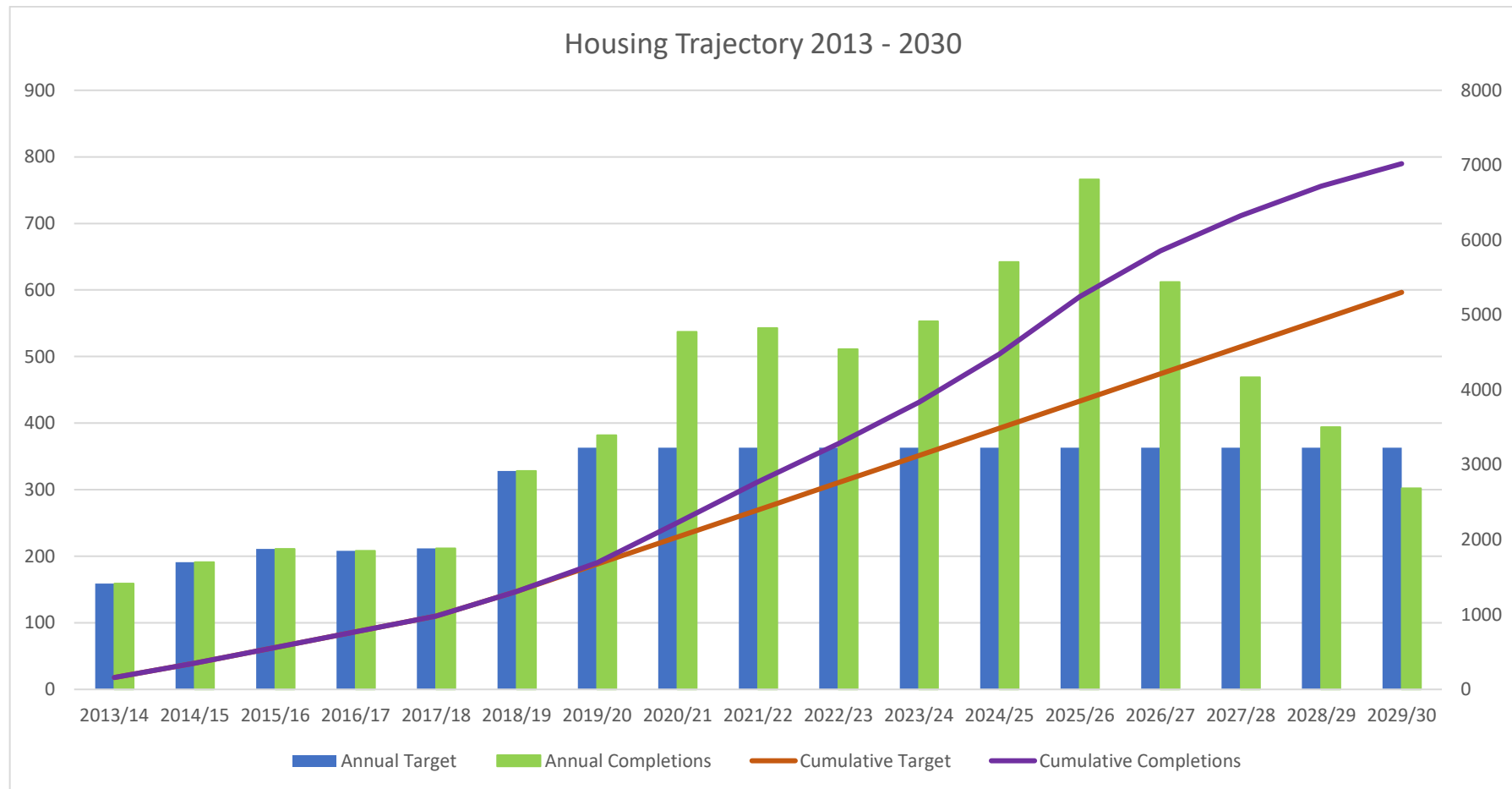


Table C.3 Allocated Sites Housing Trajectory

Total number of homes	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Delivery (plan period)	Delivery post 2030
CS17 - Great Yarmouth Waterfront												
857	0	0	0	0	0	40	40	40	37	0	157	700
GN1 – Land south of Links Road, Gorleston-on-Sea												
500	0	0	0	50	75	75	75	75	75	75	500	0
GN2 – Emerald Park, Gorleston-on-Sea												
97	0	0	0	0	0	12	22	22	22	19	97	0
GN3 – Land at Ferryside, High Road, Gorleston-on-Sea												
20	0	0	0	0	0	10	10	0	0	0	20	0
CS18 – Land south of Bradwell, Bradwell												
686	126	155	61	57	92	96	80	19	0	0	686	0
CA1 – Land off Jack Chase Way, Caister-on-Sea												
665	0	0	0	35	50	70	70	70	70	70	435	230
BN1 – Land south of New Road, Belton												
100	0	0	0	12	22	22	22	22	0	0	100	0
HY1 – Land at Former Pontins Holiday Camp, Hemsby												
190	0	0	29	58	58	45	0	0	0	0	190	0
HP2 – Land to the west of Coast Road, Hopton-on-Sea												
40	0	0	0	0	0	10	20	10	0	0	40	0
MA1 – Land north of Hemsby Road, Martham												
112	0	20	40	32	20	0	0	0	0	0	112	0
OT1 – Land south of Cromer Road, Ormesby St Margaret												
190	0	0	0	0	10	20	20	20	20	20	110	80
OT2 – Land north of Barton Way, Ormesby St Margaret												

Total number of homes	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Delivery (plan period)	Delivery post 2030
32	0	0	0	16	16	0	0	0	0	0	32	0

PROPOSED NEW APPENDIX - APPENDIX D OPEN SPACE CONTRIBUTION COSTS & ACCESSIBILITY STANDARDS

D.1 The following costs have been assessed at the time of preparing the plan. It is likely that the costs will change over time. The Borough Council will re-evaluate the costs at least on an annual basis to ensure that they reflect the most up to date costs.

Open Space Provision Costs

D.2 Where open space is provided off-site, a contribution will be required to cover the provision costs of open space. Costs have been calculated through a combination of Sport England's 2017 published facilities costs, 'Action, Play & Leisure's' play space costs and the Borough Council's contractor (GYB Services) costs.

Total Provision Costs

D.3 The following table sets out a breakdown of the provision costs across each type of open space and the land cost

Provision	Cost per dwelling (£)
Outdoor Sport	£309.82
Formal Play Space	£203.00
Informal Amenity Greenspace/ Parks and Gardens / Accessible Natural Greenspace	£42.34
Allotments	£25.12
Land	£412.00
Total	£992.28

Maintenance Costs

D.4 It is essential that all forms of open space are maintained to ensure continued use for the lifetime of development. The policy sets out a requirement for at least 20 years maintenance where Council agrees to adopt the space. Where open space is provided off-site, a contribution will be required to cover the cost of maintenance of open spaces over this period. Costs have been calculated through a combination of the Borough Council's contractor (GYB Services) costs and a comparison of neighbouring authority costs.

Total maintenance costs

D.5 The following table sets out a breakdown of the maintenance costs across all open space types

Type of Open Space	Cost per dwelling (£)
Outdoor sport	£142.46
Formal play space	£71.24
Informal Amenity Greenspace/ Parks and Gardens / Accessible Natural Greenspace	£558.07
Total	£771.77

Total off-site contributions

D.6 The following table sets out a full provision (including land costs) and maintenance cost comprising all open space types.

Contribution	Cost per dwelling (£)
A. Total open space provision	£992.28
B. Total open space maintenance	£771.77
Total off-site provision (A + B)	£1,764.05

Open Space Accessibility Standards

D.7 It is important to apply accessibility standards to ensure that people have access to the open space facilities that they need within the catchment areas that they live. In determining the correct amount of open space to be provided on a residential proposal, the Borough Council will have regard to the following typical accessibility standards as evidenced through the Open Space Strategy (2003) and Sport, Play and Leisure Strategy (2015). The Borough Council will continue to update its needs assessment in accordance with national planning policy, and therefore the below standards may be superseded.

Outdoor Sports – Accessibility Standards

D.8 Outdoor Sports Facilities should be considered accessible where they have a catchment population within an 800m radius. All sites should be fully accessible by pedestrians and public transport; there should be a range of facilities available for those with mobility problems. Pedestrian crossings should be provided on main roads as required. It is important to note that this an average for all outdoor sports, and that each individual type of outdoor sport may vary in its accessibility requirement.

Informal Amenity Greenspace – Accessibility Standards

D.9 Amenity greenspace should be considered accessible by residents or workers within the following straight line distances:

- Sites up to 1ha within 150m
- Sites 1-3ha within 200m
- Sites 3-10ha within 500m

Children's play space – Accessibility Standards

- Junior (ages 0-8) up to 100m straight line;
- Intermediate (ages 6-12) up to 300m straight line;
- Senior (ages 8-14) up to 600m straight line;
- Teen facilities up to 1km.

Allotments – Accessibility Standards

D.10 Based on the function of allotments as local facilities serving local catchment populations, in particular those with little garden space, it has been assumed that an acceptable distance to travel would be about 900 metres. This equates to roughly a 15 minute walk or a short car journey. Sites should have both pedestrian and vehicular and disabled access, with adequate parking space.

Urban Parks & Gardens – Accessibility Standards

Percentage of Population	Catchment Radius	Park Size
20%	500m	Neighbourhood
25%	1km	Middle Order
55%	2km	Strategic

Accessible Natural Greenspace – Accessibility Standards

D.11 The Borough Council applies the Natural England recommended standards. Every person should have access to:

- At least 2 ha in size, no more than 300 metres (5 mins walk) from home
- At least one accessible 20 ha site within 2 km of home
- One accessible 100 ha site within 5 km of home
- One accessible 500 ha site within 10 km of home
- A minimum of 1 ha of statutory Local Nature Reserve per 1,000 population

Local Plan Part 2 – Adoption (Policy & Resources Committee)

Appendix 2 – Updated Policies Map





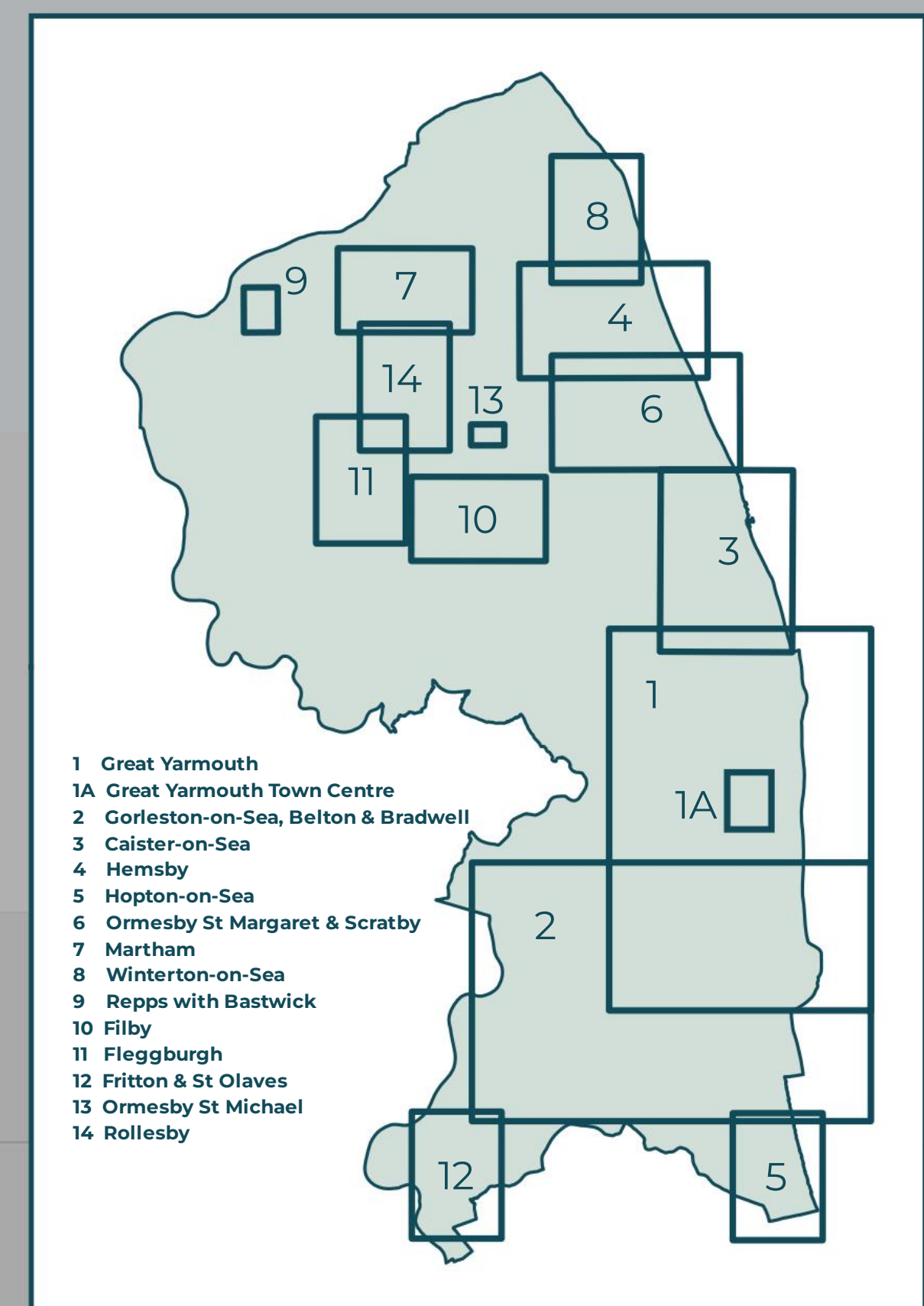
GREAT YARMOUTH
BOROUGH COUNCIL

Local Plan Policies Map GREAT YARMOUTH BOROUGH AREA

Adopted December 2021


Strategic Planning
Town Hall, Hall Plain
Great Yarmouth, Norfolk, NR30 2DF
Customer Contact Centre Tel: (01493) 854100
Email: localplan@great-yarmouth.gov.uk
Web: www.great-yarmouth.gov.uk

For addresses and other policies please use Norfolk
County Council's website www.norfolk.gov.uk
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Legend

- Local Plan Area
- Borough Boundary
- Outside Plan Area
- Broads Area
- Development Limits (GSP1)
- Housing Allocation
- Great Yarmouth Waterfront Area (CS17)
- Great Yarmouth Waterfront Area (CS17) Criterion C
- Safeguarded Gypsy & Traveller Site (CS5)
- Beacon Park (Mixed Use) Extension (CS18)
- Affordable Housing Sub-market Area 1 (CS4)
- Affordable Housing Sub-market Area 2 (CS4)
- Affordable Housing Sub-market Area 3 (CS4)
- Town Centre and District Centre Boundaries (R1, R3, R4, CY1)
- Primary Shopping Area (R1, CY1, R3)
- Protected Shopping Frontage (R2)
- Market Gates Shopping Centre (GY2)
- Hall Quay Development Area (GY3)
- King Street Enhancement Area (GY4)
- Local Centres (R5)
- Beacon Park District Centre (BL1)
- Beacon Business Park (GN4)
- Beacon Business Park Extension (GN5)
- Safeguarded Employment Area (CS6)
- Great Yarmouth Port and Harbour Area (GY10)
- Holiday Accommodation Areas (LI)
- Great Yarmouth Seafront Area (GY6)
- Great Yarmouth Back of Seafront Improvement Area (GY7)
- Regent Road (GY5)
- Great Yarmouth Racecourse (GY8)
- Coastal Change Management Areas (CSP4)
- Shrublands Community Facility (GN6)
- Third River Crossing Adopted Route (CS16)
- South of Hopton Access Improvements (HPI)
- Potential Strategic Cycle and Pedestrian Routes (GSP7)
- Great Yarmouth North Denes Airfield (GY9)



GREAT YARMOUTH
BOROUGH COUNCIL

Local Plan Policies Map

GREAT YARMOUTH AREA

INSET MAP 1

Adopted December 2021

Strategic Planning

South East Local Plan
Great Yarmouth, Norfolk, NR12 2GP
Customer Contact Centre Tel: 01493 856300
Email: localplan@great-yarmouth.gov.uk
Web: www.great-yarmouth.gov.uk

For Materials and Works policies please see Norfolk
County Council website www.norfolk.gov.uk

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Legend

Local Plan Area

Borough Boundary

Outside Plan Area

Broads Area

Development Limits (GSP1)

Housing Allocation

Great Yarmouth Waterfront Area (CS17)

Great Yarmouth Waterfront Area (CS17) Criterion C

Safeguarded Gypsy & Traveller Site (CS5)

Affordable Housing Sub-market Area 1 (CS4)

Affordable Housing Sub-market Area 2 (CS4)

Affordable Housing Sub-market Area 3 (CS4)

Town Centre and District Centre Boundaries (R1, R3, R4, GY1)

Primary Shopping Area (R1, GY1, R3)

Protected Shopping Frontage (R2)

Market Gates Shopping Centre (GY2)

Hall Quay Development Area (GY3)

King Street Enhancement Area (GY4)

Local Centres (R5)

Safeguarded Employment Area (CS6)

Great Yarmouth Port and Harbour Area (GY10)

Holiday Accommodation Areas (LI)

Great Yarmouth Seafront Area (GY6)

Great Yarmouth Back of Seafront Improvement Area (GY7)

Regent Road (GY5)

Great Yarmouth Racecourse (GY8)

Coastal Change Management Areas (CSP4)

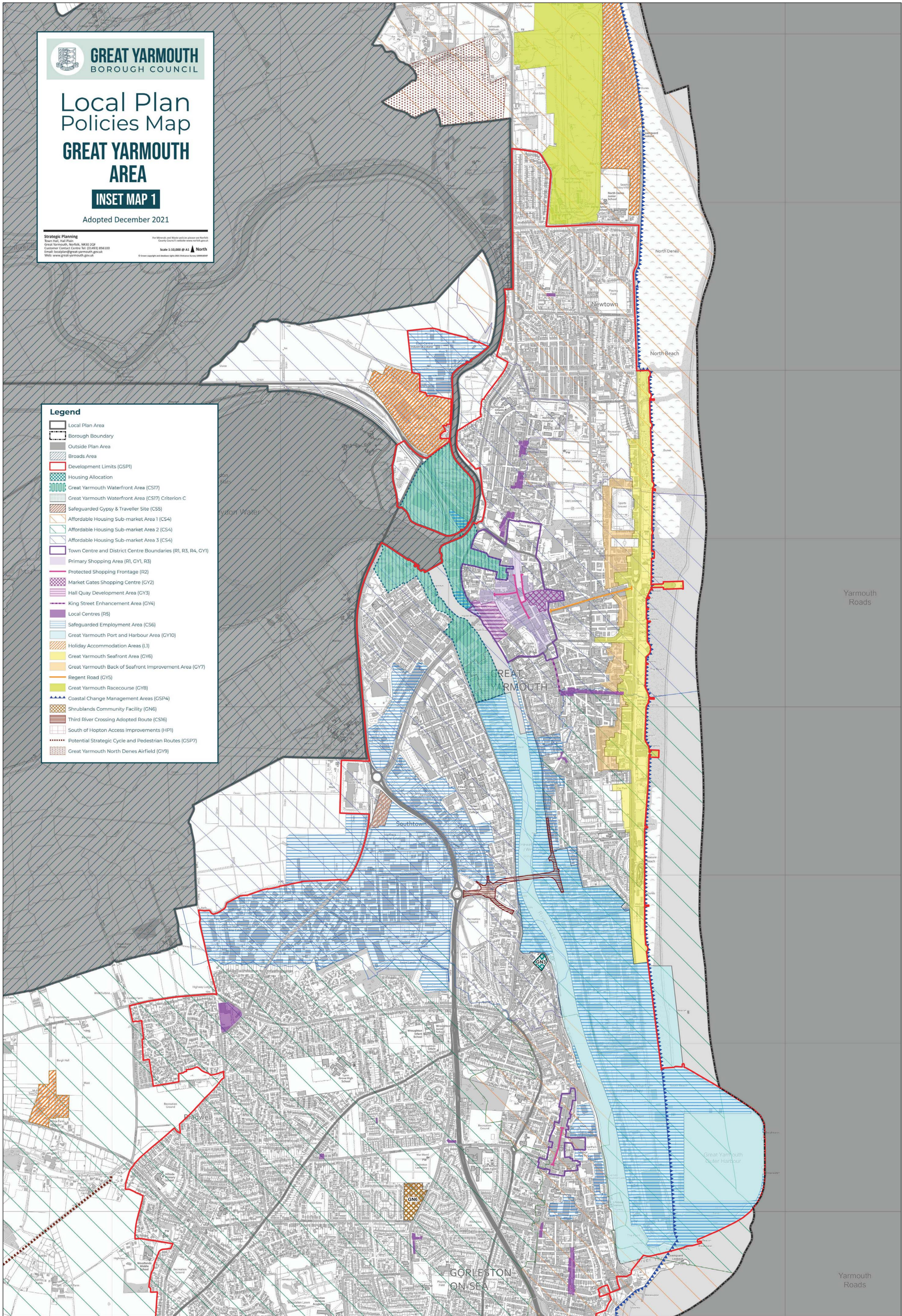
Shrublands Community Facility (GN6)

Third River Crossing Adopted Route (CS16)

South of Hopton Access Improvements (HPI)

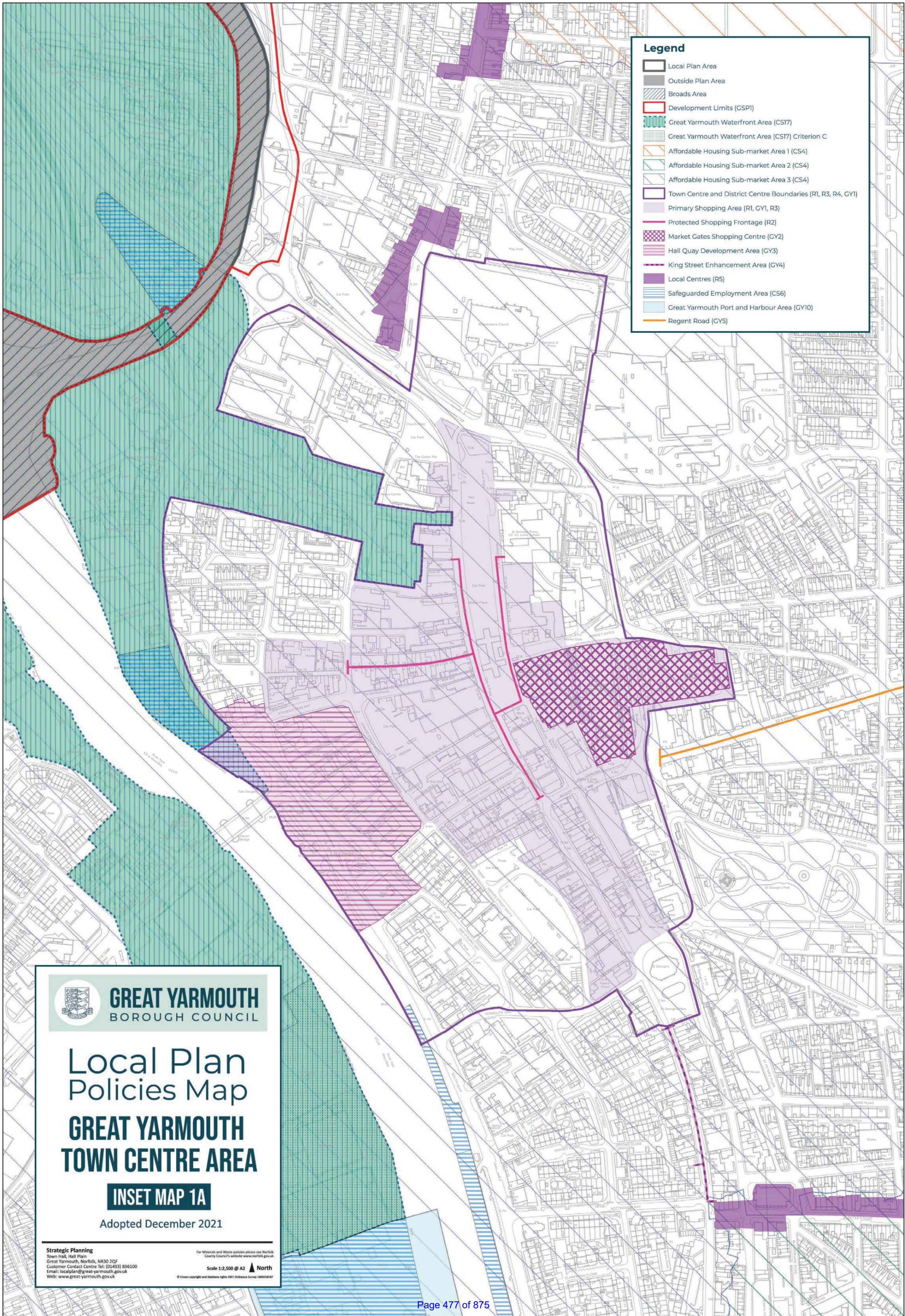
Potential Strategic Cycle and Pedestrian Routes (GSP7)

Great Yarmouth North Dunes Airfield (GY9)




Yarmouth Roads

Yarmouth Roads



Legend

- Local Plan Area
- Outside Plan Area
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- Development Limits (GSP1)
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- Great Yarmouth Waterfront Area (CS17) Criterion C
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- Market Gates Shopping Centre (GY2)
- Hall Quay Development Area (GY3)
- King Street Enhancement Area (GY4)
- Local Centres (R5)
- Safeguarded Employment Area (CS6)
- Great Yarmouth Port and Harbour Area (GY10)
- Regent Road (GY5)

 **GREAT YARMOUTH**
BOROUGH COUNCIL

**Local Plan
Policies Map**


**GREAT YARMOUTH
TOWN CENTRE AREA**

INSET MAP 1A

Adopted December 2021

Strategic Planning
Town Hall, Hall Plain
Great Yarmouth, Norfolk, NR30 2QF
Customer Contact Centre Tel: 01493 856100
Email: localplan@great-yarmouth.gov.uk
Web: www.great-yarmouth.gov.uk

For Minerals and Waste policies please see Norfolk
County Council's website www.norfolk.gov.uk

Scale 1:2,500 @ A2 

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Local Plan Policies Map

GORLESTON-ON-SEA, BELTON & BRADWELL AREA

INSET MAP 2

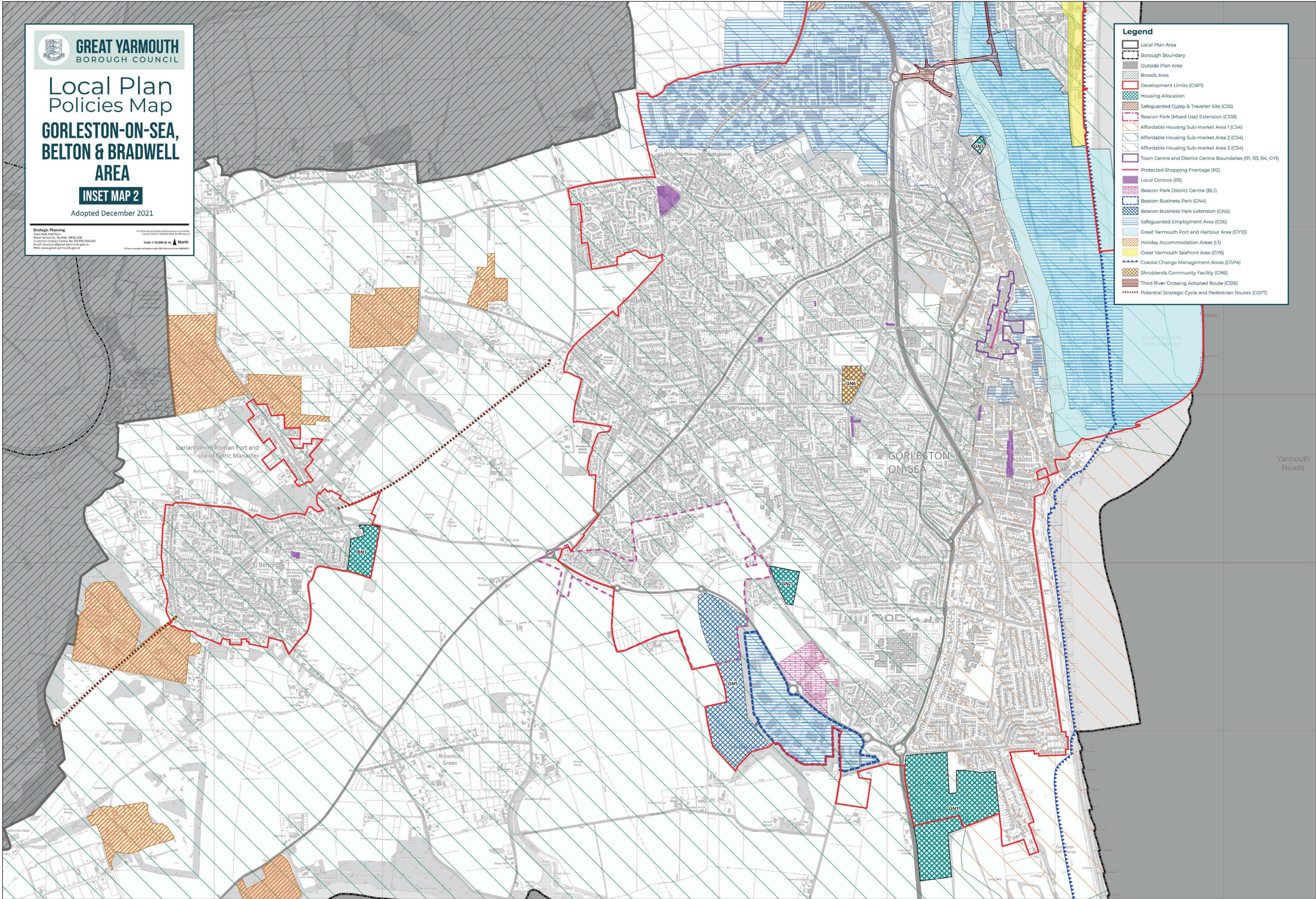
Adopted December 2021

Strategic Planning
Town Hall, Hull Road
Great Yarmouth, Norfolk, NR30 2DP
Customer Contact Centre Tel: (01493) 856100
Email: localplan@greatyarmouth.gov.uk
Web: www.greatyarmouth.gov.uk

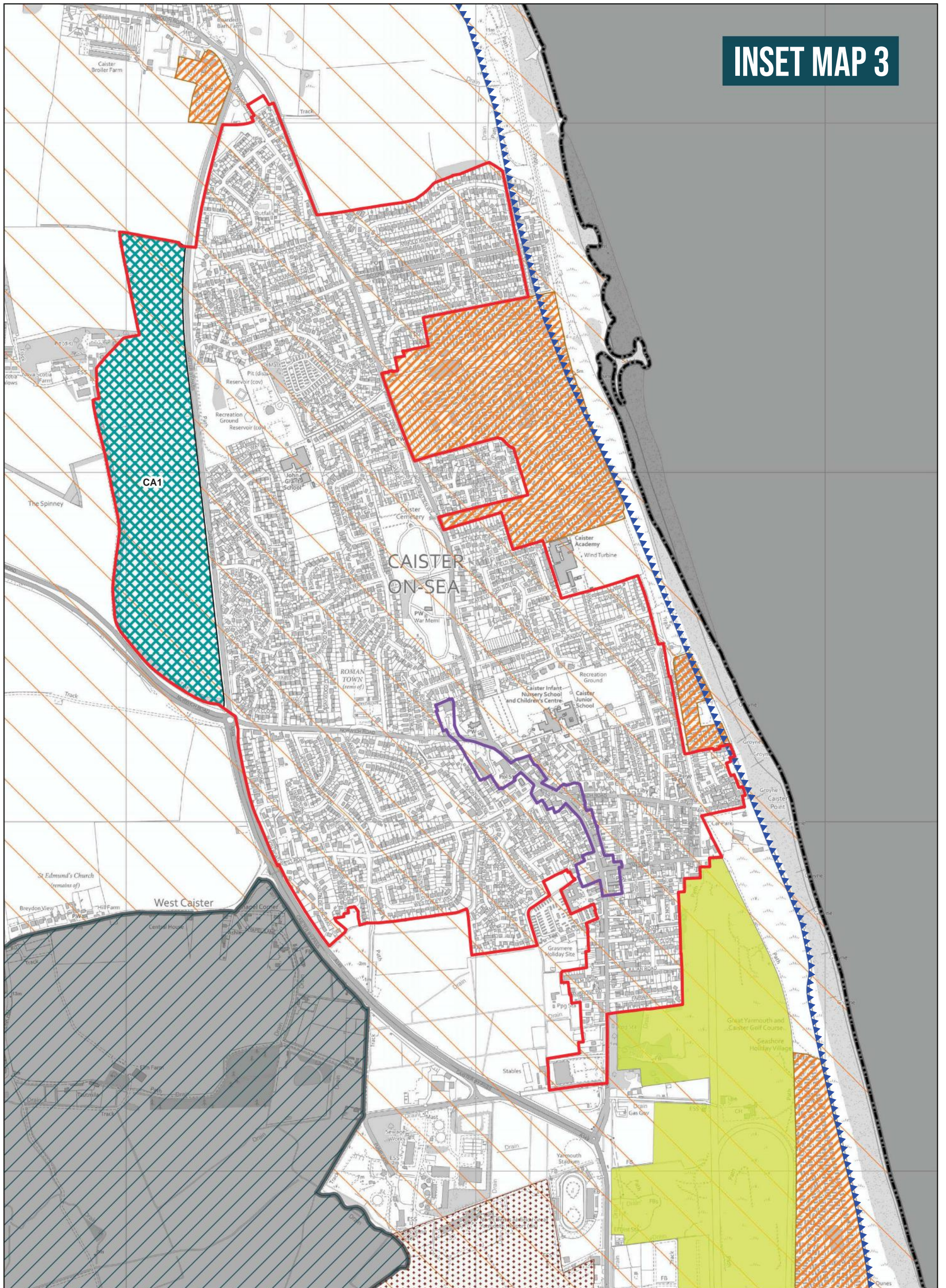
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Legend

- Local Plan Area
- Borough Boundary
- Outside Plan Area
- Broads Area
- Development Limits (CSP1)
- Housing Allocation
- Safeguarded Gypsy & Traveller Site (CS5)
- Beacon Park (Mixed Use) Extension (CS18)
- Affordable Housing Sub-market Area 1 (CS4)
- Affordable Housing Sub-market Area 2 (CS4)
- Affordable Housing Sub-market Area 3 (CS4)
- Town Centre and District Centre Boundaries (R1, R3, R4, CV1)
- Protected Shopping Frontage (R2)
- Local Centres (R5)
- Beacon Park District Centre (BL1)
- Beacon Business Park (GN4)
- Beacon Business Park Extension (GN5)
- Safeguarded Employment Area (CS6)
- Great Yarmouth Port and Harbour Area (CY10)
- Holiday Accommodation Areas (L1)
- Great Yarmouth Seafront Area (CY6)
- Coastal Change Management Areas (CSP4)
- Shrublands Community Facility (GN6)
- Third River Crossing Adopted Route (CS16)
- Potential Strategic Cycle and Pedestrian Routes (CSP7)



INSET MAP 3



Local Plan Policies Map

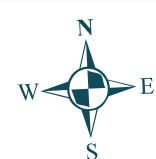
Page 479 of 976

CAISTER-ON-SEA

Adopted December 2021

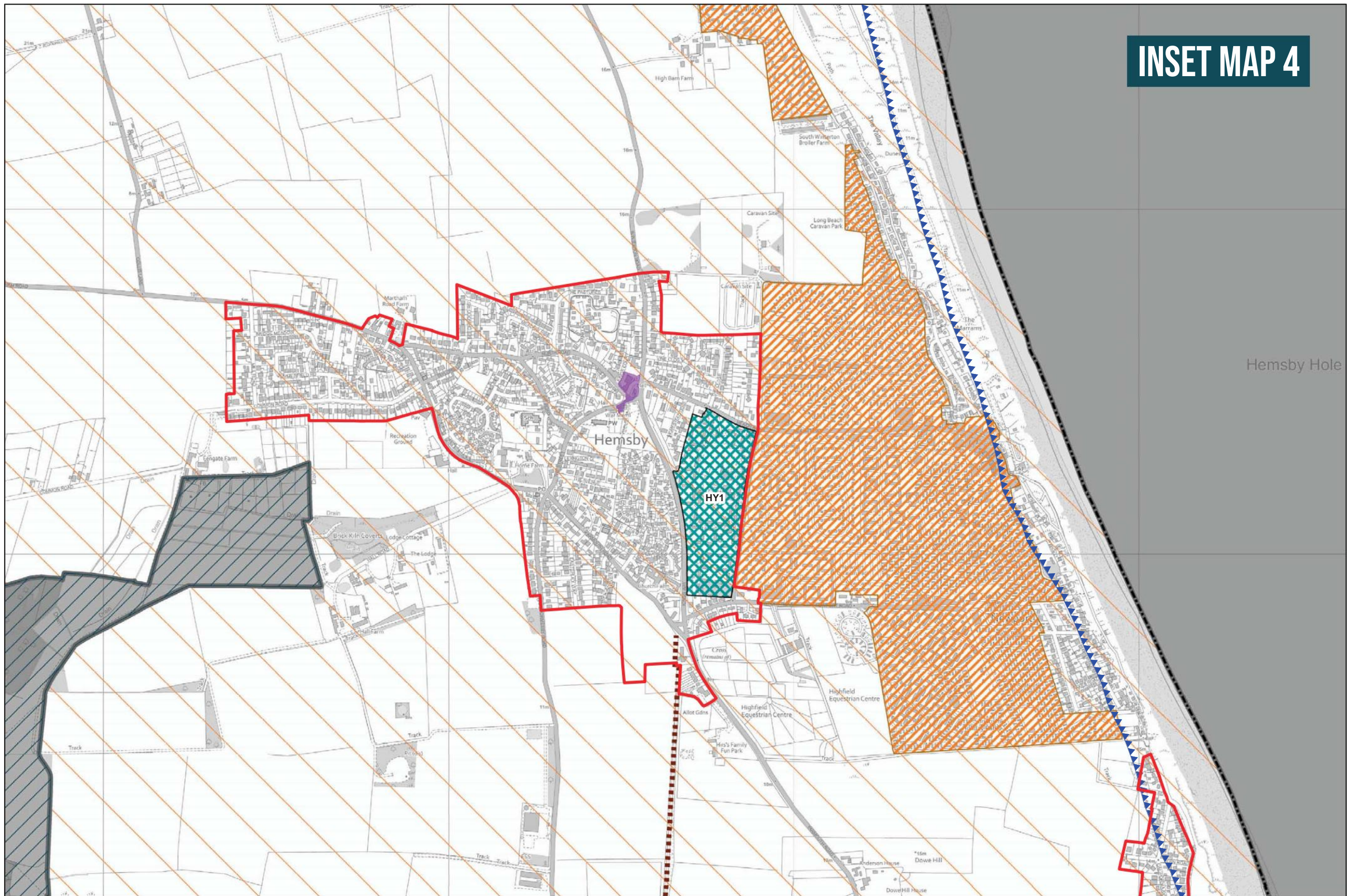


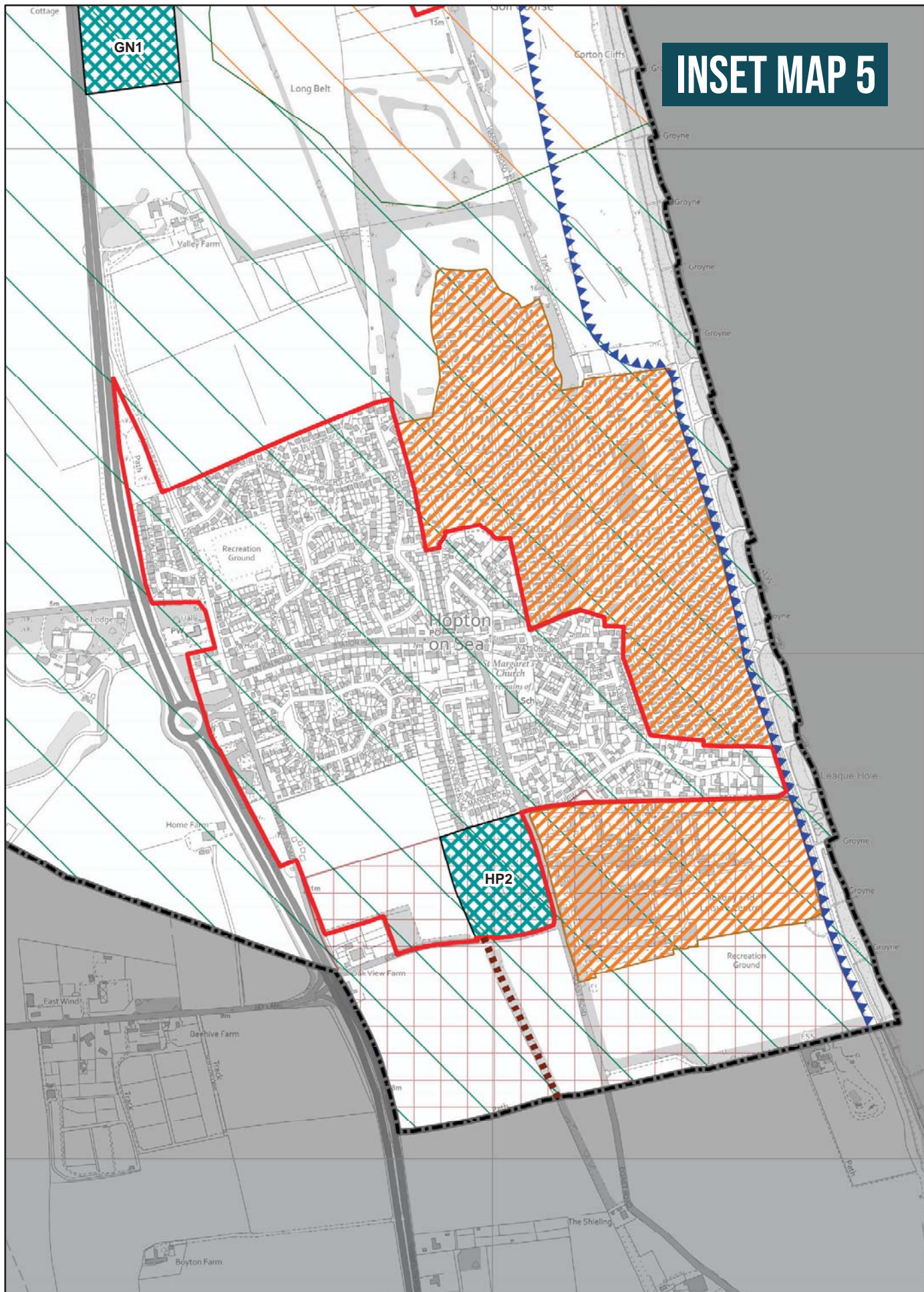
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BOROUGH COUNCIL



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INSET MAP 4

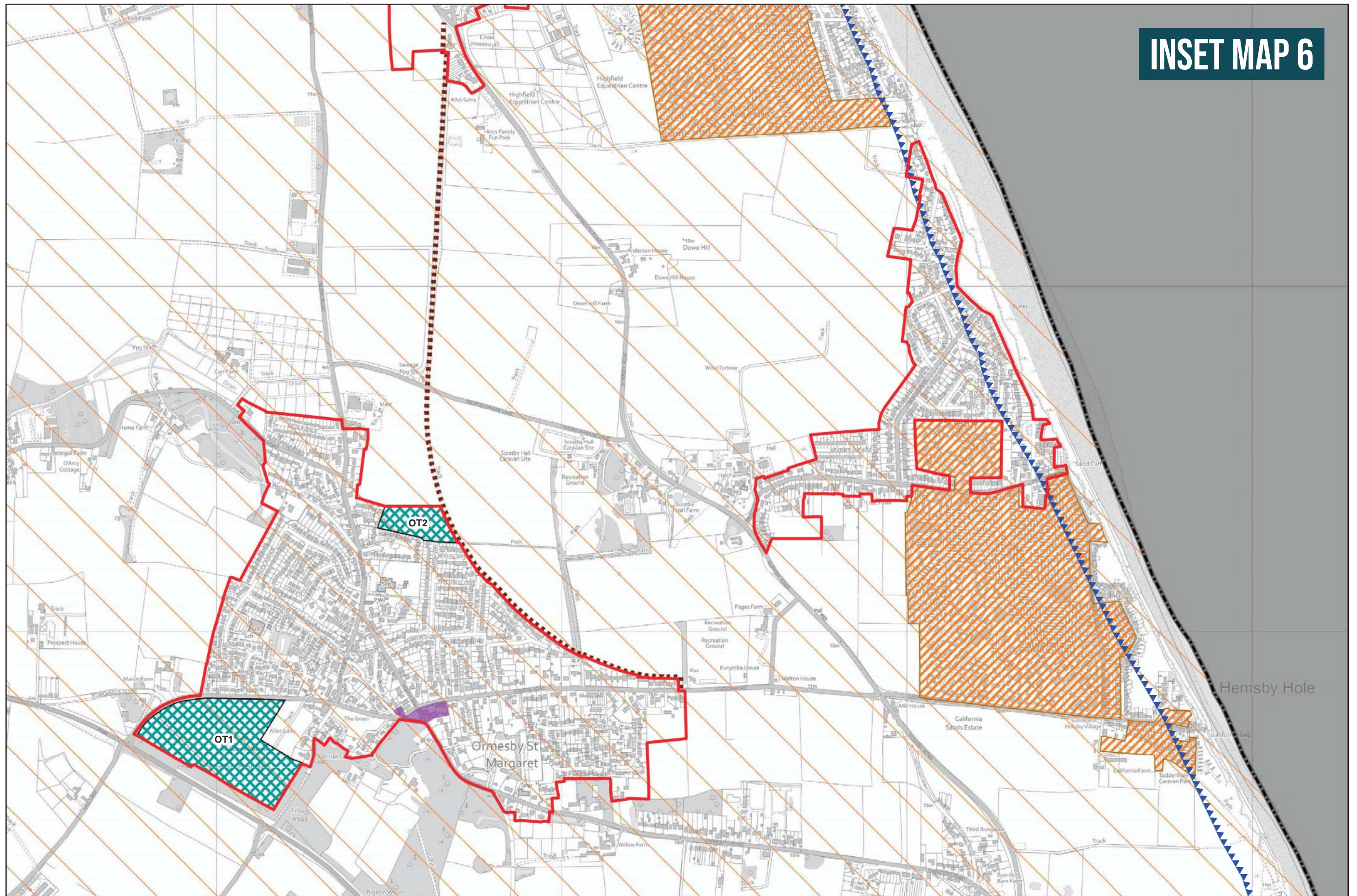




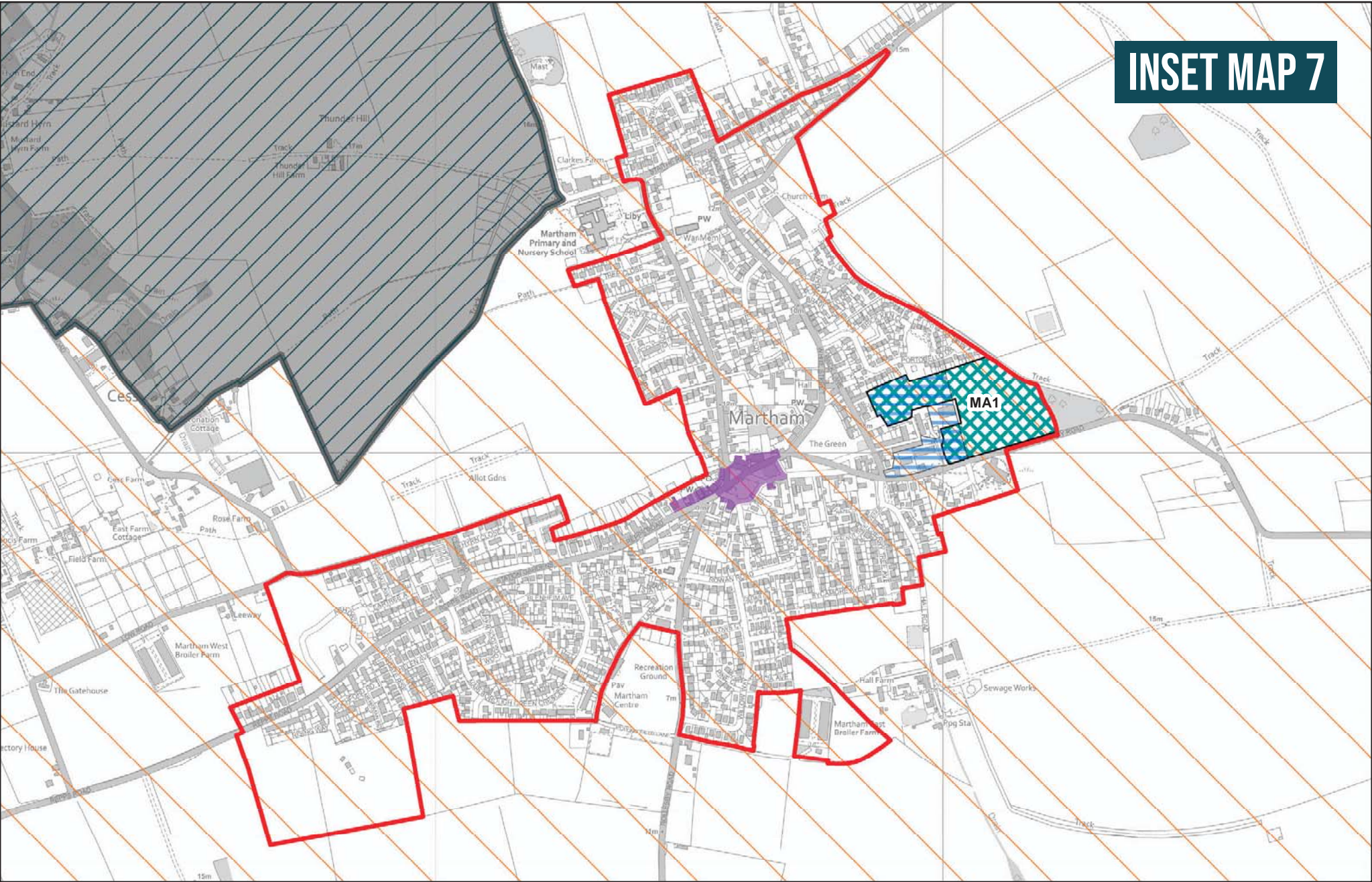
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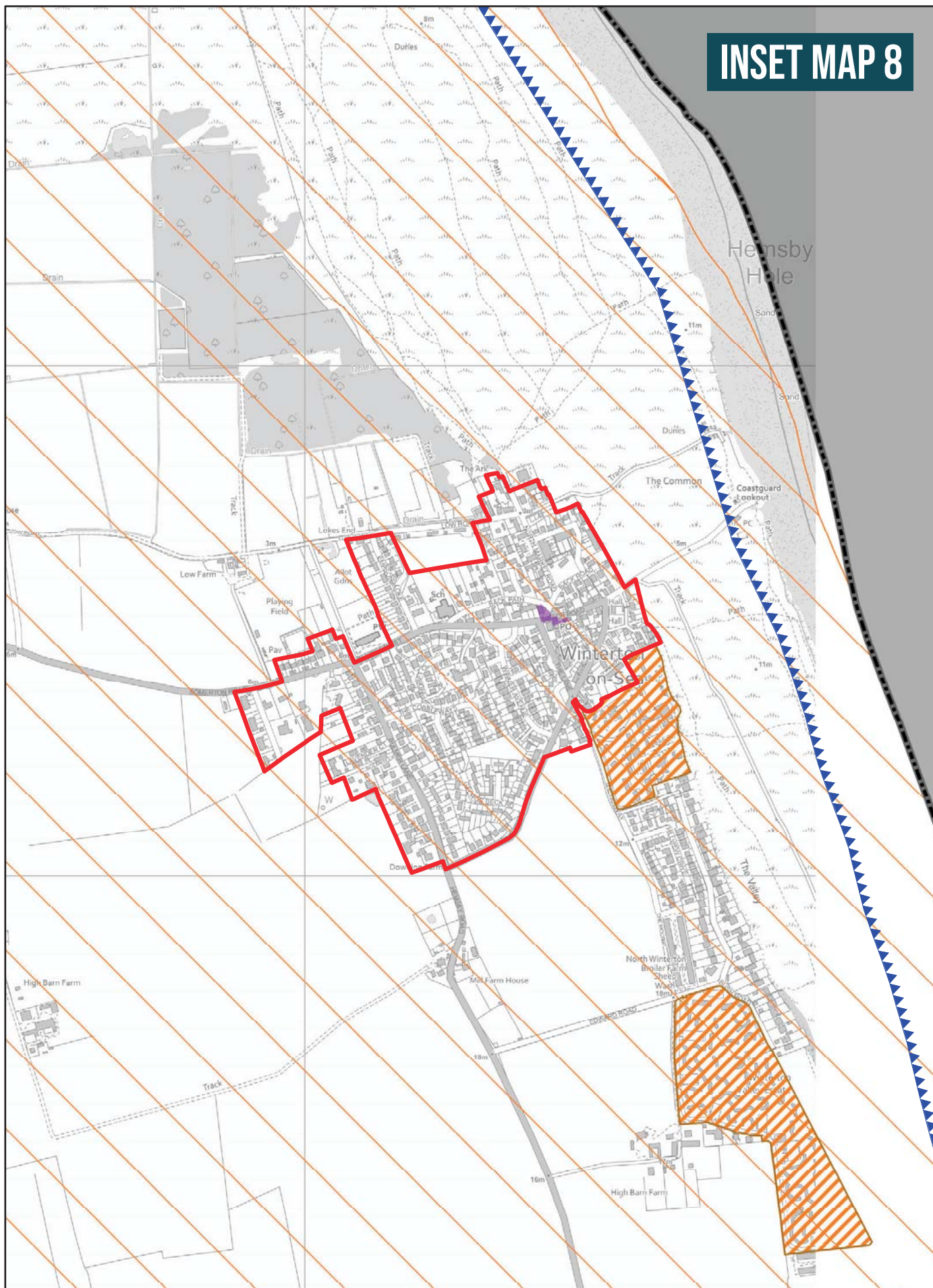
INSET MAP 6



INSET MAP 7

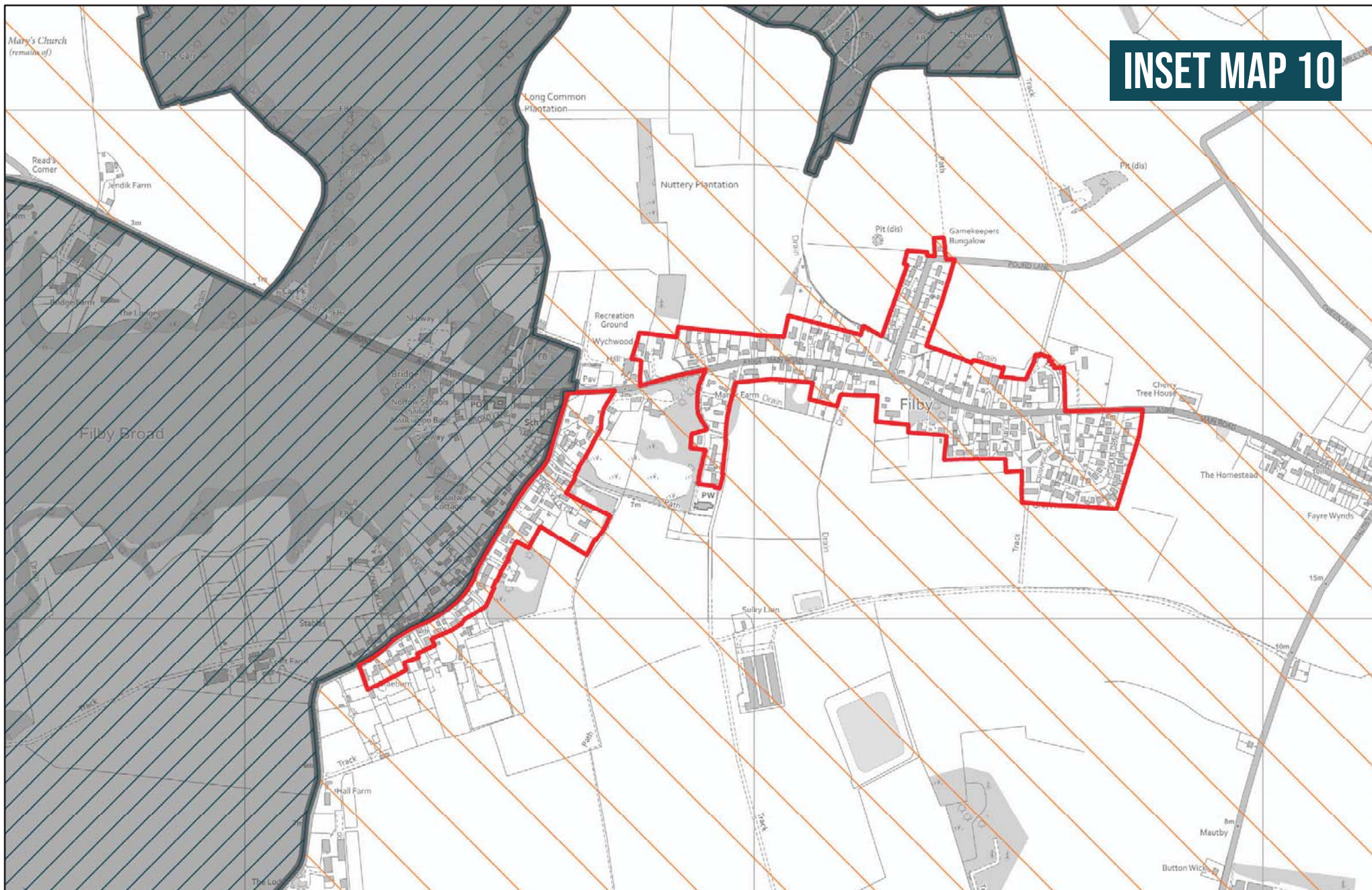


INSET MAP 8

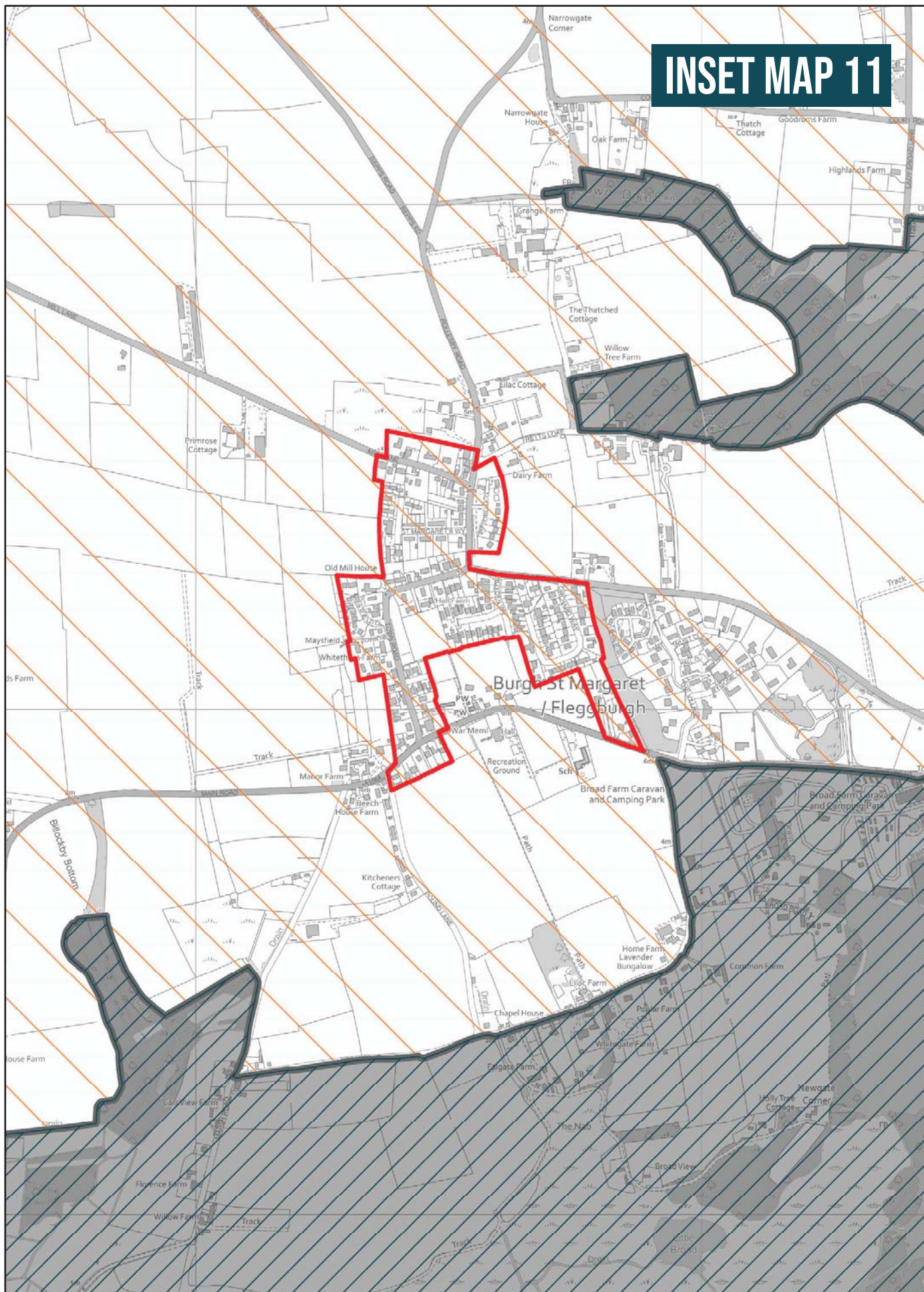


INSET MAP 9

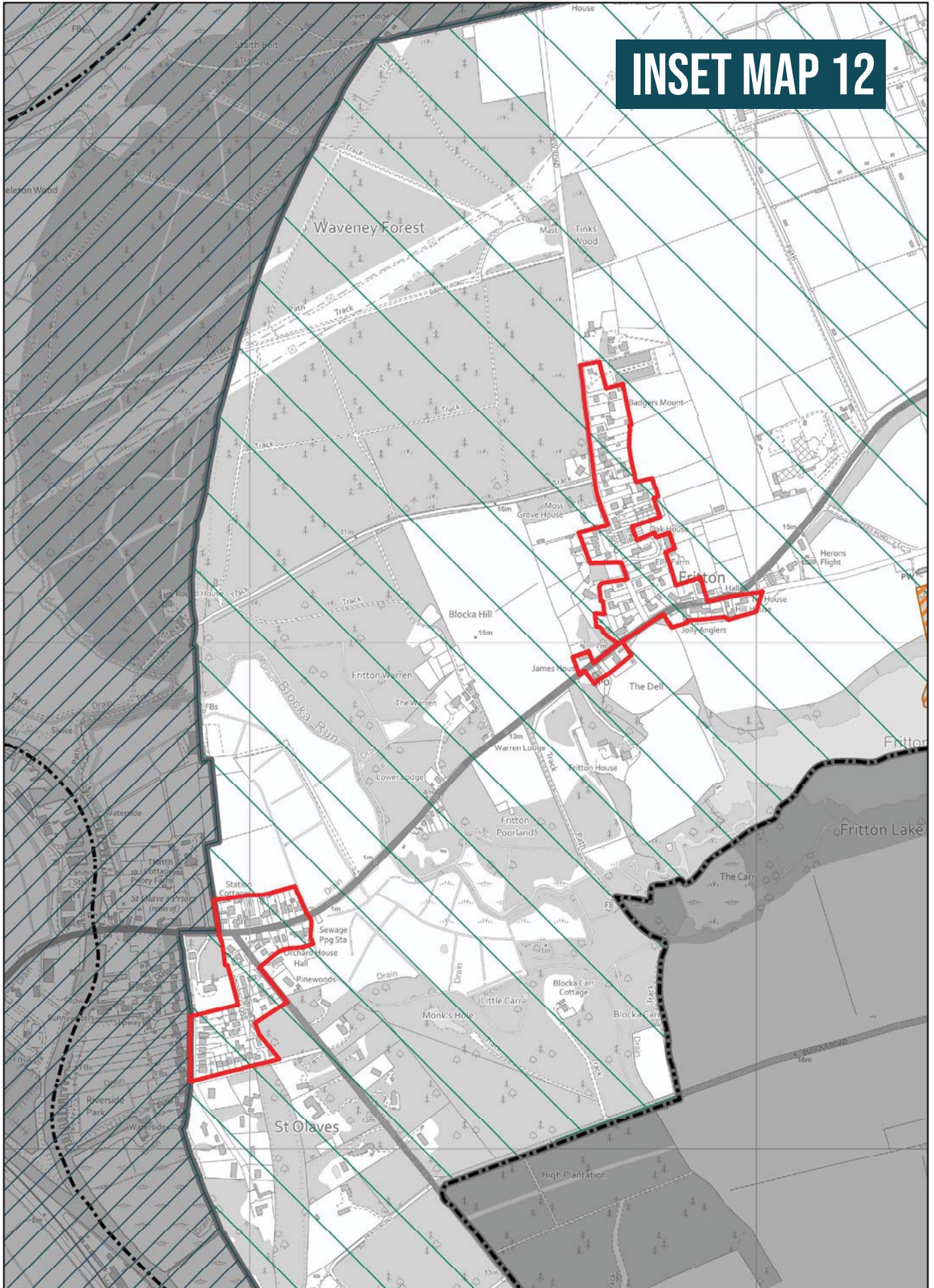
This map shows a village area with a red boundary highlighting a specific development site. The site is located in the center of the map, bounded by a red line. The area within the boundary includes several buildings and streets, including 'Fish House', 'Tower View', 'Myrtle Cottages', 'The Old White Hart', 'The Bay Cottage', 'The Laurels', 'The Bungalow', 'The Village Hall', and 'Cottages'. The map also shows surrounding areas, including 'Fleetwood Pond', 'St. Peter's Chapel', 'Tower Farm', 'The Barn', 'Grove Cottage', 'Bungalow', 'Bowling Green', 'Recreation Ground', 'The Village Hall', and 'Cottages'. The map is oriented with North at the top. A dark blue box in the top right corner contains the text 'INSET MAP 9'.

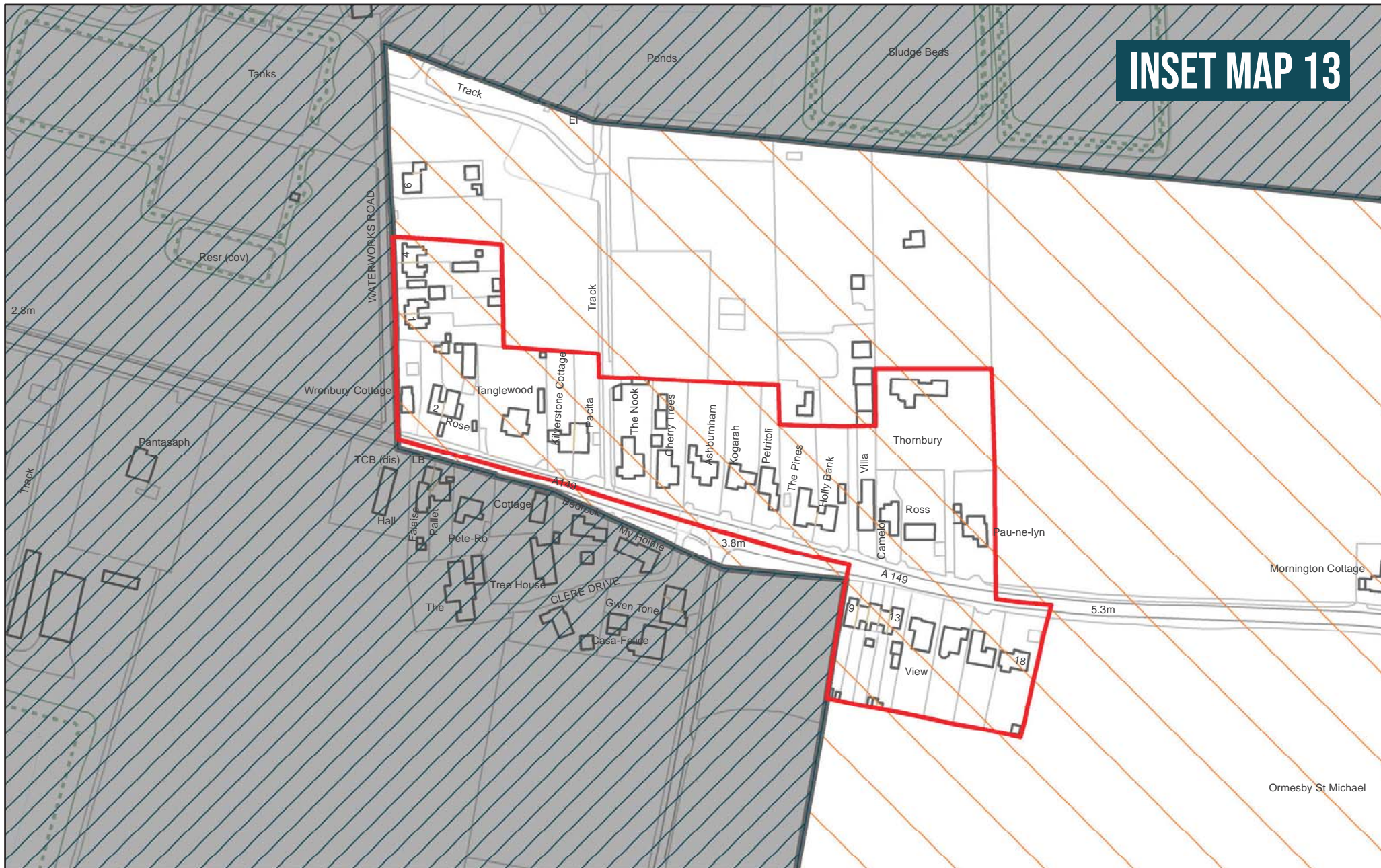


INSET MAP 11



INSET MAP 12

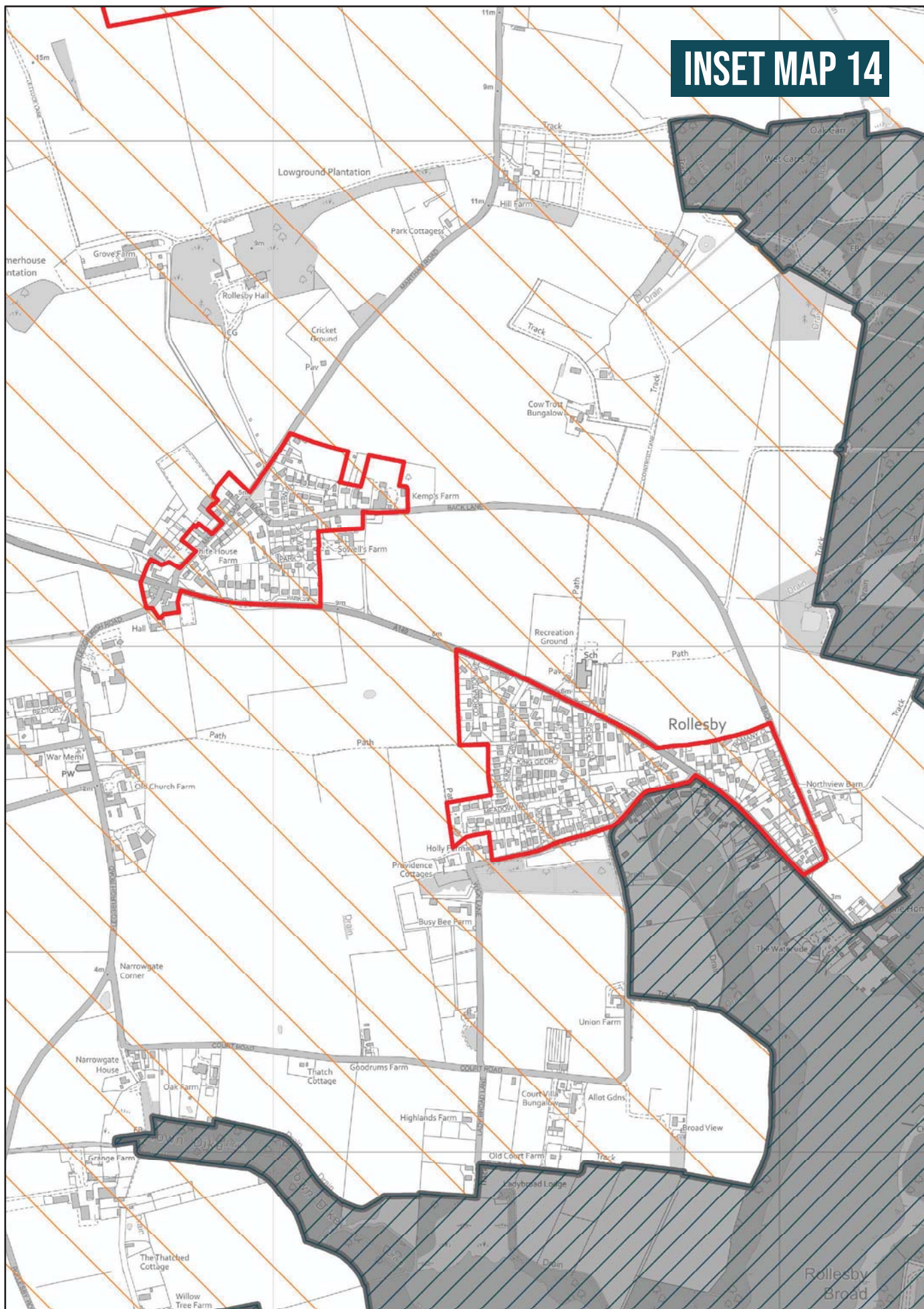




INSET MAP 13



INSET MAP 14



LOCAL PLAN POLICIES MAP LEGEND

	Local Plan Area
	Borough Boundary
	Outside Plan Area
	Broads Area
	Development Limits (GSP1)
	Housing Allocation
	Great Yarmouth Waterfront Area (CS17)
	Great Yarmouth Waterfront Area (CS17) Criterion C
	Safeguarded Gypsy & Traveller Site (CS5)
	Beacon Park (Mixed Use) Extension (CS18)
	Affordable Housing Sub-market Area 1 (CS4)
	Affordable Housing Sub-market Area 2 (CS4)
	Affordable Housing Sub-market Area 3 (CS4)
	Town Centre and District Centre Boundaries (R1, R3, R4, GY1)
	Primary Shopping Area (R1, GY1, R3)
	Protected Shopping Frontage (R2)
	Market Gates Shopping Centre (GY2)
	Hall Quay Development Area (GY3)
	King Street Enhancement Area (GY4)
	Local Centres (R5)
	Beacon Park District Centre (BL1)
	Beacon Business Park (GN4)
	Beacon Business Park Extension (GN5)
	Safeguarded Employment Area (CS6)
	Great Yarmouth Port and Harbour Area (GY10)
	Holiday Accommodation Areas (L1)
	Great Yarmouth Seafront Area (GY6)
	Great Yarmouth Back of Seafront Improvement Area (GY7)
	Regent Road (GY5)
	Great Yarmouth Racecourse (GY8)
	Coastal Change Management Areas (GSP4)
	Shrublands Community Facility (GN6)
	Third River Crossing Adopted Route (CS16)
	South of Hopton Access Improvements (HP1)
	Potential Strategic Cycle and Pedestrian Routes (GSP7)
	Great Yarmouth North Denes Airfield (GY9)

Local Plan Part 2 – Adoption (Policy & Resources Committee)

Appendix 3 – Inspector's Report



Report to Great Yarmouth Borough Council

by Gareth Wildgoose BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Date 5 November 2021

Planning and Compulsory Purchase Act 2004 (as amended)

Section 20

Report on the Examination of the Great Yarmouth Local Plan Part 2

The Plan was submitted for examination on 31 July 2020

The examination hearings were held between 2 March 2021 and 29 April 2021

File Ref: PINS/U2615/429/8

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Abbreviations used in this report

2004 Act	Planning and Compulsory Purchase Act 2004
AONB	Area of Outstanding Natural Beauty
BWLP	Great Yarmouth Borough-Wide Local Plan (2001)
CS	Great Yarmouth Local Plan: Core Strategy 2013 - 2030
DtC	Duty to Co-operate
HIA	Heritage Impact Assessment
HMO	House in Multiple Occupation
HRA	Habitats Regulations Assessment
LDS	Local Development Scheme
LHN	Local Housing Need
LVIA	Landscape and Visual Impact Assessment
MM	Main Modification
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SCI	Statement of Community Involvement
SEA	Strategic Environmental Assessment
SHMA	Strategic Housing Market Assessment
SoCG	Statement of Common Ground
SPA	Special Protection Area
The Plan	Great Yarmouth Local Plan Part 2

Examination Library document references are included in brackets () throughout the report.

Non-Technical Summary

This report concludes that the Great Yarmouth Local Plan Part 2 [the Plan] provides an appropriate basis for the planning of Great Yarmouth Borough (excluding the area covered by the Broads Authority), provided that a number of main modifications [MMs] are made to it. Great Yarmouth Borough Council has specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

The MMs all concern matters that were discussed at the examination hearing sessions. Following the hearings, the Council prepared schedules of the proposed modifications and, where necessary, carried out sustainability appraisal [SA] and habitats regulations assessment [HRA] of them. The MMs were subject to public consultation over an eight-week period, which also included an opportunity for responses on any implications arising from the publication of the revised National Planning Policy Framework [NPPF] on 20 July 2021. In some cases, I have amended the detailed wording and/or added consequential modifications where necessary. I have recommended their inclusion in the Plan after considering the SA and HRA and all the representations made in response to consultation on them.

The MMs can be summarised as follows:

- Modifications to ensure that the Plan is positively prepared, effective and consistent with national policy and the Great Yarmouth Local Plan: Core Strategy 2013 - 2030 [CS] where necessary, and justified when a different approach is taken;
- Modifications setting out an updated and realistic housing trajectory and overall approach to housing delivery, including new policies to amend the strategic approaches to affordable housing and provision for Gypsies, Travellers and Travelling Showpeople accommodation to ensure effectiveness and consistency with national policy;
- Amending a number of policies to reflect the changes to the Use Classes Order that came into effect during the examination;
- A number of other detailed modifications to ensure that the Plan is positively prepared, justified, effective and consistent with national policy, and;
- Modifications to introduce specific monitoring measures and actions to Appendix A and to add a new Appendix D to provide open space contribution costs and accessibility standards.

Introduction

1. This report contains my assessment of the Great Yarmouth Local Plan Part 2 [the Plan] in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework 2021 [NPPF] at paragraph 35 makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Plan as submitted in July 2020 is the basis for my examination. It is the same document as was published for consultation in February 2020 (document A1 in the Examination Library).

Main Modifications

3. In accordance with section 20(7C) of the 2004 Act, the Council requested in the Submission letter (A14) that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
4. Following the examination hearings, the Council prepared a schedule of proposed MMs (K1.1) and, where necessary, carried out sustainability appraisal [SA] (K5.1 and K5.2) and habitats regulations assessment [HRA] (K6.1) of them. The MM schedule was subject to public consultation for eight weeks. I have taken account of the consultation responses in reaching my conclusions in this report and in this light, I have made some minor amendments to the detailed wording of the MMs and added consequential modifications where necessary for consistency or clarity. Where necessary I have highlighted these amendments in the report. None of the minor amendments or consequential modifications significantly alter the content of the modifications as published for consultation or undermine the participatory processes and SA/HRA that has been undertaken.

Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan.
6. In this case, the submission policies map accompanying the Plan comprises the set of plans identified as the Great Yarmouth Local Plan Part 2 Policies Map (including the Great Yarmouth Borough Area Policies Map, 15 associated Policies Inset Maps and a Map Legend, as set out in A2.1 to A2.16). The Policies Map of the Plan supplement and, where necessary, update the Local Plan Policies Map (E3) of the Great Yarmouth Local Plan: Core Strategy 2013 - 2030 [CS], adopted December 2015 (E1). In that regard, to provide certainty for the development plan when taken as a whole, Appendix B of the Plan also provides a list of any replacement policies for the superseded policies of the Great Yarmouth Borough-Wide Local Plan (2001) [BWLP] that are otherwise referred to on the CS Policies Map.
7. The policies map is not defined in statute as a development plan document, so I do not have the power to recommend MMs to it. However, a number of the published MMs to the policies of the Plan require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective. These further changes to the policies map were published in the Policies Map Modifications schedule (K3.1) for consultation alongside the MMs in K1.1.
8. When the Plan is adopted, in order to comply with the legislation and give effect to the policies of the Plan, the Council will need to update the adopted policies map to include all the changes proposed in the Policies Map of the Plan and the further changes published alongside the MMs.

Context of the Plan

9. The Plan as submitted intends to support the delivery of and, where necessary, update the strategic policies of the CS. The Plan also seeks to replace or remove all of the remaining saved policies of the BWLP as set out in its Appendix B. The Plan, when taken together with the CS, will constitute the development plan for the parts of Great Yarmouth Borough that lie outside of the Broads Authority Area (which is covered by the Broads Authority Local Plan).
10. The Plan area comprises the relatively densely developed main towns along the coast consisting of Great Yarmouth and Gorleston-on-Sea with a respective mix of historic cores and tourism uses, older residential neighbourhoods and well-established industries many of which are associated with the Port and Harbour area. The key service centre of Caister-on-Sea is located further along the coast to the north, with Hopton-on-Sea, a primary village, to the south. There are also groupings of other rural and semi-rural villages along the coast and further inland, the larger ones being identified in the CS as the key service centre of Bradwell and primary villages of Belton, Hemsby, Martham, Ormesby St Margaret and Winterton-on-Sea, with each having experienced varying rates of historic settlement expansion for housing or tourism development.
11. Within the Plan area, there are significant areas subject to coastal change management, together with existing designations within the national site network such as the Winterton-Horsey Dunes Special Area of Conservation [SAC] and North Denes Special Protection Area [SPA], with others located nearby such as the Breydon Water SPA and Ramsar site, the Broadland SPA and The Broads SAC.

Public Sector Equality Duty

12. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This, amongst other matters, sets out the need to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it.
13. The Plan was informed by an Equalities Impact Assessment (A5). The policies of the Plan, when taken with the CS, make provision for people with disabilities through the provision of accessible and adaptable housing and it also takes account of age and addressing the needs of other protected groups, including Gypsies, Travellers

and Travelling Showpeople. In this way, the disadvantages that people with protected characteristics suffer would be minimised and their needs met in so far as they are different to those without a relevant protected characteristic. There is also no compelling evidence that the Plan would bear disproportionately or negatively on them or others with protected characteristics.

Assessment of Duty to Co-operate

14. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
15. The Duty to Co-operate - Statement of Compliance (A7) details the organisations with which the Council engaged in the preparation of the Plan. The ongoing engagement since the adoption of the CS in December 2015, includes working towards an agreement of shared spatial objectives in the Norfolk Strategic Planning Framework (B1) as published in June 2019. This regional document demonstrates clear ongoing engagement at a county level between the signatories which include Great Yarmouth Borough Council, Breckland District Council, Broadland District Council, the Broads Authority, the Borough Council of King's Lynn and West Norfolk, North Norfolk District Council, South Norfolk District Council, Norfolk County Council, Natural England, the Environment Agency, Anglian Water and the New Anglia Local Enterprise Partnership. The preparation of the document included involvement of a number of other organisations including cross-border co-operation with neighbouring authorities in Suffolk.
16. The above agreement includes relevant strategic matters such as the Norfolk planning authorities' approach to meeting their local housing needs which incorporates the identification of a contiguous market area in Great Yarmouth. Furthermore, it is common ground between the aforementioned authorities that spatial planning matters in the Broads Authority Area will continue to be best addressed by a standalone Broads Local Plan, but that Great Yarmouth would seek to include appropriate provision to address housing needs arising from its overlapping parts. The agreement also covers a number of other duty to co-operate [DtC] matters, including strategic issues such as employment and the economy; the natural, built and historic environment; mitigating the impacts of climate change; biodiversity; transport and infrastructure, and; co-operation on specialist housing

needs (including provision for the elderly and Gypsies, Travellers and Travelling Showpeople).

17. The above agreements have been supplemented by engagement on local cross-boundary issues with the Broads Authority, the Marine Management Organisation and neighbouring authorities on additional matters such as coastal change management. In that respect, a Statement of Common Ground [SoCG] on Coastal Zone Management (B3) was agreed before submission of the Plan with the Borough Council of King's Lynn and West Norfolk, North Norfolk District Council, Suffolk Coastal and Waveney District Councils (now both within East Suffolk Council), and the Broads Authority. This was supplemented by a further SoCG with the neighbouring East Suffolk Council (B2) confirming agreement on strategic matters including distinct housing market areas, functional economic areas, retail needs, habitat impact and mitigation mechanisms, and the presence of the shared Great Yarmouth and Lowestoft Enterprise Zone.
18. During the Examination, further SoCG were provided to reflect ongoing engagement during Plan preparation and resultant agreements with other relevant DtC bodies, including Historic England (G1), Natural England (G2), Anglian Water (G3), the Broads Authority (G4) and Norfolk County Council (G5).
19. Having regard to all of the above, there is evidence of a high level of engagement by the Council with others in preparing the Plan. Furthermore, none of the bodies with which the Council is required to engage in pursuit of the DtC have suggested that it has not adequately discharged the duty. Any implications of the agreed approaches between DtC bodies and issues raised as part of the engagement process which relate to matters of soundness are necessarily addressed separately in this report. Consequently, when taking all of the above evidence into account, I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the DtC has therefore been met.

Assessment of Other Aspects of Legal Compliance

Local development scheme

20. The Council has regularly updated its Local Development Scheme [LDS] since the adoption of the CS and it sets out the scope of the

Plan and timeline for its adoption. The submission of the Plan was accompanied by the LDS published in January 2020 (A12).

21. The Plan has been prepared in accordance with the Council's LDS albeit some delay to timescales have necessarily occurred as part of the examination process during the Covid-19 pandemic. In response, the Council published a revised LDS in June 2021 (A12.1) to ensure compliance with the statutory requirements.

Public consultation and engagement

22. The Council's Consultation Statement - Regulation 22c (A6) thoroughly demonstrates how the consultation carried out during the various stages of Plan preparation was in compliance with the Statement of Community Involvement [SCI] (A11) which was reviewed and updated in May 2020 following its previous publication in March 2019. The updates in that respect related to the implications of the Covid-19 pandemic around document availability.
23. The stages of consultation of the Plan undertaken were in excess of those required by and therefore, in compliance with the regulations. Furthermore, whilst the evidence does not explicitly set out the weight that the Council attached to consultation responses, that is not a legal requirement and it is clear that they were taken into account. The documented evidence sets out the relevant planning issues. Where necessary, I consider those issues in my assessment of soundness in the subsequent sections of this report.
24. Some representors felt that a greater level of engagement should have occurred during the plan preparation process when taking account of Covid-19 pandemic restrictions. However, the engagement with, and involvement of, local communities in the Regulation 19 consultation on the Plan was carried out in a proportionate manner. This included an extended time period initially between February 2020 - May 2020 to reflect the restrictions in place at the time and re-running the consultation between 1 June 2020 - 13 July 2020 to ensure the requirements of Regulation 19a and Regulation 35 could be met by making documentation available at the Town Hall when it was able to re-open. As such, the consultation was in compliance with the principles set out in the Council's SCI and statutory requirements in place at the time.

25. In reaching the above findings, I have taken into account that the social, economic and environmental impacts of the Covid-19 pandemic for the implementation of the Plan could be significant but are difficult to predict. Furthermore, with regard to the pandemic and longer-term planning reform, the Government has made it clear that it is important to get local plans in place under the current system. That is what the Council wishes to do, and I have carried out the examination accordingly.
26. The SCI was updated in November 2020 (A11.1) to reflect the implications of the Covid-19 pandemic restrictions and the subsequent consultation following the publication of the MM schedule was in accordance with it. The consultation on the Plan, therefore, has been undertaken in accordance with all relevant regulations.

Sustainability appraisal

27. The Plan aims to deliver, support and, where necessary, update requirements of the CS which had been previously subject to SA. The Plan (A1) was subject to SA during its preparation (as documented in A3.1 and A3.2) and to inform the proposed main modifications (K1.1) as required by relevant legislation¹.
28. The policies in the CS determine the overall strategy for Great Yarmouth Borough (excluding the area covered by the Broads Authority) to which the policies in the Plan respond and update where necessary. The CS spatial strategy also informs how sites should be considered for inclusion in the Plan. The SA was a comprehensive piece of work that commenced early in the Plan making process, informed its preparation and continued up to submission and during the examination. The SA adopted a systematic approach in accordance with legal requirements and relevant guidance. The SA has considered the overall effects of the policies and allocations in the Plan, including the cumulative effects and the mitigation measures where negative effects are identified for individual policies, sites or as a whole.
29. The SA provides a guide to compare the performance of policies and individual sites against a range of objectives linked to environmental,

¹ Sections 19(5) and 39 of the 2004 Act, and the Environmental Assessment of Plans and Programmes Regulations 2004.

social and economic considerations allowing all reasonable alternatives to be assessed on the same basis.

30. The SA report was updated in July 2021 (K5.1 and K5.2) to take account of the modifications process. The updated report also included additions to ensure that all sites and reasonable alternatives were appraisal in the SA, together with factual corrections. The SA clearly explains how it has influenced the development of the Plan relative to its scope and role with respect to the CS and assessed reasonable alternatives as part of this process. The SA as prepared is proportionate, objective, underpinned by relevant and up to date evidence, and compliant with legal requirements and Planning Practice Guidance [PPG]².

Habitats regulations assessment

31. The HRA Report December 2019 (A4), sets out that an Appropriate Assessment has been undertaken. The HRA for the Plan builds upon the HRA relating to the CS. The HRA concludes that as the Borough is not a focus for intensive growth, taking account of traffic generation and the proximity of the road network to what were European sites at the time (now part of the national site network), air quality impacts can be ruled out. However, it finds that recreation pressure associated with the housing growth in Great Yarmouth Borough within the Plan could have some negative impacts upon the Winterton-Horsey Dunes SAC, North Denes SPA and Breydon Water SPA/Ramsar site, together with new evidence since the CS HRA of the likelihood of residents visiting The Broads SAC and Broadland SPA/Ramsar site.
32. The increased recreation pressure from additional housing within the visitor catchment areas of the aforementioned sites may affect their integrity without mitigation. However, the Plan includes the required and suitable mitigation measures in the Habitats and Species Impact Avoidance and Mitigation Strategy as set out in document A4, informed by document C17 and secured in Policy GSP5 (as amended by **MM11** for soundness which I address later in this report).
33. There are also potential impact pathways to The Broads SAC and Broadland SPA/Ramsar in terms of water quality and water quantity. In particular, such matters relate to development in relatively close proximity to the Broads sites (within 2.5km) such as those subject to

² Strategic environment assessment and sustainability appraisal (Chapter ID:11).

Policy HY1 (Land at Former Pontins Holiday Camp), MA1 (North of Hemsby Road), OT1 (Land South of Cromer Road) and OT2 (North of Barton Way). In response, modifications to the respective policies and each allocation in turn, include the additional requirement of a shadow habitats regulation assessment and provision of necessary mitigation measures.

34. The HRA Addendum at MMs stage (K6.1) concludes that adverse effects on the integrity of any European site (as now part of the national site network) can be ruled out for the Plan, incorporating main modifications, either alone or in combination with other projects. Natural England have also confirmed agreement with the conclusion, subject to implementation and delivery of the Habitats and Species Impact Avoidance and Mitigation Strategy. It follows that with the policy safeguards in the modifications, I am satisfied that the Plan, in combination with other plans and projects, will not adversely affect any former European sites (now part of the national site network). The requirements of the Conservation of Habitats and Species Regulations 2017 (as amended) are, therefore, met.

Strategic priorities

35. The Development Plan, taken as a whole, incorporating the CS and the Plan, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area. The Plan seeks to take forward the strategic priorities as reflected in the high-level vision and strategic objectives set out in the CS. These are addressed through the subsequent policies in the Plan, particularly those that are classified as strategic (which I consider later in this report).

Climate change

36. The Development Plan, taken as a whole, includes policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change as required by Section 19(1A) of the 2004 Act. These include policies relating to the overall spatial strategy and the allocation of land for development that, amongst other things, aim to minimise the need to travel; avoid flood risk and areas of coastal change; promote sustainable forms of travel including strategic cycling and pedestrian routes; encourage electric vehicle use; protect and enhance green infrastructure and biodiversity; and seek water conservation. The policies of the Plan supplement the approach of the CS which also includes specific policies relating to design, enhancing

the natural environment and utilising natural resources, and deals specifically with matters such as sustainable design, promoting energy efficiency and encouraging renewable and low carbon energy.

37. I have considered whether the Plan responds appropriately to climate change, including in terms of emissions reduction as part of wider objectives such as the net zero target under the Climate Change Act 2008. In that regard, the Plan is necessarily assessed against the tests of soundness with respect to matters such as climate change and there is no national policy requirement for the Plan to include specific targets for reductions in greenhouse gases in the Borough. In any case, for the reasons set out throughout this report and subject to associated MMs, I conclude that the Plan is sound. When taken together with the CS, the Plan as a whole contains appropriate policies to help mitigate and adapt to climate change in the context of current national policy including by helping to shape places in ways that contribute to radical reductions in greenhouse gas emissions as required by the NPPF.

Superseded policies

38. The Plan makes clear that it intends to update and partly supersede policies of the CS (including Policies CS3 and CS7 by Policies UCS3 and UCS7 as submitted, and Policies CS4 and CS5 by Policies UCS4 and UCS5 following **MM4** and **MM5** I recommend later in this report). The Plan is also clear that it will supersede all of the remaining saved policies of the BWLP, thus meeting the requirement of regulation 8(5) of the 2012 Regulations.

Other legal requirements

39. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Conclusion

40. In summary, I conclude that all relevant legal requirements have been complied with during the preparation of the Plan.

Assessment of Soundness

Main Issues

41. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified 11 main issues upon which the soundness of this Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

Issue 1: Is the scope of the Plan and its inclusion of strategic policies, together with updates to strategic policies in the CS within its 2013-2030 plan period, consistent with national policy or otherwise justified?

42. The scope of the Part 2 Plan as submitted, seeks to build upon and supplement the CS which has a plan period of 2013-2030. In doing so, the Plan incorporates updates to strategic policies such as the adopted housing requirement in Policy CS3 and the retail requirement in Policy CS7, the detail of which I consider in Issues 2 and 4. In contrast, the Plan has not sought to take forward a limited number of matters which the CS indicated that the Plan would include.
43. With regard to matters not taken forward in the Plan, I find that the suggestion in the supporting text of Policy CS6 for an additional policy relating to re-designation of land and buildings in local employment areas is no longer necessary based on the evidence before me and to ensure consistency with national policy. Similarly, following recent changes to the Use Classes Order³ that came into effect during the examination, the designation of secondary shopping frontages and holiday frontages would no longer serve the purposes envisaged by the CS, with more suitable alternative approaches to main town centre uses now provided in the Plan as assessed under Issue 4.
44. Local Green Spaces as referred to in Policy CS11 are not designated by the Plan which rather seeks to appropriately protect existing open spaces via Policy E3 as detailed in Issue 5. In addition, the Plan also reasonably does not identify potential areas suitable for wind energy as suggested by Policy CS12 due to an absence of evidence to

³ Town and Country Planning (Use Classes) Order 1987 (as amended)

support such a designation and given that the requirement in the NPPF for local community support is more likely to be fulfilled as part of a neighbourhood plan subject to referendum.

45. Notwithstanding my aforementioned findings, to ensure that the scope of the Plan is effective and justified, **MM1** is required to clarify the relationship with the designated Broads Authority area as administered by the Broads Authority. **MM2** is also needed to provide certainty of those limited CS matters not taken forward and the associated reasoning. It is not necessary to clarify the regulatory roles of other bodies as such matters are already appropriately addressed in relevant legislation and regulations.
46. Turning to the updates to strategic policies that are taken forward in the Plan. Since the adoption of the CS in December 2015, revisions to the NPPF have been published including most recently in July 2021. The NPPF paragraph 22 indicates that strategic policies in local plans (except in relation to town centre development) should look ahead over a minimum 15-year period from adoption to anticipate and respond to long-term requirements and opportunities such as those arising from major improvements in infrastructure. The Plan as submitted seeks to support the delivery of and update the CS within the same plan period of 2013-2030, meaning that it will have an intended period of less than 10 years from the date of its adoption.
47. Notwithstanding the above, NPPF paragraph 33, in implementing Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012, is clear that relevant strategic policies should be subject to review no later than five years from the adoption of the Plan and should take into account changing circumstances affecting the area or any relevant changes in national policy. It also sets out that one of the reasons for an earlier review includes significant changes to local housing need. The CS was adopted in December 2015 and is now more than five years old. Furthermore, significant changes have been made to the approach to assessment of local housing need [LHN] since that date as the publication of the previous NPPF in July 2018 introduced the standard method.
48. It follows from the above, that it is justified that the Plan includes a review of and adjustment to the CS housing requirement given that the LHN standard method significantly changes the calculation of minimum housing need within the Borough, as detailed in Issue 2. In that regard, it is particularly necessary for the housing requirement

to be reviewed to ensure, amongst other things, that it reflects a sound approach and does not give rise to significant adverse effects on the national site network.

49. In terms of the strategic policies and the duration of the plan period, the Plan as submitted includes a commitment to commence a full Local Plan review following its adoption with associated timescales set out in the latest version of the LDS (A12.1). Alternative arrangements are, therefore, in place that would be capable of fulfilling the agreement in the Norfolk Strategic Planning Framework (B1) of a Plan to provide for development needs until at least 2036.
50. It follows from the above that it would serve little practical benefit to extend the plan period beyond 2030 at the current point in time. Indeed, the inevitable and considerable delay in the adoption of the Plan which would result if it were to be revised to have at least a 15-year post-adoption period would almost certainly outweigh any benefit which would arise. I, therefore, consider that it is reasonable and justified that this Plan includes strategic policies whilst maintaining the CS plan period of 2013-2030.

Conclusion

51. In summary, I conclude that the scope of the Plan and its inclusion of strategic policies, together with updates to strategic policies in the CS within its 2013-2030 plan period is justified and, therefore, sound.

Issue 2: Is the strategic approach set out in Policy UCS3 to adjust the CS housing requirement and thereby, make provision for at least 5,303 new homes in the plan period (2013 to 2030); positively prepared, justified, effective and consistent with national policy?

Housing need and requirement

52. Policy CS3 of the CS in seeking to address the Borough's housing need at the time identified a housing requirement of at least 7,140 new homes over the plan period (2013-2030). This corresponded with the conclusions in the Inspector's Report (E1.1) of an objectively assessed need for housing in Great Yarmouth of 420 dwellings per year. The conclusions of identified need were informed by a Strategic Housing Market Assessment [SHMA] (C1) last updated in 2013. The SHMA took account of the three most recent sets of

nationally produced population/household projections at the time; 2008-based population/household projections, 2010-based population projections and 2011-based interim population/household projections.

53. In reaching his findings, the previous Inspector recognised that such a rate of annual housing delivery would reflect a significant uplift to previous levels of housing completions. Accordingly, the CS included what was considered to be an ambitious but more realistic trajectory for meeting the objectively assessed need, starting with an average rate of 300 new dwellings per year for seven years of the plan period (2013/14 - 2019/20), followed by an annual average of 504 dwellings to be delivered in the last ten years of the plan period.
54. The NPPF at paragraph 61 indicates that to determine the minimum number of homes needed, a LHN assessment conducted using the standard method detailed in PPG should be carried out – unless exceptional circumstances justify an alternative approach which also reflect current and future demographic trends and market signals. The standard method was informed by 2014-based household projections indicating an average annual household growth of 313.6 and a published workplace affordability ratio of 6.52 with a rounded adjustment factor of 1.16 which were the most up-to-date at the time of submission of the Plan. The resultant LHN figure is a minimum of 363 new homes per year from 1 April 2019 or 3,993 dwellings over the plan period to 31 March 2030.
55. During the examination, there have been updates to the LHN methodology in the PPG; the 10-year average household growth projections (2014-based household projections in England); and to median workplace-based affordability ratios as set out in a Technical Paper on Local Housing Need (H4). A resultant LHN re-calculation indicates a marginally lower minimum housing need of 354 new homes per year. Nonetheless, the PPG⁴ indicates that the standard method may be relied upon for a period of two years from the time that a plan is submitted and the limited difference in the calculations is not justification to depart from that approach. Furthermore, although the 2018-based household projections have also now been published, the PPG⁵ relating to the standard method specifically refers to use of 2014-based household projections.

⁴ PPG ID: 2a-008-20190220 Revision date: 20 02 2019

⁵ PPG ID: 2a-039-20201216 Revision date: 16 12 2020

56. The PPG⁶ expands upon the reference in paragraph 61 of the NPPF to 'exceptional circumstances' in relation to an alternative approach. In doing so, the PPG sets out that there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates. The identified circumstances include increases in housing need that are likely to exceed past trends due to growth strategies for the area that are likely to be deliverable, strategic infrastructure improvements likely to drive an increase in the homes needed locally, or an authority agreeing to take on unmet need from neighbouring authorities as set out in a SoCG. The PPG also refers to previous levels of housing delivery or evidence in a recently produced SHMA.
57. The SHMA (C1) does not fall within a reasonable definition of 'recently produced'. However, it does indicate that Great Yarmouth Borough has its own self-contained housing market area and there is no evidence to indicate that the situation has changed during the plan period. In that regard, the approach of the Borough meeting its own needs in the Plan with no unmet needs from neighbouring authorities to be addressed, is justified by evidence in the Norfolk Strategic Planning Framework (B1) and SoCG with East Suffolk (B2), the Broads Authority (G4) and Norfolk County Council (G5).
58. The SHMA also indicates that the functional economic area for Great Yarmouth is the Borough boundary, and I am satisfied that it remains the case despite some commuter flows to neighbouring districts. The Plan seeks to support a sustainable pattern of employment provision and in doing so, takes forward the intended extension of Beacon Park, an Enterprise Zone, as set out in Policies CS6 and CS18 of the CS, with a further 5 hectares of employment land within Policy GN5. That limited level of provision of additional employment land in Beacon Park is not of an extent that would justify an increase above the minimum level of housing need identified by the standard method.
59. In reaching the above view, I am mindful that the extension of Beacon Park does not constitute an overall net addition in employment land relative to Policy CS6 given that the potential for a further 22 hectares of land reclamation to the north of the Outer Harbour at South Denes is not taken forward in the Plan. Furthermore, there is no convincing evidence to justify any need to address the balance with labour markets in the Borough by increasing the local housing requirement figure above that derived

⁶ PPG ID: 2a-010-20201216 Revision date: 16 12 2020

using the LHN standard method. In Issue 9, I go on to set out more specific conclusions in respect of the soundness of the approach to employment land and individual allocations.

60. In terms of strategic infrastructure improvements, a Development Consent Order for the Great Yarmouth Third River Crossing was approved on 24 September 2020 with construction having now commenced and it is expected to be open for use in early 2023. The bridge is an important strategic infrastructure project to support the economic prosperity of Great Yarmouth by helping to reduce congestion and car dominance in and around the town centre and thereby, supports the wider regeneration ambitions of the Plan. However, the delivery of housing in the Plan of itself is not dependent upon the Great Yarmouth Third River Crossing nor is it intended to support significant housing growth as part of its wider objective of enhancing the accessibility between Great Yarmouth and Gorleston-on-Sea. The delivery of the strategic infrastructure project, therefore, does not justify that the minimum level of housing need should be higher than derived using the standard method.
61. In relation to other potential influences on the housing requirement, the evidence in the Technical Note on Self-build and Custom Housebuilding (H13) identifies only a low level of demand arising from the register that can be met by the existing permissions and future windfalls which I go on to consider under Issue 6. In contrast, the previous Inspector's Report (E1.1) identified that the annual net need for an additional 438 affordable dwellings in the Borough during the plan period as identified by the SHMA would be unlikely to be met in full by the approach of Policy CS3. In that context, the adopted CS housing trajectory estimated delivery of around 1,000 affordable dwellings in total by 2030 when taking account of the provision sought in Table 7 of Policy CS4 as informed by viability evidence.
62. The previous Inspector acknowledged that contributions to addressing affordable housing need would otherwise be made by direct provision by registered social landlords and that many of those identified as being in need of affordable housing currently live in private rented sector accommodation and are likely to continue to do so. The evidence accompanying this Plan leads me to the same view. Furthermore, it is evident that to achieve the full need for affordable housing identified by the SHMA would require delivery rates far in excess of past trends. Even if such levels of housebuilding were achievable in the plan period, the associated increase in population

due to the need for a substantial uplift in market housing to support delivery of the affordable housing would be likely to create its own difficulties. It would have the potential to cause significant adverse effects on protected habitats in the national site network, whilst encouraging unsustainable patterns of development and an increased loss of best and most versatile agricultural land.

63. In the context of the above, the requirement in Policy UCS3 reflecting the minimum level of housing need is lower than the housing requirement set by Policy CS3 of the CS. It, therefore, theoretically has the potential to further reduce the affordable housing to be delivered via Policy CS4. However, there is no evidence to suggest that raising the housing requirement in Policy UCS3 of itself would lead to an increase in affordable housing provision. In reaching that view, I note that the Plan is positively prepared by allowing for higher rates of housing delivery than the requirement in Policy UCS3 through the inclusion of a significant level of contingency in supply of housing land as addressed in Issues 6 and 7. Furthermore, I take account of the conclusions in respect of the soundness of the detailed approach to meeting identified affordable housing needs later in this issue.
64. The Plan in overall terms seeks to significantly boost the supply of housing, including for affordable housing and housing for different groups in the community. This is reflected in the uplift in minimum housing delivery required to meet the LHN standard method when compared with the target of 300 new dwellings per year that the CS applied up to 2019/20. The lower CS annual target of 300 dwellings per annum has only been exceeded on two occasions to date (328 dwellings completed in 2018/19 and 382 dwellings in 2019/20). As such, there has been an under-delivery of 409 dwellings relative to the lower annualised target in Policy CS3, before the higher level of 504 dwellings per year were to be applied from 2020/21 onwards to reach the average annual rate of 420 dwelling per annum by the end of the plan period.
65. Having regard to the above, the ambitious nature of the CS annual housing requirement up to 2029/2030 is almost certain now to be unachievable. In that respect, given that the CS is now more than five years old and the applicable local housing need figure has changed significantly, it is reasonable that the Plan reviews and updates the CS housing requirement.

66. The approach of the Plan accords with paragraph 61 of the NPPF which indicates that to determine the minimum number of homes the LHN standard method in national planning guidance should be used. In that regard, I find no exceptional circumstances to justify an alternative approach. In accordance with the standard method which includes an affordability adjustment, past under-delivery does not need to be added to the calculation when projected forward from 1 April 2019. However, given that the Plan aligns with the CS base date of 1 April 2013, the Council when identifying the minimum housing requirement in Policy UCS3 of 5,303 dwellings; have necessarily added the housing completions total of 1,310 dwellings between 2013/14 - 2018/19.
67. The minimum housing requirement set out above and as reflected in Policy UCS3 remains ambitious, albeit more realistic in providing a sound approach to direct development to the most sustainable locations during the plan period. It follows that, based on my previous reasoning, the minimum housing requirement as set out in Policy UCS3 is sound.

Plan approach to affordable housing

68. When taking account of changes to national policy since the adoption of the CS, it is necessary to include a new Policy UCS4 via **MM4** to ensure that the approach to affordable housing is consistent with paragraph 64 of the NPPF. In the absence of evidence to justify a lower threshold in designated rural areas, Policy UCS4 includes an increase to the threshold figure in Policy CS4 of the CS. As such provision of affordable housing would no longer be sought from developments of less than 10 dwellings or below a site area of 0.5 hectares in its sub-market area 1⁷ and sub-market area 2⁸. The approach would remove the contribution toward affordable housing from smaller developments of between 5-9 dwellings in those areas to accord with national policy and assist their deliverability.
69. Notwithstanding the above, the Plan takes a positive approach to offset the potential for a reduced contribution from small sites to affordable housing through the inclusion of Policy H1. The policy provides a supplementary approach to Policy CS4 of the CS (as amended by Policy UCS4 via **MM4**) through the identification of a starting point for the tenure split of the affordable housing

⁷ Caister-on-Sea, Gorleston, Great Yarmouth North and Northern Rural

⁸ Bradwell, Great Yarmouth South and South Quay, Gorleston West and South West Rural

requirement for each site. In doing so, the policy in seeking a 90% affordable rent and 10% home ownership takes a different approach to the national policy expectation relating to major development of at least 10% of homes to be available for affordable home ownership.

70. The approach of Policy H1 is justified by evidence in the Topic Paper: Affordable Housing Tenure Mix (C4). As per the caveat within NPPF paragraph 65, the evidence justifies that such a focus on delivery of affordable home ownership would prejudice the ability to meet the identified affordable housing need of the majority of lower income residents of the Borough in the affordable housing sub-market areas listed in Policy UCS4. Consequently, in responding to the local evidence, Policy H1 seeks a more suitable and affordable tenure split which would enhance and maximise the ability to meet affordable housing needs, with appropriate flexibility for alternative tenures where affordability and demand for other affordable housing products can be demonstrated.
71. **MM39** is necessary to support the justification for the policy by clarifying the above approach of Policy H1 relative to national policy in the supporting text. The modification also ensures that the policy is effective by including a similar approach as national policy to listed exemptions from the requirement where a proposal provides solely for Build to Rent homes, provides specialist accommodation for a group of people with specific needs, is a self-build project or is exclusively for affordable housing.
72. Policy H2 also provides a necessary focus upon delivery of affordable housing on phased or cumulative developments. However, to be effective, the policy wording should be refined and strengthened to provide certainty of the proposals to which it should be applied. **MM40** includes the necessary changes for soundness.
73. Having regard to all of the above, I am satisfied that when taken together Policy CS4 (as amended by **MM4** through the introduction of Policy UCS4), Policy H1 (amended by **MM39**) and Policy H2 (amended by **MM40**) ensure a sound approach to affordable housing that, when taken together with Policy UCS3, has the capability to ensure a more effective contribution to addressing specific local affordable housing needs than the previous approach in the CS.

Neighbourhood plans

74. The NPPF⁹ defines the role of strategic policies in plans as part of setting the overall strategy and requires plans to make explicit which policies are strategic policies. The distinction has implications for neighbourhood plans which must be in general conformity with the strategic policies contained in any development plan that covers their area. There are no neighbourhood plans that have been made in the Borough. However, there are neighbourhood areas designated with plans at various stages of preparation.
75. The Plan as submitted identified 35 out of 75 policies as being strategic (which increases to 37 out of 77 policies following **MM4** and **MM5** which I address in Issue 3). The Council, as local planning authority, has responsibility for determining which policies are strategic and it has determined those identified as strategic in the Plan to be of particular importance to delivering the vision and objectives of the CS. National policy and guidance offers considerable discretion to the Council on such matters. Consequently, whilst other approaches to the identification of strategic policies could also be justified, I am satisfied that all of the policies identified in the Plan as strategic (including those added via **MM4** and **MM5**) can reasonably be considered to be so in the context of the relevant national policy and guidance I have referred to.
76. The Plan as a whole should be effective in ensuring that housing needs in the Borough are met, subject to the MMs I go on to recommend in this report. Consequently, there is no requirement, for neighbourhood plans to identify opportunities for additional housing development, although they could if they chose to do so provided that this was in general conformity with the strategic policies. In that context, the approach of Policy GSP2 of the Plan in setting an indicative housing requirement for designated Neighbourhood Areas of zero is justified and consistent with national policy.
77. Notwithstanding the above, **MM8** is required to Policy GSP2 for effectiveness and consistency with national policy to clarify the approach, including consideration of local services and facilities to secure development that would be sustainable. The modification also necessarily provides certainty in the supporting text in terms of the interaction with the Broads Authority planning area and that the

⁹ NPPF paragraphs 20-23 and 29
(and PPG ID: 41-076-20190509 Revision date 09 05 2019)

housing requirement of zero does not prohibit unplanned windfall development from coming forward within Neighbourhood Areas.

Conclusion

78. For the reasons given above, I conclude that the strategic approach set out in Policy UCS3 to adjust the CS housing requirement and thereby, make provision for at least 5,303 new homes in the plan period (2013 to 2030) is positively prepared, justified, effective and consistent with national policy and therefore, sound. The Plan in that context also provides a sound approach to affordable housing and neighbourhood plans, subject to the MMs previously set out.

Issue 3: Is the approach of the Plan justified and consistent with national policy and would it be effective in ensuring that the accommodation needs of Gypsies, Travellers and Travelling Showpeople can be met in the Borough throughout the plan period?

79. Policy CS5 of the CS provides an approach to meet the need for accommodation for Gypsies, Travellers and Travelling Showpeople and, amongst other things, includes a targeted requirement to identify 10 additional permanent pitches for use by Gypsies and Travellers. However, the requirement is based upon a SHMA (C1) assessment that predates the revised definition for planning purposes set out in the Planning Policy for Traveller Sites [PPTS] that was published in 2015 at a late stage of the CS Examination. The Norfolk Caravans and Houseboat Accommodation Needs Assessment, including Gypsies, Travellers and Travelling Showpeople - October 2017 (C3) was undertaken following the publication of the PPTS and now provides the most up-to-date assessment of needs based upon surveys undertaken between February 2017 and April 2017.
80. The evidence in C3 relative to the Borough identified a revised estimated need for a maximum of 4 pitches for Gypsies and Travellers that meet the planning definition by 2032 (an extra two years beyond the plan period) and no specific need for travelling showpeople plots between 2017 and 2036. Great Yarmouth Borough has one existing site which has 24 pitches and it has been confirmed on the basis of the most up-to-date monitoring in the Technical Note: Gypsies, Travellers and Travelling Showpeople (H16) that it will be fully occupied by 2022.

81. The assessment in C3 was undertaken in 2017 and it is normal practice to review such evidence every five years to ensure that it is up-to-date. The evidence identified a concentration of significant unauthorised pitch encampments in the Borough between January 2016 and January 2017. However, Appendix 1 of document H16 based on a wider DCLG Caravan Count identifies longer trends from 2007-2020 which demonstrates that the 2016/17 period was an outlier, with no unauthorised encampments since.
82. In the context of the above, it is notable that the occupation of the Gapton Hall site has considerably altered since the surveys were undertaken to inform the conclusions of the evidence in C3. The Gapton Hall pitches have already been reallocated to be made available for and occupied by Gypsies and Travellers falling within the planning definition and therefore, may already have significantly addressed some of the demand for pitches identified in C3. Furthermore, the site is now under Council management and has opportunities for reconfiguration and/or extension to provide a small number of additional on-site pitches. In those respects, I am satisfied that it would be capable of meeting either most or all of the identified need by the end of the plan period in 2030. In addition, the housing needs arising from households falling outside of the planning definition for Gypsies, Travellers and Travelling Showpeople, that may have been displaced from the Gapton Hall site, are capable of being appropriately met as part of wider housing needs identified in the Plan. Any subsequent application proposals would be assessed against policies of the development plan taken as a whole.
83. The existing Policy CS5 of the CS does not seek to restrict the provision of pitches or plots for Gypsies, Travellers and Travelling Showpeople and no planning applications have been received since the CS was adopted. Should additional households come forward that are currently unknown, concealed or arise from household growth and meet the definition for planning purposes then they would be provided for under the terms of the policy. Consequently, an immediate update to the C3 evidence relating to Gypsies, Travellers and Travelling Showpeople is not necessary to inform an effective short-term approach to provision before this Plan is adopted. The criteria-based approach of Policy CS5 would be the most suitable and effective manner to respond to any demand in the short-term.
84. Nonetheless, it follows from the above that when taking account of the more up-to-date evidence since the CS was adopted, it is necessary to part replace the approach of Policy CS5 via **MM5** which

adds a new Policy UCS5 and associated supporting text. The modification removes the existing pitch target and updates the approach with respect to the safeguarding of Gapton Hall and exploration of opportunities to reconfigure and/or extend it to meet identified needs. It also includes a commitment to an immediate review of the evidence in relation to the needs of Gypsies, Travellers and Travelling Showpeople following adoption of the Plan to ensure that future application proposals would be assessed on the basis of an up-to-date position. The modification is necessary to ensure that the policy approach in the development plan relating to provision for Gypsies, Travellers and Travelling Showpeople is positively prepared, justified, effective and consistent with national policy.

85. The monitoring of effectiveness of the delivery of development in terms of Policy UCS5 would fall under the monitoring framework of the CS insofar as it already applies to Policy CS5. To ensure effectiveness of this Plan, **MM68** to the monitoring framework in Appendix A adds a column to set out the triggers and contingencies for action with cross reference to the CS where appropriate (a similar approach is applied to those relevant to all other policies in the Plan).

Conclusion

86. In summary, I conclude that the approach of the Plan would be justified and consistent with national policy and effective in ensuring that the accommodation needs of Gypsies, Travellers and Travelling Showpeople can be met in the Borough throughout the plan period, following **MM5** to add a new Policy UCS5 and associated supporting text. Associated changes to the monitoring framework in Appendix A (with a similar approach applied to those relevant to all other policies in the Plan) via **MM68** would ensure a complementary and sound approach to necessary monitoring.

Issue 4: Would the strategic aim set out in Policy UCS7 to delete the CS retail requirements, re-align the Great Yarmouth Town Centre boundary and amend the retail classification in CS Table 12; provide an approach to main town centre uses that is positively prepared, justified, effective and consistent with national policy when taken with other relevant policies in the Plan?

87. National policy seeks to ensure the vitality of town centres. In that context, it is reasonable that the retail requirements of between 2,152sqm (net) and 4,305sqm (net) of new 'food' shopping

floorspace and up to 8,865sqm (net) of new 'non-food' shopping floorspace up to 2031 as set in Policy CS7 b) of the CS have the potential to require review and update during the plan period. This is particularly pertinent given that those requirements are based on evidence in the Great Yarmouth Retail Capacity Refresh 2014 (C9.2) that is now around seven years old.

88. To inform the preparation of the Plan, the Council published a more up-to-date Retail Capacity Study 2020 (C9), which assessed the key economic and wider retail trends that have influenced changes in the last 10-15 years and the impact of such trends on the viability and vitality of town centres and high streets. In doing so, the evidence acknowledged the increasing impact of special forms of trading and internet shopping on changes in retailer requirements and demand for retail floorspace, including the closure and failure of a significant number of high-profile retailers during the last decade. It follows that the underlying economics of low growth in retail sales and high vacancy levels have created a difficult climate for new development and investment, particularly in town centres with limited catchment areas such as Great Yarmouth that are vulnerable to subdued demand for retail space.
89. The contextual evidence in C9 was supported by a robust market share analysis. The relevant forecasts on demand for convenience floorspace found no capacity for any of the Borough's centres up to 2025 and very limited capacity up to 2030. The forecast for comparison goods indicated that there is no net need for new convenience floorspace up to 2030. Those findings emphasise the prioritising of re-occupation and re-use of vacant high quality, larger format floorspace in prime retail areas to accommodate any forecast capacity and/or market demand over the short to medium term.
90. The Plan seeks to respond to the above situation through policies focussed on appropriately managing a shift away from the dominance of retail to provide the flexibility to bring forward a wider range of other main town centre uses. The approach, in seeking to reduce the levels of vacancy and assist the long-term viability and vitality of town and district centres, is consistent with recent changes to the Use Classes Order published in The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 which came into effect on 1 September 2020. The implications of those changes are that some main town centre uses (formerly within use classes A1, A2, A3, C1, D1 and B1a) now fall within the same Use Class E, whilst others (A4, A5 and D2) are now sui generis uses.

91. Taking account of all of the above, I am satisfied that the approach of Policy UCS7 to remove Policy CS7 b) of the CS and therefore, the associated requirement to specifically identify and allocate sites for new retail-led development, is soundly based in quantitative terms. It reasonably follows that should any planning application for new development come forward on a site not specifically allocated for retail in edge or out of centre locations they would necessarily be subject to the sequential and impact tests in national policy, together with Policy CS7 of the CS (as updated by Policy UCS7) and Policy R1 of the Plan which I go on to address later in this Issue.
92. Notwithstanding the above, there are a limited number of location-based requirements necessary to support the delivery of sustainable development in the Plan and its allocations such as Policy CA1 to create a new local centre in Caister-on-Sea and the small-scale shopping facilities forming part of Policy HY1 in Hemsby. To be effective and justified, **MM6** is, therefore, required to provide certainty in the supporting text of Policy UCS7 of the specific requirements in Policies CA1 and HY1 and the wider context of Policies CS17, R1, R5 and BL1 that I address later in this Issue. The modification also necessarily updates the policy wording to include a list of local centres in Policy UCS7 to ensure consistency with Policy R5 and those identified on the Policies Map.

Great Yarmouth Town Centre and its surroundings

93. Policy UCS7 also includes changes to the Policies Map to re-align the Great Yarmouth Town Centre boundary. The approach of the policy is justified in seeking to address the high levels of vacancy by consolidating the focussed area for main town centre uses with a new Primary Shopping Area and Protected Shopping Frontage. In doing so, the policy approach also responds positively to the objectives and opportunities of the Great Yarmouth Town Centre Regeneration Framework & Masterplan (E9) when informing the more detailed approaches in Policies GY1 to GY7.
94. Policy GY1 provides the detailed approach to the Great Yarmouth Town Centre Boundary, Primary Shopping Area and Protected Shopping Frontage with the boundaries of each justified based on the evidence. The policy is also positively prepared in seeking to assist the viability and vitality through promoting re-use and redevelopment of vacant and underused buildings and space, including increasing residential uses.

95. Notwithstanding the above, for Policy GY1 to be effective and consistent with national policy, **MM14** is required to respond to the changes to the Use Classes Order previously mentioned. The modification also provides necessary cross-references to Policy R1 of the Plan and Policy CS7 of the CS (as amended by Policy UCS7) and refines the approach to changes of use within Protected Shopping Frontages relative to Policy R2.
96. Policy GY2 deals with Market Gates Shopping Centre that lies within the Great Yarmouth Town Centre Boundary and Primary Shopping Area. In doing so, it provides a soundly based and complementary approach to respond to the structural changes in the retail market and aligns with the necessary flexibility intended by Policy GY1 for diversification of main town centre uses to reduce vacancy, whilst seeking to maintain a core retail frontage in accordance with Policy R2 of the Plan.
97. Policy GY3 sets out the approach to Hall Quay Development Area as defined on the Policies Map within the Great Yarmouth Town Centre. The approach of the policy is positively prepared and justified in so far as it takes forward the principle established in Policy CS7d) and seeks to bring forward a mixed-use development, as supported by the adopted Hall Quay Planning Brief Supplementary Planning Document (E4). However, to be effective changes are required to strengthen its complementary role relative to Policy GY1 and provide necessary updates to reflect the changes to the Use Classes Order. **MM15** provides the necessary changes to achieve soundness.
98. In reaching the above view, I have taken account of representations and associated evidence with respect to the resultant deletion of Policy EMP26 of the BWLP which indicates that stakeholders (including the Council) will investigate and ultimately seek to safeguard a non-statutory alignment for a future rail link to the Port. The safeguarding of such a route has not been taken forward either before or in the CS. Furthermore, the most direct alignment of a route from the Port to Great Yarmouth railway station has the potential to be incompatible with the objectives of regenerating the Great Yarmouth waterfront in terms of Policies CS7 and CS17 of the CS in parts of North Quay. It also runs counter to the objective of Policy GY3 to reduce the dominance of traffic and highway uses along Hall Quay, whilst providing pedestrian, public realm and townscape improvements.

99. Further to the above, the Norfolk Rail Prospectus 2013 (E13) identified the project to reconnect to Great Yarmouth Port as not feasible due to, amongst other things, the cost of reinstating the line and an unproven business case. The representations and associated evidence before me and the aspirations of the Port Authority for a future rail link to the Port do not lead me to a different conclusion or justify safeguarding a specific future route in the Plan and therefore, the deletion of Policy EMP26 is sound.
100. Policy GY4 provides a necessary approach for King Street enhancement area as defined on the Policies Map and removed from Great Yarmouth Town Centre by the Plan. The policy is positively prepared and justified in so far as it seeks to contribute to the consolidation of main town centre uses elsewhere, and in doing so, provides flexibility for regeneration towards a more predominantly residential offer. Such an approach is appropriate to provide a sense of place, whilst preserving and enhancing the historic environment through limiting vacancy and offering opportunities to re-use and enhance buildings that are currently in a poor condition. However, as currently drafted the policy approach does not provide sufficient certainty for application proposals, particularly with respect to consideration of heritage value of buildings. Modifications are also required to the policy wording and the supporting text to reflect the updates to the Use Classes Order. **MM16** provides the necessary changes to ensure that the policy is effective and therefore, sound.
101. Policy GY5 relates to Regent Road as defined on the Policies Map and removed from Great Yarmouth Town Centre by the Plan. The policy is positively prepared and justified in that respect in seeking to provide a strategically important link between the town centre and the seafront, and a more diverse offer to meet wider tourist and local needs whilst reducing the preponderance of seasonal uses. In doing so, it recognises that small scale retail has a role to play as part of the mix of uses with the supporting text confirming that proposals below 200sq.m (net) would be exempt, with proposals above that threshold subject to sequential and impact assessments. Such an approach is justified based on the local context and to protect the viability and vitality of the town centre. Nonetheless, to be effective, **MM17** is required to provide necessary updates to reflect the changes to the Use Classes Order.
102. Policy GY6 deals with the Great Yarmouth Seafront Area as defined on the Policies Map. In doing so, it provides a positively prepared and justified approach in encouraging tourist attractions and a range of

other related tourism and entertainment uses that are consistent with the character of the area and the important contribution that it makes to the Borough's economy. To be effective, necessary changes are required to refine the policy wording and update the supporting text to reflect the changes to the Use Classes Order. **MM18** provides the necessary changes to achieve soundness. I have also included a consequential modification to provide certainty that residential accommodation which is not self-contained, and other forms such as houses of multiple occupation (HMO), hostel and other similar uses will not be permitted within the Seafront Area. The change ensures consistency with the approach of Policy H12 in terms of HMOs as addressed later in the report.

103. Policy GY7 sets out the approach to the Back of Seafront Improvement Area as defined on the Policies Map. In doing so, it is positively prepared and justified in seeking to define and encourage a more diverse mix of appropriate uses such as self-contained dwellings, offices and other professional services with a focus on improving the condition of properties in the area and managing the change from a predominance of holiday accommodation and HMOs. However, to be effective and achieve soundness, **MM19** is required to strengthen the link to Policy A1 in terms of its criterion relating to amenity and to provide updates to reflect the changes to the Use Classes Order.

Location of retail development and other main town centre uses

104. Policy R1 takes forward Policy CS7 (as updated by Policy UCS7) and intends a positively prepared approach in defining that main town centre uses will be permitted in designated centre boundaries. It also seeks to supplement national policy in justifiably setting out a definition of edge of centre for the purposes of retail in Great Yarmouth as within 300m of the Primary Shopping Area, and within 300m of the Town Centre boundary for other main town centre uses to ensure consistency with the aforementioned Policies GY1 - GY9. The policy also justifiably sets a similar distance from the designated centres in Gorleston-on-Sea, Bradwell and Caister-on-Sea, and a defined approach for out of centre development in accordance with the sequential approach of national policy.
105. Notwithstanding the above, to ensure that the policy is effective, it should be strengthened in terms of the requirement to be consistent with Policy CS7 (as amended by Policy UCS7) and the distinction between out of centre sites in and outside of Development Limits to ensure consistency with other policies in the Plan. The policy also

requires updates to reflect the changes to the Use Classes Order. **MM49** provides the necessary changes for Policy R1 to achieve soundness.

106. Policy R2 follows on from Policies GY1, R1 and assists Policy R3 in providing a detailed and positively prepared approach to protected shopping frontages with an emphasis on encouragement of retail uses in ground floor frontages. However, following the changes to the Use Classes Order, **MM50** is required to ensure that it is justified, effective and consistent with national policy by refining the approach to changes of use from Class E and clarifying the Council's intentions in the supporting text with respect to the use of Article 4 directions. Following the publication of the revised NPPF I have also included a consequential change to paragraph 7.6 to remove reference to a paragraph of the superseded version of the NPPF.
107. Policy R3 takes forward the principles of Policies R1 and R2 in providing a specific approach for Gorleston Town Centre Area in relation to the Town Centre Boundary and Protected Shopping Frontage as suitably defined on the Policies Map. In that regard, the policy provides a justified approach to reflect its secondary status in the retail hierarchy set by Policy CS7 (as updated by Policy UCS7) and thereby, avoid impact upon the viability and vitality of Great Yarmouth Town Centre. The effectiveness of the policy, however, requires updates to reflect the changes to the Use Classes Order. **MM51** provides the necessary modifications to achieve soundness.
108. Policy R4, in a similar manner to Policy R3, takes forward Policy CS7 (as updated by Policy UCS7) for Caister-on-Sea District Centre as appropriately defined on the Policies Map. The policy provides a proportionate and justified approach to reflect its status in the retail hierarchy whilst not undermining the vitality and viability of higher order centres. The effectiveness of the policy, however, requires updates to reflect the changes to the Use Classes Order. **MM52** provides the necessary modifications to achieve soundness.
109. Policy BL1 provides a specific approach to Beacon Park District Centre which is appropriately defined on the Policies Map. In doing so it provides a positively prepared and justified approach to the uses permitted and the layout of the proposed District Centre. However, for effectiveness, **MM28** is required to provide necessary updates following changes to the Use Classes Order.

110. Policy R5 provides the approach to local centres listed in Policy CS7 (as updated by Policy UCS7) and appropriately identified on the Policies Map. The policy provides a justified approach in accordance with the status of local centres in the retail hierarchy by encouraging limited retail, leisure, community facilities and office development of a proportionate scale to provide essential services to the local community. Following the changes to the Use Classes Order, **MM53** is, however, required to ensure that the approaches to changes of use from active ground floor uses are effective and consistent with national policy to control only uses that fall outside of Class E. I have corrected the detailed wording of the modification to provide certainty that it is 'hot food' takeaways subject to such controls.
111. Policy R6 deals with kiosks and stalls which are an established feature within the designated Holiday Accommodation Areas, Town Centre or the Great Yarmouth Seafront Areas and complementary to the tourism functions. The policy provides a positively prepared and justified approach in establishing the principle of new retail and food outlets in those locations subject to appropriate requirements in terms of design, accessibility of surroundings and servicing arrangements. Policy R6 is, therefore, soundly based. In contrast, Policy R7 which deals with food and drink amenity more generally within the Borough and has similar requirements and other considerations relating to impacts on the surrounding area, requires updates to reflect the changes to the Use Classes Order to ensure it is effective and consistent with national policy. **MM54** provides the necessary modifications to Policy R7 to achieve soundness.

Conclusion

112. In summary, subject to the MMs previously identified, I conclude that the strategic approach set out in Policy UCS7 to delete the CS retail requirements, re-align the Great Yarmouth Town Centre boundary and amend the retail classification in CS Table 12; would provide an approach to main town centre uses that is positively prepared, justified, effective and consistent with national policy, when taken with other relevant policies in the Plan, and therefore, is sound.

Issue 5: Are the remaining General Strategic Policies in the Plan consistent with the strategic aims of the CS, national policy, and otherwise justified and effective?

Development limits and strategic gaps between settlements

113. Policy GSP1 sets out the approach to development limits which define the built-up areas of settlements on the Policies Map, with the areas falling outside having a status equivalent to countryside as referred to within other policies in the Plan and in the NPPF. As development limits underpin a number of other policies in the Plan, Policy GSP1 is a key strategic policy. The conclusions on subsequent issues identify that the level of provision for new development in the Plan is such that identified housing and employment requirements would be fully catered for, with adequate buffers to provide flexibility. The approach taken in the Plan in defining development limits to show the extent of the built-up areas of settlements where development would be supported is, therefore, sound in principle and is necessary to demarcate where policies relating to land outside of development limits apply.
114. The above principles are important to maintain the open and rural character on the edge of settlements, to avoid development eroding settlement gaps, and to limit the loss of best and most versatile agricultural land to that which is necessary to meet the strategic aims of the development plan as a whole. Nonetheless, for Policy GSP1 to be effective, the policy should be amended to ensure that the implicit support for development is subject to compliance with other relevant policies in the development plan, and to refine the approach to agricultural or forestry development outside of the development limits to ensure consistency with national policy. **MM7** provides the necessary modifications to achieve soundness.
115. In reaching the above findings, I have taken into account that the Council have also indicated that a limited number of updates are to be made to the development limit boundaries as identified on the submitted Policies Map. The updates provide a consistent approach in terms of recently consented sites where development has or is expected to have commenced at the time of adoption. I am satisfied that the approach as consulted upon in K3.1, together with any subsequent minor updates to the Policies Map that may be necessary before adoption, would ensure that the policy approach is positively prepared, justified, effective and consistent with national policy.

116. Policy GSP3 takes forward the principles of Policy GSP1 in identifying five strategic gaps between settlements at Great Yarmouth and Caister-on-Sea; Bradwell and Belton; Gorleston-on-Sea and Hopton-on-Sea; Caister-on-Sea and Ormesby St Margaret; and Hopton-on-Sea and Corton (the latter lying to the south within East Suffolk). The identification of development limits in Policy GSP1 provides some control over the gaps between the settlements. Nonetheless, the emphasis on the importance of those strategic gaps takes forward the requirement of Policy CS11 part I) as informed by the Great Yarmouth Settlement Fringe Study (C22) and is justified given the risk of coalescence if continual loss of undeveloped land in those areas were to occur. Policy GSP3 assists the consideration of any future proposals in those areas by affirming the weight to be afforded to the particular importance and value of undeveloped land in the gaps contributing to the character and identity of villages and coastal areas, and protection of best and most versatile agricultural land.
117. Notwithstanding the above, to ensure that Policy GSP3 is effective, **MM9** is required to clarify that the protection from development, should be considered individually or cumulatively, as to whether there would be a significant reduction in the physical size of gaps, general openness or rural character. The modified approach would allow consideration of the effect of a proposal alongside committed developments that have yet to commence and/or other planning application proposals, to limit the potential for a harmful cumulative erosion of gaps arising from development taking place concurrently.

Coastal Change Management Areas

118. Policy GSP4 sets out an approach to Coastal Change Management Areas as identified on the Policies Map. To be effective and consistent with national policy, **MM10** is required to ensure necessary flexibility to respond to more up-to-date robust evidence relating to the Coastal Change Management Area and any associated revisions to areas at risk. There are also modifications to the Policies Map as consulted upon in K3.1 to ensure consistency with the evidence in the Shoreline Management Plan (C19).
119. Policy E2 is a non-strategic policy which takes forward and supplements the principles of Policy GSP4 and paragraph 171 b) of the NPPF by providing a focus on relocation of development from within Coastal Change Management Areas. To be effective, **MM60** is required to provide certainty of the inclusion of tourist accommodation, to refine the definition of an existing site and to

provide a suitable approach for circumstances where viability may be challenging and/or where enabling development is proposed.

Protected habitats and species impact avoidance and mitigation

120. Policy GSP5 takes forward the requirements of Policy CS11 of the CS as informed by the detailed approaches of the Great Yarmouth Habitats Monitoring and Mitigation Strategy (C17) and Disturbance to Birds and Implications for Strategic Planning and Development Management (C18). The policy, thereby, secures the necessary mitigation measures identified in the HRA to avoid impact on designated habitat sites and species in the national site network (formerly referred to as internationally protected, European or Natura 2000 sites). The approach to mitigation appropriately takes account of cumulative impacts, offers flexibility for the consideration of emerging evidence and includes a requirement for project-level shadow HRAs where necessary for the Council to make the determination on likely significant effects as the competent authority. When impacts are identified, the policy appropriately sets out the required specific provision of suitable mitigation measures where necessary and appropriate to the circumstances.

121. Notwithstanding the above, to ensure that Policy GSP5 is effective, the detailed policy wording and supporting text should be strengthened and refined to provide greater certainty of the requirements of proposals being applicable to net additions of new residential and tourist accommodation. The modification should also necessarily ensure the policy title and associated references in the Plan reflect the updated national legislative context following the United Kingdom's exit from the European Union. **MM11** provides the necessary modifications to Policy GSP5 to achieve soundness, when taken together with associated modifications to other policies and supporting text via **MM12, MM13, MM22, MM23, MM24, MM27, MM29, MM30, MM31, MM32, MM33, MM34, MM35** and **MM58**.

Green Infrastructure

122. Policy GSP6 as submitted seeks that opportunities be sought to strengthen and extend the Borough's Green Infrastructure network with emphasis on the defined locations of: along the coast; the Yare and Bure valley corridors; the vicinity of The Broads area, and the Norfolk Coast Area of Outstanding Natural Beauty [AONB]. The policy also includes a commitment to engage with other Norfolk planning authorities to develop a County-wide strategy to improve Green

Infrastructure including nature conservation, landscape, quality of life and encouraging healthy lifestyles.

123. The policy is justified in taking forward the approach to protection, enhancement and safeguarding of specific components of Green Infrastructure as identified in Policies CS11 and CS15 of the CS and as otherwise supported by Policy GSP5. When taking account of the complexity of the Borough's Green Infrastructure network including the locations identified in Policy GSP6, and those otherwise identified by the CS, I am satisfied that the Plan provides sufficient certainty of the location of local wildlife-rich habitats, ecological networks, wildlife corridors and stepping stones that connect them. The Policies Map of the Plan, when taken with those of the CS, does not specifically map all of those individual components as expected by national policy. However, in the circumstances set out, such an approach is justified as it would not undermine the primary objective of protecting and enhancing biodiversity and geodiversity.
124. Notwithstanding the above, for Policy GSP6 to be effective and consistent with national policy, its Green Infrastructure aims should be refined to ensure a contribution to and enhancement of the natural environment, to provide a proactive approach to mitigating and adapting to climate change and to deliver net gains for biodiversity. Emphasis upon opportunities to create resilience to current and future pressures on the ecological network and an emphasis upon other important ecological corridors, priority habitats or species are also necessary, together with clarification of the approach for consideration of future planning applications. **MM12** provides the necessary changes to Policy GSP6 to achieve soundness.
125. Policy E3 complements the approaches of Policy GSP6 and national policy by providing a specific non-strategic policy approach to the protection of open spaces, including those existing as previously identified on the CS Policies Map (in replacing REC11 of the BWLP) and in evidence within an Open Space Study (C23) and Sport, Play & Leisure Strategy (C27). However, to ensure effectiveness and consistency with national policy, **MM61** is required to refine the detailed policy wording and to strengthen the supporting text by providing a cross reference to the types of open space listed in Policy H4 and to associated open space contribution costs and accessibility standards in Appendix D as added by **MM69**. The latter modification is necessary to meet the requirements of paragraph 34 of the NPPF.

Potential strategic cycling and pedestrian routes

126. Policy GSP7 relates to potential strategic cycling and pedestrian routes as identified on the Policies Map to be safeguarded from development which would prejudice the potential for future cycling or walking. I have considered the effect on existing development and their future plans for expansion close to the alignment of the safeguarded routes. However, I am satisfied that the effect on surrounding development would not be unacceptable. In that regard, the Plan approach does not grant new public rights of way through existing development and provides sufficient flexibility for other uses of safeguarded routes where a convenient alternative can be re-provided.
127. The Policy GSP7 approach is, therefore, appropriate in the locations identified between Bradwell and Belton (and beyond to the Broads Area), Hemsby to Ormesby St Margaret, and Hopton-on-Sea to link with East Suffolk to the south. Those routes if brought forward would promote sustainable means of transport and reduced dependency on the private car, whilst efficiently re-using and linking former railway corridors where possible. The policy approach also has the potential to offer significant benefits to healthier lifestyles, whilst providing opportunities to integrate and adapt to the requirements of surrounding development as appropriate. Policy GSP7 is, therefore, positively prepared, justified, effective and consistent with national policy as it would contribute to enhancing the linkages between existing green travel routes as part of the intended creation of a coherent network of footpaths, cycleways and bridleways.

Planning obligations

128. Policy GSP8 sets out the Council's approach to seeking planning obligations. The listed requirements in Policy GSP8 are justified by evidence in the Infrastructure Plan (C28) and Norfolk County Council Planning Obligations Standards, February 2021 (E10) and in principle are consistent with national policy. In that regard, the Council commissioned consultants to carry out a Viability Assessment (C30) which included an assessment of the effect of the requirements arising from the policies in the Plan when taken with those in the CS.
129. The general conclusions of the aforementioned viability assessment find that greenfield sites are shown to be viable for residential development and brownfield sites (i.e. previously developed land) are not viable. Residential development on greenfield sites (including strategic sites) would typically be capable of providing affordable

housing and remain viable with developer contributions of up to £15,000 per unit. In terms of employment, market factors dictate the need for employment uses to be supported by the Council's established set of initiatives (including land assembly) to facilitate development.

130. Policy GSP8 reflects the above findings in so far as it focusses upon residential development and offers a proportionate and flexible approach for consideration of development viability in circumstances where the cumulative total would exceed £15,000 per unit in addition to the affordable housing requirement, or where the development scheme is on previously developed land. However, to be effective, justified and consistent with national policy, Policy GSP8 and its supporting text should be modified to strengthen and refine its approach. In particular, it should ensure development is planned to align with and make appropriate contributions to necessary infrastructure, whilst not putting its viability at risk. **MM13** includes the necessary changes for soundness. As such I am satisfied that the policy requirements of the Plan are set at a level such that they will not undermine the deliverability of the Plan.

Conclusion

131. In summary, subject to the MMs previously identified, I conclude that the remaining General Strategic Policies in the Plan as referred to would be consistent with the strategic aims of the CS, national policy, and otherwise justified and effective, and therefore, are sound.

Issue 6: Does the Plan, including strategic area and site specific policies, identify sufficient sites for housing development to ensure that the identified need for new homes in the Borough can be met?

132. I have considered the evidence on housing land supply in the plan period having regard to the Annex 2: Glossary of the NPPF definitions of deliverable and developable sites. I go on to deal with matters relating to the identification of a five-year supply later in the report.
133. The housing supply evidence is informed by Policy H3 which sets out the approach to housing density which is intended to make efficient and effective use of land by providing minimum housing densities. The requirements vary from 50 dwellings per hectare in accessible urban centres such as town and edge of centre locations, 35 dwellings per hectare elsewhere in Great Yarmouth, Gorleston-on-

Sea and Bradwell, 30 dwellings per hectare for other listed settlements¹⁰ and 20 dwellings per hectare elsewhere.

134. I am satisfied that the above densities are justified on the basis of seeking to make more efficient use of land in urban centres, whilst taking account of the prevailing pattern of development elsewhere including densities of newly permitted development and emerging site allocations. However, the policy is overly restrictive in allowing lower densities in only exceptional circumstances. **MM41** is required in order to increase the flexibility in the policy to ensure it is effective.
135. Paragraph 1.6 of the Plan summarises the housing land supply as at March 2019. As part of the submission in July 2020, the Council updated the evidence to the date when the most recent set of monitoring evidence was available at 1 April 2020 in a Five-Year Housing Land Supply Position Statement (C6). Prior to the hearings sessions, the Council made some further changes to correct matters of fact in terms of planning permissions and the 2020 Housing Delivery Test results. Consequently, the most up-to-date position at the start of the hearing sessions was set out in the C6.2 version. I, therefore, as a starting point address each category of site listed in C6.2 below, before setting out my findings on the supply as a whole.

Major Sites (site of 10 or more dwellings, or 0.5 hectares or more) with full, detailed or resolution to grant planning permission

136. The evidence in Table A of C6.2 applied an assessment intended to reflect the Annex 2: Glossary of the NPPF definitions of deliverable and developable. In doing so, it identified as at April 2020, a total capacity of 1,674 dwellings on major sites with full, detailed or resolution to grant planning consent, including 1,463 dwellings to be delivered in the first five years and a further 154 dwellings considered to be developable within the plan period. To inform the document, a rigorous site-by-site assessment was undertaken as informed by engagement undertaken with developers and agents in June/July 2020 and updated in November 2020 to assess the perceived impact of the Covid-19 pandemic on site delivery.
137. The evidence was tested in the hearing sessions and in response to my initial findings (I1), the Council prepared a final update in C6.4. I consider that the refined assessment process undertaken in terms of

¹⁰ Caister-on-Sea, Belton, Hemsby, Hopton-on-Sea, Martham, Ormesby St Margaret and Winterton-on Sea

lead-in times and build out rates in that evidence is largely robust. Whilst I have some reservations that lead in times to first completions and build out rate assumptions may be overly optimistic for some sites in Table A¹¹, a re-profiling of those sites would not alter the identified contribution to deliverable or developable supply. There are also some uncertainties regarding the deliverability of 33 dwellings at Somerton Road, Martham (Site Ref A36) by 2024/25 based upon the inclusion of a barn conversion in the scheme and an associated lack of activity and developer engagement relating to the site. Nonetheless, I am satisfied that the precautionary approach taken by the Council with respect to reduced build out rates in Martham which also includes a further two sites¹² would provide flexibility to offset its contribution were it not delivered by 2024-25.

138. The evidence in C6.4 identifies a capacity for 1,580 dwellings during the plan period, including 1,386 dwellings to be delivered in the first five years and a further 194 dwellings considered to be developable within the plan period. It follows from the previous reasoning that I consider this identified supply for the plan period from major sites with detailed planning permission or a resolution to grant planning permission to be sound.

Small Sites (sites below 10 dwellings, or 0.5 hectares with full, detailed or outline planning consent)

139. Table B of C6.2 when applying the Annex 2: Glossary of the NPPF definitions of deliverable and developable sites, as at April 2020, identified capacity for 496 dwellings to be delivered on small sites of below 10 dwellings or 0.5 hectares with full, detailed or outline planning consent. The calculation includes 477 dwellings to be delivered in the first five years and a further 19 dwellings considered to be developable within the plan period.

140. The site assessment process in Table B was comparable with that undertaken for major sites and the Council did the same re-assessment exercise. As a result, the Council re-profiled the lead in times and build out rates of some sites as represented in C6.4 in the first five years. However, the changes did not alter the overall calculations as set out in C6.2 and there is no clear evidence before

¹¹ Site Refs: A16 (Northgate Hospital, Great Yarmouth); A35 (Land north of Repps Road, Martham) & A40 (Land north of Hemsby Road)

¹² Site Refs: A34 (Land off Rollesby Road, Martham) & A38 (Land south of Repps Road, Martham)

me that homes will not be delivered within five years on any of the sites contributing to the deliverable supply.

141. It follows that I consider that the assessment process is robust in terms of identification of housing supply in the plan period within Table B of C6.4 with no clear evidence before me that the sites would not be deliverable or developable in the plan period. I am, therefore, satisfied that the identified supply for the plan period from small sites (sites below 10 dwellings, or 0.5 hectares with full, detailed or outline planning consent) is soundly based.

Major Sites (sites of 10 or more dwellings, or 0.5 hectares or more) with outline planning consent

142. Annex 2: Glossary of the NPPF is clear, amongst other things, that where a site has outline planning permission for major development it should only be considered deliverable where there is clear evidence that housing completions will begin on the site within five years.

143. Table D of document C6.2 involved the assessment of 14 major sites with outline planning permission and indicated that those sites had a plan period capacity of 1,173 dwellings, including 684 dwellings to be delivered in the first five years and a further 489 dwellings developable within the plan period. The Council expected eight of the sites to contribute new dwellings to the deliverable supply. Those sites include a site in Council ownership subject of a hybrid permission with a first phase under construction¹³, a CS allocation under Council ownership with progress being made on submission of reserved matters, funding and developer procurement¹⁴, a CS allocation subject of hybrid and outline permissions¹⁵ and three sites¹⁶ with developer engagement confirming build out rates.

144. Having regard to the above, the threshold of clear evidence is met to accept that each of those seven sites would contribute to the deliverable supply. However, the evidence was tested in the hearing sessions and in response, the Council prepared a final update in C6.4. This included reduced contributions to deliverable supply from Site D2 (Land at Wheatcroft Farm, Bradwell) of 91 dwellings and Site

¹³ Site Ref: D1 (Site 25 Beacon Park, Bradwell)

¹⁴ Allocation CS17 - Site Ref: D8 (The Conge - Phase of GY Waterfront)

¹⁵ Allocation CS18 - Site Ref: D2 (Land at Wheatcroft Farm - remaining)
& Site Ref: D3 (Land off Meadowland Drive - Phase 3)

¹⁶ Site Refs: D4 (Land at St Nicholas Drive), D5 (Tretts Lane, Fleggburgh)
& D13 (Hall View, Martham Road, Rollesby)

Ref D8 (The Conge - Phase of GY Waterfront) of 44 dwellings, to reflect an increase in lead in times to first completions. I am satisfied with that approach and that those dwellings should instead be categorised within the developable supply.

145. Plan allocation HY1 (Land at Former Pontins, Beach Road, Hemsby) had outline permission for 190 dwellings and is the other site making a contribution to the deliverable supply in Table D. Since the submission of the Plan, the site now has full planning permission¹⁷ and site clearance has commenced. Therefore, it has the potential to contribute to both the deliverable and developable supply. However, taking account of the extent of site clearance and land preparation still required, the Council updated the lead in time and build out rate in C6.4 in accordance with my post hearings note (I1). This reduced the contribution to deliverable supply by 29 dwellings from C6.3 (which applied an increase after C6.2 following commencement of site clearance). Nonetheless, I am satisfied that the site allocation would be capable of contributing up to 190 dwellings by 2030.

146. The remaining sites in Table D are identified as developable and there is no clear evidence before me that any of those sites could not be brought forward to make the necessary contribution to housing supply within the plan period.

147. It follows from the above that I consider that the element of identified supply for the plan period from major sites (sites of 10 or more dwellings, or 0.5 hectares or more) with outline planning consent, as subsequently set out in C6.4 with a capacity for 1,173 dwellings during the plan period, including 464 dwellings to be delivered in the first five years and a further 709 dwellings considered to be developable within the plan period is sound.

Local Plan Allocations

148. The Council's approach to determining which sites to allocate for housing development has been guided by the spatial strategy with a distribution of residential development linked to the settlement hierarchy in Policy CS2 of the CS and informed by the Housing Economic Land Availability Assessment Report 2020 (C2) and the SA (A3.1 and A3.2) as submitted with the Plan.

¹⁷ Ref: 06/20/0422/F - Planning permission granted February 2021

149. In general, each of the Plan allocations for housing, as listed in Tables A, C and D of C6.4 are suitably located, when taking account of other sources of housing land supply, to accord with Policy CS2 of the CS. The Plan allocations accord with the objective of seeking to achieve sustainable growth by balancing the delivery of new homes with jobs and service provision, creating resilient, self-contained communities and reducing the need to travel. The cumulative effect of the allocations on key junctions on the trunk road network has been assessed in the Local Plan Part 2 Transport Modelling (C29) that found no issues which cannot be mitigated. Furthermore, none of the sites proposed to be allocated in the Plan are at risk from either tidal flooding, fluvial flooding or coastal erosion. The infrastructure requirements are supported by evidence in C28. Furthermore, each of the sites have a reasonable prospect of being fully or partly delivered during the plan period given the evidence in C30 and the approach of Policy GSP8 (as amended by **MM13**).
150. In reaching the above findings, I have taken into account that the Plan seeks to provide adequate supply to complement the longer-term prospects of unconsented development at some existing CS strategic allocations, including at Great Yarmouth Waterfront (CS17) which necessarily takes a cautious approach of only 157 dwellings of the remaining 857 dwelling capacity without planning permission being considered developable in the plan period. The remaining capacity of 20 dwellings without planning permission at Land south of Bradwell (CS18) is reasonably in the developable supply in C6.4.
151. It may well be the case that there are other sites that did not have planning permission in April 2020 that are also capable of being developed, and some of those may also be reasonably related to the settlement hierarchy. Nonetheless, it is the Council's responsibility to prepare the Plan to ensure consistency with Policy CS2 of the CS. Therefore, as the sites allocated in the Plan are consistent with it, and are capable of being developed, in general terms I consider them to be sound. However, I go on to summarise my findings and deal with the detailed policy approach to each in turn.

Policy GN1: Land south of Links Road, Gorleston-on-Sea

152. Site GN1 consists of 25 hectares of land south of Links Road, Gorleston-on-Sea that also adjoins the A47 to the west. Policy GN1 identifies approximately 500 dwellings with open space, with document C6.4 identifying 125 dwellings to be delivered by 2024/25 and the remainder to be developable within the plan period. This is

supported by evidence in a Housing Deliverability Statement confirming an upper build out rate of 75 dwellings per annum, together with the recent submission of a hybrid planning application, including outline planning permission for an initial phase of 240 dwellings and a 60-bed housing with care scheme. Whilst the necessary build out rate in the plan period is ambitious, similar rates of delivery on other sites in the Borough have been achieved.

153. Having regard to the above, whilst infrastructure will be required to support the allocation, it is evident that there has already been progress with on-site investigations and evidence of mitigation required including transport modelling. In such circumstances, the anticipated lead in times and build out rates are justified and would be achievable. Furthermore, when taking account of the separation distance to other large allocations in the Borough, I am satisfied that the allocation of Site GN1 would not constrain delivery rates elsewhere and would accord with the spatial strategy of the CS.

154. The GN1 site consists of a rural fringe location adjoining the main built-up area of Gorleston-on-Sea to the north, properties adjoining Links Road to the east and those further beyond alongside Warren Road. To the south beyond the allocation boundary are a small grouping of farm buildings forming part of Masons Farm, with a further open gap to the built-up area of Hopton-on-Sea beyond. As such the site is largely undeveloped open land, albeit with some existing farm buildings, with a largely agricultural character that sits in a relatively flat topography with open views from the west along the A47. In contrast, some woodland and hedgerows to the east provide visual containment from that perspective.

155. With regard to the above, a landscape-led approach to the layout, including appropriate structural landscaping, a new publicly accessible open space and an active frontage along Links Road would ensure an effective integration of the development with its surroundings. In that regard, for effectiveness, **MM22** is necessary to provide certainty of the location of the open space to the south of Masons Farm in accordance with Policy H4. Such an approach would ensure consistency with the exclusion of that part of the site beyond the development limits defined on the Policies Map in accordance with Policy GSP1 and would maintain the strategic gap between Gorleston-on-Sea and Hopton-on-Sea as required by Policy GSP3.

156. Policy GN1 identifies a number of other necessary requirements to support delivery of the site. These include appropriate access

arrangements, provision for sustainable modes of travel, affordable housing and financial contributions towards the improvement of local primary schools, local healthcare facilities and enhanced library provision to serve the development. For effectiveness, **MM22** includes more precise infrastructure improvements in terms of safe and suitable access arrangements from Links Road and associated cycle provision to make a development acceptable and in accordance with national policy. There are also necessary changes as part of the modification to refine the approach to tree replacement, ensure net gains for biodiversity and to secure a shadow habitats regulation assessment and mitigation measures in accordance with Policy GSP5.

157. A current planning application includes the proposed provision of a local retail centre and representations from stakeholders indicated that such provision should be included in Policy GN1. However, when taking account of the proximity to the proposed Beacon Park District Centre I consider that the development would be well served by local services and facilities to meet the day-to-day needs of future residents. The provision of a local retail centre within the site and in an out of centre location is, therefore, not justified as essential to support the delivery of the development.

158. It follows from all of the above that I find the housing allocation site at Land south of Links Road, Gorleston-on-Sea is capable of being delivered during the plan period, and that Policy GN1 and its allocation in the Plan are sound subject to **MM22**.

Policy GN2: Emerald Park, Gorleston-on-Sea

159. Site GN2 comprises 2.3 hectares of land consisting of the Emerald Park Football Ground in Gorleston-on-Sea. Policy GN2 identifies approximately 100 dwellings to be provided, together with re-provision of an appropriate equivalent recreational facility. Outline planning permission has been granted for 97 units in December 2020¹⁸ and a Statement of Deliverability has been received indicating commencement of development in 2021/22.

160. Notwithstanding the above, there are several constraints to delivery of the outline planning permission including the submission and approval of a reserved matters application and other matters to resolve including the provision of replacement facilities for Gorleston Football Club as part of the proposed relocation. As the development

¹⁸ Ref: 06/18/0707/O

has not commenced, the allocation is necessary to guide the requirements of the development to provide a starting point should an alternative scheme come forward. In that respect, whilst I am satisfied that the allocation is capable of being fully developed by 2030, there is no certainty that it would be deliverable by 2024/25 or make a contribution to five-year housing land supply at this time.

161. Policy GN2 identifies a number of other necessary requirements to support delivery of the site. These include appropriate access arrangements, affordable housing, local highway improvements and financial contributions towards the improvement of local healthcare facilities, open space and enhanced library provision to serve the development. In those respects, **MM23** is required to ensure that the policy wording would be effective in providing the precise infrastructure improvements for safe and suitable access from Woodfarm Lane and to integrate cycle provision. There are also necessary changes as part of the modification to refine the approaches to archaeological assessment and tree replacement, to clarify that open space should be secured in accordance with Policy H4 and to ensure provision of a shadow habitats regulation assessment and mitigation measures in accordance with Policy GSP5.

162. It follows from all of the above that I find that the housing allocation site at Emerald Park, Gorleston-on-Sea is capable of being developed during the plan period and that its allocation in the Plan and Policy GN2 are sound subject to **MM23**.

Policy GN3: Land at Ferryside, High Road, Gorleston-on-Sea

163. Site GN3 comprises 0.56 hectares of previously developed land adjacent to High Road in the built-up area. The land is located adjacent to Gorleston Conservation Area and within the setting of Grade II listed buildings to the south and has a number of protected trees subject of Tree Preservation Order within the site. Taking account of those constraints, Policy GN3 as submitted identifies that the allocation is suitable for approximately 20 dwellings.

164. During the course of the Examination, it was drawn to my attention that full planning permission at the site has now been granted following an appeal¹⁹ for 6 houses and 28 flats with associated works.

¹⁹ Appeal Ref: APP/U2615/W/20/3245040 - Allowed with Conditions - 6 July 2021
(Council Ref: 06/16/0190/F)

165. Having regard to the above and taking account of the extent of conditions which apply to the planning permission, it is reasonable that construction of the development may not yet have started. Consequently, I am satisfied that the allocation and its associated criteria are necessary in the event that the approved development is not implemented, including the additional requirements of improvements to healthcare facilities and the different approach to restrictions on access from Ferryboat Lane and Malthouse Lane which have been justified by the evidence before me and are consistent with national policy.
166. **MM24** is, however, necessary for effectiveness and consistency with national policy. The modification would provide certainty of the access arrangements required and ensure that off-site open space is provided in accordance with Policy H4, together with securing appropriate approaches to tree replacement, sustainable and foul drainage measures and provision of a shadow habitats regulation assessment and necessary mitigation measures in accordance with Policy GSP5.
167. When taking account of the site constraints, I am satisfied that the allocation provided by Policy GN3 of approximately 20 dwellings is a justifiable position for assessment of any subsequent proposal during the plan period, despite evidence of challenging viability at the present time. In that respect, viability evidence accompanying a proposal at the previously developed site could be considered in the context of Policy GSP8. Furthermore, **MM24** includes clarification in the supporting text of the approach to affordable housing. It also provides necessary flexibility for a higher density of development in line with Policy H3 subject to constraints being overcome, given the feasibility of such a scheme having already been demonstrated by the committed development.
168. Having regard to all of the above, I find that the housing allocation is justified to provide a fallback position to ensure deliverability of a suitable housing scheme during the plan period. The allocation in the Plan and Policy GN3 are sound subject to **MM24**.

Policy GN6 - Shrublands Community Facility

169. Site GN6 consists of approximately 2.4 hectares of land at Shrublands, Gorleston-on-Sea that is in current healthcare use with open/green space. The site includes an existing Grade II listed building and lies close to the Grade II listed Cemetery Chapel and

War Memorial. Policy GN6 identifies its suitability for a mixed-use scheme for healthcare facilities, community facilities and an ancillary element of housing with care. Taking account of surrounding uses, the form of development sought within the site is intended to meet specialist housing needs rather than make a contribution to the deliverable or developable housing land supply in the plan period.

170. Notwithstanding the above, Policy GN6 includes criteria to secure appropriate arrangements for the retention of community use on the site which would provide an approach that is positively prepared and justified. However, for effectiveness and consistency with national policy, **MM27** is necessary to ensure an appropriate approach in terms of the setting of heritage assets and secure safe and suitable access arrangements including from Magdalen Way. There are also necessary changes as part of the modification to refine the approach to tree retention and replacement, and to ensure provision of a shadow habitats regulation assessment and necessary mitigation measures in accordance with Policy GSP5.

171. Based upon the evidence before me, I am satisfied that the allocation of Site GN6 is justified and would be capable of being delivered during the plan period. The allocation of this site in the Plan and the approach of Policy GN6 are, therefore, sound subject to **MM27**.

Policy CA1 - Land west of Jack Chase Way, Caister-on-Sea

172. The largest housing allocation in the Plan identified as Site CA1 is land to the west of Jack Chase Way, which also adjoins Norwich Road (A149) to the south. The site currently consists of a predominantly rural location on the opposite side of Jack Chase Way to the main built-up area of Caister-on-Sea. As such, the site beyond its established hedgerows comprises largely undeveloped open land with an agricultural character and some existing Nova Scotia Farm buildings adjoining to the west. It sits in an undulating landscape to the west of Caister-on-Sea and therefore, is visible from views to the south and south west as part of the wider context and setting of the Grade I listed Caister Castle and The Broads. In contrast, the existing hedgerows to the eastern boundary alongside Jack Chase Way provide some visual containment from that perspective.

173. Policy CA1 includes a requirement for phasing and an approach to seek exceptional urban design. For effectiveness, this should be supplemented by **MM29** to include a landscape-led approach informed by Landscape Visual and Impact Assessment [LVIA]. Appropriate landscaping for the southern and western boundaries is necessary to minimise and mitigate the impacts of the development on the wider landscape, including the nearby Broads area and settings of Caister Castle and former World War II gun batteries at Nova Scotia Farm as supported by a Heritage Impact Assessment [HIA] (C25). This would be supplemented by a prescribed approach to HIA at planning application stage as agreed with Historic England, and controls on the design of street lighting and other forms of lighting to ensure appropriate relationships to heritage assets and the intrinsically dark skies of the Broads area.
174. An extensive list of other necessary requirements to support delivery of the development are identified in Policy CA1. These include appropriate access arrangements, provision for sustainable modes of travel, affordable housing, on-site open space (with potential for off-site if necessary), safeguarding of land for a two-form entry primary school and a local centre (including retirement/care units), together with financial contributions towards healthcare facilities, a community facility and enhanced library provision to serve the development. There are also other requirements in terms of drainage and flood risk intended to mitigate any effects of and upon the development.
175. For effectiveness, **MM29** is also required to provide certainty of the precise infrastructure improvements to secure safe and suitable access arrangements from Jack Chase Way and to prevent access from the A149 to make a development acceptable and in accordance with national policy. There are also necessary changes as part of the modification to refine the approach to open space and ensure that it is consistent with Policy H4; to clarify the approach to financial contributions to healthcare; to ensure net gains for biodiversity; and to secure a shadow habitats regulation assessment and mitigation measures in accordance with Policy GSP5.
176. **MM29** would also alter the approach to safeguarding of land to omit the specific requirement for land transfer to Norfolk County Council free of charge. I have taken account of representations from the Council and Norfolk County Council that affirmed the need for land transfer being provided at no cost to ensure the deliverability of the primary school and healthcare elements. However, a prescriptive land transfer requirement in the Plan is not justified in the context of

paragraph 57 of the NPPF and necessarily should be dealt with as part of a subsequent planning application. To assist the effectiveness of that process and provide flexibility of delivery options for the required education and healthcare facilities, the modification has alternatively included the typical position taken by Norfolk County Council in the supporting text. I am satisfied that the modified policy, when taken with the supporting text, would secure the delivery of adequate education and healthcare facilities to serve the development.

177. During the course of the Examination, it was drawn to my attention that an outline application has been submitted²⁰ for a development of up to 665 dwellings, approximately 60 retirement/care units, a local centre, together with land for a primary school, health centre, plus associated infrastructure and open space. The application has yet to be determined. In any case, the approach of Policy CA1 as submitted when seeking provision of retirement/care units does not provide the necessary certainty of its inclusion within the overall capacity of 725 dwellings. **MM29**, therefore, provides the required changes for effectiveness to make clear that the allocation for residential development consists of approximately 665 dwellings and 60 retirement/care units. The modification is also needed to clarify that the retirement/care units should be located in the local centre.

178. Representations made by the stakeholder confirmed deliverability of the site with 85 dwellings expected by 2024-25 and a further 350 dwellings to be delivered by the end of the plan period and the remaining 230 dwellings beyond. Whilst the necessary build out rate later in the plan period of approaching 70 dwellings for a developer is ambitious, it has previously achieved similar rates of delivery on other sites in the Borough.

179. Based upon the evidence before me, I am satisfied that the allocation of Site CA1 is justified and would be capable of being delivered during the plan period. The allocation of this site in the Plan and the approach of Policy CA1 are, therefore, sound subject to **MM29**.

Policy BN1: Land south of New Road, Belton

180. Site BN1 consists of around 4.1 hectares of land to the south of New Road, Belton. The site currently consists of predominantly open agricultural land on the opposite side of New Road to the existing

²⁰ Application ref: 06/19/0676/O

main built-up area of Belton. It forms part of the immediate setting of a Grade II listed thatched cottage adjacent to the west and the wider setting of a Grade II* church further to the south west of the site, and comprises a site of archaeological interest.

181. Policy BN1 identifies that the allocation is suitable for approximately 100 dwellings. The policy also identifies a number of necessary requirements to support delivery of the development, including conserving the rural character of Church Lane by retaining its hedges and trees and preventing access onto it. The policy also reasonably requires appropriate landscaping treatment to the eastern boundary to assist the visual impact of the development to integrate within Belton's extended development limits and retain a perception of space to the neighbouring settlement of Bradwell.
182. The other policy requirements of Policy BN1 include appropriate access arrangements, affordable housing, local highway improvements, on-site open space and financial contributions towards the improvement of local healthcare facilities and enhanced library provision to serve the development. For effectiveness, **MM30** is required to ensure certainty of the precise infrastructure improvements to ensure safe and suitable access arrangements from New Road and integrate pedestrian and cycle provision to make a development acceptable and in accordance with national policy. There are also necessary changes to secure a Transport Assessment and Travel Plan; to ensure provision of appropriate foul drainage; to clarify that open space should be secured in accordance with Policy H4, and to ensure provision of a shadow habitats regulation assessment and mitigation measures in accordance with Policy GSP5.
183. A Housing Deliverability Statement has been received from stakeholders indicating that the site is under developer option with commencement of development expected in 2023/24 resulting in a contribution to deliverable supply of 34 dwellings with the remaining 66 dwellings to be built out as part of the developable supply by 2030. I am satisfied that those lead in times and build out rates would be achievable.
184. It follows from the above, that the allocation of Site BN1 is justified and would be capable of being delivered during the plan period. The allocation of this site in the Plan and the approach of Policy BN1 are, therefore, sound subject to **MM30**.

Policy HY1: Land at Former Pontins Holiday Camp, Hemsby

185. As previously referred to, Site HY1 comprises land at the former Pontins Holiday Camp, Hemsby consisting of around 8.9 hectares allocated for approximately 190 dwellings with tourism and retail facilities. On the basis of the extant planning permission, I have already found that the deliverability and developability of dwellings within the allocation is accurately represented in C6.4. Nonetheless, when taking account of the extent of land clearance required before delivery of any dwellings and the possibility of future revisions to the scheme, the allocation and an associated approach in Policy HY1 are necessary to provide a fallback position to ensure deliverability of a suitable housing scheme during the plan period.

186. Policy HY1 as submitted includes several necessary requirements to support delivery of the development. These include appropriate access arrangements from Kings Way and restricting access from Back Market Lane, affordable housing, local highway improvements, on-site open space provision and financial contributions towards the improvement of local education facilities, healthcare facilities and enhanced library provision to serve the development. However, for effectiveness, **MM31** is required to provide certainty of the precise infrastructure improvements, as supported by a Transport Assessment and Travel Plan in accordance with national policy. There are also necessary changes as part of the modification to clarify that open space should be secured in accordance with Policy H4 and to ensure provision of a shadow habitats regulation assessment and mitigation measures in accordance with Policy GSP5.

187. Based upon the evidence before me, I am satisfied that the allocation of Site HY1 is justified to provide a fallback position to ensure deliverability of a suitable housing-led development during the plan period. The allocation of this site in the Plan and the approach of Policy HY1 are, therefore, sound subject to **MM31**.

Policy HP1: Access Improvements in the south of Hopton-on-Sea &
Policy HP2: Land to the west of Coast Road, Hopton-on-Sea

188. Policy HP1 seeks to provide access improvements to Longfulans Lane to encourage traffic away from Station Road and to make the area a safer and more attractive route for cyclists and pedestrians. In those regards, it offers a sound approach to contributions towards such improvements as part of developments in Hopton-on-Sea. Its policy objectives also have a close association with overcoming potential constraints to the developability of the adjoining Plan allocation

Site HP2 which lies immediately to the north of Longfulans Lane and close to its junction with Coast Road.

189. Site HP2 consists of 3.3 hectares of land to the west of Coast Road in Hopton-on-Sea which lies opposite to an existing holiday resort and at the time of my visit was in use as car parking and vacant land associated with it. The site lies to the south western extent of the built-up area of Hopton-on-Sea up to Longfulans Lane and would not project further south than existing development to the east. Consequently, the proposed development to be accommodated in the allocation of a mixed-use development including approximately 40 dwellings would not erode the strategic gap between Hopton-on-Sea and Corton as identified in Policy GSP3.
190. Policy HP2 as submitted includes necessary requirements to support delivery of the development. These include appropriate access from Coast Road and associated highway improvements to that road and Longfulans Lane, together with associated pedestrian and cycle links. Other requirements relate to affordable housing, re-provision of existing car parking, on-site open space provision, flood risk mitigation and drainage, and financial contributions towards the improvement of local primary schools, healthcare facilities and enhanced library provision to serve the development.
191. For effectiveness, **MM32** is required to provide certainty of the precise infrastructure improvements to ensure safe and suitable access arrangements from and improvements to Coast Road and Longfulans Lane, as informed by a Transport Statement. There are also necessary changes as part of the modification to clarify that: open space should be secured in accordance with Policy H4; to ensure an appropriate approach to assessment of the quantity and quality of mineral resource prior to the development; and to secure provision of a shadow habitats regulation assessment and necessary mitigation measures in accordance with Policy GSP5.
192. A Housing Deliverability Statement has been received from the landowner indicating that an outline application is being prepared and infrastructure investigations are taking place. However, there is no evidence of the site having been marketed or a developer being in place. Consequently, whilst the allocation comprising of 40 dwellings would be developable by 2030, the site reasonably does not contribute to the deliverable supply as set out in C6.4.

193. It follows from the above that the allocation of Site HP2 is justified and would be capable of being delivered during the plan period. The allocation of this site in the Plan and the approach of Policy HP2 are, therefore, sound subject to **MM32**.

Policy MA1: Land north of Hemsby Road, Martham

194. Site MA1 consists of around 4.1 hectares of land to the north of Hemsby Road. The site currently consists of predominantly open agricultural land with some grassland and woodland. The allocation lies immediately to the south of a recent residential development and to the east of the built-up area of Martham. It wraps around an existing employment area, with 1.32 hectares of the western part of the site being safeguarded for employment land under Policy CS6.

195. It has been drawn to my attention that full planning permission²¹ has now been granted for 112 dwellings, associated open space and infrastructure. The planning permission does not include the provision of employment in accordance with Policy CS6, due to the terms of part b) of Policy MA1 as submitted having been met insofar as unsuccessful marketing for an appropriate length of time and no reasonable interest in the land for employment purposes. The evidence supporting the application included agreement between the stakeholder and the Council that employment use is not currently viable within the allocation. Taking account of the existence of the planning permission and the intent of the developer to proceed as soon as possible I am satisfied that the site would be capable of delivering 112 dwellings by 2024/25 as set out in C6.4.

196. Notwithstanding the above, the evidence before me indicates that the planning permission has only recently been granted. Consequently, it is reasonable that the allocation and an associated approach in Policy MA1 are necessary to provide a fallback position to ensure deliverability of a suitable scheme during the plan period should the current planning permission not be developed as intended. It is reasonable that any subsequent re-assessment of a proposal within the allocation should retain the starting point of the provision for employment as safeguarded in Policy CS6 which influences the allocation capacity of approximately 95 dwellings in Policy MA1.

197. In reaching the above view, I find that although speculative development of offices, research and development, and light

²¹ Council ref: 06/20/0390/F

industrial uses (formerly Use Class B1) may not be viable at the present time, it is reasonable that location-specific requirements for such uses may arise before 2030 which could make the site attractive for business investment in any case. **MM33** is, however, necessary to modify part b) of Policy MA1 to reflect the changes to the Use Classes Order after submission of the Plan and replace it with reference to the equivalent uses now listed under Use Class E(g).

198. Policy MA1 also includes relevant requirements to support the delivery of the development including vehicle and pedestrian access arrangements from Back Lane and Hemsby Road, protection of hedgerows where possible, mitigation of contaminated land, design requirements relating to the setting of the adjacent Martham Conservation Area, and financial contributions to provision of education, libraries and local healthcare facilities to serve the development as supported by evidence in the Infrastructure Plan (C28). **MM33** is also required to ensure that the policy wording would be effective in providing the precise infrastructure improvements on Hemsby Road, to clarify that off-site open space should be secured in accordance with Policy H4 and to ensure provision of a shadow habitats regulation assessment to provide necessary mitigation measures in accordance with Policy GSP5.
199. Based upon the evidence before me, I am satisfied that the allocation of Site MA1 is justified to provide a fallback position to ensure deliverability of a suitable housing scheme during the plan period. The allocation of this site in the Plan and the approach of Policy MA1 are, therefore, sound subject to **MM33**.

Policy OT1: Land south of Cromer Road, Ormesby St Margaret

200. Site OT1 consists of around 8.6 hectares of land to the south of Cromer Road in Ormesby St Margaret, which also adjoins Main Road (A149) to the south west and Filby Lane to the south east with a woodland belt lying between each. It is currently agricultural land that wraps around existing allotments, lying close to Ormesby St Margaret Conservation Area and with archaeological importance arising from remains of St Peters Church.
201. Policy OT1 as submitted includes several necessary requirements to support delivery of the development taking account of the above constraints. Those measures include a reduced density of development reflected in a capacity of 190 dwellings to provide on-site open space as part of accommodating the protection and

enhancement of the remains of St Peters Church and the setting of the adjacent Conservation Area. The requirements also include appropriate access arrangements from Cromer Road and associated highway improvements and sustainable travel enhancements, pedestrian and cycle links via Filby Lane, together with affordable housing, archaeological field evaluation, protected species surveying, minerals assessment and financial contributions towards the improvement of local schools, healthcare facilities and enhanced library provision to serve the development.

202. With regard to the above, for effectiveness, **MM34** is required to provide certainty of the precise infrastructure improvements on Cromer Road and Filby Lane, and to secure provision of a Transport Assessment and Travel Plan in accordance with national policy. Further requirements in the modification are also necessary to clarify that open space should be secured in accordance with Policy H4, to ensure appropriate flood risk mitigation and drainage arrangements, and to secure provision of a shadow habitats regulation assessment and necessary mitigation measures in accordance with Policy GSP5.

203. The allocation of the site in Policy OT1 is supported by the provision of a Housing Deliverability Statement which indicates commencement in 2024-25. This would result in a contribution to the deliverable supply of 10 dwellings with a subsequent build out rate of 20-30 dwellings per year up to 2030. Representations have been received which seek to call into question such assumptions based on the track record and previous build out rates of the developer elsewhere. However, based on the evidence before me, I consider it reasonable to conclude that the site would be capable of making a limited contribution of 10 dwellings to the deliverable supply, together with a further 100 dwellings of the allocation being developable during the plan period as set out in document C6.4. The remaining 80 dwellings of the site would have the potential to come forward if a higher delivery rate were to be achieved, but I consider it is necessary to take a cautious approach in that respect as those dwellings are more likely to contribute to housing supply after 2030.

204. It follows from the above that the allocation of Site OT1 is justified and at least 110 dwellings would be capable of being delivered during the plan period. The allocation in the Plan and the approach of Policy OT1, subject to **MM34**, are sound.

Policy OT2: North of Barton Way, Ormesby St Margaret

205. Site OT2 consists of around 1.7 hectares of land to the north of Barton Way which currently consists of largely open agricultural land. The proposed extension of the development limits to include the allocation would, however, assimilate with the alignment of dwellings accessed from Orchard Court to the west when viewed across open land from the north and east. A public right of way runs along the southern boundary and links to a track that runs to the east of the site and can be accessed from a turning head on Thurne Way.
206. Policy OT2 as submitted includes several necessary requirements to support delivery of a development of approximately 32 dwellings and assist integration with its surroundings. Those measures include a well-designed scheme with landscaping to the northern and eastern boundaries, improvements to maintain the public right of way and appropriate access arrangements from Barton Way, together with affordable housing, flood risk mitigation and drainage arrangements, minerals assessment and financial contributions towards the improvement of local education provision, healthcare facilities and enhanced library provision to serve the development.
207. With regard to the above, an alternative access to the existing turning head of Barton Way would be feasible via Thurne Way. Either route would require highway improvements to provide a safe and suitable route to the site whilst maintaining the public right of way. For effectiveness, therefore, **MM35** includes additional flexibility to access the site via Thurne Way if necessary and to incorporate a requirement for a site design and layout to incorporate natural surveillance of the public right of way. The modification also includes an additional requirement to ensure provision of a shadow habitats regulation assessment to provide necessary mitigation measures in accordance with Policy GSP5. Having considered the consultation responses, **MM35** is updated to ensure a consistent approach for highway improvements to provide safe and suitable access via Barton Way and/or Thurne Way.
208. In reaching the above view, I have taken account of the representation from Norfolk County Council that the modification should state a preference for Barton Way, with Thurne Way only used if access could not be provided via that route. However, there is no definitive evidence to justify such a preference or that either route could not accommodate a development of 32 dwellings. The modification, therefore, includes necessary flexibility for an appropriate access via either or both of those existing roads to assist the deliverability of the allocation.

209. In support of the allocation, a Housing Deliverability Statement has been provided by the developer which indicates that a planning application is being prepared and that the site would be capable of being fully delivered by 2024/25. In that regard, whilst the developer is promoting a larger site than the allocation in the Plan including additional land to the north, I have no reason to consider that a suitable development would not come forward if limited to the allocation and associated development limits. The allocation and development limits as submitted are soundly based given the need for assimilation of any subsequent proposal with the existing built-up area of Ormesby St Margaret and the limited capacity of Barton Way and/or Thurne Way to provide a safe and appropriate vehicular access to the site, whilst maintaining the public right of way.

210. It follows that I am satisfied that the allocation of Site OT2 is justified and 32 dwellings would be capable of contributing to the deliverable supply. The allocation of this site in the Plan and the approach of Policy OT2 are, therefore, sound subject to **MM35**.

Overall supply for the plan period

211. The overall level of housing supply intended to be provided during the plan period is summarised in the Technical Note on Housing Supply Matters following Inspector's Post Hearing Note (I2) as 7,020 dwellings, comprising 1,691 houses completed between April 2013 and March 2020, 2,850 dwellings either committed through planning permissions (and resolutions to grant planning permission following Development Control Committee), 177 houses remaining to be built in the strategic allocations at Great Yarmouth Waterfront (CS17) and Beacon Park, Bradwell (CS18), 1,636 houses allocated through this Plan (expected to be delivered in the plan period) and 666 houses projected to come forward as windfall sites.

212. With regard to the above, based on the evidence and associated calculations as set out in document C6.4, there would be a sufficient range of sites to provide opportunities for development by small and medium-size enterprises. Furthermore, based on that evidence, at least 10% of the housing requirement will be met on sites of less than one hectare, as required by paragraph 69 of the NPPF.

213. The windfall allowance with an upper rate of 99 dwellings per year would be a significant reduction from the average of 141 dwellings identified over the previous 10-year period based on analysis of sites that would likely continue to be supported by policies in the Plan. In

that regard, I consider that the calculation of the windfall allowance reflects an appropriately restrained and justified approach for future trend assumptions of housing completions from windfall sources in circumstances where the Plan otherwise brings forward a significant number of allocations distributed throughout the Borough.

214. The windfall allowance as applied includes a reasonable approach of no contributions in the first two years of the supply period and reduced rates of 25% in year 3 and 50% in year 4 so as to avoid double counting of existing planning permissions on smaller sites that have yet to be completed. Consequently, I am satisfied that around a 30% reduction of the maximum windfall rate when compared with historic trends, together with the profiled reduction of windfall rates in the initial years following the adoption of the Plan, reflects a robust and justified contribution to housing supply calculations based on compelling evidence as required by paragraph 71 of the NPPF.
215. The overall housing supply position as summarised above and set out in more detail within I2 is supported by site assessments in relation to remaining supply in terms of whether the sites are deliverable or developable in C6.4. The assessments were informed by the most up-to-date monitoring evidence available, including engagement with relevant developers, agents, landowners and applicants in terms of lead in times and build out rates. In that regard, the evidence also reflects refinement of a number of site trajectories to take account of my own findings on their lead-in times and build out rates within my post-hearings note (I1).
216. The level of housing provision includes a significant contingency above the minimum level of housing need for the remainder of the plan period (around 32% including windfalls and around 20% excluding windfalls). I have taken account of representations made in terms of the deliverability and developability of a minority of the individual sites in the supply as per my findings in document I1. In that respect, the Council has not applied a general discount in supply calculations to reflect the possibility that some detailed planning permissions, outline planning permissions or sites with resolution to grant planning permission do not come forward as anticipated.
217. Notwithstanding the above, even if it is reasonable that some of those sites may not come forward at the rate anticipated by 2030 for unforeseen reasons at this stage, the overall level of provision identified above the housing requirement offers an adequate and suitable level of flexibility. As such it would ensure that the Plan

would make sufficient provision for housing (including affordable housing) as required by paragraph 20 of the NPPF relative to the requirement set out in Policy UCS3. The Plan is, therefore, positively prepared, justified, effective and consistent with national policy and therefore, sound in that regard.

218. It follows from all of the above, that I find the most up-to-date housing evidence in C6.4 to be robust and that it demonstrates that the Plan will provide a supply of deliverable and/or developable sites for the remainder of the plan period up to 2030 to ensure that the full housing requirement in Policy UCS3 is met. **MM3** is, therefore, necessary to update the related housing calculations in the supporting text, Tables 3.1, 3.5, 3.7 and the housing trajectory in Tables C.1, C.2, C.3 and Picture C.1.

Conclusion

219. In summary, subject to the MMs previously identified, I conclude that the Plan, including strategic area and site-specific policies, would identify sufficient sites for housing development and ensure that the identified minimum need for new homes in the Borough can be met and therefore, provides a sound approach.

Issue 7: Has the Council demonstrated that the plan identifies a five-year supply of deliverable housing sites and is there a reasonable prospect that there will be a five-year supply on adoption and maintained thereafter?

220. The five-year housing supply requirement is 1,997 dwellings, including a 10% buffer, as based on the requirement set by Policy UCS3. The Council have reasonably applied a 10% buffer in its housing land supply calculations given the Housing Delivery Test result in January 2021 (for 2017-2018, 2018-19 and 2019-20) of 104%. In that context, given that the base date of Policy UCS3 is April 2019 and the most up-to-date calculations include housing completions only up to March 2020 with 382 dwellings completed in 2019/20, there is no undersupply of completions to bring forward and only a limited oversupply above the minimum annualised need.

221. With regard to the above and my previous reasoning and conclusions relative to the plan period housing supply in Issue 6, which included the deliverability of sites; I find the Council calculation of a 6.98 year supply of deliverable land for housing as at 31 March 2020 as set out in document C.4 to be broadly accurate. Furthermore, the extent of

headroom demonstrated at that date and the profile of individual sites being brought forward, ensures that I am satisfied that based upon the NPPF definition of deliverable sites there would be comfortably in excess of a five-year supply at the date of adoption of this Plan as anticipated to take place before the end of 2021. It follows that the Plan will provide a deliverable five-year supply of housing measured against the housing requirement on adoption.

222. To assist the above, Policy H13 of the Plan provides a sound approach in supporting delivery of outline planning applications for major housing developments by setting out the evidence required to support such proposals and includes consideration of applying shorter than standard time limits to encourage prompt delivery. **MM48** is, however, required to the supporting text at paragraph 6.54 to provide an effective contingency and flexibility including consideration of viability in unexpected circumstances of a five-year supply not being secured at some stage of the plan period. The approach of Policy H13 of the Plan will also necessarily be informed by effective ongoing monitoring in the context of the monitoring framework set out in Appendix A (as amended by **MM68**).

Conclusion

223. For the above reasons, I conclude that the Plan identifies a five-year supply of deliverable housing sites, including on adoption, and that there is a reasonable prospect that a five-year supply will be maintained thereafter until the end of the plan period.

Issue 8: Are the various requirements relating to housing development set out in the Plan justified and consistent with national policy, and will they be effective in achieving well designed places?

Housing design principles & housing for older people, people with disabilities and other vulnerable users

224. Policy A2 sets out housing design principles and expects proposals to demonstrate high quality design, reflect local distinctiveness and create attractive and functional environments. To ensure that such aims are achieved it includes detailed requirements in terms of context, identity, built form, movement, nature and public spaces, functional, healthy and sustainable homes, and lifespan. However, to achieve effectiveness and consistency with national policy, the revisions in **MM37** are required to ensure that Policy A2 provides

clear direction to the decision maker when assessing development proposals.

225. With regard to the above, Policy A2 also includes a specific requirement that all new homes must be built to meet Part M4(2) of the Building Regulations. The characteristics of Great Yarmouth with its ageing population and the limitations on adapting the existing housing stock for those with mobility difficulties as set out in the Topic Paper: Adaptable Housing Standards (C5) justifies the requirement in Policy A2 for all new dwellings to be built as accessible and adaptable dwellings.
226. The evidence in C30 made its assessment based on all new homes meeting the Part M4(2) standard, and therefore, taking account of the flexibility otherwise afforded to planning obligations in Policy GSP8 (as amended by **MM13**) it would not compromise the deliverability of housing relative to requirements in Policy UCS3 and Policy UCS4 (as added by **MM4**). The application of the Part M4(2) standard would also have only a limited effect on housing density and efficient use of land and therefore, does not alter my previous findings on housing land supply. Nonetheless, the policy wording at paragraph 5.13 should be modified by **MM37** for effectiveness of the interpretation of the term 'practicable' in Policy A2 insofar as it applies to site-specific considerations that may preclude the delivery of Part M4(2) homes in certain circumstances.
227. In reaching the above findings, I have taken into account that specific provision of retirement and care units as part of the allocation associated with Policy CA1 (Land at Jack Chase Way, Caister-on-Sea) would make a contribution towards addressing the identified need within the Borough. The approach of Policy H11 also seeks to provide housing for the elderly and other vulnerable users including as a preference for sites close to Great Yarmouth or Gorleston-on-Sea town centres. However, Policy H11 should be modified for effectiveness by **MM47** to provide certainty of the approach to assessing viability and suitability.
228. Notwithstanding the above, the level of existing committed housing developments from which Part M4(2) housing cannot now be compelled is significant. Consequently, the requirement in the Plan for all new homes to be built to meet requirement M4(2) of Part M of the Building Regulations where practicable, is justified and necessary to ensure that the Plan makes a meaningful contribution to addressing the need for accessible and adaptable dwellings.

Houses in multiple occupation

229. An increasing number of properties in Great Yarmouth have been converted to HMOs, particularly in the Seafront Area and Back of Seafront Improvement Area. In response, Policy H12 reasonably seeks to introduce a limit on the number of HMOs in those areas and the Hall Quay Development Area. In addition, it introduces a 20% threshold restriction within 50 metres in other areas. HMOs provide valuable accommodation and increase housing choice but an undue concentration in any area may have a detrimental impact and reduce the availability of family housing. Given current evidence and my own observations, the limits in Policy H12 reflect a justified and effective approach to guide future provision of HMOs.

Open space provision for new housing development

230. Policy H4 of the Plan seeks to secure open space provision as part of new development in accordance with locally derived open space requirements and thresholds as justified by existing evidence as summarised in the Open Space Provision Topic Paper (C24). However, **MM42** is required to ensure that new provision is sought to serve a development unless it is demonstrated that there is a sufficient local surplus of the listed types of open space. The modification also refines the approach to on-site and off-site provision including in circumstances where quality and accessibility improvements are required and to allow for the opportunity of consideration of more up-to-date evidence in the future.

231. **MM42** would ensure a policy approach that is justified, effective and consistent with national policy, when taken with **MM69** which necessarily adds the evidenced open space contribution costs and accessibility standards as Appendix D of the Plan.

Water conservation in new dwellings and holiday accommodation

232. Policy E7 includes a requirement for the higher optional water efficiency standard in the interest of water conservation in new dwellings and holiday accommodation. The approach is justified by the significant water resource challenges facing the East of England and the associated commitment in the Norfolk Strategic Planning Framework (B1) to include the efficiency standard of 110 litres per person per day. The viability evidence (C30) assesses the cost of water efficiency to be extremely low and I am satisfied that it would not affect the deliverability of new dwellings in the Plan. The

requirement for the higher optional water efficiency standard is, therefore, sound.

Rural worker dwellings, rural building conversions and replacement dwellings

233. Policy H5 seeks to provide a positively prepared approach to rural worker dwellings located outside of development limits set in the Plan. To be effective and consistent with national policy, **MM43** is required to ensure flexibility for rural workers where a clearly established functional need for accommodation could be demonstrated, but where they would not fall within the definition of a 'full time' worker. The modification also ensures that the approaches to time-bound requirements for new or established businesses and profitability, together with consideration of previous property disposals, are consistent and justified.

234. Policy H6 sets out a complementary approach to Policy H5, in seeking preference for retention of agricultural or other rural based occupancy dwellings where there is a local need and setting out approaches to amending or removing occupancy conditions. To be effective, **MM44** is required to provide certainty of the approach with respect to occupancy conditions that are more restrictive than in Policy H5 and to specify a reasonable and justified period of marketing for a period of 12 months when seeking to demonstrate that there is no longer a need for the occupational condition.

235. Policy H7 deals with the approach for conversion of rural buildings to residential uses outside of the development limits in the Plan and seeks to provide a positively prepared approach in terms of associated development such as extension, additional buildings and curtilage provision, including with regard to protected species. However, **MM45** is required to Policy H7 to ensure that it is effective and consistent with national policy in terms of the conversion of the building enhancing its immediate setting. Policy H8 provides a complementary approach to replacement dwellings outside of the development limits that is soundly based.

Residential extensions and residential annexes

236. Policy H9 sets out an approach to residential extensions both within and outside of the development limits in seeking to give effect to relevant requirements of Policies CS3 and CS9 of the CS. To be effective, **MM46** is necessary to ensure consistency with the more

detailed policy approach relating to amenity as set out in Policy A1 (which I address later in this report). The associated approach to residential annexes in Policy H10 is soundly based.

Conclusion

237. In summary, subject to the MMs previously identified, I conclude that the various requirements in policies relating to housing development set out in the Plan are justified and consistent with national policy and will be effective in achieving well designed places. The relevant policies referred to are sound subject to those MMs.

Issue 9: Does the Plan give effect to and ensure consistency with the Spatial Strategy and requirements set out in the CS in terms of employment policies and site allocations?

238. Policy CS6 of the CS provides the strategic approach to supporting the local economy in Great Yarmouth Borough with a primary focus on encouraging the redevelopment, intensification and safeguarding of existing employment sites as the focus for tackling unemployment. In that regard, when taking account of the seasonal variation in employment levels due to the extent to which tourism also contributes to the local economy, the CS did not set a specific jobs target. Instead, it identified an indication of the range of need for employment land over the plan period of between 18.87 hectares based on job forecasts and 39.1 hectares based on historic take up rate. However, it was also noted that the jobs forecast could not reasonably take account of potential growth of emerging industries and sectors, such as offshore renewable energy.

239. The CS identified at the time that there was a total of undeveloped land of 52.48 hectares with 24.59 hectares being unconstrained and 27.89 hectares subject to some constraints. In that context, the approach of Policy CS6 of the CS sought to maintain a surplus supply of employment land to ensure that the Borough is able to accommodate potential growth in emerging industries and sectors, and to recognise increased demand for new businesses during the plan period following Enterprise Zones at Beacon Park and South Denes created in 2012.

240. When taking into account that a high proportion of undeveloped employment land was constrained by poor conditions, Policy CS6 allocated approximately 10-15 hectares of new employment land at

Beacon Park Extension, South Bradwell through Policy CS18 to provide additional unconstrained land of good quality. Amongst other things, Policy CS6 also encourages a greater presence of higher value technology and energy-based industries and expresses support for port-related development proposals associated with the Outer Harbour at South Denes and existing river port, including exploring the potential for up to 22 hectares of land reclamation to the north of the Outer Harbour.

241. Policy GN4 of the Plan applies to Beacon Business Park and provides a complementary policy approach to Policy CS6 and an existing Local Development Order (E7) in seeking to define the business uses appropriate for the location. However, since the CS was adopted, the area of land subject of the Beacon Business Park Enterprise Zone has been extended beyond the allocation boundary identified on the CS Policies Map relative to Policy CS18.

242. In response to the above, Policy GN5 of the Plan includes a new allocation to include the land that accords with the Enterprise Zone extension, with the development limits set by Policy GSP1 also amended. As a result, the extension of the existing business park would consist of an additional 5 hectares above the upper range anticipated in Table 11 of the CS and would result in the loss of some existing agricultural land. However, in those regards, the site is close to existing infrastructure with the landscape effect on the wider countryside capable of being mitigated and there would be potential for significant benefits in terms of addressing unemployment, supporting employment growth and attracting investment. The additional employment land also has the potential in quantitative terms to offset the possible loss of employment land elsewhere in the Borough that may arise from committed development such as at land north of Hemsby Road in Martham.

243. It follows from the above, that I find the approach in Policies GN4 and GN5 relating to Beacon Business Park to be justified in seeking employment growth, with the extension providing additional flexibility for the delivery of the growth anticipated in the CS along with a pipeline for additional growth towards the end or beyond the plan period. However, both Policy GN4 and Policy GN5 relating to Beacon Business Park should be modified by **MM25** and **MM26** respectively in the interest of effectiveness to clarify the specific employment uses that are suitable. The modifications also include the approach to be taken when considering planning applications, including the need for additional drainage measures within the

Beacon Business Park extension. In addition, the modifications clarify that as offices now fall within the same Use Class as other main town centre uses that action may need to be taken to avoid uses that are inappropriate for the business park and which would not otherwise comply with the sequential test relating to main town centre uses.

244. The potential reclamation of land to the north of the Outer Harbour was not part of the figures set out in Table 11 of the CS and whilst remaining a longer-term ambition of the Council is not taken forward in the Plan. Such an approach is reasonable and justified given that the upper requirement of up to 39.1 hectares in the CS based on historic take up rates can be accommodated in the plan period. This is noting that since the start date of the CS in 2013, 18.1 hectares of employment land have been developed for employment uses and a further 29.86 hectares of employment land, including allocations in the Plan, would be available as summarised in the evidence (H14).

245. It is evident that the Council and stakeholders, including the port operator, are now prioritising maximising the potential of land in and around the existing port and harbour areas to facilitate employment growth. This includes re-organising existing space within the South Denes area as supported by an existing Local Development Order (E6). In that regard, the approach of Policy GY10 to the Great Yarmouth Port & Harbour Area is sound, subject to **MM21** which is necessary for effectiveness to insert additional supporting text after paragraph 3.62 to clarify the 24-hour operational nature of the port and emphasise the agent of change principle for new developments when assessing amenity in the context of Policy A1.

246. In more general terms, Policy B1 intends to provide a positively prepared approach to support the provision of business development in accordance with Policy CS6. It also clarifies the approach to development limits identified on the Policies Map in the context of Policy GSP1 and national policy. To be effective, it should be updated to reflect the recent changes to the Use Classes Order, including additional clarification in the supporting text of the approach that the Council will take to ensure that development would not undermine the sequential approach to main town centre uses. **MM55** includes the necessary changes to ensure a sound approach.

247. Policy GY9 relates to Great Yarmouth North Denes Airfield with a supportive approach to its continued use being justified due to, amongst other things, its strategic importance in the context of the continued growth of the offshore energy sector in Great Yarmouth

and the Borough's economy as a whole. **MM20** is, however, required in the interests of effectiveness to ensure that new built development proposals are accompanied by a LVIA with appropriate regard to the adjacent Broads Area and Policies CS11 of the CS and Policy E4 of the Plan in that context.

248. The above modification also includes additional supporting text to address the presence of the adjacent Caister Water Recycling Centre and the requirement for development proposals to be supported by an odour assessment to ensure amenity impacts are avoided and mitigated in the context of Policy A1 of the Plan. There is no need to refer to specific requirements to address sustainable and foul drainage as these would be dealt with under Policies CS11 and CS12 of the CS and Policy I3 of the Plan.

Conclusion

249. In summary, subject to the MMs previously identified, I conclude that the Plan gives effect to and is consistent with the Spatial Strategy so as to meet the requirements set out in the CS for employment. The aforementioned policies, subject to the above referenced MMs, would be positively prepared, justified, effective and consistent with national policy and therefore, sound.

Issue 10: Are the Plan's policies relating to tourism, leisure and community facilities; positively prepared, justified, effective and consistent with national policy?

250. Policy L1 sets out the detailed approach to Holiday Accommodation Areas as appropriately defined on the Policies Map based on the extent of existing or permitted holiday accommodation. The policy includes a suitable list of tourist uses that will generally be encouraged within those areas and the circumstances that need to be demonstrated where there is a proposed loss of holiday accommodation to alternative uses. However, to be effective and consistent with national policy, modifications are required to refine the approach to loss of holiday accommodation to ensure it is evident how a decision maker should react to development proposals. The modification also includes clarification that proposals for development will require careful consideration in terms of potential impacts on the setting of the surrounding landscape, including the protections afforded to the Norfolk Coast AONB or the designated Broads area by other policies in the Plan and national policy. **MM56** includes the necessary changes to ensure a sound approach.

251. In reaching the above findings, I have considered whether changes should be made to existing Holiday Accommodation Areas identified on the Policies Map to facilitate their expansion. In each case, there was a lack of certainty of delivery of proposals in the plan period to justify changes to the designations. If proposals were to come forward, they would necessarily be considered under Policy L2 which provides a positively prepared approach for new or expanded tourist facilities outside of development limits and Holiday Accommodation Areas that builds upon and takes forward the objectives of Policy CS8 of CS. However, to ensure that the policy is effective, **MM57** is required to refine and strengthen its wording in terms of the approach to small scale countryside tourism and to provide certainty that tourist accommodation falls within the scope of Policy L2.
252. Policy GY8 provides the specific approach to the existing Great Yarmouth Racecourse as suitably defined on the Policies Map which would ensure that the existing racecourse use will be safeguarded for its role as a major visitor attraction and local amenity. The policy approach, including its support for development proposals that are ancillary to its use, would help secure its future and would protect and enhance the North Denes Site of Special Scientific Interest that is located within the racecourse. It is, therefore, soundly based.
253. Policy L3 deals with equestrian development more generally and in doing so provides a positively prepared approach which sets out the circumstances where new and extended equestrian development will be permitted. Nonetheless to be effective, the policy wording and supporting text should be refined and strengthened to emphasise the approach to development within the setting of the Broads including lighting and dark skies; provide flexibility for suitable new access and parking arrangements and cross-refer to the potential for mitigation in the context of Policy GSP5. **MM58** includes the necessary changes to achieve soundness.
254. Policy C1 seeks to protect existing community facilities and the provision of new facilities to ensure the economic and social sustainability of existing communities, which is justified in terms of paragraph 84 of the NPPF. However, to be effective in that respect, **MM65** is required to refine the approach to development leading to the loss of an existing community facility in terms of the effect on the day-to-day needs of existing users. It also confirms that for a community facility use to be considered as no longer viable or feasible would need to be supported by appropriate marketing evidence covering at least 12 months.

255. Policy C2 deals specifically with educational facilities and provides a soundly based approach to new, extended or remodelled educational facilities outside of development limits where necessary.

Conclusion

256. In summary, subject to the MMs previously identified, I conclude that the Plan's policies relating to tourism, leisure and community facilities would be positively prepared, justified, effective and consistent with national policy, and therefore, sound.

Issue 11: Are the other policies of the Plan relating to the built and natural environment; justified, effective and consistent with national policy?

257. Policy A1 relates to amenity and is concerned with safeguarding the living conditions of occupiers of existing and anticipated development in the locality. To be effective and consistent with national policy, it should be amended to be clear that a high standard of amenity is sought to ensure a suitable living environment, alongside revisions to the precise wording of related requirements. The changes to make the policy sound are included in **MM36**, together with amendments to the supporting text to provide certainty of the specific approach to issues arising from odours.

258. Policy A3 deals with advertisement proposals in seeking to supplement the NPPF and associated PPG. To ensure effectiveness, **MM38** is required to clearly differentiate between the respective considerations that are applicable to amenity and public safety.

259. Policy E1 aims to provide an appropriate approach for development proposed in an area of flood risk. However, to ensure its effectiveness and consistency with national policy, **MM59** is required to make clearer reference to its requirements being within the context of the operation of the sequential test and to have regard to Policy CS13 of the CS which already provides the strategic approach. The modification also necessarily corrects the approach to be taken with respect to the exception test and in terms of mitigation for 'more vulnerable' development.

260. Policy E4 seeks to provide a positively prepared approach to trees and landscape, with support for development where valuable trees and hedgerows are retained or enhanced. It also emphasises the control of proposals within, or otherwise affecting the landscape of

the Norfolk Coast AONB or the designated Broads area, including the value of dark skies. To be effective, **MM62** is required to ensure that development that may impact on trees are accompanied by appropriate evidence in the form of an arboricultural assessment, and that any landscaping schemes required to mitigate impacts on local landscape character are appropriate to the size and nature of the development. The modification also extends the intended controls on development to those that may affect the setting of the Norfolk Coast AONB and the designated Broads area to ensure consistency with national policy.

261. Policy E5 seeks to provide a positively prepared and effective approach to the historic environment. However, **MM63** is required to ensure regard to the strategic approach in Policy CS10 of the CS and provide consistency with national policy in relation to significance of heritage assets, the approach to their settings, and the approach to the identification of non-designated heritage assets.

262. Policy E6 relates to pollution and hazards in development and is positively prepared insofar as it seeks to support development proposals where the potential for the creation of, or susceptibility to hazards and pollution can be suitably mitigated and avoided. However, the precise policy wording and supporting text require clarification and strengthening to be effective and consistent with national policy. **MM64** provides the necessary changes to achieve soundness by offering certainty of the consideration of both air and light pollution, whilst refining the approach to cumulative effects with respect to health, living conditions and the natural environment, and strengthening links to Policy A1.

263. Policy I1 deals with vehicle parking for developments (including cycle parking) and cross-references to the most up-to-date standards published by Norfolk County Council (E11) that are soundly based. However, the policy also addresses provision for electric vehicles, whereby **MM66** is required to ensure that the approach would be effective and consistent with national policy in terms of charging provision for plug-in and other low emission vehicles being provided in safe, accessible and convenient locations.

264. Policy I2 deals with Telecommunications and provides a soundly based approach to new or improved telecommunications infrastructure, whilst seeking to maximise access to high-speed broadband. Whilst representations were received with respect to the potential effect on the Broads Area and its setting, I am satisfied that

Policy CS11 of the CS and Policy E4 (modified by **MM62**) otherwise provide the necessary approaches for consideration of such matters.

265. Policy I3 relates to foul drainage and requires strengthening and clarification with respect to the relationship with the strategic approaches of Policies CS11 and CS12 of the CS to be effective and consistent with national policy. **MM67** makes the necessary changes.

Conclusion

266. In summary, subject to the MMs previously identified, I conclude that the other policies of the Plan relating to the built and natural environment are justified, effective and consistent with national policy and therefore, sound.

Overall Conclusion and Recommendation

267. The Plan has a number of deficiencies in respect of soundness, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.

268. The Council has requested that I recommend MMs to make the Plan sound and legally compliant, and capable of adoption. In that regard, I conclude that the duty to cooperate has been met and that with the recommended main modifications set out in the Appendix the Great Yarmouth Local Plan Part 2 satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

269. I also conclude that if adopted promptly (with the recommended MMs) the Plan establishes a five-year supply of deliverable housing sites. Accordingly, I recommend that in these circumstances the LPA will be able to confirm that a five-year housing land supply has been demonstrated in a recently adopted plan in accordance with paragraph 75 and footnote 40 of the NPPF.

Gareth Wildgoose

Inspector

This report is accompanied by an Appendix containing the Main Modifications.

Local Plan Part 2 – Adoption (Policy & Resources Committee)

Appendix 4 – Inspector's Report Appendix



Great Yarmouth Local Plan Part 2, Inspector's Report November 2021 Appendix

Appendix – Main Modifications

The modifications below are expressed either in the conventional form of ~~striketrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
MM1	7,10-11	First Paragraph, Second Paragraph and Paragraph 1.4	<p><i>[Before the first paragraph, insert new heading & introductory text paragraph:]</i></p> <p><u>Local Plan context [Heading]</u></p> <p><u>The Borough of Great Yarmouth is situated on the east coast of Norfolk, with the towns of Great Yarmouth and Gorleston-on-Sea at its centre, spanning 24 kilometres of coastline. Inland, the Borough contains dispersed rural settlements of varying sizes, most of which are adjacent parts of the Broads network.</u></p> <p>The is Local Plan sets out the level of growth <u>in the Great Yarmouth Local Plan area (i.e. the Borough excluding those parts within the Broads Authority area)</u> which needs to be planned for in the Borough, where that growth should be located and how it should be delivered. It also sets out the planning policies which the Council will use in determining planning applications.</p>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			<p><i>[Following the second paragraph under the Duty to Cooperate heading insert new introductory text paragraph:]</i></p> <p><u>Parts of the Borough are within the designated Broads Area. Planning policies, development and land use within the Broads Area are controlled by the Broads Authority. The Borough Council works closely with the Broads Authority and has had due regard to its Local Plan in preparing the Great Yarmouth Local Plan Part 2. The Borough Council and the Broads Authority have a 'Duty to Cooperate Statement' agreeing that the Borough Council will meet the full housing needs of the Borough. In addition, the two authorities are part of the wider Norfolk Strategic Planning Framework.</u></p> <p><i>[Amend Paragraph 1.4 as follows]</i></p> <p>1.4 The Borough Council has considered other influences that may necessitate adjustment to the local housing need requirement. In accordance with paragraphs 60 and 65 of the Framework, the Local Plan does not need to accommodate any housing growth from any area outside of the Borough boundary. In respect of Norfolk, this agreement is formalised in the joint Norfolk Strategic Planning Framework (2019) Statement of Common Ground between the planning authorities. <u>The Borough Council will meet the full housing needs of the Borough. Any housing completions from the Broads Area of the Borough will still count towards meeting the Borough Council's housing target but they are not required to meet the overall needs.</u> To the south in Suffolk, the recently adopted Waveney Local Plan for the northern part of East Suffolk will meet the housing requirements in full of the former Waveney area. Another consideration is that the Borough has very high levels of need for affordable housing coupled with low viability and consequent low plan</p>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			requirements for affordable housing (the plan applies housing market areas requiring 10% and 20% affordable housing). A modest uplift in housing need is considered unlikely to result in significant increases in affordable housing; while a radical uplift to meet the full affordable housing need would be completely unachievable and impractical in policy and housing market terms. For these reasons, each of these factors therefore have no effect on the local housing need target.
MM2	7	Fifth Paragraph	<p><i>[Following the fifth paragraph, before 'Sustainability Appraisal', insert new paragraphs:]</i></p> <p><u>Given the passage of time it has been necessary to amend and evolve the scope of the Local Plan Part 2 from what was originally envisaged in the Core Strategy. There are a small number of matters which the Core Strategy stated the Local Plan Part 2 would include but are no longer considered necessary or appropriate.</u></p> <p><u>The supporting text of Policy CS6 referred to the intended inclusion of a policy in the Local Plan Part 2 to manage the re-designation of land and buildings within local employment areas. However, on reflection it is not considered necessary to include an additional policy which would be largely repetitious of that already provided in Policy CS6 and the associated approach as otherwise set out in national policy.</u></p> <p><u>Policy CS7 referred to the designation of secondary shopping frontages and holiday frontages in the Local Plan Part 2 where appropriate. Whilst these frontages are not specifically identified it is considered that Policies GY1, R3, GY5 and GY6 provide sufficient and effective scope to encourage traditional 'secondary shopping' and 'tourist shopping' type uses to come forward whilst avoiding unnecessary duplication of local or national planning policy.</u></p>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			<p><u>The supporting text to Policy CS11 referred to Local Green Spaces and if appropriate, to identify them in the Local Plan Part 2. Having reflected on the approach set out in the National Planning Policy Framework and associated National Planning Practice Guidance, the plan does not specifically designate Local Green Spaces. However, it does seek to protect existing open spaces under Policy E3. Several Neighbourhood Plans in preparation are seeking to designate Local Green Spaces and this is considered to be a more appropriate mechanism to identify sites of such significant community value.</u></p> <p><u>Policy CS12 stated that in preparing the Local Plan Part 2, potential areas suitable for wind energy will be considered and the plan will identify any suitable areas. The Council considers that given the need in the National Planning Policy Framework for proposals for wind energy to have the full backing of the local community it is considered that it would be more appropriate for such suitable areas to be identified in a Neighbourhood Plan where proposals are subject to a referendum. The Council has no specific evidence at present to suggest where suitable areas for wind turbines might exist but will help support Neighbourhood Plans in identifying them if requested.</u></p>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
MM3	11	Paragraph 1.6, Table 3.1, Table 3.5, Table 3.7, Table C.1, Table C.2, Picture C.1 , Table C.3	See Appendix 2 of Schedule for modifications to housing provision numbers-.
MM4	12	(New Heading, Policy & Supporting Text) New policy - Policy UCS4	<p>[Before Policy UCS7, insert:]</p> <p>[Heading] <u>Amendments to CS4 - Delivering affordable housing</u></p> <p>[Insert a new policy:]</p> <p><u>Policy UCS4: Amendments to CS4 - Delivering affordable housing</u></p> <p><u>Paragraph a) of Policy CS4 is amended to read:</u></p> <p>a) Maximise the provision of additional affordable housing within the overall provision of new residential developments. Table 7 below indicates the affordable housing thresholds and percentage targets that will be sought through negotiation for each of the housing sub-market areas. In order to decide whether a particular site exceeds the requisite size thresholds set out above, the Council will assess not only the proposal</p>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)																
			<p>submitted but also the potential capacity of the site. Affordable housing provision for key sites will be considered separately, in accordance with policies CS17 and CS18</p> <p><u>Table 7 Affordable housing sub-market area' is amended to read:</u></p> <table> <tr> <th></th><th></th><th>Threshold figure</th><th>Percentage sought[<i>new footnote: X.</i>]</th></tr> <tr> <td>Affordable housing sub-market area 1</td><td>Caister-on-Sea, Gorleston, Great Yarmouth North and Northern Rural</td><td>5 dwellings <u>10 dwellings or site area of 0.5 hectares or more</u></td><td>20% affordable</td></tr> <tr> <td>Affordable housing sub-market area 2</td><td>Bradwell, Great Yarmouth South and South Quay, Gorleston West and South West Rural</td><td>5 dwellings <u>10 dwellings or site area of 0.5 hectares or more</u></td><td>10% affordable</td></tr> <tr> <td>Affordable housing sub-market area 3</td><td>Great Yarmouth Town Centre</td><td>15 dwellings <u>or site area of 0.5 hectares or more</u></td><td>10% affordable</td></tr> </table>			Threshold figure	Percentage sought[<i>new footnote: X.</i>]	Affordable housing sub-market area 1	Caister-on-Sea, Gorleston, Great Yarmouth North and Northern Rural	5 dwellings <u>10 dwellings or site area of 0.5 hectares or more</u>	20% affordable	Affordable housing sub-market area 2	Bradwell, Great Yarmouth South and South Quay, Gorleston West and South West Rural	5 dwellings <u>10 dwellings or site area of 0.5 hectares or more</u>	10% affordable	Affordable housing sub-market area 3	Great Yarmouth Town Centre	15 dwellings <u>or site area of 0.5 hectares or more</u>	10% affordable
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			<p><i>[Insert the following supporting paragraph for Policy UCS4:]</i></p> <p><u>Policy Justification and Supporting Text</u></p> <p><u>X.X Policy CS4 of the Core Strategy sets out affordable housing requirements for new residential developments. Table 7 of the Policy sets out development size thresholds where affordable housing will be sought. Sites of 5 or more dwellings in sub-market areas 1 and 2 are required to provide affordable housing and site of 15 or more dwellings are required to provide affordable housing in sub-market area 3. Since the adoption of the Core Strategy there have been revisions to national planning policy with respect to the thresholds for affordable housing requirements. The National Planning Policy Framework clarifies that the provision of affordable housing should not be sought for developments that are not 'major sites' (for housing, 10 or more homes or sites of an area over 0.5 hectares or more), other than in rural designated areas (where policies may set out a lower threshold of 5 units or fewer). Therefore, Policy UCS4 amends Table 7 with respect to the thresholds to reflect this change in national planning policy, together with its associated exemptions.</u></p> <p><i>[Insert new footnote x]</i></p> <p><u>The only potential exemptions from the requirements of Table 7 are through case-by-case consideration of development viability in the limited specific circumstances as set out in Policy GSP8, or those that are otherwise set out in national policy</u></p>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
MM5	12	(New Heading, Policy & Supporting Text) New policy - Policy UCS5	<p>[Before Policy UCS7 but after UCS4 as above, insert:]</p> <p>[Heading] <u>Amendments to CS5 - Meeting the needs of gypsies, travellers and travelling showpeople</u></p> <p>[Insert a new policy:]</p> <p><u>Policy UCS5: Amendments to CS5 - Meeting the needs of gypsies, travellers and travelling showpeople</u></p> <p><u>Paragraph a) of Policy CS5 is amended to read:</u></p> <p>a) Safeguard the existing travellers site at Gapton Hall (25 25 24 pitches) for use by gypsies and travellers, <u>and explore opportunities for the reconfiguration and/or extension of the site to meet identified needs.</u></p> <p><u>Paragraph b) of Policy CS5 is amended to delete:</u></p> <p>b) Seek to identify 10 additional permanent pitches for use by gypsies and travellers within the borough</p> <p><u>Amend Policy CS5 to include a new paragraph after e):</u></p> <p><u>f) The Council commits to an immediate review of the evidence in relation to the needs of gypsies, travellers and travelling showpeople following adoption of the Local Plan Part 2 as part of the Local Plan Review.</u></p>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			<p><i>[Insert the following supporting paragraphs for Policy UCS5]</i></p> <p><u>Policy Justification and Supporting Text</u></p> <p><u>X.XX Policy CS5 of the Core Strategy sets out the Council's approach to meeting the needs of gypsies, travellers and travelling showpeople. The policy was based upon the conclusions of the Council's 2013 Strategic Housing Market Assessment (SHMA), setting out a requirement to identify 10 additional permanent pitches for gypsies and travellers, in addition to the safeguarding of the existing traveller's site at Gapton Hall for 25 pitches. The policy also provided a criterion-based approach to allow additional sites to come forward where necessary and in accordance with the policies of the plan.</u></p> <p><u>X.XX The Planning policy for traveller sites (August 2015) was published at a late stage of the examination of the Core Strategy and reflected a national policy shift in the approach with respect to planning for, and meeting the need of gypsies and travellers. As a consequence, the evidence has necessarily been updated to reflect national policy following the adoption of the Core Strategy and has informed the approach taken in this Plan. This has coincided with a recalculation of the borough's needs for new gypsies and travellers' pitches, as concluded in the Council's most up-to-date evidence base [footnote - 'RRR Consultancy (Norfolk Caravans and Houseboats Accommodations Needs Assessment including for Gypsies, Travellers and Travelling Show people) October 2017'], published in October 2017. This calculated a revised need for new gypsy and traveller pitch provision is 4 pitches. This reflects a reduction from 10 new pitches, as required by Core Policy CS5(b).</u></p>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			<p><u>X.XX Following the adoption of the Core Strategy the Council has not received any planning applications in relation to, nor received any sites put forward for consideration in the Local Plan Part 2 for, gypsy and travellers sites. Consequently, the Council considers that it is neither justified nor effective to retain the existing requirement in Core Policy CS5b) to identify land for 10 additional permanent pitches and thus it is proposed to remove this requirement in the policy.</u></p> <p><u>X.XX To help ensure that the plan brings forward opportunities to meet the most recent evidence of reduced need, it is proposed to amend Core Policy CS5(a) to allow the potential reconfiguration and/or extension of the gypsy and traveller site at Gapton Hall to be explored. The Gapton Hall site remains safeguarded in the Local Plan and currently has capacity for 24 gypsy and traveller pitches (18 permanent, 6 transit), however the internal layout of the site has potential to be reconfigured or extended to provide a small number of additional on-site pitches which would help to meet either most or all of the recalculated need by 2030. By amending Policy CS5(a), the Local Plan provides clarity on the Council's approach to meeting this need.</u></p> <p><u>X.XX The Local Plan is sufficiently flexible to potentially allow new sites and pitches to come forward without reliance upon the possible extension of the Gapton Hall site. The criterion-based approach of Policy CS5(d) and Policy GSP1 provide sufficient scope for a range of sites within or outside of the development limits to come forward as windfall to meet this need and any additional need arising for gypsies and travellers during the plan period.</u></p> <p><u>X.XX The current needs assessment was published in 2017 and it is normal practice to review such assessment every five years. Furthermore, the occupation of the</u></p>

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			<u>existing Gapton Hall site has considerably altered following the surveys undertaken to inform the most recent assessment. This affirms the need for an immediate review of the evidence, whilst maintaining a flexible policy to respond to more up-to-date evidence as it becomes available, alongside the criteria-based approach of Policy CS5 for the determination of planning applications. Policy UCS5, therefore, also amends Policy CS5 to include a commitment from the Council to review the assessment of need for gypsies, travellers and travelling showpeople as part of the immediate review of the Local Plan following its adoption.</u>								
MM6	12 -14	Policy UCS7, & paragraphs 1.10, 1.15, 1.21, & new paragraph following 1.21.	<p>[Amend Policy UCS7 as follows:]</p> <p>Policy UCS7: Amendments to CS7 – Strengthening our centres</p> <p><u>Great Yarmouth Town Centre Boundary</u> The Policies Map is amended by the re-alignment of the Great Yarmouth Town Centre Boundary.</p> <p><u>Bradwell District Centre Boundary and Local Centres</u></p> <p>Core Strategy CS7a), Table 12 is amended as follows:</p> <table><tr><td>Classification</td><td>Location</td></tr><tr><td>Main Town Centre</td><td>Great Yarmouth</td></tr><tr><td>Town Centre</td><td>Gorleston-on-Sea</td></tr><tr><td>District Centres</td><td>Bradwell (Proposed)Beacon Park and Caister-on-Sea</td></tr></table>	Classification	Location	Main Town Centre	Great Yarmouth	Town Centre	Gorleston-on-Sea	District Centres	Bradwell (Proposed) Beacon Park and Caister-on-Sea
Classification	Location										
Main Town Centre	Great Yarmouth										
Town Centre	Gorleston-on-Sea										
District Centres	Bradwell (Proposed) Beacon Park and Caister-on-Sea										

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			<p>Local Centres</p> <p>Well defined groups of shops and services in the borough's villages and main towns, such as The Green, Martham; Bells Road, Gorleston and Northgate Street, Great Yarmouth</p> <ul style="list-style-type: none"> • <u>In Great Yarmouth:</u> <ul style="list-style-type: none"> ○ <u>Northgate Street</u> ○ <u>St Peters Road</u> ○ <u>Beresford Road</u> ○ <u>Camden Terrace</u> • <u>In Gorleston-on-Sea:</u> <ul style="list-style-type: none"> ○ <u>Bells Road</u> ○ <u>Magdalen Way</u> ○ <u>Lowestoft Road</u> ○ <u>Church Lane</u> ○ <u>Almond Road</u> • <u>In Bradwell:</u> <ul style="list-style-type: none"> ○ <u>Burgh Road</u> ○ <u>Crab Lane</u> • <u>In Caister-on-Sea:</u> <ul style="list-style-type: none"> ○ <u>(Proposed) Land west of Jack Chase Way, as allocated by Policy CA1</u> • <u>In Belton:</u> <ul style="list-style-type: none"> ○ <u>Bell Lane</u> • <u>In Hemsby:</u> <ul style="list-style-type: none"> ○ <u>Kings Way, including land allocated for small-scale</u>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)	
				<p style="text-align: center;"><u>shopping facilities under Policy HY1</u></p> <ul style="list-style-type: none"> • <u>In Martham</u> <ul style="list-style-type: none"> ○ <u>The Green</u> • <u>In Ormesby St Margaret:</u> <ul style="list-style-type: none"> ○ <u>North Road/Cromer Road</u> • <u>In Winterton-on-Sea:</u> <ul style="list-style-type: none"> ○ <u>Black Street</u> <p>a. to read 'District Centres: Bradwell (Proposed) Beacon Park and Caister on-Sea; and b. by the addition to the The Policies Map is amended to show of a District Centre Boundary for Beacon Park.</p> <p><u>Retail Requirements</u></p> <p>Core Strategy CS7b) is amended to delete:</p> <p>c. Seek to allocate in accordance with the retail hierarchy and the sequential approach between 2,152sqm (net) and 4,305 sqm (net) of new 'food' shopping floorspace, and up to 8,865 sqm (net) of new 'non-food' shopping floorspace, in identified opportunity sites in the borough, up to 2031.</p>

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			<p><i>[Amend the following supporting paragraphs:]</i></p> <p>1.10 A fundamental change is the creation of a new Primary Shopping Area 'PSA' in Great Yarmouth, designated to be the main area where new town centre uses, particularly retail, will be focused. The PSA is a smaller, more compact area than the 2015 town centre boundary, and wraps around the traditional 'heart' of the town centre, the main retail core fixed around the Market Place and the principal retailing streets contiguous to it. New retail development proposals will need to have regard to the PSA first when applying the necessary sequential and impact tests. This will help to prioritise retail growth at the heart of Great Yarmouth and is consistent with national policy. Further direction on the application of sequential and impact assessments are provided in Policy R1 and CS7 <u>(as amended)</u>.</p> <p>1.15 Policy CS7 <u>(as amended)</u> of the Core Strategy identifies a 'Retail Hierarchy' for the Borough. Bradwell was identified as a 'proposed' District Centre. At the time of the Core Strategy's preparation the proposals for the major housing and other growth in the area were not sufficiently advanced for certainty about the location and nature of such a centre. Since that time the progress of development and planning permissions in the general Bradwell area allows the location to be defined.</p> <p>1.21 On the basis of the current evidence <u>published since the adoption of the Core Strategy</u>, there is <u>no longer a quantitative need for new food and non-food shopping floorspace. Consequently, there is</u> not a requirement under national policy for the Council to specifically identify and allocate sites for new retail-led development <u>and therefore Policy UCS7 it has been proposed to delete the previous-existing retail requirement provided in Policy CS7b).</u> Notwithstanding this, <u>there is evidence of a limited number of locational based requirements and accessibility deficits in localised shopping provision that will need to be addressed, including to support the delivery of some of the</u></p>

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			<p><u>allocations in this Plan. Therefore</u>, where market interest and demand does arise for new retail development, this will be supported in the town, and district <u>and local</u> centres in accordance with the plans retail hierarchy in Policies CS7 <u>(as amended)</u>, CS17, R1, <u>R5</u> and BL1 and on the land allocated by Policy CA1 to create a new local centre in Caister <u>and on the land allocated by Policy HY1 for small scale shopping facilities.</u></p> <p><i>[Following paragraph 1.21 insert new sub-heading & paragraph:]</i></p> <p><u>Local Centres</u></p> <p><u>X.XX Policy R5 of the Local Plan Part 2 identifies Local Centres on the Policies Map and sets out policy requirements. Given the list of local centres is now more precise than what was referenced in Policy CS7 it is considered necessary to update this list to ensure consistency with Policy R5. Given that the Local Plan Part 2 allocates land for a further Local Centre at Caister to help create a mixed use development which reduces the need to travel and support and strong vibrant new community, it is considered necessary to also specifically identify this as well. Policy HY1 allows for small scale retail which will in effect expand the Local Centre in Hemsby for the benefit of local people and tourists alike. Therefore, this Policy is also cross-referenced in the amendments to Policy CS7 for consistency.</u></p> <p><i>[Amend the following paragraph under Policy R5]</i></p> <p>7.17 Local Centres are identified in the Core Strategy retail hierarchy (<u>Policy CS7, as amended</u>) below Town and District Centres. Local Centres perform a more limited but important role to provide local residents, and particularly the less mobile and elderly, with day-to-day goods and services. Local Centres typically include a convenience store, post</p>

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			<p>office, pharmacy, newsagent and other shops selling food and beverage. In the Borough, Local Centres have been designated in the following nine locations:</p> <ul style="list-style-type: none"> • Northgate Street, St Peters Road, Beresford Road & Camden Terrace, in Great Yarmouth • Bells Road, Magdalen Way, Lowestoft Road, Church Lane & Almond Road in Gorleston-on-Sea • Burgh Road & Crab Lane, in Bradwell • (Proposed) Land west of Jack Chase Way, Caister-on-Sea • Bell Lane, in Belton • Kings Way, in Hemsby • The Green, in Martham • North Road/Cromer Road, in Ormesby St Margaret • Black Street, Winterton-on-Sea • <u>In Great Yarmouth:</u> <ul style="list-style-type: none"> ○ <u>Northgate Street</u> ○ <u>St Peters Road</u> ○ <u>Beresford Road</u> ○ <u>Camden Terrace</u> • <u>In Gorleston-on-Sea:</u> <ul style="list-style-type: none"> ○ <u>Bells Road</u> ○ <u>Magdalen Way</u> ○ <u>Lowestoft Road</u> ○ <u>Church Lane</u> ○ <u>Almond Road</u> • <u>In Bradwell:</u> <ul style="list-style-type: none"> ○ <u>Burgh Road</u> ○ <u>Crab Lane</u>

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			<ul style="list-style-type: none"> • <u>In Caister-on-Sea:</u> <ul style="list-style-type: none"> ◦ <u>(Proposed) Land west of Jack Chase Way, as allocated by Policy CA1</u> • <u>In Belton:</u> <ul style="list-style-type: none"> ◦ <u>Bell Lane</u> • <u>In Hemsby:</u> <ul style="list-style-type: none"> ◦ <u>Kings Way, including land allocated for small scale shopping facilities under Policy HY1</u> • <u>In Martham:</u> <ul style="list-style-type: none"> ◦ <u>The Green</u> • <u>In Ormesby St Margaret:</u> <ul style="list-style-type: none"> ◦ <u>North Road/Cromer Road</u> • <u>In Winterton-on-Sea:</u> <ul style="list-style-type: none"> ◦ <u>Black Street</u>
MM7	15	Policy GSP1	<p>Policy GSP1: Development Limits</p> <p>Development Limits are defined on the Policies Map. Development will be supported in principle within the Development Limits <u>subject to compliance with other relevant policies in the development plan.</u></p> <p>Development will not be permitted on land outside of Development Limits except where:</p> <ol style="list-style-type: none"> it comprises the use and development of land associated with agriculture or forestry <u>agricultural or forestry development;</u> it comprises the provision of utilities and highway infrastructure; or

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			c. specific policies in the Local Plan indicate otherwise.
MM8	17 - 18	Policy GSP2 & paragraphs 2.7, 2.8 & a new paragraph following 2.9	<p>[Amend Policy GSP2 as follows:]</p> <p>Policy GSP2: Housing requirements for Neighbourhood Plan Areas</p> <p>The 'indicative housing requirement' for the following designated Neighbourhood Areas will be zero is zero:</p> <ul style="list-style-type: none"> a. Rollesby b. Hopton-on-Sea c. Winterton-on-Sea d. Hemsby e. Fleggburgh (including Billockby and Clippesby) f. Filby g. Any future designated neighbourhood areas <p>Neighbourhood Plans can allocate land for housing within or outside of the defined Development Limits in addition to the above requirement. In these cases, this will be judged in consideration of:</p> <ul style="list-style-type: none"> h. the proportion of overall planned Borough housing growth indicated for that tier of the settlement hierarchy by Core Policy CS2; i. the relationship of the site to the existing built up area of the settlement; j. the settlement size, provision of and access to local services and facilities and infrastructure (including road, pedestrian and cycle access); and

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			<p>k. the conservation and enhancement of the landscape, heritage, environment and wildlife qualities of the area and its surroundings, with particular regard to formal designations of these (where applicable).</p> <p><i>[Amend the following supporting paragraphs:]</i></p> <p>2.7 A Neighbourhood Plan can allocate sites for development including housing. In accordance with paragraphs 65 and 66 of the NPPF, the above policy sets out the indicative housing requirement figures for the Borough's designated Neighbourhood Areas and this is zero. This includes those parts of Neighbourhood Areas, where applicable, which lie within the Broads Authority area. This is due to the provision of housing through existing commitments and the consideration of housing from elsewhere within the Borough to meet the overall housing need of the Borough. Whilst the requirement is zero for each area, this should not discourage or prohibit Neighbourhood Plans from allocating housing <u>to respond to the latest evidence of local housing need</u>, provided that the policy criteria is met. The policy criteria ensures that housing allocations that do come forward through Neighbourhood Plans will be in accordance with the Local Plan to provide housing strategically across the Borough. <u>Some Neighbourhood Areas are both within the Great Yarmouth Borough Council planning area and the Broads Authority planning area. The Broads Authority do not allocate a housing figure for neighbourhood plans. So, the target remains at zero for any Neighbourhood Plan areas that are also within the Broads Area.</u></p> <p>2.8 Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan. The above policy criteria primarily builds upon Policy CS2 which sets out the broad locations for growth based on the scale and level of service provision in settlements within the Borough. It is important that any new development is of an appropriate scale, well</p>

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			<p>located to access local services and facilities <u>(such as schools, shops and access to public transport)</u>, which will complement the existing built form of settlements, and will not have any significant adverse effect upon designated landscape, heritage, or ecological assets and be in conformity with other policies in the Core Strategy.</p> <p><i>[Following paragraph 2.9 insert the following new paragraph:]</i></p> <p><u>X.X The housing requirement as set out in Policy GSP2 does not prohibit unplanned 'windfall' development from coming forward within Neighbourhood Plan Areas, where proposals are compliant with other relevant policies of the Development Plan.</u></p>
MM9	19	Policy GSP3	<p>Policy GSP3: Strategic gaps between settlements</p> <p>The gaps between the following built up areas, will be protected from development which <u>individually or cumulatively</u>, significantly reduces either the physical size of the gaps themselves, their general openness or, where relevant, their rural character at:</p> <ol style="list-style-type: none"> Great Yarmouth and Caister-on-Sea; Bradwell and Belton; Gorleston-on-Sea and Hopton-on-Sea; Caister-on-Sea and Ormesby St Margaret, and Hopton-on-Sea and Corton (East Suffolk Local Planning Authority Area).
MM10	20	Policy GSP4	<p>Policy GSP4: New development in Coastal Change Management Areas</p> <p>Land to the seaward side, of the Coastal Change Management Area Line as identified on the Policies Map is defined as a Coastal Change Management Area. <u>Robust evidence (such as</u></p>

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			<p><u>a review of the Shoreline Management Plan) that emerges over the lifetime of the plan which revises the area at risk from coastal change will be considered when determining whether a proposal is within the Coastal Change Management Area or not.</u> Within the Coastal Change Management Area development will be carefully controlled to minimise risk to life and property, to avoid increasing the pressure for new or improved coastal defences, and to guard against development which could have adverse impacts on coastal erosion and vulnerability elsewhere.</p> <p>Coastal management proposals will be supported where these are consistent with the Shoreline Management Plan recommendations, and can be demonstrated not to have significant adverse impacts elsewhere.</p> <p>Where development is proposed in the 20 year erosion 'horizon' of the Shoreline Management plan, only a limited range of development types directly linked to the coastal strip, such as beach huts, cafes/tea rooms, car parks and sites used for holiday or short-let caravans and camping will be permitted and appropriately time limited through conditions.</p> <p>Other development will be permitted where it:</p> <ul style="list-style-type: none"> a) is demonstrated to be a compatible form of development in regard to any anticipated potential increase in erosion and flood risk due to coastal change during the planned life of the development having regard to the indicative erosion zones identified in the Shoreline Management Plan; and b) will provide a wider benefit to the local coastal community and/or economy; and c) would not impact significantly on the stability of the coastline, the rate of shoreline change, or increase demands for investment in coastal defences.

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			<p>Permanent new residential development will not be permitted within the Coastal Change Management Area.</p> <p>All planning applications for development within the Coastal Change Management Area and 30 metres inland beyond it must be accompanied by a Coastal Erosion Vulnerability Assessment which demonstrates that the development will not result in an increased risk to life or property.</p>
MM11	23 - 25	Policy GSP5 & paragraphs 2.23, 2.24, 2.25, new paragraphs following 2.25, 2.27, 2.28 & 2.30	<p>[Amend Policy GSP5 as follows:]</p> <p>Policy GSP5: Internationally protected National Site Network designated habitats <u>sites</u> and species impact avoidance and mitigation</p> <p>Natura 2000 National Site Network designated <u>habitat</u> sites in and around the Borough will be protected from likely significant effects through implementation of the Borough Council's Habitats Monitoring and Mitigation Strategy.</p> <p>In order to avoid or mitigate the cumulative potential adverse impacts on these sites associated with the occupancy of new housing residential and tourist development, a financial charge will be levied on <u>net</u> new housing or tourist accommodation development in the Borough, and applied to monitoring and mitigation measures under the guidance of an expert advisory panel.</p> <p>In order to avoid or mitigate the cumulative potential adverse impacts arising from particular housing <u>such</u> development sites by virtue of their size and/or proximity to Natura 2000 National Site Network designated <u>habitat</u> sites, site specific measures will also be required.</p>

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			<p><u>Cumulative Impacts</u></p> <p>New housing residential and tourist accommodation development in the identified areas will be required to make the specified financial contribution to the Council's Monitoring and Mitigation Programme to address its cumulative contribution to likely significant effects on designated Natura 2000 National Site Network habitat sites.</p> <p>The charge will be updated annually to reflect inflation. The level of charge and identified areas will be kept under review as part of the Monitoring and Mitigation programme and adjusted if this is found necessary.</p> <p><u>Emerging Evidence</u></p> <p>The Norfolk planning authorities are working together to identify and mitigate the wider strategic impacts of recreational pressure on Natura 2000 National Site Network habitat sites. As a result of these findings, the charge may be updated and the details incorporated into a Supplementary Planning Document where appropriate.</p> <p><u>Specific Impacts</u></p> <p>Where a proposed residential or tourist accommodation development is identified (in the allocation of the site, or in the process of considering the planning application) as having, in itself, a potential significant adverse impact on a Natura 2000 National Site Network designated habitat site or sites, permission will be subject to the specific provision of suitable mitigation measures appropriate to the circumstances. These may typically include one or more of the following.</p>

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			<p>a. Enhanced informal recreational provision [Sustainable Accessible Natural Greenspace], on (or in close proximity to) the site to limit the likelihood of additional recreational pressure (particularly that relating to exercising dogs) on nearby relevant nature conservation sites. This provision will be likely to consist of an integrated combination of:</p> <ul style="list-style-type: none"> • informal open space (over and above the Council's normal standards for play space); • landscaping, including landscape planting and maintenance; and • a network of attractive pedestrian routes (and car access to these where they are not adjacent to the development sites), which provide a variety of terrain, routes and links to the wider public footpath network. <p>b. A financial contribution (in addition to the standard cumulative charge indicated above) to enhanced management of nearby designated nature conservation sites and/or alternative green space.</p> <p>c. A programme of publicity to raise awareness of relevant environmental sensitivities and of alternative recreational opportunities.</p> <p><u>Project-level Habitat Regulations Assessment</u></p> <p>Where necessary, planning applications will need to be supported by a Habitat Regulations Assessment (HRA). To provide sufficient information for the Borough Council to make a determination as the competent authority, applicants will be required to submit a shadow HRA <u>[new footnote: A Shadow Habitat Regulations Assessment is a report which provides evidence to inform the Council's duty as competent authority to complete the Habitat Regulations Assessment prior to any approval of planning permission]</u> setting out where there may be likely significant effects, where necessary undertaking Appropriate Assessment, and providing details of avoidance and/or mitigation measures to</p>

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			<p>protect the integrity of the relevant Natura 2000 <u>National Site Network habitat</u> site or <u>sites</u>.</p> <p>Where adverse effects on a Natura 2000 <u>National Site Network habitat</u> site <u>or sites</u> cannot be ruled out, planning permission will not be granted. <i>[Amend the following supporting paragraphs:]</i></p> <p>2.23 In accordance with Core Strategy Policy CS11 (b) and (c), the above policy supports on the work of the Habitats Monitoring and Mitigation Strategy, in addressing likely significant effect on internationally protected sites (Natura 2000 Sites) <u>National Site Network habitat sites</u> resulting from increased visitor pressures from new planned development. This Plan is supported and evidenced by a Habitat Regulations Assessment (HRA) Report. The HRA concludes that following the implementation of the monitoring and mitigation measures set out in the Habitats Monitoring and Mitigation Strategy, it is likely that there will be no significant effects on Natura 2000 <u>National Site Network habitat</u> sites through the new planned development of this Local Plan.</p> <p>2.24 Of particular relevance, are the following Natura 2000 <u>National Site Network habitat</u> S<u>ites</u>: Winterton-Horsey Dunes Special Area of Conservation (SAC), North Denes Special Protection Area (SPA), Breydon Water SPA and Ramsar site, Broadland SPA and Ramsar site, and The Broads SAC. One of the main identified impacts from the Plan's HRA is the increased recreational pressures at Winterton-Horsey Dunes SAC and North Denes SPA, both of which provide nesting habitat for the protected little tern colonies.</p> <p>2.25 The policy sets an initial planning contribution (<u>currently £110</u>, updated annually <u>or when new evidence arises</u>) per new dwelling (or equivalent, including tourist accommodation) to facilitate the implementation of a suite of monitoring and mitigation</p>

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			<p>measures identified in the Habitats Monitoring and Mitigation Strategy. The charge applies across the Borough <u>and is mandatory in order to comply with the Habitat Regulations. As such the contribution will not be reduced due to reasons of viability in the limited circumstances otherwise set out in Policy GSP8.</u> The Borough is relatively small and therefore has relatively short travel distances to access nearby Natura 2000 <u>National Site Network habitat Sites</u>, which may result in increasing visitor pressures from new residential development (as noted in the Visitor Surveys at European Protected Sites across Norfolk during 2015 & 2016) <u>which further affirms the requirement for the mandatory approach taken by Policy GSP5 and relative to Policy GSP8.</u></p> <p><i>[Insert new paragraphs following 2.25]</i></p> <p><u>X.XX A single charge per net dwelling unit will be levied. For caravans and hotels where single unit sizes can vary substantially, the charge will apply per six bed-spaces. Other forms of tourist development such as holiday attractions or supporting facilities such as car parks will be considered on a case by case basis, supported by a project-level shadow HRA submitted by the applicant that should identify potential impacts and appropriate mitigation.</u></p> <p><u>X.XX Charges must relate to net increased recreational pressures. Therefore, residential extensions and replacement dwellings are exempt from the charge. Other special reductions or exemptions in charges will only be considered where it is clearly demonstrated that the additional bed-spaces developed will not result in any additional recreational visits to protected sites (e.g. types of residential institution where the residents are not mobile). Where such special reductions/exemptions are given, conditions or other measures will be used to</u></p>

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			<p><u>limit the use accordingly, in order that the charge can be applied in the event that the circumstances justifying the reduction or exemption no longer pertained.</u></p> <p>2.27 Depending of the type, extent and location of development, there is the potential to require further financial contributions to ensure the protection of Natura 2000National Site Network habitat Sites from new development. Residential development sites within immediate proximity to Natura 2000National Site Network habitat Sites, and tourist development (including tourist development that does not result in new accommodation), may be applicable for separate, additional contributions where these have been identified as more likely to give rise to increased visitor pressures or create direct adverse impacts. These may be collected by Section 106 agreements or by other means such as Section 111 undertakings.</p> <p>2.28 A number of Natura 2000National Site Network habitat Sites extend beyond local plan boundaries. The Borough Council is working collaboratively with other authorities (for example, through the Norfolk Strategic Planning Framework) to ensure that the impacts of planned development are considered and dealt with strategically across local plan boundaries. Depending on the outcome of this work, it may be that the charge is updated. In the event of this, the up-to-date details would be set out in a Supplementary Planning Document where appropriate, or alternatively or as part of a reviewed local plan document.</p> <p>2.30 Following recent case law¹, it is important that Appropriate Assessment is undertaken before any mitigation measures are applied to deal with potential adverse effects. The above policy therefore sets out that in such cases a project-level HRA will be required, with applicants preparing a shadow HRA to provide evidence for the to inform the Borough Council's to determine determination on such matters as competent authority. To simplify</p>

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			<p>this process for low-impact developments (i.e. those located further than 400m away from Natura 2000 National Site Network habitat Sites and of a smaller scale of less than 10 dwellings or 1-20 tourist bed spaces) may be able to use the Borough Council's template HRA from its website [provides hyperlink]. In all other cases, applicants will be expected to provide their own shadow HRA undertaken by an appropriate qualified individual (such as an ecologist).</p>
MM12	26	Policy GSP6 & new paragraph following 2.31	<p>[Amend Policy GSP6 as follows:]</p> <p>Policy GSP6: Green Infrastructure</p> <p><u>To contribute to and enhance the natural environment, provide a proactive approach to mitigating and adapting to climate change and deliver net-gains for biodiversity.</u> Opportunities will be sought <u>through development</u> to strengthen and extend the area's Green Infrastructure network, <u>including</u> for the benefit of nature conservation, recreation or landscapes, <u>creating resilience to current and future pressures on the ecological network</u> or any appropriate combination of these.</p> <p>Particular endeavours will be made in this regard:</p> <ol style="list-style-type: none"> along the coast, and the Yare and Bure valley corridors; in the vicinity of The Broads, where this helps conserve or enhance its natural beauty, wildlife or cultural heritage, or its enjoyment by the public; and in, or in the vicinity of, the Norfolk Coast Area of Outstanding Natural Beauty, where this helps conserve or enhance its natural beauty; <u>and</u> <u>along other important ecological corridors or to support priority habitats or species</u>

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			<p>The Borough Council will work with the other Norfolk planning authorities to develop a Countywide strategy to improve Green Infrastructure provision, in order to accommodate growth while improving nature conservation, landscape, quality of life and encouraging healthy lifestyles.</p> <p><i>[Insert new supporting text paragraph following 2.31]</i></p> <p><u>X.XX The Local Plan Policies Map does not define specific designated sites or ecological corridors, these designations are generally made and defined by other organisations. The Borough Council will work with other conservation bodies to identify, protect and enhance the natural environment. In accordance with Policies GSP5 and GSP8 of this plan and CS11 of the Core Strategy and national planning policy, the Borough Council will continue to protect and where possible enhance the hierarchy of international, national and local designated sites, to support the measures of Biodiversity Action Plans, and take advantage of opportunities to strengthen the wider ecological network. The Council when determining planning applications for development will have regard to national planning policy on protection and recovery of priority species.</u></p>
MM13	28 - 30	Policy GSP8 & paragraphs 2.40, new paragraphs following 2.40, 2.44, 2.45 & new paragraph	<p><i>[Amend Policy GSP8 as follows:]</i></p> <p>Policy GSP8: Planning obligations</p> <p>To provide necessary infrastructure and facilities, the Council will consider the need to require planning obligations where they are:</p> <ol style="list-style-type: none"> are necessary to make the development acceptable, directly related to the development and fairly and reasonably related in scale and kind to the development; and

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		following 2.45	<p>b. cannot be secured by a planning condition.</p> <p><u>In the above circumstances, the following types of planning obligations may be considered for residential development:</u></p> <ul style="list-style-type: none"> c. Affordable housing, in accordance with Policies CS4 <u>(as amended by Policy UCS4)</u>, H1 & H2. d. Educational needs; unless the proposal comprises: <ul style="list-style-type: none"> o entirely 1 bed accommodation; or is o limited by a specific age-related restriction e.g. sheltered housing. e. Library needs; unless the proposal comprises: <ul style="list-style-type: none"> o residential care homes; or o student accommodation. f. Healthcare needs g. Pedestrian and highway safety improvements. h. Recreational open space and green infrastructure, in accordance with Policy H4. i. Natura 2000 <u>National Site Network designated habitat sites</u> M<u>m</u>onitoring and M<u>m</u>itigation measures, in accordance with Policies CS11 & GSP5. <p>Other contributions may be considered where necessary to make development proposals acceptable in planning terms <u>they meet criteria a. and b. (as above)</u>.</p> <p>Development viability with respect to planning obligations will only be considered at the planning application stage under limited exceptional <u>particular</u> circumstances where:</p> <ul style="list-style-type: none"> j. the cumulative total for planning obligations would exceed £15,000 per unit in addition to the affordable housing requirement under Policy CS4 <u>(as amended by Policy UCS4)</u>; or k. the development scheme is on previously developed land.

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			<p><i>[Amend the following supporting paragraphs:]</i></p> <p>2.40 Many of the common planning obligations sought relate to Norfolk County Council matters such as the provision of roads, schools, libraries and fire hydrants. Where relevant, development proposals should have regard to Norfolk County Council's 'Planning Obligations Standards' (available to view at: https://www.norfolk.gov.uk/rubbish-recycling-and-planning/planning-applications/planning-obligations). This provides information on the calculation and level at which these planning contributions will be sought, and is reviewed each year to take account of any changes in national guidance or standards, as well as inflation. These standards, together with an assessment of need have informed the level of financial contributions required for the housing allocations in this Local Plan.</p> <p><i>[Insert new supporting text paragraphs following 2.40:]</i></p> <p><u>XX.X For those infrastructure items listed in the policy from c. to f., such contributions will generally be sought where there is an identified infrastructure need. There may be some circumstances where specific locations benefit from a surplus of such infrastructure provision. In such circumstances, where there is an identified surplus of infrastructure provision to support the proposed development and where improvements to the quality or condition of existing infrastructure are otherwise not required, the Borough Council will not seek contributions for these.</u></p>

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			<p><u>X.XX To assist with the deliverability of development in circumstances where evidence is provided to demonstrate that payments could reasonably be staged and where such infrastructure is not required prior to the commencement of that development, the Borough Council will consider the staging of payments at appropriate phases within the build out of large scale development.</u></p> <p>2.44 Planning obligations will also be sought for monitoring and mitigation measures to address likely impacts on Natura 2000 National Site Network habitat sites. This will be required for the majority of new residential and tourism development coming forward during the Local Plan. The thresholds at which detailed approach relating to this planning obligation will be sought is provided in further detail Policy GSP5.</p> <p>2.45 National policy and guidance is clear that planning applications will be considered as viable where they comply with planning contributions set out in up to date policies, and only in exceptional particular circumstances will the consideration of viability be appropriate. The Local Plan Part 2 viability assessment indicates that viability is likely to be challenging on brownfield sites (i.e. previously developed land) and in situations where the cumulative total for planning obligations would exceed £15,000 per unit in addition to the affordable housing requirement. Therefore, in these scenarios the Council will consider lowering affordable housing and planning obligation requirements where robust viability evidence is submitted with a planning application. In all cases, viability assessments will need to be in compliance with the national planning practice guidance and have regard to other professional guidance published by the Royal Institute of Chartered Surveyors or other professional bodies. Where viability is a matter at the development stage, changes to the affordable housing tenure mix should be considered before reducing the overall target or other planning obligation requirements as this may improve viability sufficiently.</p>

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			<p><i>[Insert new paragraph following 2.45]</i></p> <p><u>X.XX National Planning Practice Guidance is clear that planning obligations can be negotiable to provide flexibility in ensuring that planning permissions respond and scheme specific circumstances. Nevertheless, any negotiation on planning obligations which would lead to development proposals and/or would create unacceptable impacts (such as upon highway safety) would be resisted, as such circumstances would likely result in refusal of planning permission.</u></p>
MM14	34	Policy GY1	<p>Policy GY1: Great Yarmouth Town Centre</p> <p>The Great Yarmouth Town Centre Boundary, Primary Shopping Area and Protected Shopping Frontage is defined on the Policies Map.</p> <p>Main Town Centre Use Development (falling within use classes A1, A2, A3, A4, A5, C1, D1, D2 and B1a <u>as defined by the National Planning Policy Framework</u>) will be permitted within the Great Yarmouth Town Centre Area <u>in accordance with Policy R1 and Policy CS7 of the Core Strategy (as amended by Policy UCS7).</u></p> <p>Proposals for the change of use of active ground floor uses outside of the Protected Shopping Frontage area will only be permitted where it would not individually or cumulatively have a significant adverse impact on the character, appearance, retail function, viability or vitality of the centre. <u>Within Protected Shopping Frontages, changes of use will be considered in accordance with Policy R2.</u></p> <p>To support the continued viability and vitality of Great Yarmouth town centre, consideration will be given to:</p>

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			<ul style="list-style-type: none"> a. increasing residential uses within the town centre through the re-purposing of vacant buildings and/or upper floors; b. proposals which enhance and expand the Great Yarmouth Market Place and its associated facilities; c. new development proposals which re-purpose, reconfigure or potentially redevelop vacant or underutilised buildings and space to improve the vitality, appearance, permeability and connectivity of the town centre; d. supporting the refurbishment or replacement of shop frontages; or e. measures or enhancements which improve the appearance, safety and environmental quality of the area and public realm. <p>Within the town centre, improvements to car parking provision will be considered where this:</p> <ul style="list-style-type: none"> f. makes the town centre a more attractive place to shop, live or visit; g. supports local businesses; or h. maintains or improve the quality of the townscape. <p>All development proposals should have regard to the Great Yarmouth Town Centre Regeneration Framework and Masterplan and any subsequent updates thereof, including any emerging town centre strategies or policies arising from the outcome of the Future High Street Fund.</p>
MM15	38	Policy GY3	<p>Policy GY3: Hall Quay Development Area</p> <p>Within Hall Quay <u>Development Area, as a specific area within the Great Yarmouth Town Centre Area (Policy GY1) as</u> defined on the Policies Map7. <u>Hall Quay has the potential to contribute to the regeneration of the town centre by improving the public realm and widening the food, drink and leisure offer. Within the Hall Quay</u></p>

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			<p>Development Area new development proposals and uses will be particularly supported where they contribute to any of the following strategic aims:</p> <ul style="list-style-type: none"> a. Addresses a gap in the town centre's food and drink offer. b. Complements and improves the town's early evening and night-time economy. c. Introduces new recreational and leisure uses to support the tourist and visitor economy. d. Helps to bring listed buildings back into permanent active use. <p>The following uses will be focused within buildings which provide principal frontage to Hall Quay.</p> <ul style="list-style-type: none"> e. Food and drink uses (A3 & A4). f. Hotels. g. Retail and office uses (A1, A2 and B1) where these provide active ground floor frontage. h. Residential uses on upper floors. <p>To help deliver the policy aspirations for Hall Quay, the Council will help to bring forward projects and proposals which:</p> <ul style="list-style-type: none"> i. reduce the dominance of traffic and highway uses along Hall Quay; j. improve the public realm and townscape of the area; k. improve pedestrian linkages with the rest of the town centre, utilising The Rows, where possible; or l. encourage improved short stay mooring and information facilities for visiting leisure craft in the general vicinity of Haven Bridge.

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			The adopted Hall Quay Planning Brief Supplementary Planning Document provides further supplementary policy and guidance to more closely define the type, size and form of development to be brought forward through this policy.
MM16	40	Policy GY4 & paragraph 3.28	<p><i>[Amend Policy GY4 as follows:]</i></p> <p>Policy GY4: King Street enhancement area</p> <p>This area of King Street (as defined on the Policies Map), formerly within the Town Centre Area, comprises many buildings of heritage value in a variety of uses.</p> <p>To preserve and enhance the heritage assets, their settings, and overall appeal of this area, the Council will:</p> <ul style="list-style-type: none"> a. encourage the restoration and renovation of existing retail units; b. support the residential conversion of buildings currently in retail a main town centre use; and c. in all development proposals, expect the historic character of the buildings to be enhanced by restoring/retaining attractive features of the building frontage that contribute to the heritage, local distinctiveness and general appearance of King Street. <p><i>[Amend the following supporting text paragraph:]</i></p> <p><u>3.27 The King Street enhancement area was formerly within the Town Centre Boundary as defined by the Policies Map following the adoption of the Core Strategy. It has now been removed from the Town Centre Boundary, as defined by the Policies Map, to allow its diversification beyond a focus upon main town centre</u></p>

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			<p>uses. This policy Policy GY4 provides flexibility to regenerate the area of King Street towards a more residential offer whilst enhancing its historic qualities as a periphery area to the town centre. Such enhancements can take place by retaining and restoring key building features of the facades. These could include (but should not be limited to): doors, windows, sills, arches, balconies, railings, and the continued use of original materials where they are still in place. The policy extends along the length of King Street and incorporates properties which currently provide frontage between 120 to 140 King Street (western side) and 33 - 60 King Street (eastern side).</p> <p>3.28 The Borough Council will ensure that the historic environment and varietymix of retail uses (including main town centre uses where appropriate) will continue to provide a strong 'sense of place' to King Street, which is a vital component in its regeneration. Accordingly, the policy supports the continued use of existing retail units in main town centre use with in this area, particularly where there are opportunities to enhance buildings currently in a poor condition. <u>In considering the heritage value of the buildings and the potential to impact on these, the Borough Council will have regard to Core Strategy policies CS9 and CS10, Policy E5 of this plan and national planning policy.</u></p>
MM17	41	Policy GY5	<p>Policy GY5: Regent Road</p> <p>The Regent Road area defined on the Policies Map will be promoted as a vibrant link between the seafront and town centre in terms of both access and activities.</p> <p>New development proposals and uses will be supported where it:</p> <ol style="list-style-type: none"> provides year-round active ground floor frontage to Regent Road; conserves or enhances the Conservation Area and the setting of any nearby Listed Buildings, particularly with regard to any shopfronts and/or advertisements;

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			<p>c. integrates successfully with any existing residential or holiday accommodation properties in the immediate vicinity, and preserves or enhances the amenities of their occupiers; and</p> <p>d. does not undermine the vitality or viability of Great Yarmouth Town Centre.</p> <p>Subject to the criteria above, the following uses will be supported in Regent Road.</p> <p>e. Ground-floor retail, food and drink uses (A1, A3, A4 & A5).</p> <p>f. Leisure uses (D2).</p> <p>g. Upper floor self-contained residential accommodation.</p> <p>Uses which meet both tourist and local needs would be especially welcomed.</p> <p><i>[Amend the following supporting text paragraphs:]</i></p> <p>3.33 When assessing individual proposals for retail (A1, A3, A4 & A5), food and drink and leisure (D2) uses in Regent Road, these will only be permitted where it provides ground floor frontage to Regent Road and does not exceed 200sqm (net) floorspace. Retail (A1, A3, A4 & A5), food and drink and leisure (D2) uses over 200sqm (net) floorspace, or other main town centre uses will only be considered in Regent Road where these meet the requirements of the retail sequential and impact assessments.</p> <p>3.34 All hot-food/takeaway proposals (A5) will also need to have regard to Policy R7 to ensure that they are compatible with the amenity of the area and do not have any adverse effects on neighbouring uses and occupiers.</p>
MM18	43	Policy GY6	Policy GY6: Great Yarmouth Seafront Area

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			<p>Within the 'Great Yarmouth Seafront Area' as defined on the Policies Map, the Council principally aims to:</p> <ul style="list-style-type: none"> a. encourage year-round, sustainable tourism; b. encourage investment in major new tourism, leisure and entertainment facilities; c. resist the loss of key tourism uses to non-tourism uses; d. conserve the seafront's heritage assets and bring them back into viable, active use where possible; e. promote high quality design; f. maintain and improve the public realm and the area's open spaces; and g. manage access and traffic. <p>The following uses will be generally encouraged within the Great Yarmouth Seafront Area, subject to the consideration of compatibility with the existing surrounding uses and potential impact on the character and setting of the Seafront Conservation Area:</p> <ul style="list-style-type: none"> h. Hotels. i. Self-catering accommodation. j. Bed & Breakfast establishments where the owner is resident on the premises. k. Food and drink uses. l. Holiday entertainment. m. Dance halls and nightclubs. n. Amusement arcades. o. Sport and leisure facilities. p. Other ancillary facilities and uses to support the above.

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			<p><u>SWithin the Great Yarmouth Seafront Area, proposals for</u> self-contained residential apartments, offices and similar business uses will only be permitted on upper floors of buildings. Residential accommodation which is not self-contained, <u>and other forms such as</u> houses of multiple of occupation, hostels and similar uses, will not be permitted within the Seafront Area.</p> <p><i>[Amend the following supporting text paragraphs:]</i></p> <p>3.40 <u>FProposals for</u> food and drink uses such as <u>café/restaurants</u> (A3), pubs <u>drinking establishments</u> (A4) and hot food takeaways (A5) provide a complementary function to the tourist and leisure offer along the seafront. However, it is necessary to manage these proposals more carefully to ensure that their proposed concentration (as a main town centre use) does not undermine the vitality of Great Yarmouth town centre, nor the amenity of adjacent residents or business occupiers, especially where in the form of new kiosks or stalls. Individual proposals for new A3, A4 & A5 <u>café/restaurants, drinking establishments and takeaway</u> uses will be considered generally acceptable in principle where it provides up to 200sqm (net) floorspace in the Seafront Area. Proposals over 200sqm (net) floorspace will only be considered acceptable where these meet the requirements of the retail sequential and impact assessment. Under both circumstances, proposals will need to satisfy compliance against Policies R6 and R7.</p> <p>3.41 The Council will resist the loss of tourism uses to non-tourism uses where it currently provides ground floor activity or frontage to the Seafront Area. Within upper floors there will be more flexibility to determine non-tourist related uses. Where it is demonstrated that there <u>is</u> no longer a need for upper-floor tourist related uses, the Council may allow <u>proposals for</u> self-contained residential apartments, offices <u>(subject to compliance with the sequential test set out in Policy R1 and Policy CS7 of the Core Strategy)</u> and</p>

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			similar business uses to support the viability and vitality of the area. Proposals for residential accommodation which is not self-contained, and other forms such as houses of multiple occupation, hostel and other similar uses will not be permitted within the Seafront Area.
MM19	46	Policy GY7	<p>Policy GY7: Great Yarmouth Back of Seafront Improvement Area</p> <p>Within the 'Back of Seafront Improvement Area', as defined on the Policies Map, the aims will be to:</p> <ul style="list-style-type: none"> a. improve the character, amenity and physical conditions of properties by encouraging existing and new uses and investment which strengthen its positive characteristics; b. improve the street scene through environmental improvements and the encouragement of the refurbishment and maintenance of properties; c. avoid uses which typically give rise to disturbance and loss of amenity (to ensure compliance with Policy A1); and d. Use available enforcement powers pro-actively to control developments adversely affecting the area. <p>In order to achieve those aims the following uses will be encouraged in the area:</p> <ul style="list-style-type: none"> e. Self-contained dwellings (including houses and apartments). f. Hotels providing wholly or predominantly short term holiday accommodation. g. Offices and other B1 businesses uses light industrial and research & development facilities. h. Health and related facilities.

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			<ul style="list-style-type: none"> i. Professional services to visiting members of the public where the likely number and types of visits will not give rise to disturbance and are compatible with the limited on street parking in the locality. j. The development of further Houses in Multiple Occupation (and commensurate uses) within this area will be resisted, and such uses steered to alternative locations. <p>In determining applications for development in this area the following considerations will be given particular attention:-</p> <ul style="list-style-type: none"> k. Improvement to the physical condition and maintenance of properties will be encouraged. l. Resisting the infilling of curtilages to the rear of sides of existing properties. m. Provision of adequate, concealed bin storage for the intended use, of out sight from the street. n. Flexibility in the current parking arrangements.
MM20	49	Policy GY9 & New paragraphs following 3.57	<p><i>[Amend Policy GY9 as follows:]</i></p> <p>Policy GY9: Great Yarmouth North Denes Airfield</p> <p>The continued use of the North Denes airfield for aeronautical use, and especially helicopter operations, will be encouraged in the interests of the long term value of the facility to the area's offshore and other industries.</p> <p>Development to facilitate such operations, including crew, passenger, maintenance and storage facilities will be supported.</p>

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			<p>Temporary changes to alternative uses would be acceptable if it would not prejudice its long term availability for the intended aeronautical use.</p> <p>Development which would lead to permanent loss of the aeronautical use will be resisted unless it can be conclusively demonstrated that there is no realistic potential for such use in the longer term.</p> <p>Any new built development proposals will need to be accompanied with a site-specific Flood Risk Assessment and a Landscape and Visual Impact Assessment. <i>[Insert new supporting text paragraphs following 3.57]</i></p> <p><u>X.XX The site is adjacent to the Caister Water Recycling Centre. As such, in line with Policy A1, any development proposals should be supported by an odour assessment to ensure amenity impacts are avoided and mitigated.</u></p> <p><u>X.XX The site is immediately adjacent the Broads Area. Therefore, in addition to national planning policy, development proposals will need to consider the requirements of policies CS11: Enhancing the natural environment, and Policy E4: Trees and landscape. Applicants will be required to submit a Landscape and Visual Impact Assessment (LVIA) to consider and address any landscape impacts arising. Accordingly, the Broads Authority will be consulted on any significant development proposals on this site.</u></p>
MM21	50	Paragraph 3.62	<p><i>[Insert new supporting text paragraphs following 3.62]</i></p> <p><u>X.XX The 24-hour operational nature of the Port & Harbour Area means it has the potential to impact on the amenity of neighbouring uses. In accordance with</u></p>

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			<u>national planning policy and Policy A1, when considering amenity, the Council will apply the 'agent of change' principle. This ensures that unreasonable restrictions are not placed on existing businesses, facilities and uses in the port as a result of new development in close proximity to the port. It will be for the applicant (the agent of change) to demonstrate that suitable mitigatory measures can be incorporated into the development to minimise any impacts on amenity to occupants of the new development arising from existing operations at the port.</u>
MM22	52 -55	Policy GN1 & paragraphs 3.73, 3.75, 3.76, 3.77, 3.82 & Table 3.2	<p>[Amend Policy GN1 as follows:]</p> <p>Policy GN1: Land south of Links Road, Gorleston-on-Sea</p> <p>Land to the south of Gorleston-on-Sea (25 hectares) as identified on the Policies Map is allocated for approximately 500 dwellings with open space. The site should be developed in accordance with the following site specific criteria:</p> <ol style="list-style-type: none"> Provision of safe and appropriate access(es) to Links Road including any consequential improvements between Links Road and the A47 roundabout and necessary improvements to integrate into the existing pedestrian and cycling networks. <u>Provide two points of access from Links Road to the residential development, with visibility in accordance with current highway standards.</u> <u>All residential access roads should link internally within the site.</u> <u>Provision of formal cycle crossing facilities at Links Road and 3.0m shared use cycle paths:</u> <ul style="list-style-type: none"> <u>to link the north side of Links Road between the A47 and the existing cycle path that joins Links Road (west of no. 61)</u>

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			<ul style="list-style-type: none"> • <u>along the entire south-side frontage of Links Road, to link with the existing facility at the A47; and</u> • <u>at the western side of the development, between Links Road and the southwestern corner of the site, connecting with the existing facility at the A47</u> <p><u>d. The development shall have an active frontage at Links Road.</u></p> <p>e. Parking spaces should have regard to Norfolk County Council standards for provision, with a mix of parking solutions applied to ensure a well-designed and safe environment for all users.</p> <p>f. A mix of housing sizes, types and tenures must be provided, including:</p> <ul style="list-style-type: none"> • a minimum of 15% affordable housing, provided on site, with the tenure mix reflecting the needs and demands of the local area; and • provision of retirement and/or housing with an element of care equivalent to at least 10% of the total housing for the site (50 units or more), which must be delivered before occupation of the 250th dwelling on the site (or the 50% level, if the overall number of houses proposed is lower than 500). <p>g. Provision of appropriate structural landscaping and new publicly accessible open space <u>to the south of Masons Farm</u> of at least <u>approximately</u> 5.15 hectares <u>in accordance with Policy H4</u> south of Masons Farm to:</p> <ul style="list-style-type: none"> • mitigate the visual impact of the development, especially from views to the south from Hopton-on-Sea; and • provide an acoustic barrier to the A47. <p>h. Financial contributions will be required towards the improvement of local primary schools, <u>local healthcare facilities and enhanced library provision to serve the development.</u></p> <p>i. Financial contributions will be required towards the improvement of local healthcare facilities.</p>

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			<p>j. Financial contributions will be required towards enhanced library provision to serve the development.</p> <p>i. Development should exhibit exceptional urban design and include a series of locally distinctive, walkable neighbourhoods set in an overall framework of a thoughtful and high-quality design ethos.</p> <p>j. A variety of materials and finishes/treatments across the development should be applied with innovation and local distinctiveness clearly evidenced.</p> <p>k. Retention of trees where practicable and with suitable replacements provided where trees are required to be removed.</p> <p>l. Protect and enhance biodiversity across the siteDevelopment proposals should minimise impacts on and provide net gains for biodiversity and ensure that where appropriate, mitigation measures are undertaken.</p> <p>m. Submission of a site-specific Flood Risk Assessment.</p> <p>n. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system could contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the sustainable drainage measures should be included with the submission.</p> <p>o. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.</p> <p>p. Submission of a Transport Assessment and Travel Plan and provision of measures necessary to mitigate impacts and encourage sustainable travelimplementation of agreed highway mitigation measures, including features to encourage lower vehicle speeds at Links Road.</p> <p>q. Submission of a Heritage Impact Assessment accompanied by the results of an archaeological field evaluation, with any relevant mitigation measures set out.</p>

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			<p>r. A planning application should be supported by evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible.</p> <p>s. <u>Submission of a shadow habitats regulation assessment and provision of necessary mitigation measures, including a contribution to the Council's Habitats Monitoring and Mitigation Strategy in line with Policy GSP5.</u></p> <p><i>[Amend the following supporting text paragraphs:]</i></p> <p>3.73 The layout and design of the main roads within the site must enable appropriate permeability by buses. The layout of all streets should have regard to desire lines for pedestrians to minimise the length of journeys. As such cul-de-sacs, private drives and road with unnecessary bends which frustrate pedestrian and cycle movements should be avoided <u>where possible</u>.</p> <p>3.75 There is a lack of capacity in nearby primary schools, therefore a financial contribution of £1,970,000 (£3,940 per dwelling) will be required to expand local primary schools.</p> <p>3.76 The development will put pressure on existing primary, acute, intermediate and mental healthcare facilities as evidenced in the Infrastructure Plan (2020). As such a financial contribution will be required to improve these facilities to address the impact. Based on modelling using the Healthy Urban Development Unit Planning Contributions model it is estimated that the contribution from this site will need to be in the region of £1,157,614 (£2,315 per dwelling).</p> <p>3.77 The development will put pressure on the existing Gorleston library, therefore it is necessary for the development to make a contribution of £159,500 (£319 per dwelling)</p>

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			<p><u>towards enhanced library provision</u> in line with the Norfolk County Council's standards for provision.</p> <p>3.82 A Shadow Habitats Regulations Assessment must be prepared and submitted to the Council in accordance with Policy GSP5. This Assessment should set out the potential impacts of the development on nearby Natura 2000 <u>National Site Network habitat</u> sites and identify necessary on-site and (if necessary) off-site mitigation measures. In addition, the in-combination effects of the development will necessitate the payment of a contribution per dwelling, in line with the Council's Habitats Monitoring and Mitigation Strategy.</p> <p><i>[To update the 'Indicative Developer Contributions' column on Table 3.2 as follows:]</i></p> <p>£1,970,000 (£3,940 per dwelling) £1,157,614 (£2,315 per dwelling) £159,500 (£319 per dwelling) n/a</p>
MM23	56 -58	Policy GN2 & paragraphs 3.88, 3.89, 3.90, 3.92 & Table 3.3	<p><i>[Amend Policy GN2 as follows:]</i></p> <p>Policy GN2: Emerald Park, Gorleston-on-Sea</p> <p>Land at Emerald Park Football Ground (2.3 Hectares) as identified on the draft Policies Map, is allocated for approximately 100 dwellings. The site should be developed in accordance with the following site specific criteria:</p> <p>a. Provision of safe and appropriate vehicular access <u>and necessary highway improvements to integrate the site into the pedestrian and cycling networks,</u></p>

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			<p>including; to the satisfaction of the local highways authority with appropriate access from the improved section of Wood Farm Lane to the south with appropriate improvements to the surrounding road network, including footpaths.</p> <ul style="list-style-type: none"> • <u>vehicular access from Woodfarm Lane as far south as a satisfactory highway access layout will allow; and</u> • <u>improvement of Woodfarm Lane to a minimum width of 6.0m.</u> <p>b. Provide a mix of housing types and sizes, including a minimum of 10% affordable dwellings to reflect the needs and demands of the local area.</p> <p>c. Re-provision of an appropriate equivalent recreational facility, at a minimum equalling the quality of facility currently available at Emerald Park. The full funding or re-provision to be secured and demonstrated by legal agreement (i.e. Section 106 agreement) prior to the loss of any facility at Emerald Park.</p> <p>d. Submission of an <u>appropriate desk-based</u> archaeological <u>assessment</u>field evaluation prior to development, in accordance with the NPPF.</p> <p>e. Retain existing trees along the south western border of the site in accordance with the Tree Preservation Orders.</p> <p>f. Where further trees may be removed which are not protected, <u>suitable</u> replacements are provided in suitable<u>appropriate</u> alternative locations and remain for the amenity of future residents.</p> <p>g. Financial contributions will be required towards enhanced library provision <u>and the improvement of local healthcare facilities</u> to serve the development.</p> <p>h. Financial contributions will be required towards the improvement of local healthcare facilities.</p> <p>h. Provide a financial contribution for off-site open space <u>in accordance with Policy H4.</u></p> <p>i. Submission of a site-specific Flood Risk Assessment.</p>

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			<p>j. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system could contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the sustainable drainage measures should be included with the submission.</p> <p>k. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.</p> <p>l. Submission of a Transport Assessment and Travel Plan and provision of measures necessary to mitigate impacts and encourage sustainable travel.</p> <p>m. A planning application should be supported by evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible.</p> <p><u>n. Submission of a shadow habitats regulation assessment and provision of necessary mitigation measures including a contribution to the Council's Habitats Monitoring and Mitigation Strategy in line with Policy GSP5.</u></p> <p><i>[Amend the following supporting text paragraphs:]</i></p> <p>3.86 Vehicular access should be taken off Woodfarm Lane and will require necessary visibility splays for both vehicles existing and entering the site from Woodfarm Lane. Provision of new footways will be required along Woodfarm Lane to connect the site entrance with existing footway provision adjacent to the school entrance off Oriel Avenue. <u>Woodfarm Lane is quite narrow and lacks sufficient footpaths or cycleways to safely connect the site to nearby amenities including the school off Oriel Avenue. The road will require widening and provision of new footways and cycleways to connect to existing facilities to the north and south of Woodfarm Lane. To improve the safety of</u></p>

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			<p><u>Woodfarm Lane, it may be necessary to modify the existing prohibition of motor vehicles traffic regulation order.</u></p> <p>3.88 The development will put pressure on the existing Gorleston library, therefore it is necessary for the development to make a contribution of £31,900 (£319 per dwelling) <u>towards enhanced library provision</u> in line with the Norfolk County Council's standards for provision.</p> <p>3.89 The development will put pressure on existing primary, acute, intermediate and mental healthcare facilities as evidenced in the Infrastructure Plan (2020). As such a financial contribution will be required to improve these facilities to address the impact. Based on modelling using the Healthy Urban Development Unit Planning Contributions Model it is estimated that the contribution from this site will need to be in the region of £209,563 (£2,096 per dwelling).</p> <p>3.90 Policy H4 sets out the open space requirements for residential developments. In accordance with this, the above policy seeks to provide off-site open space owing to the limited size of the site and quantity of housing proposed. At the time of writing, the contribution would be £180,000 for 100 houses. <u>The site is in close proximity to open space providing a range of uses and therefore it is not necessary to have additional open space on-site. Furthermore, it would not be an effective use of land with an on-site open space requirement. However, there are wider deficits of open space in the locality and therefore an off-site open space contribution is required to improve open space provision in the locality.</u></p> <p>3.92 A Shadow Habitats Regulations Assessment must be prepared and submitted to the Council in accordance with Policy GSP5. This Assessment should set out the potential impacts</p>

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			<p>of the development on nearby Natura 2000 National Site Network habitat sites and identify necessary on-site and (if necessary) off-site mitigation measures. In addition, the in-combination effects of the development will necessitate the payment of a contribution per dwelling (currently £110), in line with the Council's Habitats Monitoring and Mitigation Strategy.</p> <p><i>[To update the 'Indicative Developer Contributions' column in Table 3.3 as follows:]</i></p> <p>£209,563 (£2,096 per dwelling) £31,900 (£319 per dwelling) £180,000 (up to £1,800 per dwelling)</p>
MM24	59 - 60	Policy GN3 & paragraphs 3.99, 3.100, 3.101, new paragraph following 3.101 & Table 3.4	<p><i>[Amend Policy GN3 as follows:]</i></p> <p>Policy GN3: Land at Ferryside, High Road, Gorleston-on-Sea</p> <p>Land at Ferryside, off High Road, Gorleston (0.56 hectares) as identified on the Policies Map, is allocated for approximately 20 dwellings. The site should be developed in accordance with the following site specific criteria:</p> <ul style="list-style-type: none"> a. Provision of safe and appropriate access to the satisfaction of the local highways authority, including: <ul style="list-style-type: none"> • appropriate vehicular access to be taken off High Road vehicular access only from High Road, specifically no vehicular access from Ferryboat Lane, nor Malthouse Lane; and

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			<ul style="list-style-type: none"> • appropriate footway improvements and visibility splays to Ferry Boat Lane <u>the improvement of the footway at Malthouse Lane along with visibility from Ferryboat Lane.</u> b. Provide a mix of housing types and sizes, including a minimum of 10% affordable dwellings to reflect the needs and demand of the local area. c. A well designed scheme that is sympathetic to the surrounding historic character of the area. d. Retention of the historic flint wall. e. Retention of all trees with Tree Preservation Orders <u>where practicable. Suitable replacement trees should be provided where the trees are required to be removed in order to achieve a well-designed development.</u> f. Car parking provision for residents and guests. g. Financial contributions will be required towards enhanced library provision <u>and the improvement of local healthcare facilities</u> to serve the development. h. Financial contributions will be required towards the improvement of local healthcare facilities. h. Provide a financial contribution for off-site open space <u>in accordance with Policy H4.</u> i. No development shall take place until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority. j. <u>Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system could contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the sustainable drainage measures should be included with the submission.</u> k. <u>Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.</u>

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			<p>i. <u>Submission of a shadow habitats regulation assessment and provision of necessary mitigation measures including a contribution to the Council's Habitats Monitoring and Mitigation Strategy in line with Policy GSP5.</u></p> <p><i>[Amend the following supporting text paragraphs:]</i></p> <p>3.96 Vehicular access should will be <u>taken</u> from High Road <u>only. Vehicular access to the site from Ferryboat Lane or Malthouse Lane is not considered to be appropriate and will be resisted.</u> With <u>The site will require</u> appropriate improvements to footway provision <u>at Malthouse Lane</u> and visibility splays to from Ferry Boat Lane.</p> <p>3.97 The site is within <u>adjacent to</u> a conservation area, in close proximity to a number of listed buildings, and there are protected trees within the site. The site itself contains a building of local heritage interest, but this is now partially demolished. A flint wall running to the boundary of the Malthouse Lane contributes to the amenity of the site. A well designed scheme that is sympathetic to the local environment, i.e. retaining key features including the protected trees and the historic flint wall, has the potential to positively enhance the character of the site and the conservation area. <u>Taking account of those constraints, the Council's assessment of the site allocation suggests that a lower density of development is required when compared with the standards set in Policy H3 and that typically only 20 dwellings could be accommodated. A recent appeal decision [insert new footnote] relating to the site allocation has granted planning permission for a higher density of development comprising 6 houses and 28 flats with associated works. Nonetheless, it is reasonable that approximately 20 dwellings reflects an appropriate threshold for the allocation as it would be necessary, should the existing planning permission not be brought forward, that an</u></p>

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			<p><u>alternative proposal also demonstrate that the constraints can be overcome through high quality urban design and landscaping.</u></p> <p>3.99 The development will put pressure on the existing Gorleston library, therefore it is necessary for the development to make a contribution of £6,380 (£319 per dwelling) <u>towards enhanced library provision</u> in line with the Norfolk County Council's standards for provision.</p> <p>3.100 Policy H4 sets out the open space requirements for residential developments. In accordance with this, the above policy seeks to provide off-site open space owing to the limited size of the site and quantity of housing proposed <u>in order to make efficient use of land</u>. In line with Policy H4, the contribution would be £36,000 for 20 houses (£1,800 per dwelling).</p> <p>3.101 The development will put pressure on existing primary and acute, intermediate and mental healthcare facilities as evidenced in the Infrastructure Plan (2020). As such a financial contribution will be required to improve these facilities to address the impact. Based on modelling using the Healthy Urban Development Unit Planning Contributions model it is estimated that the contribution from this site will need to be in the region of £33,569 (£1,678 per dwelling).</p> <p><i>[Insert the following new paragraph after paragraph 3.101]</i></p> <p><u>X.XXX The development viability of brownfield sites is challenging. Therefore, in line with Policy GSP8 reductions to affordable housing provision and/or other planning obligation contributions will be considered if justified by a site-specific viability assessment. Development viability will not be a reason for departing from</u></p>

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			<p><u>other policy requirements such as the protection and provision of trees, the character of the surrounding historic environment and the retention of the flint wall.</u></p> <p><i>[To update the 'Indicative Developer Contributions' column in Table 3.4 as follows:]</i></p> <p>£33,569 (£1,678 per dwelling) £6,380 (£319 per dwelling) £36,000 (up to £1,800 per dwelling)</p> <p><i>[Insert new footnote x]</i></p> <p><u>Appeal Ref: APP/U2615/W/20/3245040, application Ref: 06/16/0190/F - date of decision: 6 July 2021</u></p>
MM25	61	Policy GN4	<p>Policy GN4: Beacon Business Park</p> <p>The land defined as the Beacon Business Park as indicated on the Policies Map, will be reserved for development proposals for new, extended or replacement business uses (falling under class uses B1 and B8) <u>office, research & development, light industrial and storage & distribution uses</u> which are of high quality and distinctive design. Business uses <u>Such employment uses</u> will be particularly encouraged where they promote higher value technology, research and development sector business uses, and those associated with the offshore energy industry.</p>

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			<p>Residential development, and industrial business employment uses (falling under class uses B2 and related Sui Generis uses) or those uses which could give rise to excessive disturbance on existing occupants will not be permitted within this area.</p> <p><i>[Insert the following new supporting text paragraphs after paragraph 3.105 of supporting text]</i></p> <p><u>X.XXX The Borough Council when determining planning applications will consider whether it is necessary to restrict the use of new development to the uses specified in the policy through planning conditions to avoid changes of use to other uses within the same use class (Class E) which would be inappropriate for a business park and could undermine the sequential test approach to main town centre uses. Similarly, the Council when determining planning applications will consider whether it is necessary to use planning conditions to restrict future changes of use to other uses outside of Class E which are otherwise permitted through the General Permitted Development Order.</u></p>
MM26	62	Policy GN5 & new paragraph following 3.108	<p><i>[Amend Policy GN5 as follows:]</i></p> <p>Policy GN5: Beacon Business Park extension</p> <p>Land west of the existing business park at Beacon Park (comprising approximately 20 hectares), as defined on the Policies Map, is allocated for employment uses (use classes B1 and B8) <u>office, research & development, light industrial and storage & distribution uses.</u></p> <p>Particular encouragement will be given to uses associated with:</p>

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			<p>a. the offshore energy industry; b. higher value technology and employment (directly or supporting in the locality); and c. research and development activities.</p> <p>Development proposals should both contribute to, and complement the existing environmental quality in the surrounding development through high standards of design quality, distinctiveness and connectivity for both buildings and landscaping.</p> <p>Residential development will not be permitted. Exceptionally, other business uses and premises (such as heavy industry, large scale storage and distribution) will be permitted only where they can satisfactorily demonstrate they will not unacceptably erode the environmental, amenity and design standards intended for this business park.</p> <p><u>The Borough Council will consider imposing conditions to restrict the use of new development to avoid changes to alternative uses within the same use class (Class E) which would not be appropriate in the business park. The Council will also consider imposing conditions to remove permitted development rights to limit changes of use of land and premises to those that would be appropriate in the business park.</u></p> <p>A planning application should be supported by:</p> <p>d. evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible;</p> <p><u>e. submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system could contribute to the amenity and biodiversity of the development. A</u></p>

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			<p><u>suitable plan for the future management and maintenance of the sustainable drainage measures should be included with the submission; and,</u></p> <p><u>f. submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.</u></p> <p><i>[Amend the following supporting text paragraphs:]</i></p> <p>3.107 Building on the success to date of Beacon Business Park, it is proposed to extend the business park. The extension of the Enterprise Zone for this area of land has already been agreed. <u>Development proposals will be expected to have regard to the Borough Council's masterplan which sets out the high-level context for its development.</u></p> <p><i>[Insert the following new supporting text paragraphs after paragraph 3.108]</i></p> <p><u>X.XX The business park is a sequentially appropriate location for offices that could not be accommodated within higher order settlement centres (i.e. the main towns) and this enables the business park to extend and cluster the specialised uses to meet the ambitions of its Enterprise Zone status. Based on the plan approach to retail and in accordance with policies UCS7, BL1 and R1, the sequential test would still need to be applied to retail use or development in this location.</u></p> <p><u>X.XX Alternative uses, including those within the same use class as that permitted, have the potential to undermine the function of the business park. To protect the function and use of the business park as a centre for the offshore energy industry, higher value technology and research and development, the Borough Council when determining planning applications will consider whether it will be necessary by</u></p>

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			<u>planning condition to restrict the specific use as part of a grant of planning permission.</u>
MM27	63 - 64	Policy GN6 & paragraphs 3.112 & 3.115	<p>[Amend Policy GN6 as follows:]</p> <p>Policy GN6: Shrublands Community Facility</p> <p>Land at Shrublands, Gorleston on Sea, (2.4 Hectares) as identified on the Policies Map, is allocated as a mixed use scheme for healthcare facilities, community facilities and an ancillary element of housing with care. The site should be developed in accordance with the following site specific criteria:</p> <ol style="list-style-type: none"> Provision of vehicular access to be taken off Magdalen Way only <u>Access is to be taken from Magdalen Way only, with visibility in accordance with current highway standards.</u> <u>Submission of a transport statement and implementation of any agreed mitigation requirements, including:</u> <ul style="list-style-type: none"> <u>improvement of frontage footway to a minimum width of 2.0m; and,</u> <u>the bus stop at site frontage to be improved to meet current highway requirements.</u> Provision of a new healthcare facility to help meet the current and future needs of local NHS providers. Provision of an ancillary element of housing with care. Conserve and enhance the setting of heritage assets including: <ul style="list-style-type: none"> retention and reuse of the onsite Grade II listed farmhouse building; and consideration of the Grade II listed Cemetery Chapel and Lodge; Parking <u>is</u> to be provided having regard to the Norfolk County Council Parking Standard for the healthcare and community uses.

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			<p>g. An element of community use is to be retained on site (including the use of open space and existing buildings or any potential new buildings) and if this is not feasible, compensatory provision of community facilities to an equivalent quality with accessibility to the local community that it serves will be required.</p> <p>h. Retention of trees where practicable <u>with suitable</u> replacements provided where trees are <u>required to be</u> removed.</p> <p>i. Submission of a site-specific Flood Risk Assessment demonstrating how the site can be developed and occupied safely.</p> <p>j. Submission of details showing how sustainable drainage measures will integrate with the design of the development and a suitable plan for the future management and maintenance of the Sustainable drainage systems should be included.</p> <p>k. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.</p> <p>l. <u>Submission of a shadow habitats regulation assessment and provision of necessary mitigation measure including a contribution to the Council's Habitats Monitoring and Mitigation Strategy in line with Policy GSP5.</u></p> <p><i>[Amend the following supporting text paragraphs:]</i></p> <p>3.112 <u>Vehicular access will be taken off Magdalen Way only and will require appropriate improvements to the footway width and the bus stop along the site's frontage to ensure it meet's current highway accessibility requirements.</u> The site should <u>also</u> provide car parking to meet the anticipated demand for the site having regard to the latest parking standards set out by Norfolk County Council as the Local Highway Authority. The site should also provide appropriate point of access to the satisfaction of the Local Highway Authority, taken off Magdalen Way.</p>

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			3.115 The retention of trees (and provision of suitable replacements if trees are removed) is also sought where practicable on site for the amenity of local residents, future users of the facilities and future residents.
MM28	67	Policy BL1	<p>Policy BL1: Beacon Park District Centre</p> <p>The Town and District Centres are defined on the Policies Map.</p> <p>At the Beacon Park District Centre, the following uses will be encouraged to support the day to day retail and community needs for the residents of the Beacon Park growth area:</p> <ol style="list-style-type: none"> A retail food superstore. Petrol filling station. Other complementary uses ancillary to A & B above, to support the vitality and viability of the District Centre, limited to: <ul style="list-style-type: none"> A3, A4 & A5 food and drink uses; car showrooms; social & healthcare facilities; and leisure, art & cultural facilities. <p>In determining proposals for the uses listed above, the Council will have regard to the scale and nature of each proposal relevant to its position within the overall retail hierarchy.</p> <p>The planning and layout of the proposed Beacon Park District Centre should be developed in accordance with the following site-specific criteria:</p> <ol style="list-style-type: none"> d. d. New car showrooms, petrol filling stations and proposed A3, A4 and A5 food and drink uses should be positioned with clear visibility and proximity from Beaufort Way.

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			<ul style="list-style-type: none"> g. e. Structural landscaping should be provided across the site and along the north-western and eastern perimeters of the site. h. f. The overall design layout should not have a harmful impact upon residential amenity, traffic or the environment that could not be overcome by the imposition of conditions. i. g. Submission of a site-specific Flood Risk Assessment. j. h. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately. k. i. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system will contribute to the amenity of the development. <p>The Borough Council will continue to liaise with Norfolk County Council and the James Paget University Hospital to bring forward an appropriate access solution to enable a future direct connection between the District Centre and hospital.</p>
MM29	70 - 74	Policy CA1 & paragraphs 3.136, 3.138, 3.141, 3.142, 3.143, 3.144, 3.145, 3.146,	<p>[Amend Policy CA1 as follows:]</p> <p>Policy CA1: Land west of Jack Chase Way, Caister-on-Sea</p> <p>Land to the west of Jack Chase Way, Caister-on-Sea (28.37 hectares), as identified on the Policies Map, is allocated for residential development of approximately 725665 dwellings, approximately 60 retirement/care units, a site for a primary school, a site for healthcare uses and a Local Centre. This should be developed in accordance with the following site specific criteria:-</p> <ul style="list-style-type: none"> a. Provide for approximately 725665 dwellings offering a mix of house types and sizes.

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		3.147, 3.150, & Table 3.6	<p>b. Provision of retirement and/or housing with an element of care equivalent to at least 10% of the total housing for the site, which must be delivered before occupation of the 360th dwelling on the site (or the 50% level, if the overall number of houses proposed is lower).</p> <p>b. The site must deliver 20% affordable housing on site, with the tenure mix reflecting the needs and demands of the local area.</p> <p>c. Set out a phasing strategy that maximises the delivery of housing within the Plan period.</p> <p>d. Approximately 7.47 hectares of open space should be provided on-site comprising informal open and/recreation space and children's play space. <u>Open space should be provided on-site where feasible, comprising informal open/recreation space, children's play space and a walking trail in accordance with Policy H4. If necessary to supplement on-site provision, the delivery of new off-site open space in close proximity to the site should be secured by planning obligation and/or financial contributions should be made towards improvements to the quality and accessibility of existing off-site open spaces to serve the development in accordance with Policy H4.</u></p> <p>e. Land must be safeguarded for a two-hectare site for a primary school, to accommodate up to two forms of entry, as well as appropriate financial contributions for education. This should be towards the middle of the allocation site. <u>At least 0.8 ha of the open space within the school site shall be the subject of a community use agreement for joint recreational use by the public</u>The site (2 hectares) must be serviced and ready to transfer to Norfolk County Council on occupation of the 150th home and provided free of charge.</p> <p>f. Land must be safeguarded and made available at no cost for a 0.75 hectare site for healthcare uses, which should be located towards the middle of the site. If the relevant health authority/ies states that the site is not necessary prior to the reserved</p>

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			<p>matters application for the final development phase, the site could be released for residential or other uses. Financial contributions will be required towards the healthcare facility together with contributions towards acute, intermediate and mental healthcare.</p> <p>f. Land is allocated <u>must be safeguarded</u> for a Local Centre of up to one hectare <u>approximately 1.75 hectares</u>, which could accommodate <u>comprising</u> a small top-up/convenience foodstore, <u>healthcare facility, retirement/care units</u> and potentially <u>ly</u> small-scale employment uses and a community facility. It should be located towards the middle of the allocation site.</p> <p>g. <u>Financial contributions will be required towards the healthcare facility together with contributions towards acute, intermediate and mental healthcare to serve the development.</u></p> <p>h. Financial contributions will be required towards a new community facility <u>and enhanced library provision to serve the development.</u></p> <p>i. Financial contributions will be required towards enhanced library provision to serve the development.</p> <p>i. Development should exhibit exceptional urban design and include a series of locally distinctive, walkable neighbourhoods set in an overall framework of a thoughtful and high-quality design ethos, with the non-residential elements integrating effectively and efficiently with residential areas. A variety of materials and finishes/treatments across the development should be applied with innovation and local distinctiveness clearly evidenced.</p> <p>j. Key major internal roads should be designed to be accessible by buses.</p> <p>k. Parking spaces should have regard to Norfolk County Council standards for provision, with a mix of parking solutions applied to ensure a well-designed and safe environment for all users.</p>

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			<p>l. There must be the provision of at least two safe and appropriate vehicle access junctions from Jack Chase Way <u>provided in accordance with current highway standards. No vehicular access shall be taken from the A149.</u></p> <p>m. There must be the provision of safe and appropriate crossing points of Jack Chase Way for walking and cycling to encourage the movement of people from the site to the existing Caister-on-Sea village and vice versa.</p> <p>n. A <u>single</u> 3 metre wide shared use cycle path should be provided along both sides of Jack Chase Way providing connections to Norwich Road, Prince of Wales Road and the residential areas to the north-east of the site. <u>Where feasible, a connection should be made to the recreation area east of Jack Chase Way.</u></p> <p>o. There must be good connections to the wider countryside through the provision/extension of footpaths/ bridleways <u>where possible.</u></p> <p>p. Protect and enhance biodiversity across the site <u>Development proposals should minimise impacts on and provide net gains for biodiversity,</u> including maintaining the existing hedgerow along Jack Chase Way where <u>practically</u> possible, and ensure that where appropriate, mitigation measures are undertaken.</p> <p>q. Appropriate landscaping treatment to the site's southern and western boundary must be enhanced to limit the impacts on the wider landscape, including the nearby Broads area and the setting of Caister Castle. <u>Development proposals need to be accompanied by a Landscape Visual Impact Assessment which will inform an appropriate landscaping scheme for the treatment to the site's southern and western boundary which must be enhanced to limit the impacts on the wider landscape, including the nearby Broads area and the setting of Caister Castle.</u></p> <p>r. Street lighting should be designed to limit the visual impact of the proposed development <u>Street lighting and any other lighting that forms part of the scheme should be designed to limit the visual and light pollution impact of the proposed development including on the setting of the Broads.</u></p>

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			<p>s. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.</p> <p>t. Submission of a site specific Flood Risk Assessment and submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system could contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the sustainable drainage measures should be included with the submission.</p> <p>u. Submission of a detailed Heritage Impact Assessment to assess and mitigate the impact of the design on the setting of nearby heritage assets, including Caister Castle. This should be accompanied by the result of an archaeological field evaluation, with any relevant mitigation measures considered and included in the application. <u>Development proposals should take into account the results of the Council's Heritage Impact Assessment; and must demonstrate that any negative impacts on the significance of designated and non-designated heritage assets and their settings, have been avoided and if this is not possible, mitigated. In particular the development should acknowledge and respect the setting of the former WWII gun batteries on Nova Scotia Farm and include an area of open space to the south of these assets. A further Heritage Impact Assessment will be required at the planning application stage to inform the detailed design. This should be accompanied by an archaeological assessment. Any necessary mitigation should be included in the development proposals.</u></p> <p>v. A planning application should be supported by evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible.</p> <p>w. Submission of a Transport Assessment and Travel Plan and provision of measures necessary to mitigate impacts and encourage sustainable travel.</p>

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			<p>x. <u>Submission of a shadow habitats regulation assessment and provision of necessary mitigation measures including a contribution to the Council's Habitats Mitigation and Monitoring Strategy in line with Policy GSP5.</u></p> <p><i>[Amend the following supporting text paragraphs:]</i></p> <p>3.136 An element of retirement and/or housing with an element of care,<u>Approximately 60 retirement/care units</u> such as sheltered housing, very sheltered housing, extra care housing or a care home, totaling at least 10% of the housing units on site should also be <u>secured and</u> provided to meet the needs of the Borough's ageing population. The site presents an ideal opportunity to accommodate this need when taking into consideration the level of development combined with the proposed provision of services on the site. To ensure timely delivery, the provision of retirement/extra care housing should be provided before the occupation of the half of the homes on the site. The affordable housing requirement will not apply to the accommodation comprising retirement/extra-care, care housing, as this type of housing has less viability to cross-subsidise the delivery of affordable housing.</p> <p>3.138 The layout and design of the main roads within the site must enable appropriate permeability by buses. The layout of all streets should have regard to desire lines for pedestrians to minimise the length of journeys. As such cul-de-sacs, private drives and roads with unnecessary bends which frustrate pedestrian and cycle movements should be avoided <u>where possible.</u></p> <p>3.141 A development of this size, at some distance from the main facilities in Caister-on-Sea, will require on-site provision of local services. Accordingly, a requirement is imposed for a Local Centre potentially including suitable retail <u>uses, healthcare centre, approximately 60 retirement/care units and potentially</u> employment and community type uses. <u>The</u></p>

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			<p><u>policy requires this area to be approximately 1.75 hectares, however, a smaller area could be provided if it can be demonstrated that the above uses could be suitably accommodated on a smaller site.</u></p> <p>3.142 In order to mitigate the impacts of the allocation on education, contributions will be required towards a new primary school on the site. These are likely to total £3,885,714 or £5,360 per dwelling. In addition, a two-hectare site for a new primary school needs to be safeguarded and provided on-site, at a central, accessible location. This must be provided <u>Typically, the provision of land for new educational requirements would be provided</u> at no cost to Norfolk County Council Children's Services on the occupation of the 150th dwelling (to address the direct impacts of the allocated site).</p> <p>3.143 The development will put pressure on existing primary, acute, intermediate and mental healthcare facilities as evidenced in the Infrastructure Plan (2020). As such a financial contribution will be required to improve these facilities to address the impact. Based on modelling using the Healthy Urban Development Unit Planning Contributions model it is estimated that the contribution from this site will need to be in the region of £1,751,385 (£2,416 per dwelling). In addition, a serviced site of 0.75 hectares in size will need to be provided at no cost <u>land within the Local Centre should be made available</u> to the relevant health authorities, as there is very little capacity for physical growth of the local health surgeries.</p> <p>3.144 Caister-on-Sea is in need of a new community centre and this development will increase demand for community facilities. Therefore, a financial contribution of £501,416 <u>692 per dwelling</u> is required to help deliver a new facility as evidenced in the Infrastructure Plan (2020). The development will put pressure on the existing Caister-on-Sea library, therefore it is necessary for the development to make a contribution of £231,275 <u>319 per dwelling</u></p>

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			<p><u>towards enhanced library provision</u> in line with the Norfolk County Council's standards for provision.</p> <p>3.145 There is a need for informal recreation space/children's play space and formal recreation space at appropriate locations in the development. The precise details (such as the mix of facilities) will need to be discussed and agreed with the Council at appropriate stages of the scheme, but the level of provision must meet the Council's standards of 103sqm per dwelling <u>as set out in Policy H4</u>. This results in a requirement for 7.47 hectares across the site. <u>It may not be possible to meet the entire requirement on-site. Therefore, off-site provision of open space in close proximity to the site may be necessary together financial contributions to the improvement of existing open space in the locality in line with Policy H4.</u></p> <p>3.146 Historic Environmental Records for the area indicate the likelihood of archaeological remains on the site, as well as various nearby historic assets including Grade I listed Caister Castle and Caister Roman Fort (a Scheduled Monument), for example. <u>The site is an area with a rich and varied historic environment. It is situated in proximity to a number of designated and important non-designated heritage assets, including:</u></p> <ul style="list-style-type: none"> ● <u>Caister Castle (Scheduled Monument and Grade I listed building;</u> ● <u>WWII gun battery at Nova Scotia Farm (non-designated)</u> <p>A Heritage Impact Assessment has been prepared <u>by the Council</u>, which has assessed the impact of the development of the site in principle on the settings of nearby heritage assets. A slight impact on the setting of Caister Castle was found. The assessment identified mitigation measures including maintaining the tree belt around the site and orientating the public buildings on the site and streets to respect views of the castle tower. <u>With regard to the WWII gun batteries a slight impact was found with mitigation. Recommended</u></p>

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			<p><u>mitigation included the provision of an open space in front of the assets. Interpretation boards could also be of benefit. The orientation of streets and buildings to the south of the assets could also help in the interpretation of the historic setting by allowing for longer views towards Great Yarmouth harbour.</u> A further Heritage Impact Assessment will be required at the planning application stage to inform the detailed design. This should be accompanied by an archaeological assessment. Any necessary mitigation should be included in the development proposals.</p> <p>3.147 Significant landscaping and carefully designed lighting will be required to limit the site's impact on the wider landscape, with particular emphasis on the setting of the Broads to the south west. <u>The site is near to an intrinsically dark area of the Broads (see the Local Plan for the Broads). If there is lighting associated with the scheme it should be designed to not affect the intrinsic dark skies of the Broads.</u></p> <p>3.150 A Shadow Habitats Regulations Assessment must be prepared and submitted to the Council in accordance with Policy GSP5. This Assessment should set out the potential impacts of the development on nearby Natura 2000 <u>National Site Network habitat</u> sites and identify necessary on-site and (if necessary) off-site mitigation measures. In addition, the in-combination effects of the development will necessitate the payment of a contribution per dwelling, in line with the Council's Habitats Monitoring and Mitigation Strategy.</p> <p><i>[To update the 'Indicative Developer Contributions' column in Table 3.6 as follows:]</i></p> <p>£3,885,714 (£5,360 per dwelling) £688,203 (£949 per dwelling) £1,063,182 (£1,466 per dwelling) £501,416 (£692 per dwelling)</p>

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			£231,275 (£319 per dwelling) n/a
MM30	77 - 79	Policy BN1 & paragraphs 3.163, 3.164, 3.166, & Table 3.8	<p>[Amend Policy BN1 as follows:]</p> <p>Policy BN1: Land south of New Road, Belton</p> <p>Land to the south of New Road (of around 4.1 hectares), as identified on the Policies Map, is allocated for residential development of approximately 100 dwellings. The site should be developed in accordance with the following site specific criteria:</p> <ol style="list-style-type: none"> Appropriate vehicular access via a new roundabout junction at taken off of New Road and/or Church Lane, with and necessary highway improvements to integrate into the existing pedestrian and cycling networks including: <ul style="list-style-type: none"> <u>Widening to 3.0m of existing cycleway at north side of New Road eastwards between Stepshort and recreational ground;</u> <u>Provision of 3.0m shared use cycleway/footway along entire New Road frontage, extending westwards to its junction with Stepshort;</u> <u>Pedestrian and cycle access to between Church Lane and St Georges Road;</u> <u>Pedestrian and cycle link to St James Crescent;</u> <u>Frontage development at Church Lane, together with provision of 2.0m wide footway and carriageway widening to a minimum of 5.5m; and,</u> <u>Provision of bus stops in both direction at New Road frontage.</u> Conserve the rural character of Church Lane by maintaining its hedges and trees and avoiding new properties having vehicular access onto it.

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			<p>c. Improvements to connections to the existing footpath networks:</p> <ul style="list-style-type: none"> • between the north western site boundary and St George's Road; and • between the south western site boundary and St James Crescent via Church Lane. <p>c. Provide a mix of housing types and sizes, including a minimum of 10% affordable dwellings, to reflect the needs and demand of the local area.</p> <p>d. Provision of approximately 1 hectare of public open space on site <u>in accordance with Policy H4.</u></p> <p>e. Financial contributions will be required towards enhanced library provision <u>and the improvement of local healthcare facilities</u> to serve the development.</p> <p>f. Financial contributions will be required towards the improvement of local healthcare facilities.</p> <p>f. Appropriate landscaping treatment to the site's eastern boundary to help address the visual impact of the proposed development between Belton and Bradwell.</p> <p>g. Submission of details showing how sustainable drainage measures will integrate with the design and layout of the development and positively contribute to the biodiversity and amenity of the area. A suitable plan for the future maintenance and management of the drainage measures should be included with the submission.</p> <p>h. Submission of a site specific Flood Risk Assessment.</p> <p>i. Submission of a Heritage Impact Assessment accompanied by an Archaeological Field Evaluation of the site.</p> <p>j. A planning application should be supported by evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible.</p> <p>k. <u>Submission of a Transport Assessment and Travel Plan along with implementation of any agreed highway measures.</u></p>

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			<p>l. <u>Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.</u></p> <p>m. <u>Submission of a shadow habitats regulation assessment and provision of necessary mitigation measures including a contribution to the Council's Habitats Monitoring and Mitigation Strategy in line with Policy GSP5.</u></p> <p><i>[Amend the following supporting text paragraphs:]</i></p> <p>3.160 Planning consent granted to the north of New Road for 64 dwellings includes the provision of a roundabout to serve the proposed development. On-site access to this allocation should be taken off of a new spur from the proposed roundabout <u>at New Road and/or Church Lane</u>. Appropriate footway provision to connect the site to existing footpath on New Road should also be provided. Direct vehicular access on to Church Lane will be avoided to preserve its rural character, however the <u>The</u> site would benefit from better integration <u>into the existing pedestrian and cycling networks particularly between Stepshort and the recreational ground and between Church Lane and St Georges Road therefore new improvements will be required of the development. The site has the potential to impact upon the Beccles Road/Mill Lane junction and should be further investigated through a site-specific Transport Assessment with necessary mitigation measures secured. A Travel Plan should also be submitted identifying measures to encourage sustainable modes of transport.</u> footways on its eastern boundary e.g. via St Georges Road and St James Crescent as these allow for safe and accessible routes to the village centres. Therefore safe connection from the site to these links should be provided.</p>

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			<p>3.163 The development will put pressure on local libraries, therefore it is necessary for the development to make a contribution of £31,900 (£319 per dwelling) towards enhanced library provision in line with the Norfolk County Council's standards for provision.</p> <p>3.164 The development will put pressure on existing primary, acute, intermediate and mental healthcare facilities as evidenced in the Infrastructure Plan (2020). As such a financial contribution will be required to improve these facilities to address the impact. Based on modelling using the Healthy Urban Development Unit Planning Contributions model it is estimated that the contribution from this site will need to be in the region of £224,578 (£2,246 per dwelling).</p> <p>3.166 A Shadow Habitats Regulations Assessment must be prepared and submitted to the Council in accordance with Policy GSP5. This Assessment should set out the potential impacts of the development on nearby Natura 2000 National Site Network habitat sites and identify necessary on-site and (if necessary) off-site mitigation measures. In addition, the in-combination effects of the development will necessitate the payment of a contribution per dwelling, in line with the Council's Habitats Monitoring and Mitigation Strategy.</p> <p><i>[To update the 'Indicative Developer Contributions' column in Table 3.8 as follows:]</i></p> <p>£224,578 (£2,246 per dwelling) £31,900 (£319 per dwelling) n/a</p>
MM31	81 - 83	Policy HY1 & paragraphs 3.178,	<p><i>[Amend Policy HY1 as follows:]</i></p> <p>Policy HY1: Land at Former Pontins Holiday Camp, Hemsby</p>

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		3.179, 3.180, 3.181, & Table 3.9	<p>Land at the former Pontins Holiday Camp, Hemsby (of around 8.9 hectares) as identified on the Policies Map, is allocated for approximately 190 dwellings together with tourism and retail facilities. The site should be developed in accordance with the following site specific criteria:</p> <ul style="list-style-type: none"> a. Provision of safe and appropriate access to the satisfaction of the local highways authority, including: <ul style="list-style-type: none"> • appropriate vehicular access to be taken off Kings Way; • prohibiting vehicle access to Back Market Lane; and • measures to integrate the site into the existing pedestrian footpath network. <u>a traffic signal controlled crossing at Kings Way and any other measures agreed by the local highway authority necessary to integrate the site into the existing pedestrian footpath network; and</u> • <u>Submission of a Transport Assessment, Travel Plan and delivery of any agreed highway measures.</u> b. Provision of a mix of housing types and sizes, including a minimum of 20% affordable dwellings to reflect the needs and demand of the local area. c. Provide approximately 2 hectares of land for tourism use within the overall site. d. Provision of small-scale local shopping facilities. e. Approximately 1.95 hectares of open space should be provided on-site <u>in accordance with Policy H4</u> comprising informal open and/recreation space and children's play space. f. Financial contributions will be required towards the expansion of early education providers and local primary schools, <u>the improvement of local healthcare facilities, and enhanced library provision to serve the development.</u> g. Financial contributions will be required towards the improvement of local healthcare facilities.

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			<p>h. Financial contributions will be required towards enhanced library provision to serve the development.</p> <p>g. Appropriate structural landscaping should be provided to separate the proposed residential and tourism elements of the site.</p> <p>h. Retention of significant trees which contribute to the layout and character of the development.</p> <p>i. Submission of details demonstrating how the site will be decontaminated, specifically proposed treatment and disposal of asbestos material, to the satisfaction of the local environmental health service.</p> <p>j. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.</p> <p>k. Submission of details showing how sustainable drainage measures will integrate with the design and layout of the development and positively contribute to the biodiversity and amenity of the area. A suitable plan for the future maintenance and management of the drainage measures should be included with the submission.</p> <p>l. Submission of a site specific Flood Risk Assessment.</p> <p>m. A planning application should be supported by evidence which assesses the quality and quantity of mineral resource. Extraction of materials prior to the development of this site is encouraged where practical and environmentally feasible.</p> <p>n. <u>Submission of a shadow habitats regulation assessment and provision of necessary mitigation measures including a contribution to the Council's Habitats Monitoring and Mitigation Strategy in line with Policy GSP5.</u></p> <p><i>[Amend the following supporting text paragraphs:]</i></p> <p>3.175 Vehicular access to the site should be taken off appropriate points along Kings Way. No vehicular access will be permitted off Back Market Lane. The site will require necessary</p>

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			<p>improvements to integrate the development into the existing pedestrian network <u>including a new traffic signal controlled crossing at Kings Way.</u></p> <p>3.178 There is a need to provide a financial contribution to upgrade early education and junior school facilities within the local area. Hemsby Primary School is located close by, however when taking into account currently permitted sites in the area, the primary school will have insufficient future capacity and cannot be expanded on its current site. The next nearest primary schools are Ormesby Village Infant and Ormesby Junior where there is scope for possible expansion. It is understood that some children living within the Hemsby catchment do choose to attend school in Ormesby. Therefore, a financial contribution of £404,890 (£2,131 per dwelling) will be required to expand class spaces at both Ormesby Junior School and a contribution of £258,400 (£1,360 per dwelling) will be required to expand early education provision.</p> <p>3.179 The development will put pressure on existing primary, acute, intermediate and mental healthcare facilities as evidenced in the Infrastructure Plan (2020). As such a financial contribution will be required to improve these facilities to address the impact. Based on modelling using the Healthy Urban Development Unit Planning Contributions model it is estimated that the contribution from this site will need to be in the region of £412,720 (£2,172 per dwelling).</p> <p>3.180 The development will put pressure on local libraries, therefore it is necessary for the development to make a contribution of £60,610 (£319 per dwelling) <u>towards enhanced library provision</u> in line with the Norfolk County Council's standards for provision.</p> <p>3.181 A Shadow Habitats Regulations Assessment must be prepared and submitted to the Council in accordance with Policy GSP5. This assessment should set out the potential impacts</p>

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			<p>of the development on nearby Natura 2000 National Site Network habitat sites and identify necessary on-site and (if necessary) off-site mitigation measures. The HRA should also include assessment for potential hydrological linkage to Natura 2000 National Site Network habitat sites, and where this cannot be ruled out, a surface water management strategy to mitigate such potential effects. In addition, the in-combination effects of the development will necessitate the payment of a contribution per dwelling, in line with the Council's Habitats Monitoring and Mitigation Strategy.</p> <p><i>[To update the 'Indicative Developer Contributions' column in Table 3.9 as follows:]</i></p> <p>£412,720 (£2,272 per dwelling) £258,400 (£1,360 per dwelling) £404,890 (£2,131 per dwelling) £60,610 (£319 per dwelling) n/a</p>
MM32	86 - 87	Policy HP2 & paragraphs 3.193, 3.194, 3.195, 3.196, & Table 3.10	<p><i>[Amend Policy HP2 as follows:]</i></p> <p>Policy HP2: Land to the west of Coast Road, Hopton-on-Sea</p> <p>Land to the West of Coast Road (3.3 Hectares) as identified on the Policies Map, is allocated for a mixed use development comprising: approximately 40 dwellings, staff accommodation and continued business use for adjacent Potters Resort. The site should be developed in accordance with the following criteria:</p> <p>a. Provide a mix of housing types and sizes, including a minimum of 10% affordable dwellings, to reflect the needs and demand of the local area.</p>

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			<p>b. Provision of access improvements to the satisfaction of the local highway authority including:</p> <ul style="list-style-type: none"> • the improvement of access to the south of Hopton in accordance with Policy HP1; • provision of 2.0m wide footway at Coast Road frontage. Access to be provided at Coast Road; • improvement of Longfulans Lane to a minimum width of 6.0m for extent of site. • Improvement of Longfulans Lane junction with Coast Road; • development to have an active frontage at the highway to develop a sense of place and encourage reduced vehicle speeds; and, • pedestrian and cycle links to be provided to link with site to west-; and, • <u>submission of a Transport Statement along with implementation of any agreed highway measures.</u> <p>c. Car Parking is provided to a satisfactory level and standard for future residents, staff and visitors of Potters Resort to ensure that this does not create a displacement of the current car parking site into the village of Hopton.</p> <p>d. Provision of approximately 0.41 hectares of public open space on-site in accordance with Policy H4.</p> <p>e. Financial contributions will be required towards the improvement of local primary schools, <u>enhanced library provision and the improvement of local healthcare facilities to serve the development.</u></p> <p>f. Financial contributions will be required towards enhanced library provision to serve the development.</p> <p>g. Financial contributions will be required towards the improvement of local healthcare facilities.</p> <p>f. Staff accommodation, residential and any B8 or other business use should not be in conflict with any existing neighbour<u>u</u>ring uses.</p>

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			<p>g. Submission of a site-specific Flood Risk Assessment and a Foul Drainage Strategy. As well as details of how Sustainable drainage measures will be integrated into the design and a plan for their future management and maintenance.</p> <p>h. <u>A planning application should be supported by evidence which assesses the quantity and quality of mineral resources. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible.</u></p> <p>i. <u>Submission of a shadow habitats regulation assessment and provision of necessary mitigation measures including a contribution to the Council's Habitats Monitoring and Mitigation Strategy in line with Policy GSP5.</u></p> <p><i>[Amend the following supporting text paragraphs:]</i></p> <p>3.193 The allocation of the site also supports the existing tourism use and business use at Potters Resort. Tourism makes up a large part of the Borough's economy and development of this site would help support its continued use and its valued input into the local economy. <u>In order to provide some flexibility for the spaces used for staff accommodation and storage and the low density character of the surrounding area adjacent to the Strategic Gap between Hopton and Corton (Policy GSP3), a lower density of development is considered necessary compared to the standards set out in Policy H3.</u></p> <p><u>X.XXX In accordance with Policy GSP5, the applicant should demonstrate through a shadow Habitat Regulations Assessment that any potential impacts on nearby National Site Network sites will be fully mitigated. To address in-combination effects from the development, a contribution per dwelling will be required.</u></p>

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			<p>3.194 Hopton Primary School has insufficient capacity to accommodate the additional demand for places likely to arise from this development. Financial contributions are therefore required to in order to improve capacity. These contributions are likely to be £157,600 (£3,940 per dwelling).</p> <p>3.195 The development will put pressure on existing primary, acute, and mental healthcare facilities as evidenced in the Infrastructure Plan (2020). As such a financial contribution will be required to improve these facilities to address the impact. Based on modelling using the Healthy Urban Development Unit Planning Contributions model it is estimated that the contribution from this site will need to be in the region of £72,538 (£1,813 per dwelling).</p> <p>3.196 The development will put pressure on local libraries, therefore it is necessary for the development to make a contribution of £12,760 (£319 per dwelling) <u>towards enhanced library provision</u> in line with the Norfolk County Council's standards for provision.</p> <p><u>X.XXX The site is underlain by a defined Mineral Safeguarding Area for sand and gravel. In accordance with current (and emerging) policies from the Minerals and Waste planning authority Norfolk County Council, the above policy requires that on-site minerals should be considered for prior extraction where appropriate.</u></p> <p><i>[To update the 'Indicative Developer Contributions' column in Table 3.10 as follows:]</i></p> <p>£72,538 (£1,813 per dwelling) £157,600 (£3,940 per dwelling) £12,760 (£319 per dwelling) n/a</p>

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MM33	89 - 92	Policy MA1 & paragraphs 3.205, 3.206, 3.207, 3.208, 3.211, & Table 3.11	<p>[Amend Policy MA1 as follows:]</p> <p>Policy MA1: Land north of Hemsby Road, Martham</p> <p>Land north of Hemsby Road (4.08 Hectares) as identified on the Policies map is allocated for approximately 95 residential dwellings and employment development. The site should be developed in accordance with the following site-specific criteria:</p> <ol style="list-style-type: none"> Provide a mix of house types and sizes, including a minimum of 20% affordable dwellings, to reflect the needs and demand of the local area. 1.32 hectares of the site should be developed for employment use (use class B1 offices, research and development, and light industrial uses). This land should not be developed for residential uses unless evidence is provided that the land has been marketed for an appropriate length of time and there has been no reasonable interest in the land for employment purposes. Safe and suitable access to be provided to the satisfaction of the local highway authority, with appropriate integration in the existing pedestrian and cycling networks, including: <ul style="list-style-type: none"> development layout to include a highway link to the north-west and provide a connection to Back Lane; access to be from Hemsby Road; and frontage footway to be improved to 2.0m minimum width. An active frontage should be provided along Hemsby Road. The existing hedgerow surrounding the site should be protected where possible. Pedestrian access should be provided to the residential development to the north. It can be demonstrated that:

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			<ul style="list-style-type: none"> • an approved contamination remediation scheme has been carried out in full; and • a validation report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority. <p>h. Conserve the adjacent Martham conservation area and take opportunities through design to enhance its setting.</p> <p>i. Provide a financial contribution for <u>improvements to the quality and accessibility of off-site open space to serve the development in accordance with Policy H4.</u></p> <p>j. Financial contributions will be required towards the improvement of local primary schools and early education, <u>enhanced library provision, and the improvement of local healthcare facilities to serve the development.</u></p> <p>k. Financial contributions will be required towards enhanced library provision to serve the development.</p> <p>l. Financial contributions will be required towards the improvement of local healthcare facilities;</p> <p>k. A planning application should be supported by evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible.</p> <p>l. Details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system will contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the drainage measures should be included with the submission.</p> <p>m. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.</p> <p>n. Submission of an archaeological field evaluation prior to development.</p> <p>o. Submission of Transport Assessment and Travel Plan and implementation of any identified highway mitigation measures, <u>including reducing vehicle speeds at</u></p>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			<p><u>Hemsby Road</u>, and measures to encourage sustainable transport. The Transport Assessment should include a comprehensive walk to school assessment.</p> <p>p. Submission of a site-specific Flood Risk Assessment demonstrating how the site can be developed and occupied safely.</p> <p>q. <u>Submission of a shadow habitats regulation assessment and provision of necessary mitigation measures including a contribution to the Council's Habitats Monitoring and Mitigation Strategy in line with Policy GSP5.</u></p> <p><i>[Amend the following supporting text paragraphs:]</i></p> <p>3.202 Access should be from Hemsby Road and a strong frontage should be provided along Hemsby Road to encourage reduced vehicle speeds. <u>The existing 30mph speed limit along Hemsby Road shall also be extended eastwards by the local highway authority to align with the full extent of the site along Hemsby Road.</u> The existing footway should be widened. In achieving those aims it will also be necessary to protect the existing hedgerow where possible. Pedestrian access should be provided to the residential development to the north of the site in order to provide permeability through the eastern part of Martham and to provide access to open space being provided on the development to the north. <u>A new pedestrian connection to Back Lane should be provided and it will be necessary to explore further the supporting Transport Assessment whether the southern extent of Back Lane should be closed to motor vehicles.</u></p> <p>3.205 Given the close proximity of the village green, playing field and proposed open space on the development to the north of the site which is currently under construction, it is considered desirable to require an off-site financial contribution towards improving existing open spaces rather than further on-site provision in this location. This contribution should be in line with Policy H4 and therefore total £171,000 (£1,800 per dwelling).</p>

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			<p>3.206 There is insufficient capacity in the early education sector and the local primary school to accommodate the additional demand for places likely to arise from this development. Financial contributions are therefore required in order to improve capacity. These contributions are likely to be £129,200 (£1,360 per dwelling) for early education and £374,300 (£3,940 per dwelling) for the primary school.</p> <p>3.207 The development will put pressure on Martham Library, therefore it is necessary for the development to make a contribution of £30,305 (£319 per dwelling) <u>towards enhanced library provision</u> in line with the Norfolk County Council's standards for provision.</p> <p>3.208 The development will put pressure on existing primary, acute, intermediate and mental healthcare facilities as evidenced in the Infrastructure Plan (2020). As such a financial contribution will be required to improve these facilities to address the impact. Based on modelling using the Healthy Urban Development Unit Planning Contributions model it is estimated that the contribution from this site will need to be in the region of £209,265 (£2,203 per dwelling).</p> <p>3.211 A Shadow Habitats Regulations Assessment must be prepared and submitted to the Council in accordance with Policy GSP5. This Assessment should set out the potential impacts of the development on nearby Natura 2000 <u>National Site Network habitat</u> sites and identify necessary on-site and (if necessary) off-site mitigation measures. The HRA should also include assessment for potential hydrological linkage to Natura 2000 <u>National Site Network habitat</u> sites, and where this cannot be ruled out, a surface water management strategy to mitigate such potential effects. In addition, the in-combination effects of the development will necessitate the payment of a contribution per dwelling, in line with the Council's Habitats Monitoring and Mitigation Strategy.</p>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			<p>[To update the 'Indicative Developer Contributions' column in Table 3.11 as follows:]</p> <p>£129,200 (£1,360 per dwelling) £374,300 (£3,940 per dwelling) £209,265 (£2,203 per dwelling) £30,305 (£319 per dwelling) £171,000 (up to £1,800 per dwelling)</p>
MM34	94 - 96	Policy OT1 & paragraphs 3.222, 3.223, 3.224, 3.225, & Table 3.12	<p>[Amend Policy OT1 as follows:]</p> <p>Policy OT1: Land south of Cromer Road, Ormesby St Margaret</p> <p>Land south of Cromer Road (8.56 hectares) as identified on the Policies Map is allocated for residential development of approximately 190 dwellings. The site should be developed in accordance with the following site specific criteria:</p> <ol style="list-style-type: none"> Provide a mix of house types and sizes, including a minimum of 20% affordable dwellings, to reflect the needs and demand of the local area. Provision of safe and appropriate access, to be taken off of the Cromer Road, and new footway provision along the frontage of the development to integrate with the existing pedestrian network, to the satisfaction of the local highways authority. <u>Provision of an agreed access strategy and necessary improvements to integrate the site into the existing pedestrian and cycling networks including:</u> <ul style="list-style-type: none"> <u>Two vehicular accesses at Cromer Road. No vehicular access to be taken from/to the A149</u>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			<ul style="list-style-type: none"> • <u>The development shall have an active frontage along Cromer Road, together with 2.0m wide footway along its full extent</u> • <u>Provision of bus stops in both directions along the Cromer Road frontage; and</u> • <u>Connecting the existing footway on Filby Lane to provide safe pedestrian/cycling access to the east of the site.</u> <p>c. Connection to the existing footway on Filby Lane to provide safe pedestrian/cycling access to the east of the site. <u>Submission of a Transport Assessment and Travel Plan and implementation of any identified highway mitigation measures.</u></p> <p>d. Provide appropriate boundary treatment including the retention of the planted woodland to the south and east of the site to minimise the acoustic impact of the A149.</p> <p>e. Protection and enhancement of the remains of St Peter's Church and the adjacent Conservation Area.</p> <p>f. Submission of an archaeological field evaluation which includes trial trenching prior to development, in accordance with the NPPF.</p> <p>g. Provision of approximately 1.96 hectares of public open space on site <u>in accordance with Policy H4,</u> which should include the ground remains of St Peter's Church.</p> <p>h. Financial contributions will be required towards the improvement of the local junior school and early education, <u>enhanced library provision and the improvement of local healthcare facilities.</u></p> <p>i. Financial contributions will be required towards enhanced library provision to serve the development.</p> <p>j. Financial contributions will be required towards the improvement of local healthcare facilities.</p> <p>i. Submission of protected species surveys (bat and barn owls may be present).</p>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			<p>j. A planning application should be supported by evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible.</p> <p>k. <u>Submission of a site-specific Flood Risk Assessment demonstrating how the site can be developed and occupied safely</u></p> <p>l. <u>Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system could contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the sustainable drainage measures should be included with the submission.</u></p> <p>m. <u>Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.</u></p> <p>n. <u>Submission of a shadow habitats regulation assessment and provision of necessary mitigation measures including a contribution to the Council's Habitats Monitoring and Mitigation Strategy in line with Policy GSP5.</u></p> <p><i>[Amend the following supporting text paragraphs:]</i></p> <p>3.216 The site is located to the immediate south-west of the settlement and has good access to local services and facilities. <u>Vehicular access should be taken from two points along Cromer Road. Direct access taken from the A149 is not considered to be appropriate and will be resisted.</u> The site will benefit from the provision of a new footway along the southern side of Cromer Road <u>frontage development along Cromer Road, together with new bus stops and new footway provision along its full extent to help integrate sustainably into the current network,</u> encouraging pedestrian access to nearby amenities.</p>

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			<p>3.222 There is insufficient capacity in the early education sector and the local junior school to accommodate the additional demand for places likely to arise from this development. Financial contributions are therefore required to in order to improve capacity. These contributions are likely to be £258,400 (£1,360 per dwelling) for early education and £404,890 (£2,130 per dwelling) for the junior school.</p> <p>3.223 The development will put pressure on local libraries, therefore it is necessary for the development to make a contribution of £60,610 (£319 per dwelling) <u>towards enhanced library provision</u> in line with the Norfolk County Council's standards for provision.</p> <p>3.224 The development will put pressure on existing primary, acute, intermediate and mental healthcare facilities as evidenced in the Infrastructure Plan (2020). As such a financial contribution will be required to improve these facilities to address the impact. Based on modelling using the Healthy Urban Development Unit Planning Contributions model it is estimated that the contribution from this site will need to be in the region of £437,011 (£2,300 per dwelling).</p> <p>3.225 A Shadow Habitats Regulations Assessment must be prepared and submitted to the Council in accordance with Policy GSP5. This Assessment should set out the potential impacts of the development on nearby Natura 2000 <u>National Site Network habitat</u> sites and identify necessary on-site and (if necessary) off-site mitigation measures. The HRA should also include assessment for potential hydrological linkage to Natura 2000 <u>National Site Network habitat</u> sites, and where this cannot be ruled out, a surface water management strategy to mitigate such potential effects. In addition, the in-combination effects of the development will necessitate the payment of a contribution per dwelling, in line with the Council's Habitats Monitoring and Mitigation Strategy.</p> <p><i>[To update the 'Indicative Developer Contributions' column in Table 3.12 as follows:]</i></p>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			£258,400 (£1,360 per dwelling) £404,890 (£2,130 per dwelling) £437,011 (£2,300 per dwelling) £60,610 (£319 per dwelling) n/a
MM35	97 - 99	Policy OT2 & paragraphs 3.226, 3.230, 3.231, 3.232, 3.233, 3.234, & Table 3.13	<p>[Amend Policy OT2 as follows:]</p> <p>Policy OT2: North of Barton Way, Ormesby St Margaret</p> <p>Land north of Barton Way, Ormesby St Margaret (1.68 hectares) as identified on the Policies Map is allocated for residential development of approximately 32 dwellings. The site should be developed in accordance with the following site-specific criteria:</p> <ol style="list-style-type: none"> Provide a mix of house types and sizes, including a minimum of 20% affordable dwellings, to reflect the needs and demand of the local area. Provision of safe and appropriate access to the satisfaction of the local highways authority including: <ul style="list-style-type: none"> <u>vehicular access to be taken from Barton Way and/or Thurne Way only;</u> the widening of Barton Way <u>and/or Thurne Way</u> (along its entire length <u>up to the vehicular access</u>) to a road width size of at least 5.5m and all junctions between the site and North Road and Station Road being made to a safe and acceptable standard; and improvements to maintain the public right of way FP2 along the southern boundary of the site; <u>and,</u>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			<ul style="list-style-type: none"> • <u>incorporate natural surveillance of the public right of way through the site design and layout.</u> c. A well-designed scheme, reflecting the local character of the area with appropriate landscaping along the north and eastern boundaries of the site. d. Provide a contribution to off-site open space in accordance with Policy H4. e. Financial contributions will be required towards the improvement of the local junior school and early education, <u>enhanced library provision and the improvement of local healthcare facilities.</u> f. Financial contributions will be required towards enhanced library provision to serve the development. g. Financial contributions will be required towards the improvement of local healthcare facilities. f. Submission of a site-specific Flood Risk Assessment demonstrating how the site can be developed and occupied safely. g. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system could contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the drainage measures should be included with the submission. h. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately. i. A planning application should be supported by evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible. j. <u>Submission of a shadow habitats regulation assessment and provision of necessary mitigation measures including a contribution to the Council's Habitats Monitoring and Mitigation Strategy in line with Policy GSP5.</u>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			<p><i>[Amend the following supporting text paragraphs:]</i></p> <p>3.226 The site is well located adjacent to the north of the existing built up area with good access to local services and facilities. Vehicular access can be achieved via Barton Way provided that it is widened to the required Highway Authority standard at its narrower sections. In doing this existing street trees should be protected and where possible and replaced where lost. <u>The site can also be potentially accessed from Thurne Way.</u> The site can be easily integrated into settlement with good connectivity and minimal impact upon the surrounding countryside. <u>However, a lower density than that set out in Policy H3 is required to reflect the character of the area.</u> This proposed allocation would provide a deliverable development opportunity for a small to medium sized housebuilder.</p> <p>3.230 There is insufficient capacity in the early education sector and the local junior school to accommodate the additional demand for places likely to arise from this development. Financial contributions are therefore required to in order to improve capacity. These contributions are likely to be £43,520 (£1,360 per dwelling) for early education and £68,192 (£2,131 per dwelling) for the junior school.</p> <p>3.231 The development will put pressure on existing primary, acute and mental healthcare facilities as evidenced in the Infrastructure Plan (2020). As such a financial contribution will be required to improve these facilities to address the impact. Based on modelling using the Healthy Urban Development Unit Planning Contributions model it is estimated that the contribution from this site will need to be in the region of £57,496 (£1,797 per dwelling).</p>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			<p>3.232 The development will put pressure on local libraries, therefore it is necessary for the development to make a contribution of £10,208 (£319 per dwelling) <u>towards enhanced library provision</u> in line with the Norfolk County Council's standards for provision.</p> <p>3.233 The site is reasonably small and there will be limited space within the allocation site to provide useful open space to serve local residents. The policy therefore sets out that an off-site contribution will be required to meet Policy H4 <u>and could be up to £1,800 per dwelling. In that regard, it is evident that there may be particular opportunities to improve existing local open spaces south of the allocation site, such as the small play area at Millview</u>. There may be opportunities to improve existing local open spaces south of the allocation site, such as the small play area at Millview. The full off-site contribution for open space is £57,600 (£1,800 per dwelling).</p> <p>3.234 A Shadow Habitats Regulations Assessment must be prepared and submitted to the Council in accordance with Policy GSP5. This Assessment should set out the potential impacts of the development on nearby Natura 2000 <u>National Site Network habitat</u> sites and identify necessary on-site and (if necessary) off-site mitigation measures. The HRA should also include assessment for potential hydrological linkage to Natura 2000 <u>National Site Network habitat</u> sites, and where this cannot be ruled out, a surface water management strategy to mitigate such potential effects. In addition, the in-combination effects of the development will necessitate the payment of a contribution per dwelling, in line with the Council's Habitats Monitoring and Mitigation Strategy.</p> <p><i>[To update the 'Indicative Developer Contributions' column in Table 3.13 as follows:]</i></p> <p>£57,496 (£1,797 per dwelling) £43,520 (£1,360 per dwelling)</p>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			£68,192 (£2,131 per dwelling) £10,208 (£319 per dwelling) £57,600 (up to £1,800 per dwelling)
MM36	101	Policy A1	<p>Policy A1: Amenity</p> <p>Development proposals will be supported where they contribute positively to the general amenities and qualities of protect or promote a high standard of amenity to ensure a suitable living environment in the locality.</p> <p>Particular consideration will be given to the form of development and its impact on the local setting in terms of scale, character and appearance.</p> <p>Planning permission will be granted only where development would not lead to an excessive or unreasonable unacceptable impact on the amenities of the occupiers of existing and anticipated development in the locality, in terms including:</p> <ul style="list-style-type: none"> a. overlooking and loss of privacy; b. loss of light and overshadowing and flickering shadow; c. building and structures which are that will be overbearing; d. nuisance, and disturbance and loss of tranquility from: <ul style="list-style-type: none"> • waste and clutter • intrusive lighting • visual movement • noise • poor air quality (including odours and dust); and • vibration.

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			<p>Where adverse impacts on amenity are an inevitable consequence of an otherwise desirable use and configuration, measures to mitigate such unacceptable impacts will be expected to be incorporated in the development.</p> <p>On large scale and other developments where construction operations are likely to have a significant and ongoing long-term impact on local amenity, consideration will be given to conditions to mitigate this thorough a construction management plan covering such issues as hours of working, access routes points of access and methods of construction.</p> <p><i>[Amend the following supporting text paragraphs:]</i></p> <p>5.3 In terms of issues arising from odours, a particular consideration will be the proximity of development to water recycling centres (sewage treatment works). Anglian Water advise that developments within 400m of a water recycling centre should be accompanied by an odour assessment as set out in their Asset Encroachment Policy. to ensure issues are avoided and mitigated. <u>The odour assessment will need to demonstrate that adverse impacts can be avoided through the layout of the site or suitable mitigation measures can be secured as part of the development.</u></p>
MM37	103 - 107	Policy A2 & paragraph 5.13	<p><i>[Amend Policy A2 as follows:]</i></p> <p>Policy A2: Housing design principles</p> <p>Proposals for new housing developments will be expected to demonstrate high quality design which reflects local distinctiveness and creates attractive and functional environments. In so doing proposals should meet the following requirements:</p>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			<p>a. <u>Context</u></p> <ul style="list-style-type: none"> • Development should reflect and have regard to local context, including the surrounding built environment, topography, landscape and drainage. • Development should aim <u>take advantage of opportunities</u> to enhance the immediate street scene and local landscapes/townscape. • The layout should reflect <u>or complement</u> the existing urban grain. • Key views should be retained and new views of key natural and built features should be created <u>where possible</u>. <p>b. <u>Identity</u></p> <ul style="list-style-type: none"> • New homes should be architecturally locally distinctive, innovative and visually attractive through the scale and proportions, use of materials, facades and detailing. This should not prohibit contemporary architecture. • A range of house types and styles should be provided on any housing development sites with a balance of symmetry and variety. • Street design and landscaping should reflect positive local existing and historical precedents. • Large-scale housing developments <u>which comprise significant extensions to existing settlements (such as those allocated by Policies CS18, GN1 and CA1)</u> should include a variety of character areas within them in order to allow different areas and neighbourhoods to each have their own identity. <p>c. <u>Built Form</u></p> <ul style="list-style-type: none"> • Housing developments should create walkable neighbourhoods with recognisable streets and spaces which promote legibility.

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			<ul style="list-style-type: none"> • The development should seek to create a visual sense of enclosure with a good relationship between the height and massing of buildings, landscape features and the street. • Houses should effectively turn corners at street junctions to avoid blank walls and nonactive frontages. • There should be sufficient spacing and landscaping around detached homes, as such detached properties should only be used at lower densities • Buildings should face streets with private areas to the rear of the buildings. <p>d. <u>Movement</u></p> <ul style="list-style-type: none"> • Housing development should be designed around a clear hierarchy of connected streets which are orientated to address key pedestrian desire lines, promote permeability and create a legible environment. • Cul-de-sacs should be avoided where they frustrate pedestrian permeability. • Larger-scale housing developments <u>which comprise significant extensions to existing settlements (such as those allocated by Policies CS18, GN1 and CA1)</u> should have streets designed to accommodate public transport. • Connections and through routes should be made to adjoining land and highways to improve permeability and to avoid sterilising future sites for development. • Housing developments should include a mix of parking solutions to ensure highway safety and avoid a car-dominated environment. • Continuous front curtilage parking should be avoided. Parking spaces in the front curtilage of dwellings should only be provided where landscaping or a front garden can also be provided to reduce the impact of cars. • Rear parking courts should also be avoided unless they are well-overlooked, secure, small in scale and well-related to the car-owners property.

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			<p>e. <u>Nature and Public Spaces</u></p> <ul style="list-style-type: none"> Existing natural features and trees should be incorporated in the development. Landscaping should be provided throughout the site including <u>tree-lined streets</u>the provision of street trees. Open spaces should include natural features, be well overlooked, have a clear purpose and be in an accessible location within the development. Lighting should be consistent with the objective of preserving dark skies and avoiding excessive light pollution <u>in line with Policy E6 and national planning policy and guidance on Light Pollution</u>. <p>f. <u>Functional, Healthy and Sustainable Homes</u></p> <ul style="list-style-type: none"> New homes must be built to meet requirement M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings where practicable. Developers should consider options to improve the energy efficiency of homes and reduce their carbon footprint through choice of materials, orientation, fenestration, solar gain, ventilation, renewable energy and shading. Convenient and discreet bin storage should be provided <u>to serve each new dwelling</u>. Homes and external areas should be designed to be secure and reduce the risk and fear of crime. <p>g. <u>Lifespan</u></p> <ul style="list-style-type: none"> Housing developments should be designed <u>where possible</u> to be adaptable to changing needs and <u>existing and emerging</u> technologies <u>such as home-working, digital connectivity and electric/autonomous vehicles</u>. Developers should ensure plans are in place for the long-term stewardship and management of public spaces.

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			<p>Planning applications will be refused for housing development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account the above criteria and the National Design Guide and any future local design guide/code.</p> <p><i>[Amend the following supporting text paragraphs:]</i></p> <p>5.13 The Borough has a relatively aged population structure, and this characteristic is likely to become more pronounced in the future, with the number of residents over 85 anticipated to double during the plan period. Additionally, many households have persons with disabilities which require adaptations to homes. Emerging evidence suggests that all new homes in Borough should be designed to be adaptable to meet current and future needs. Therefore, all new homes built in the Borough must meet requirement M4(2) of Part M of the Building Regulations unless it is not practicable to do so. The Local Plan Part 2 Viability Assessment has concluded it is financially viable for all new homes to meet this standard. Exceptionally <u>There may be site-specific circumstances where it is not possible to meet M4(2) requirements, for example,</u> where it is not possible to achieve step-free access due to the topography of the site or flood risk, <u>in these circumstances the M4(2)</u> these requirements will not be imposed.</p> <p><i>[Insert the following new supporting text paragraph before paragraph 5.14]</i></p> <p><u>X.XX Developments should be designed to reduce opportunities for crime and disorder. Many of the design principles above will help contribute towards this objective. Regard should also be had to the 'Secured by Design' principles published and routinely updated by the Police.</u></p>

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MM38	108	Policy A3	<p>Policy A3: Advertisements</p> <p>In assessing advertisement proposals in terms of amenity, regard will be given to the local characteristics of the neighbourhood in terms of potential impact upon the scenic, historic, architectural, landscape or cultural settings, and whether it is in scale and in keeping with these features.</p> <p>In assessing advertisements in terms of public safety, consideration will be given to the advertisement's potential to become hazardous to users of paths, roads, rail, waterways and aircraft.</p>
MM39	109	Policy H1 & paragraph 6.1	<p><i>[Amend Policy H1 as follows:]</i></p> <p>Policy H1: Affordable housing tenure mix</p> <p>As a starting point the Borough Council will seek the following split in the affordable housing requirement for a site:</p> <ul style="list-style-type: none"> a. 90% Affordable Rent. b. 10% Affordable Home Ownership. <p>Alternative tenures may be accepted where applicants can adequately demonstrate the demand for other affordable housing products and that they are affordable in the local context.</p>

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			<p><u>Exemptions to the affordable housing requirement will be made where the site or proposed development:</u></p> <ul style="list-style-type: none"> • <u>provides solely for Build to Rent homes;</u> • <u>provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);</u> • <u>is proposed to be developed by people who wish to build or commission their own homes; or,</u> • <u>is exclusively for affordable housing, an entry-level exception site or a rural exception site.</u> <p><i>[Amend the following supporting text paragraph:]</i></p> <p>6.1 The above policy builds on Policy CS4 <u>(as amended by UCS4)</u> setting out the Borough's affordable housing requirement. However, since the adoption of the Core Strategy, the NPPF <u>(paragraph 64)</u> sets out that planning authorities should expect at least 10% of the homes on major sites to be available for 'affordable home ownership'; unless this prejudices the ability to meet the identified affordable need. <u>However, paragraph 64 of the NPPF does provide an exemption to this requirement where it would significantly prejudice the ability to meet the identified affordable housing needs of specific groups. In the context of the Borough, the effect of this national planning policy requirement would prejudice the ability to meet affordable housing needs. Policy H1, therefore, provides a justified exemption from the national policy requirement to ensure that the affordable housing that is provided will meet the strongest areas of affordable housing need, i.e. affordable rent, and will not prejudice the large proportion of people within this need that do not have the means to purchase affordable home ownership products.</u></p>

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			<p>6.2 The Borough has a significant affordable housing need with challenging conditions including low incomes. Evidence shows that of the affordable home ownership products available (as defined in the NPPF, such as starter homes), only a very small proportion of shared ownership housing is currently affordable to local residents. <u>Affordability evidence as set out in the Affordable Housing Tenure Mix Topic Paper indicates that in the limited circumstances where affordable home ownership tenures are affordable, a high level of discount is generally required. Furthermore, there are only a small number of urban wards within Great Yarmouth (reflective of the low value of housing within those areas) where affordable home ownership products can be afforded by local residents at a high level of discount. However, these areas are mis-matched as they are also the areas with the greatest need for affordable rent tenures, the lowest incomes of the Borough, and consequently where the lowest levels of demand for affordable home ownership products would be expected.</u></p> <p>6.3 Another factor which limits the ability of the Borough Council to meet its affordable housing need, is the viability of development. With challenging viability, Core Strategy Policy CS4 could only require proportions of 10% and 20% affordable housing across the housing market areas within the local plan area. Consequently, the amount of affordable housing achieved is considerably below the affordable housing need, and the total affordable housing need cannot feasibly be met by the plan.</p> <p>6.4 <u>Applying the national planning policy requirement for 10% affordable home ownership would result in affordable housing tenure splits of 100% affordable home ownership in some areas and 50% in other areas of the Borough. Given the stark evidence of affordable housing need across affordable rent tenures and the low incomes unable to support affordable home ownership products, applying the</u></p>

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			<p><u>requirement for 10% of homes to be available for affordable home ownership would fall well short of meeting identified local affordable housing needs</u> This policy therefore provides a justified exemption from the national policy requirement, and will ensure that the affordable housing that is provided will meet the strongest areas of affordable housing need, and will not prejudice the large proportion of people within this need that do not have the means to purchase affordable home ownership products.</p> <p>X.X <u>Furthermore, and notwithstanding the different tenure split set out in Policy H1, it necessarily incorporates a similar approach as national policy to listed exemptions from the affordable housing requirement where a proposal provides solely for Build to Rent homes, provides specialist accommodation for a group of people with specific needs, is a self-build project or is exclusively for affordable housing.</u></p> <p>6.5 The <u>Policy H1</u> does, however, contain flexibility where development schemes may be able to demonstrate to the Borough Council that there is sufficient demand for an alternative affordable housing tenure. In each case, it is strongly recommended that applicants seek guidance from the Borough Council's Housing Team to understand the current local affordable housing needs prior to submitting a planning application for residential development.</p>
MM40	111	Policy H2	<p>Policy H2: Delivering affordable housing on phased or cumulative developments</p> <p>Where residential sites are <u>proposed adjacent to a recently permitted scheme (within the past 3 years) and identified as</u> developed separately through phased or cumulative development, as evidenced by <u>in addition to</u> one or more of the below <u>criteria</u>, within the past 3 years of the application being made, the affordable housing requirement will be</p>

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			<p>calculated based on the total development (i.e. the site subject to the application together with any adjacent plots meeting the criteria below), and not treated individually.</p> <p>a. The application site is the same ownership as one or more adjacent plots of land.</p> <p>b. There is evidence of previous applications for development of a larger site of which the application site forms a part of.</p> <p>c. The site is contiguous to a development that has been either:</p> <ul style="list-style-type: none">• under construction or completed in the years prior to the application being made; or• has been granted planning permission or approval of reserved matters within the last 3 years and remains capable of implementation.				
MM41	112	Policy H3 & Paragraph 6.8	<p>[Amend Policy H3 as follows:]</p> <p>Policy H3: Housing density</p> <p>To make an efficient and effective use of land, residential developments will need to meet the following indicative minimum housing densities:</p> <table><tr><th>Location - settlement(s)</th><th>Net minimum housing density (dwellings her hectare)</th></tr><tr><td>Great Yarmouth Town Centre & Gorleston-on-Sea Town Centre, and edge of centre locations</td><td>50</td></tr></table>	Location - settlement(s)	Net minimum housing density (dwellings her hectare)	Great Yarmouth Town Centre & Gorleston-on-Sea Town Centre, and edge of centre locations	50
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			Elsewhere in the settlements of Great Yarmouth, Gorleston-on-Sea & Bradwell	35
			Caister-on-Sea, Belton, Hemsby, Hopton-on-Sea Martham, Ormesby St Margaret and Winterton-on-Sea	30
			Elsewhere in the Borough	20
			<p>In exceptionalallimited circumstances, such as where a site location is particularly sensitive owing to its distinct local character, the Borough Council will consider the acceptability of lower housing densities.</p> <p>Low density residential developments, particularly those on land graded 1 or 2 in agricultural land value or greenfield land, that do not meet the above minimum standards or fail to demonstrate relevant exceptional the limited circumstances set out above, will not be permitted.</p> <p><i>[Amend the following supporting text paragraph:]</i></p> <p>6.8 The density standards seek to 'uplift' housing densities in accessible urban centres, but also set more appropriate and efficient standards to apply in more rural and less accessible locations in the Borough. Much of the greenfield land within the Borough is of agricultural value (including the most productive, Grades 1 and 2 Agricultural Values). Therefore, to make the most efficient use of such land where it is lost, lower density residential developments will notonly be permitted where they fail to provide an exceptionalin limited circumstancess.</p>	

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MM42	113 - 114	Policy H4 & paragraphs 6.11, new paragraph following 6.11, & 6.13	<p>[Amend Policy H4 as follows:]</p> <p>Policy H4: Open space provision for new housing development</p> <p>New residential developments will be expected to make provision for publicly accessible recreational open space to be based upon the following <u>Borough-wide standards unless it can be demonstrated through the Council's published evidence, or the submission of a more up-to-date open space assessment, that there is a sufficient local surplus of provision in the listed types of open space to meet the needs of existing residents and those arising from future occupiers of the proposal:</u></p> <ol style="list-style-type: none"> 103 square metres per dwelling, comprising approximately: <ul style="list-style-type: none"> 24% for outdoor sport; 18% for informal amenity green space; 6% for suitably equipped children's play space; 2% for allotments; 10% for parks and gardens; and 40% for accessible natural green space. This <u>Any new</u> provision will generally be expected to be provided on site, except to the extent that the size, circumstances and surroundings render this impractical or undesirable, in which case, <u>where possible,</u> an equivalent financial contribution will be required for the improvement or enhancement <u>of the quality and/or accessibility of</u> public open space provision in the locality <u>that would otherwise be capable of meeting the needs of the development.</u> Flexibility may be provided in the balance between on and off-site provision, and between the types of open space, in the light of the nature of the development and the availability of existing recreational play space <u>open space</u> in the vicinity.

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			<p>Developments of 20 dwellings and above, however, will generally be expected to meet the requirement for children's play space on or adjacent to the site <u>where local deficits exist</u> (i.e. other requirements may, subject to the foregoing criteria, be provided elsewhere).</p> <p>d. Robust arrangements for the management and maintenance of the on-site provision in perpetuity will be required to be demonstrated. (This will not be relevant where a financial contribution is accepted in lieu of the whole of normal on-site provision.) This requirement may be met by:</p> <ul style="list-style-type: none"> the Borough Council's agreement to adopt recreation space, which will require a minimum of 20 years financial contribution paid to it for by the developer in advance of adoption; or an agreement with the relevant Parish or Town Council for it to adopt the space and commit to (for which it may require an appropriate financial contribution from the developer); or the establishment of an adequately funded private management entity with responsibility for its maintenance and management in perpetuity. <p>e. Acceptability of a financial contribution in lieu of on-site provision will be dependent on meeting the following additional requirements:</p> <ul style="list-style-type: none"> a development that contains sufficient space to ensure a high standard of layout and amenity to the residents and neighbours of the proposed development and to ensure it integrates well into the wider landscape or townscape setting; and a reasonable prospect of delivery of appropriate off-site provision in the locality in the near future, having regard to the amount of the financial contribution, the existence of administrative arrangements for delivery, and (where relevant) the availability of suitable land. <p>f. All types of outdoor open space should seek to enhance biodiversity by improving the potential for habitat connectivity.</p>

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			<p>A Supplementary Planning Document will be produced by the Borough Council to provide further detail and guidance on providing open space in new residential development.</p> <p><i>[Amend the following supporting text paragraphs:]</i></p> <p>6.11 To ensure the adequate provision of recreational open space in the Borough, the requirements of this Policy are supported by the Borough Council's Open Space Study (2013) and the Play, Sport and Leisure Study (2015), and the Fields in Trust 'Guidance for Outdoor Sport and Play, Beyond the Six Acre Standard'. The policy is flexible in allowing on and off-site provision for open space, as well as variation from the standard requirement where justified. <u>Off-site provision would normally involve making a financial contribution and could take the form of the provision of a new open space or could involve improvements to existing facilities which are accessible to the development.</u></p> <p><i>[Insert the following new supporting text paragraph after paragraph 6.11:]</i></p> <p><u>X.XX Where applicants can demonstrate that the local open space needs are different to those set out in the Borough-wide standards (i.e. in the policy), they will need to submit a local open space needs assessment. The starting point for any assessment will be to consider any surpluses and deficits in open space provision as shown in the Borough Council's existing open space evidence. When assessing such needs, in addition to the quantity of open space provision, consideration must also be given to the qualitative state of the facility in question and the accessibility of the facility to residents from the development proposal site. Appendix D sets out further detail on the most recently evidenced accessibility standards for each type of open space. The contribution that an open space makes towards local amenity,</u></p>

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			<p><u>public realm, biodiversity and the wider green infrastructure network should also be considered as part of any open space needs assessment.</u></p> <p>6.13 Based on <u>the full provision of open space policies as set out in</u> the above policy requirement, a full off-site contribution for open space to the Borough Council will cost £1,800 per dwelling. <u>The costing breakdown for the provision and maintenance of each type of open space is set out in Appendix D.</u> A Supplementary Planning Document will be produced setting out further detail and guidance on the provision of open space.</p>
MM43	115 - 116	Policy H5 & paragraph 6.15	<p>[Amend Policy H5 as follows:]</p> <p>Policy H5: Rural worker dwellings</p> <p>New permanent dwellings outside of the Development Limits for full-time rural workers in agriculture, forestry, or other land-based rural business will be permitted where the applicant can satisfactorily demonstrate:</p> <ol style="list-style-type: none"> there is a clearly established functional need to live at the immediate area of their work 24 hours a day through the majority of the year; the business has been established for at least five 5 years, has been profitable for at least two 2 years, is currently financially sound, and has a clear prospect of remaining so; the functional need could not be fulfilled by an existing dwelling on the site, or any other accommodation (or building capable of conversion to such) in the area which is suitable and available, or likely to become so, for occupation by the worker(s) involved;

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			<p>d. the proposal is satisfactorily positioned on the agricultural, forestry or land-based use, and wherever possible, is sited within an existing group of buildings (where practical to avoid the need for new vehicular access);</p> <p>e. the proposed dwelling is reasonably related in size and character to the functional requirement and the value of the holding in its agricultural, forestry or land-based use; and</p> <p>f. there have been no previous disposals of potentially suitable properties from the holding, or by the applicant or related businesses or persons within the previous 105 years.</p> <p>If a new dwelling is essential to support a new rural based activity, it should for the first five5 years be provided by a caravan or other temporary accommodation. Such temporary dwellings will be supported only where:</p> <p>g. the proposal satisfies criteria a, c and f above;</p> <p>h. the application is supported by clear evidence of a firm intention and ability to develop the enterprise concerned (for example significant investment in new farm buildings is often a good indication of intentions); and</p> <p>i. the application is supported by clear evidence that the proposed enterprise has been planned on a sound financial basis, and has a good prospect of becoming a viable long term business.</p> <p><i>[Amend the following supporting text paragraph:]</i></p> <p>6.15 This policy provides the detailed criteria to be addressed by those preparing or deciding planning applications for such dwellings, in order to ensure, for example, that such dwellings</p>

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			are permitted where genuinely required, but avoided where the use or type of dwelling will not meet a long term community need. <u>The policy requires there to be a functional need for a worker to live in the immediate area which could not be fulfilled by an existing dwelling. To demonstrate a functional need, evidence should be provided that the worker needs to attend to the enterprise 24 hours a day for the majority of the year. As such the functional need in most circumstances is likely to be fulfilled by someone who is employed full-time in a rural enterprise.</u> Where planning permission is granted for a rural workers dwelling, occupancy restriction conditions will be imposed to ensure the dwelling is used for that purpose and remains available for that purpose in the future.
MM44	117	Policy H6 & paragraph 6.16	<p><i>[Amend Policy H6 as follows:]</i></p> <p>Policy H6: Retention and removal of existing occupationally restricted rural dwellings</p> <p>Preference will be given to retaining agricultural or other rural based occupancy dwellings where there is a local need.</p> <p>This will include a preference for amending the terms of any occupancy condition more restrictive than the criteria set out in Policy H5 to reflect those terms, rather than removing a condition entirely.</p> <p>Proposals for the removal of occupancy conditions will only be permitted where the applicant can demonstrate that:</p> <ol style="list-style-type: none"> the dwelling has been occupied in accordance with the terms of the occupancy condition for a minimum of 5 years; and

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			<p>b. permission has been sought to relax any occupancy condition terms more restrictive than set out in Policy H5current (as outlined above); and or</p> <p>c. there is no longer a need for the dwelling by those working, or last working, in the locality in agricultural, forestry or a rural enterprise, established by evidence of marketing for a period of 12 months.</p> <p><i>[Amend the following supporting text paragraph:]</i></p> <p>6.16 To avoid new isolated market housing in the countryside, which is contrary to Policies CS2 and GSP1 and the National Planning Policy Framework and to maintain a stock of housing suitable for rural needs, proposals to remove occupancy restriction conditions will only be approved in exceptional specific circumstances as listed in Policy H6. The onus will be on applicants to demonstrate that the criteria within the policy have been met in order to justify the removal of such restrictions. <u>Before removal of occupancy conditions are considered, evidence will need to be presented that the dwelling has actually been occupied for a minimum period of five years. This is to avoid potential abuses of Policy H5 where a dwelling is built with no full intention of using it for the agricultural purposes. The occupation does not have to be continuous providing it has been occupied for five years in total. In circumstances where an associated rural enterprise has failed before the dwelling subject of the occupational restriction has been occupied for five years, the Council may consider a shorter occupancy period specifically if the circumstances of criterion c) are met.</u></p>
MM45	118	Policy H7	Policy H7: Conversion of rural buildings to residential uses

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			<p>The residential conversion or re-use of buildings of heritage or landscape value outside the Development Limits for residential use will be supported where this secures that value in the long term and:</p> <ul style="list-style-type: none"> a. it is demonstrated the building is of permanent and substantial construction and capable of conversion without major or complete reconstruction or replacement; and b. any extension, additional building(s) or curtilage provision is complementary to the scale and character of the retained building and its setting; c. it would not have a significant adverse effect on the amenities of neighbouring occupiers or the effective operation of nearby businesses; d. conditions are applied if this is required to avoid future extensions, curtilage buildings or other domestic paraphernalia undermining heritage or landscape justification for conversion; and e. ensure that the conversion does not result in the loss of protected species (such as barn owls and bats) and provide compensatory habitat(s) where such loss is unavoidable; and f. <u>the conversion of the building would enhance its immediate setting.</u>
MM46	120	Policy H9	<p>Policy H9: Residential extensions</p> <p>Residential extensions will be permitted both within and outside of Development Limits where they:</p> <ul style="list-style-type: none"> a. maintain or enhance the character and appearance of the building, street scene, its immediate surroundings and the wider townscape or landscape; b. would not significantly adversely affect the amenities of any neighbouring occupiers <u>in line with Policy A1</u>; and

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			c. do not deprive the property of suitable amenity, utility, parking and highway access for the resulting scale of use.
MM47	122 - 123	Policy H11 & paragraph 6.29	<p><i>[Amend Policy H11 as follows:]</i></p> <p>Policy H11: Housing for the elderly and other vulnerable users</p> <p>The provision of accommodation especially suitable for elderly and other vulnerable people will be encouraged. The following types of development will be permitted:</p> <ul style="list-style-type: none"> a. bungalows within Development Limits; b. accessible apartments within Development Limits; and c. grouped accommodation with appropriate elements of support, shared facilities and/or nursing care/wardening where either: <ul style="list-style-type: none"> i. it is located within Development Limits, and <ul style="list-style-type: none"> • close to town or village shops, public transport, community facilities and medical services; and • these are easily reached by those without access to a car, as appropriate to the needs and level of mobility of potential residents; or ii. it is located outside Development Limits, and <ul style="list-style-type: none"> • is adjacent to the Development Limits of a Main Town, Key Service Centre or Primary Village; • a Travel Plan shows how residents without cars will have access to shops, community facilities and medical services, as appropriate to the needs and level of mobility of potential residents. The plan should also demonstrate how visitors and staff without cars can access the premises.

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			<p>Measures included in the plan will need to be secured by planning condition and/or a planning obligation;</p> <ul style="list-style-type: none"> a planning condition restricts the occupancy to older people or people with a need for care. <p>Where sites close to Great Yarmouth or Gorleston-on-Sea town centres become available which are suitable for grouped accommodation under 3(1)c(i) above, preference will be given to such accommodation over other potential residential uses. <u>Proposals should be supported by evidence demonstrating why grouped accommodation under c(i) would not be viable or suitable for the site.</u></p> <p>For elderly accommodation covered by this policy, the design should facilitate the provision of:</p> <ul style="list-style-type: none"> d. generous internal space standards; e. high levels of energy efficiency with good ventilation; f. suitable storage space for items that aid mobility; g. sheltered external recreational space, and where this cannot be achieved, to the provision of external balconies; and h. an attractive outlook and/or activity from within this accommodation. <p><i>[Amend the following supporting text paragraph:]</i></p> <p>6.29 Given the significant need for housing suitable for older people and people in need of care it is necessary to promote this form of development and encourage and prioritise it in certain areas. Where sites become available close to <u>within or on the edge of a town centre (defined as 300m from the town centre boundary, consistent with Policy R1 for edge of centre sites of</u> Great Yarmouth or Gorleston-on Sea town centres) these</p>

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			should be prioritised for housing suitable for the elderly <u>over other residential uses</u> . Therefore, proposals for new <u>residential</u> development close to the town centres will need to be supported by evidence documenting whether the site is suitable and desirable for grouped accommodation with appropriate elements of support, shared facilities and/or nursing care/wardening for the elderly or vulnerable people. <u>This evidence should include evidence of marketing enquiries, viability information or evidence that the site is not suitable due to size, elevation changes or access.</u>
MM48	128	Paragraph 6.54	6.54 In the event that the Council cannot secure a five year supply it will be important to ensure that new planning permissions (particularly those which are being justified on the basis of a lack of supply) will deliver housing promptly. As such the Council will consider applying a shorter than standard time limit to outline applications for major housing development. <u>In such circumstances, the Borough Council will also have regard to national policy by considering the potential to impact on development deliverability and viability.</u>
MM49	129	Policy R1	<p>Policy R1: Location of retail development</p> <p>Town Centre Boundaries, District Centre Boundaries and Primary Shopping Areas are identified on the Policies Map.</p> <p>New main town centre use development (falling within use classes A1, A2, A3, A4, A5, C1, D1, D2 and B1a <u>as defined by the National Planning Policy Framework</u>) will be permitted within the designated centre boundaries. Where there are no suitable or available sites within the designated centre, <u>proposals for</u> main town centre use development <u>which are otherwise in accordance with Policy CS7 (as amended by Policy UCS7)</u> will be permitted on edge of centre sites.</p>

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			<p>For retail development in Great Yarmouth, edge of centre sites should be within 300 metres of the Primary Shopping Area. For the development of other main town centre uses in Great Yarmouth, edge of centre sites should be within 300 metres of Town Centre Boundary.</p> <p>For all main town centre uses proposed in Gorleston-on-Sea, Bradwell or Caister-on-Sea, edge of centre sites should be within 300 metres of the designated centre.</p> <p>Where there are no suitable or available sites within designated centres or edge of centre sites, new town centre use development will be permitted on out of centre sites <u>within the Development Limits</u> providing <u>it is otherwise in accordance with Policy CS7 (as amended by Policy UCS7), and:</u></p> <ul style="list-style-type: none"> a. the location is accessible by public transport and is accessible to pedestrians and cyclists; b. the site has good links to the designated centre, or links can be improved; c. the proposed use either individually or cumulatively does not undermine the attractiveness or viability of the designated centres; and d. the site will not impact upon other neighbouring uses, in terms of traffic, parking and amenity issues. <p><u>In addition to the criteria above,</u> development on out of centre sites which are also outside of Development Limits will only be permitted where:</p> <ul style="list-style-type: none"> e. an additional need for retail development has been demonstrated to justify the development; and f. there is no suitable and available land within the Development Limits.
MM50	131	Policy R2	Policy R2: Protected shopping frontages

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			<p>Protected Shopping Frontages are identified on the Policies Map.</p> <p>Within Protected Shopping Frontages, proposals for retail uses (Class A1) on ground floor frontages will be particularly encouraged and supported.</p> <p>Proposals to change the use of ground floor premises active ground floor uses from use class A1 E to other uses will only be permitted where:</p> <ol style="list-style-type: none"> their primary function is to provide services and/or sales to visiting members of the public; and they provide an active ground floor frontage (e.g. window displays, entrances and views of internal activity; and they do not undermine the vitality and viability of the town centre. <p>Proposals for the change of use of other active ground floor uses will only be permitted where it would not individually or cumulatively have a significant adverse impact on the character, appearance, retail function, viability or vitality of the centre.</p> <p><i>[Amend the following supporting text paragraphs:]</i></p> <p>7.6 This policy supports the Core Strategy (Policy CS7(d)) and the NPPF (paragraph 85) by identifying 'protected shopping frontages' (as defined on the Policies Map) as the main focus of retail activity within the town centres of Great Yarmouth and Gorleston-on-Sea. Accordingly, the main uses encouraged within these ground floor frontages to support footfall will be Class A1 Retail (shopping) retail uses.</p> <p>7.7 There may be circumstances where alternative uses providing active ground floor frontage uses will be acceptable, such as when they also provide services or sales to</p>

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			<p>members of the public, maintain a fairly dominant retail appearance or where these bring back into active use long-term vacant frontages. Appropriate alternative uses which could contribute to vitality and viability may include A2, A3, A4, D1 and D2. It is necessary that alternative uses do not, however, undermine the character and vitality of the main shopping area by creating long stretches of non-A1 Class E uses. When assessing proposals for alternative non A1 Class E uses, the Council will have regard to the total number and proportion of different use classes along the immediate frontage and the continuity of A1 Class E uses along the frontage.</p> <p>7.9 It is noted that some changes of use can take place without the need for planning permission under the General Permitted Development Order 2015 which allows some flexibility of uses within the town centre (subject to size, final proposed land use and whether it is located within a conservation or not). The ability of the Council to control such proposals highlights the need to give particular scrutiny to proposals that continue to require the submission of a planning application. <u>The Council will consider the use of Article 4 Directions where consistent with the Written Ministerial Statement – Revitalising high streets and town centres made on 1 July 2021 and any subsequent updates to national policy.</u></p>
MM51	133	Policy R3	<p>Policy R3: Gorleston Town Centre Area</p> <p>The Town Centre Boundary and Protected Shopping Frontage is defined on the Policies Map.</p> <p>New main town centre use development (falling within use classes A1, A2, A3, A4, A5, C1, D1, D2 and B1a <u>as defined by the National Planning Policy Framework</u>) will be permitted within the Gorleston Town Centre where the function, scale and nature of the proposal would not undermine the vitality or viability of Great Yarmouth Town Centre.</p>

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			<p>New proposals will be permitted where these <u>they would</u>:</p> <ul style="list-style-type: none"> a. support the enhancement, appearance, safety and environmental quality of the area; b. promote the short and long-term reuse of vacant buildings; c. seek to enhance the early evening economy; d. improve access to Gorleston Town Centre by sustainable modes of transport and encourage multi-purpose trips. <p>Proposals for the change of use of active ground floor uses outside of the Protected Shopping Frontage area will only be permitted where it would not individually or cumulatively have a significant adverse impact on the character, appearance, retail function, viability or vitality of the centre.</p>
MM52	134	Policy R4	<p>Policy R4: Caister-on-Sea District Centre</p> <p>Caister-on-Sea District Centre is defined on the Policies Map.</p> <p>New main town centre use development (falling within use classes A1, A2, A3, A4, A5, C1, D1, D2 and B1a <u>as defined by the National Planning Policy Framework</u>) will be permitted within the Caister-on-Sea District Centre where the function, scale and nature of the proposal is consistent with the role of the District Centre and would not undermine the vitality and viability of Great Yarmouth Town Centre.</p> <p>New proposals will be permitted where these <u>they would</u>:</p> <ul style="list-style-type: none"> a. support the appearance, safety and environmental quality of the area; b. promotes the short and long-term reuse of vacant buildings; c. seeks to enhance the early evening economy; and/or

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			<p>d. improves access to Caister District Centre by sustainable modes of transport and</p> <p>e. encourages multi-purpose trips.</p> <p>Proposals for the change of use of active ground floor uses to non-main town centre uses will be resisted unless it would not, individually or cumulatively have a significant adverse impact on the character, appearance, retail function, viability or vitality of the centre.</p>
MM53	135	Policy R5	<p>Policy R5: Local Centres</p> <p>Local Centres are identified on the Policies Map.</p> <p>Within Local Centres, limited retail, leisure, community facilities and office development will be permitted where it is of a proportionate scale to provide essential services to the local community.</p> <p>Within Local Centres, proposals to change the use of existing active ground floor premises uses from use classes A1, A2, A3, A4 and A5 to other uses other than retail, leisure, community and offices will not be permitted.</p> <p>Within Local Centres, proposals for the change of use of active ground floor premises uses from use class A1 to A2, A3, A4 and A5 retail use to drinking establishments and hot food takeaways will only be permitted where there would be, either individually or cumulatively, no significant adverse impact on character, appearance, retail function, viability and vitality of the centre, on highway safety or on the amenity of neighbouring uses.</p>
MM54	138	Policy R7	Policy R7: Food and drink amenity

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			<p>When determining the impact of food and drink uses (A3, A4 & A5) on an area, the following matters will be taken into consideration:</p> <ol style="list-style-type: none"> The cumulative impact and effects of clusters of other food and drink uses, including those with unimplemented planning permissions. The impact of noise and general disturbance, smells, litter and late night activity, including those impacts arising from the use of external areas. Availability of parking, servicing facilities and public transport. Highway and pedestrian safety. Availability of refuse storage space and disposal facilities. The appearance of any associated extensions, flues and installations
MM55	140	Policy B1	<p>Policy B1: Business development</p> <p>Business developments falling under use classes B1, B2, and B8 <u>Office, industrial and storage & distribution development uses</u> will be permitted within the Development Limits identified on the Policies Map provided it can be demonstrated that the use and structures will be compatible with, and not significantly detrimental, to the existing allocated and permitted uses and occupiers in the vicinity.</p> <p><u>Office uses located outside of defined town, district and local centres, or other suitable employment locations identified through the Local Plan, will be subject to the sequential test as set out in national planning policy.</u></p> <p>Outside the Development Limits a more restrictive approach will apply, and proposals will be permitted only where they comply with the criteria above, <u>national planning policy</u> and:</p> <ol style="list-style-type: none"> are small scale and rural in character <u>and sensitive to its surroundings and well-related to existing settlements</u>; or

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			<ul style="list-style-type: none"> b. it can be demonstrated that they could not be accommodated within defined Development Limits; or c. they comprise an extension or alteration to existing business premises which does not result in a major change in the scale and impact of the premises or use.
MM56	141 - 142	Policy L1 & paragraph 9.3 & new paragraph following 9.3	<p><i>[Amend Policy L1 as follows:]</i></p> <p>Policy L1: Holiday accommodation areas</p> <p>Within the 'Holiday Accommodation Areas', as defined on the Policies Map, the Council principally aims to:</p> <ul style="list-style-type: none"> a. encourage year-round, sustainable tourism; b. support proposals which upgrade or enhance existing or replacement visitor accommodation and ancillary tourist facilities; c. resist the loss of tourism uses to non-tourism uses; and d. maintain and improve the public realm and the area's open spaces. <p>In order to achieve those aims, the following tourist uses will be generally encouraged within the Holiday Accommodation Areas, subject to consideration of compatibility with the existing surrounding uses and the potential impacts on the landscape and character of the immediate local area:</p> <ul style="list-style-type: none"> e. Hotels. f. Camping and caravan pitches. g. Self-catering accommodation. h. Bed and Breakfast establishments where the owner is resident on the premises and the clients wholly or predominantly there for short term holiday accommodation.

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			<p>i. Food and drink uses. j. Holiday entertainment. k. Visitor attractions. l. Amusement arcades. m. Small-scale retail units appropriate to serving the needs of the holiday accommodation.</p> <p>Only in exceptional circumstances will the loss of holiday accommodation within Holiday Accommodation Areas to alternative uses be acceptable. Such circumstances will need to demonstrate that the current use as tourist accommodation is unviable through: <u>The loss of holiday accommodation within Holiday Accommodation Areas to alternative uses will only be acceptable in specific circumstances where the current use is demonstrated to be unviable due to:</u></p> <p>n. vacancy of the accommodation of at least a one year period; and o. marketing of the site for tourist accommodation or an alternative tourist use for at least a one year period; or p. the viability of an alternative tourist-related use of the site.</p> <p>New or expanded holiday accommodation that is developed over the plan period which is located outside of the identified 'Holiday Accommodation Areas' will be treated as being a Holiday Accommodation Area once complete for the purposes of this policy.</p> <p><i>[Amend the following supporting text paragraph:]</i></p>

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			<p>9.3 Accommodation within Holiday Accommodation Areas will be maintained for visitor use. Additional permanent residential development within these areas will not be permitted. Permitted new or expanded holiday accommodation will be conditioned to restrict permanent residential occupancy. In exceptionalspecific circumstances, where tourist uses are considered to be unviable, this will need to be demonstrated with the appropriate evidence, including marketing evidence submitted to the Borough Council. The marketing evidence will need to demonstrate that the unit/facility has been marketed at a reasonable price reflecting market value and on competitive terms and conditions. The marketing should include advertisements in the local press and online as well as targeted approaches. Marketing evidence should include a full record of enquiries together with reasons as to why a sale/lease did not progress.</p> <p><i>[Insert the following new supporting text paragraph after paragraph 9.3]</i></p> <p><u>X.X In accordance with Policies CS11, E4 and national planning policy, such development will require careful consideration of potential impacts upon the setting of the surrounding landscape. Outside of the urban areas, the Borough is largely characterised by open rural spaces and along the coast stretches of cliffs, beaches and dunes. The Borough also comprises parts of the Broads and an Area of Outstanding Natural Beauty which are afforded the highest status of protection.</u></p>
MM57	143	Policy L2	Policy L2: New or expanded tourist facilities outside of Development Limits and Holiday Accommodation Areas

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			<p>New or expanded tourist facilities (including tourist accommodation) may be permitted outside of the Development Limits and Holiday Accommodation Areas, but only where these:</p> <ul style="list-style-type: none"> a. are an appropriate scale to the character of the area, availability of local services and facilities, and hierarchical level of the nearby settlement; b. individually and cumulatively do not significantly change the character of the local countryside, landscape or (where applicable) settlement, taking into account particularly: <ul style="list-style-type: none"> • the quantity, scale, density and design of any additional buildings, structures, caravans, car parks; • the types and amounts of traffic movements and any impacts, including those upon the tranquility of the area; • the impacts of lighting, advertisements and boundary treatments on the landscape and nightscape; • any adverse impact on the nationally significant Broads National Park or the Norfolk Coast Area of Outstanding Natural Beauty, but also undesignated but open rural and coastal landscapes; • the potential for any adverse impacts upon environmentally sensitive locations such as Natura 2000 National Site Network habitat S sites; and c. do not have a significant adverse impact on the living conditions of adjoining occupiers. <p>Small scale countryside tourism, particularly that involving physical activity or other appreciation of the countryside for its own sake natural or rural qualities, its conservation, or the understanding and enjoyment of the Broads National Park, subject to the above, will be encouraged.</p>

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MM58	144	Policy L3 & new paragraph following paragraph 9.9	<p>[Amend Policy L3 as follows:]</p> <p>Policy L3: Equestrian development</p> <p>New and extended equestrian development will be permitted where:</p> <ol style="list-style-type: none"> it does not give rise to the need for an additional dwelling on or close to the site; the scale of development is appropriate to the setting of the area, <u>particularly where the setting of the Broads is relevant;</u> the appearance of the development, including buildings, landscaping, roadways, ground works and surfacing, fencing and other enclosure, <u>lighting,</u> external storage, parking and general associated paraphernalia does not have significant adverse impacts on either the landscape, <u>intrinsically dark skies,</u> and or local amenity; the operation of the business will not give rise to adverse impacts on the occupants of dwellings and holiday accommodation not under the control of the applicant; suitable vehicular access, connection to the wider highway network and car, commercial vehicle and trailer parking is available <u>or can be achieved;</u> the site is well related to a suitable network of off-road rights of way for horse riding (either public rights or rights held by the applicant); and does not result in a cumulative proliferation of such uses in the immediate vicinity. <p>[Insert the following new supporting text paragraphs after paragraph 9.9]</p> <p><u>X.XX In accordance with Core Strategy Policy CS9: Encouraging well-designed, distinctive places, CS11: Enhancing the natural environment, Policy E4 of the Local Plan Part 2 and paragraph 190 of the NPPF, the potential for such development or uses to adversely impact (particularly those that include lighting) upon dark skies</u></p>

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			<p><u>will need to be considered and where relevant addressed. This is particularly relevant where schemes may be located in close proximity to 'intrinsically dark skies' as identified in the Broads Local Plan. Consideration should also be given to the findings of the Settlement Fringe Study.</u></p> <p><u>X.XX In accordance with Policy GSP5, where the potential for increased recreational pressures on nearby National Site Network habitat sites is demonstrated through the use or development of the site, mitigation measures may be sought.</u></p>
MM59	145 - 146	Policy E1 & paragraph 10.6	<p>[Amend Policy E1 as follows:]</p> <p>Policy E1: Flood risk</p> <p><u>For the purposes of the operation of the sequential test as set out in paragraph a) of Policy CS13 of the Core Strategy, w</u>Where development is proposed in an area of flood risk as defined by:</p> <ol style="list-style-type: none"> the Council's most recent Strategic Flood Risk Assessment, and/or the Environment Agency 'Flood Map for Planning'. <p>tThe following will apply with respect to the operation of the Sequential Test for residential development:</p> <ol style="list-style-type: none"> For sites within Great Yarmouth Town the area of search for alternative sites can be limited to Great Yarmouth Town. For sites outside of Great Yarmouth Town the area of search for alternative sites will need to cover the entire Borough and be considered against the overall supply of housing in the Borough.

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			<p>e. For sites comprising 100% affordable housing to meet local needs or exception sites under Policy CS4 the area of search for alternative sites will need to cover the area the specific need is arising from.</p> <p>Where non-residential uses are proposed, areas of search should be applied proportionately depending upon the type of use.</p> <p>If the needs of the Sequential Test are met as demonstrated by the above. The proposal must then still meet the requirements of the Exception Test as set out in national policy and guidance.</p> <p>In all cases Planning applications <u>within areas of flood risk (as defined above)</u> will need to be supported by a Flood Warning and Evacuation Plan which covers flood warnings, escape routes and procedures, and awareness of the risks involved. The Flood Warning and Evacuation Plan will be secured by a planning condition.</p> <p><i>[Amend the following supporting text paragraph:]</i></p> <p>10.6 Where the Sequential Test can be passed, proposals will still need to be subject to the Exceptions Test <u>as relevant and set out in national planning policy</u>. The exceptions test requires demonstration that the sustainability benefits of the development outweigh the risk of flooding and ensuring that the development is safe for its lifetime and does not worsen flood risk elsewhere. In terms of demonstrating the sustainability benefits of the development, the proposal should be assessed against the sustainability appraisal framework contained with the Sustainability Appraisal Report which accompanies this plan. In terms of demonstrating the site is safe for development, finished floor levels or living accommodation in 'more vulnerable' development should be 300mm above the 1 in 200 year flood event level (including climate change allowance) and safe refuge in the building should be provided</p>

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			above the flood level of a 1 in 100 300mm above the 0.1% (1 in 1000 year) flood event level (including climate change allowance).
MM60	147 - 148	Policy E2 & paragraph 10.10	<p>[Amend Policy E2 as follows:]</p> <p>Policy E2: Relocation from Coastal Change Management Areas</p> <p>Proposals for the replacement and relocation of development from within the Coastal Change Management Areas identified on the Policies Map will be permitted both within and outside of Development Limits where:</p> <ol style="list-style-type: none"> for commercial (including tourist accommodation), community, agricultural and other business development: <ul style="list-style-type: none"> the relocated/replacement development is of a scale and type commensurate with that replaced; the relocated/replacement development is located at an appropriate distance inland with regard to Policy GSP4 on Coastal Change Management Areas; and the relocated/replacement development is in a location which is accessible to the coastal community from which it was displaced. for residential development: <ul style="list-style-type: none"> the relocated/replacement development is of a scale commensurate with that replaced; the relocated/replacement development is within, adjacent to, or very closely related to one of the settlements identified in settlement hierarchy in Policy CS2 of the Core Strategy;

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			<ul style="list-style-type: none"> the relocated/replacement development is outside of the Coastal Change Management Area as defined on the Policies Map; the proposed development would replace and relocate uses or structures that are within a Coastal Change Management Area shown on the Policies Map. <p>c. <u>for all proposals falling within parts a) or b) above</u> the original <u>existing</u> site is:</p> <ul style="list-style-type: none"> cleared of all buildings, structures, and any vehicles, caravans and other paraphernalia which may be stationed upon it, and subsequently maintained likewise; and landscaped in a manner appropriate to its location, surroundings and forecast lifetime; and put to open space, agricultural or other similar use which can adapt to the anticipated change and will not give rise to demands for new built development or additional defences. <p><u>The Council may consider enabling development to facilitate relocation schemes under the above criterion. In such cases, applications will need to be supported by evidence of viability which demonstrates that the scale of enabling development proposed is necessary to facilitate the relocation scheme.</u></p> <p><i>[Amend the following supporting text paragraph:]</i></p> <p>10.10 Policy E2 allows for the relocation of development within the Coastal Change Management Area to sites more inland, both within and outside of Development Limits. Commercial, community, agricultural and other business development could be relocated to sites less at risk from erosion but still within the Coastal Change Management Area, providing it is in accordance with Policy GSP4. In order to sustain coastal communities, the relocated</p>

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			development should be well-related to the community it was displaced from. Relocated residential development (which has a lifetime of 100 years) should be located outside of the Coastal Change Management area and adjacent, or closely related to, existing settlements (as identified in Table 5 of the supporting text to Policy CS2 of the Core Strategy) in order to avoid development in poorly accessible locations and minimise the impact on the undeveloped countryside. The viability of relocating property at risk from erosion can be challenging. <u>Where evidence is presented which demonstrates that it is necessary,</u> t The Council may consider an appropriate scale of enabling development <u>which is sufficient</u> to help-facilitate relocation schemes.
MM61	149	Policy E3 & paragraph 10.14	<p>[Amend Policy E3 as follows:]</p> <p>Policy E3: Protection of open spaces</p> <p>Open spaces which provide local amenity, or recreational benefit to the local community, will be protected. Development proposals that contribute to the loss of either of these will only be permitted in exceptional <u>limited</u> circumstances and where:</p> <ul style="list-style-type: none"> a. the proposal is ancillary to the space and will add to the value and function of the local open space to the benefit of amenity or the local community; or b. the applicant can demonstrate that the local open space is no longer required in its existing open space use or an alternative open space use; or c. the loss of space will be replaced by equivalent or better provision in terms of quantity and quality, including accessibility to the local community where relevant. <p>[Amend the following supporting text paragraph:]</p>

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			10.14 In demonstrating whether an open space is no longer required, an applicant should undertake an open space needs assessment. This assessment should consider the provision of open space with the same use within the site catchment area, alternative open space uses and how the site relates to existing provision for each respective type of open space use in the locality <u>(referring to the types of open space listed in Policy H4 and Appendix D setting out accessibility standards)</u> . The contribution an open space makes towards local amenity, public realm, biodiversity and the wider green infrastructure network should be considered as part of an open space needs assessment.
MM62	150	Policy E4	<p>Policy E4: Trees and landscape</p> <p>Development will be supported where it:</p> <ol style="list-style-type: none"> retains trees, hedgerows, including ancient trees and hedgerows, and landscape features which contribute significant value to the character, amenity or ecology to the locality; and takes opportunities to enhance those features and qualities, commensurate with the scale and nature of the development; and. <p><u>Where development may impact upon trees, planning applications should be supported by an arboricultural assessment (to BS 5837 or an equivalent standard).</u></p> <p><u>Developments should include landscaping schemes as appropriate to the size and nature of the development in order to mitigate impacts on and where possible enhance the local landscape character.</u></p> <p>c. is supported by the following information (to BS 5837 or an equivalent standard) as appropriate to the size and nature of the site and the proposal:</p>

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			<ul style="list-style-type: none"> • a site survey; • a landscaping plan; and • measures to protect existing trees, hedgerows and other landscape features. <p>Development which is either:</p> <ul style="list-style-type: none"> c. within the Norfolk Coast Area of Outstanding Natural Beauty; or d. inter-visible with, or otherwise affecting the landscape <u>or setting</u>, of either that <u>the</u> Area of Outstanding Natural Beauty or the designated Broads area, <p>will be carefully controlled to avoid adverse impacts on their landscapes and natural beauty, and the enjoyment of their special qualities, including views out from those areas and the value of dark skies as part of their landscape.</p> <p><i>[Amend the following supporting text paragraphs:]</i></p> <p>10.17 When considering the impact of development upon the landscape <u>and the value of existing natural features on a site</u>, the Borough Council will also have regard to the Great Yarmouth & Waveney Settlement Fringe Landscape Sensitivity Study (December, 2016), and Great Yarmouth Borough Landscape Character Assessment (April, 2008) <u>and the Broads Authority's Landscape Character Assessment</u>. Particularly where landscape features contribute significantly to the setting and distinctive characteristics of landscape setting areas.</p> <p>10.18 Press <u>Trees</u> and hedgerows, particularly ancient trees and hedgerows, provide an important contribution to the landscape and to biodiversity. Therefore, Policy E4 seeks to retain trees and hedgerows where possible. This is important in terms of meeting emerging requirements under the provisions of biodiversity net gain on developments which are expected to be introduced through the forthcoming Environment Bill. In considering the</p>

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			impacts of development on trees, the Borough Council may require <u>site surveys which identify all trees and natural features on the site and assess their quality, a landscaping plan to indicate natural features to be retained and provided, and identification of specific protection measures (such as root protection zones) for existing features to be retained</u> .surveys and plans to be submitted which will <u>Surveys should</u> be to the standard set by the British Standards Institution 'Standards Publication: Trees in relation to design, demolition and construction – Recommendations' (BS 5837-2012), or equivalent standard.
MM63	151 - 152	Policy E5 & paragraphs 10.21 & 10.22	<p>[Amend Policy E5 as follows:]</p> <p>Policy E5: Historic environment and heritage</p> <p><u>In accordance with national planning policy and Policy CS10 of the Core Strategy,</u> Pproposals for development should seek to conserve and enhance <u>the significance of</u> heritage assets, <u>including any contribution made by their setting,</u> and by positively contribute <u>contributing to</u> the character <u>and local distinctiveness</u> of the area.</p> <p>Development proposals within conservation areas, <u>or in a location that forms part of its setting,</u> should take into account the special and distinctive character of the area <u>which contributes to its significance</u> and have regard to the relevant Conservation Area Appraisal and Management Plan.</p> <p>Non-listed buildings or structures which either make a positive contribution to the significance of a conservation area or are a non-designated heritage asset will be protected from demolition.</p>

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			<p>Proposals which involve the loss of non-listed buildings/structures which either make a positive contribution to the significance of a conservation area or are non-designated heritage assets will only be permitted where:</p> <ul style="list-style-type: none"> a. the building/structure is structurally unsound and beyond feasible and viable repair for reasons other than deliberate damage or neglect; or b. all measures to sustain the existing use or find an alternative use/user have been exhausted and the building risks falling into dereliction. <p>In all cases replacement buildings, or any new use of the site, should preserve or enhance the character of the area <u>and the significance of heritage assets.</u></p> <p>Development proposals which have the potential to impact on Heritage Assets or their settings should be supported by a Heritage Impact Assessment prepared by an individual with relevant expertise. An archaeological assessment must be included with any planning application affecting areas of known or suspected archaeological value to ensure that the preservation and/or recording of archaeological remains can be secured.</p> <p><i>[Amend the following supporting text paragraphs:]</i></p> <p>10.21 The Council prepares and updates from time to time Conservation Area Appraisals and Management Plans for the Borough's Conservation Areas. These documents should help inform development proposals within conservation areas to ensure that development conserves and enhances the character of the conservation area. Proposals which would result in a loss of non-designated heritage assets or buildings/structures which positively contribute to a conservation area will be resisted. The policy allows for a loss of a building/structure if it is structurally unsound and beyond feasible repair. In these scenarios, planning applications will need to be accompanied by a structural survey and financial viability evidence to</p>

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			<p>demonstrate that re-use is not structurally feasible or financially viable. The policy also allows for a loss of a building/structure where all measures to find a suitable use for the building have been exhausted. In demonstrating this, evidence of marketing will be required. The marketing evidence will need to demonstrate that the building has been marketed at a reasonable price reflecting market value and on competitive terms and conditions for at least 12 months to ensure all potential options for re-use have been fully explored. The marketing should include advertisements in the local press and online as well as targeted approaches. Marketing evidence should include a full record of enquiries together with reasons as to why a sale/lease did not progress. Where a building/structure is proposed to be lost, the replacement should conserve and enhance the quality of the area.</p> <p>10.22 <u>Non-designated heritage assets will typically have architectural, artistic, historic or archaeological interest.</u> To help with the implementation of this policy the Council will prepare a Supplementary Planning Document to set out a criteria for helping to identify non-designated heritage assets. This could also inform the creation of a local list of non-designated heritage assets and support the identification of buildings and structures of local importance in Neighbourhood Plans.</p>
MM64	153 - 154	Policy E6 & paragraphs 10.30 & 10.31	<p>[Amend Policy E6 as follows:]</p> <p>Policy E6: Pollution and hazards in development</p>

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			<p>Development proposals will be supported where the potential for the creation of, or susceptibility to, hazards and pollution <u>(including air and light pollution)</u> has been suitably avoided or suitably mitigated.</p> <p>Applicants will need to demonstrate their proposals are safe from, and do not give rise to, unacceptable hazards and/or pollution as a result of the following matters:</p> <ol style="list-style-type: none"> the proposed development and the activities and substances involved; the site itself, and any potential existing contamination or <u>land</u> instability; and/or the proximity of the proposal to any existing hazards; the cumulative effect of development <u>with respect to pollution and hazards on health, living conditions and the natural environment</u> in combination with nearby development or developed uses. <p>Any development within within the specified distance from the sites identified as notifiable installations, or the development of new notifiable installations, must take account of any risks involved and the need for appropriate separation between hazardous installations and incompatible uses.</p> <p>Where proposals are within a close proximity (500m) to watercourses, there may be the potential for a hydrological link. Development proposals should take into account the potential for pollutants and demonstrate a strategy for preventing this reaching the watercourses untreated.</p> <p>Where proposals are in close proximity to nature conservation sites the potential for increased pollution must be suitably mitigated for development to be supported.</p>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			<p>[Amend the following supporting text paragraphs:]</p> <p>10.30 The National Planning Policy Guidance also provides guidance on air quality and on hazardous substances, and this guidance and particularly the flowchart section on how air quality considerations are relevant to the development management process will be referred to where applicable when processing planning applications. Other documents from Statutory authorities will be considered such as DEFRA's Clean Air Strategy 2019. <u>Consideration should also be given to Policy A1.</u></p> <p>10.31 The impact of potential light pollution from artificial light sources in areas such as the Area of Outstanding Natural Beauty must be suitably mitigated in line with the requirements of the NPPF. <u>Consideration should also be given to Policy A1.</u></p>
MM65	156	Policy C1 & paragraph 11.2	<p>[Amend Policy C1 as follows:]</p> <p>Policy C1: Community facilities</p> <p>The retention of existing community facilities and the provision of new facilities, particularly in areas with poor levels of provision and in areas of major growth, will be encouraged.</p> <p>Development leading to the loss of an existing community facility will only be permitted where it is demonstrated that either:</p> <ol style="list-style-type: none"> it is to be replaced by a facility of equal or greater quality in a suitable location to meet the <u>day-to-day</u> needs of existing users; or the area currently served by it would remain suitably provided following the loss; or

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			<p>c. it is no longer viable or feasible to retain the premises in a community facility use <u>as demonstrated by a marketing evidence which covers at least a 12-month period of marketing.</u></p> <p><i>[Amend the following supporting text paragraph:]</i></p> <p>11.2 This policy sets out the detail required to determine planning applications in relation to community facilities. In demonstrating compliance with criterion C1(b) of the policy, it will be necessary to provide evidence with a planning application which assesses local provision and demand/need for facilities. In demonstrating compliance with criterion C1(c) of the policy, it will be necessary for a planning application to be accompanied by marketing evidence. The marketing evidence will need to demonstrate that the building has been marketed at a reasonable price <u>for at least a 12-month period,</u> reflecting market value for community uses and on competitive terms and conditions. The marketing should include advertisements in the local press and online as well as targeted approaches. Marketing evidence should include a full record of enquiries together with reasons as to why a sale/lease did not progress.</p>
MM66	158	Policy I1	<p>Policy I1: Vehicle parking for developments</p> <p>Requirements for vehicle parking (including cycle parking) will be determined with regard to the most up to date standards published by Norfolk County Council.</p> <p>Where developments in the town and village centres are unable to provide the required parking provision on site, consideration will be given to financial contributions to improve public parking provision.</p>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			<p>Provision for electric car charging points will be actively encouraged on all new developments.</p> <p><u>Development should be designed to enable charging of plug-in and other ultra low-emission vehicles in safe, accessible and convenient locations.</u></p>
MM67	160	Policy I3	<p>Policy I3: Foul Drainage</p> <p><u>In line with Policy CS11 and CS12 of the Core Strategy, a</u>All new development proposals will be expected to demonstrate the following:</p> <ol style="list-style-type: none"> that adequate foul water treatment and disposal infrastructure already exists; or that the necessary infrastructure can be provided in time to serve the proposed development; that no surface water connections should be made to the foul system and connections to the combined or surface water system should only be made in exceptional <u>limited</u> circumstances where there are no feasible alternatives; <u>and</u> that suitable access is safeguarded for the maintenance of water resources and drainage infrastructure; <p>New development proposals will also be supported where they support <u>meet</u> the aims of the Water Framework Directive by improving the condition of the watercourses, including measures such as installing fish and eel passes where appropriate.</p>
MM68	163-168	Appendix A – Monitoring Framework	<p>[See appended Monitoring Framework documents showing track-changed modifications. The modifications include:</p> <ul style="list-style-type: none"> <i>To address formatting issue with the text in the table</i>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)
			<ul style="list-style-type: none"> To add 'ecological connectivity' as a measure for monitoring Policies GSP5 & GSP6, where data is available Amending typographical errors To amend the title of Town Centre Masterplan to: '<u>The Town Centre Regeneration Framework and Masterplan</u>' To change references to CS3, CS4, CS5, CS7 as: '<u>CS3/CS4/CS5/CS7 as amended</u>' To add triggers & contingencies, linking back to the Core Strategy where relevant, including specific trigger for MA1 in respect of employment land.
MM69	179	New Appendix after Appendix C	<p>[Insert the following new Appendix at the back of the document:]</p> <p><u>Proposed new appendix – Appendix D Open Space Contribution Costs & Accessibility Standards</u></p> <p><u>X.X The following costs have been assessed at the time of preparing the plan. It is likely that the costs will change over time. The Borough Council will re-evaluate the costs at least on an annual basis to ensure that they reflect the most up to date costs.</u></p> <p><u>Open Space Provision Costs</u></p> <p><u>X.X Where open space is provided off-site, a contribution will be required to cover the provision costs of open space. Costs have been calculated through a combination of Sport England's 2017 published facilities costs, 'Action, Play & Leisure's' play space costs and the Borough Council's contractor (GYB Services) costs.</u></p>

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)														
			<p><u>Total Provision Costs</u></p> <p><u>X.X The following table sets out a breakdown of the provision costs across each type of open space and the land cost</u></p> <table><tr><th>Provision</th><th>Cost per dwelling (£)</th></tr><tr><td>Outdoor Sport</td><td>£309.82</td></tr><tr><td>Formal Play Space</td><td>£203.00</td></tr><tr><td>Informal Amenity Greenspace/ Parks and Gardens / Accessible Natural Greenspace</td><td>£42.34</td></tr><tr><td>Allotments</td><td>£25.12</td></tr><tr><td>Land</td><td>£412.00</td></tr><tr><td>Total</td><td>£992.28</td></tr></table> <p><u>Maintenance Costs</u></p> <p><u>X.X It is essential that all forms of open space are maintained to ensure continued use for the lifetime of development. The policy sets out a requirement for at least 20 years maintenance where Council agrees to adopt the space. Where open space is provided off-site, a contribution will be required to cover the cost of maintenance of open spaces over this period. Costs have been calculated through a combination of the Borough Council’s contractor (GYB Services) costs and a comparison of neighbouring authority costs.</u></p> <p><u>Total maintenance costs</u></p>	Provision	Cost per dwelling (£)	Outdoor Sport	£309.82	Formal Play Space	£203.00	Informal Amenity Greenspace/ Parks and Gardens / Accessible Natural Greenspace	£42.34	Allotments	£25.12	Land	£412.00	Total	£992.28
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Total	£992.28																

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)										
			<p><u>X.X The following table sets out a breakdown of the maintenance costs across all open space types</u></p> <table><tr><th>Type of Open Space</th><th>Cost per dwelling (£)</th></tr><tr><td>Outdoor sport</td><td>£142.46</td></tr><tr><td>Formal play space</td><td>£71.24</td></tr><tr><td>Informal Amenity Greenspace/ Parks and Gardens / Accessible Natural Greenspace</td><td>£558.07</td></tr><tr><td>Total</td><td>£771.77</td></tr></table> <p><u>Total off-site contributions</u></p> <p><u>X.X The following table sets out a full provision (including land costs) and maintenance cost comprising all open space types.</u></p>	Type of Open Space	Cost per dwelling (£)	Outdoor sport	£142.46	Formal play space	£71.24	Informal Amenity Greenspace/ Parks and Gardens / Accessible Natural Greenspace	£558.07	Total	£771.77
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Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)								
			<table><tr><th>Contribution</th><th>Cost per dwelling (£)</th></tr><tr><td>A. Total open space provision</td><td>£992.28</td></tr><tr><td>B. Total open space maintenance</td><td>£771.77</td></tr><tr><td>Total off-site provision (A + B)</td><td>£1,764.05</td></tr></table> <p><u>Open Space Accessibility Standards</u> <u>X.X It is important to apply accessibility standards to ensure that people have access to the open space facilities that they need within the catchment areas that they live. In determining the correct amount of open space to be provided on a residential proposal, the Borough Council will have regard to the following typical accessibility standards as evidenced through the Open Space Strategy (2003) and Sport, Play and Leisure Strategy (2015). The Borough Council will continue to update its needs assessment in accordance with national planning policy, and therefore the below standards may be superseded.</u></p> <p><u>Outdoor Sports – Accessibility Standards</u> <u>Outdoor Sports Facilities should be considered accessible where they have a catchment population within an 800m radius. All sites should be fully accessible by pedestrians and public transport; there should be a range of facilities available for those with mobility problems. Pedestrian crossings should be provided on main roads as required. It is important to note that this an average for all outdoor</u></p>	Contribution	Cost per dwelling (£)	A. Total open space provision	£992.28	B. Total open space maintenance	£771.77	Total off-site provision (A + B)	£1,764.05
Contribution	Cost per dwelling (£)										
A. Total open space provision	£992.28										
B. Total open space maintenance	£771.77										
Total off-site provision (A + B)	£1,764.05										

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)								
			<p><u>sports, and that each individual type of outdoor sport may vary in its accessibility requirement.</u></p> <p><u>Informal Amenity Greenspace – Accessibility Standards</u> <u>Amenity greenspace should be considered accessible by residents or workers within the following straight line distances:</u></p> <ul style="list-style-type: none"> ● <u>Sites up to 1ha within 150m</u> ● <u>Sites 1-3ha within 200m</u> ● <u>Sites 3-10ha within 500m</u> <p><u>Children's play space – Accessibility Standards</u></p> <ul style="list-style-type: none"> ● <u>Junior (ages 0-8) up to 100m straight line;</u> ● <u>Intermediate (ages 6-12) up to 300m straight line;</u> ● <u>Senior (ages 8-14) up to 600m straight line;</u> ● <u>Teen facilities up to 1km.</u> <p><u>Allotments – Accessibility Standards</u> <u>Based on the function of allotments as local facilities serving local catchment populations, in particular those with little garden space, it has been assumed that an acceptable distance to travel would be about 900 metres. This equates to roughly a 15 minute walk or a short car journey. Sites should have both pedestrian and vehicular and disabled access, with adequate parking space.</u></p> <p><u>Urban Parks & Gardens – Accessibility Standards</u></p> <table border="1"> <thead> <tr> <th></th><th><u>Percentage of Population</u></th><th><u>Catchment Radius</u></th><th><u>Park Size</u></th></tr> </thead> <tbody> <tr> <td></td><td></td><td></td><td></td></tr> </tbody> </table>		<u>Percentage of Population</u>	<u>Catchment Radius</u>	<u>Park Size</u>				
	<u>Percentage of Population</u>	<u>Catchment Radius</u>	<u>Park Size</u>								

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Main Modification(s)			
				<u>20%</u>	<u>500m</u>	<u>Neighbourhood</u>
				<u>25%</u>	<u>1km</u>	<u>Middle Order</u>
				<u>55%</u>	<u>2km</u>	<u>Strategic</u>
			<p><u>Accessible Natural Greenspace – Accessibility Standards</u> <u>The Borough Council applies the Natural England recommended standards. Every person should have access to:</u></p> <ul style="list-style-type: none">● <u>At least 2 ha in size, no more than 300 metres (5 mins walk) from home</u>● <u>At least one accessible 20 ha site within 2 km of home</u>● <u>One accessible 100 ha site within 5 km of home</u>● <u>One accessible 500 ha site within 10 km of home</u>● <u>A minimum of 1 ha of statutory Local Nature Reserve per 1,000 population</u>			

Appendix 1 – Monitoring Framework modifications

[Amend section as follows:]

Appendix A – Monitoring the plan

Monitoring

A.1 A key part of the process of planning is that of monitoring the implementation and effectiveness of plans and their policies. As time passes the Council and other interested parties will wish to have an understanding of; whether the adopted policies are being acted upon; whether they are having the intended effect; and whether the context in which they operate has changed so much that they are rendered ineffective or inappropriate.

A.2 While informal monitoring and discussion of the value of policies goes on almost continually, a formal Annual Monitoring Report is prepared and published annually by the Council and this includes specific data about the policies and the things they are intended to achieve. These Annual Monitoring Reports provide the Council and public with a series of snapshots of the progress in implementing the plan during the intended period. They inform Council decisions as to whether there is need for any changes to policies or their use, or for any wholesale review or replacement of the whole plan.

A.3 Appendix 5 of the Core Strategy (Local Plan Part 1) set out a Monitoring Framework for how it was intended to monitor the Core Strategy's implementation, **including at what point any contingencies or actions (such as the review of a policy) might be triggered. It** is now intended to integrate the monitoring of the two parts of the Local Plan (Part 1 and Part 2). The opportunity has also been taken to refine and focus the monitoring of the Core Strategy (Local Plan Part 1) elements to eliminate indicators which were found to be tangential or of doubtful value in measuring the application of policies, and indicators that were no longer available. **When considering at what point necessary actions for the plan may be triggered, reference has been made to those triggers and contingencies set out in Appendix 5 of the Core Strategy.**

A.4 The following table sets out a framework for monitoring the two parts of the Local Plan:

Table A.1 Local Plan Monitoring Framework

Local Plan Monitoring Framework				
Document(s)	Policy(s)	Indicator(s)	Measure(s)	<u>Trigger/ Contingencies</u>
General Development				
LPP1:CS & LPP2	GSP1, GSP3	Qualitative and/or quantitative write up on the current state of the countryside & permitted development within it. Number and type of planning permissions granted outside of Development Limits and/or within Strategic Gaps.	Extent of development outside of Development Limits, and within Strategic Gaps.	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS2, CS9 & CS11)</u>
LPP2	GSP8, H4	No. Section 106 agreements signed. Value committed - by topic (e.g. open space, education, Habitats Monitoring and Mitigation). Value received - by topic (as above).	Section 106 - to understand, guide and publicise the amounts and types of obligations that are achieved through infrastructure funding statements.	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policy CS14)</u>
Housing Development				
LPP1:CS	CS2	Cumulative and annual dwellings completed in each tier of the Settlement Hierarchy. Number of dwellings built on previously developed land. Discussion of brownfield sites and the Brownfield Register.	Compliance with % set out in Policy CS2. Increase the number of new dwellings built on previously developed land year on year.	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policy CS2)</u>

Local Plan Monitoring Framework				
Document(s)	Policy(s)	Indicator(s)	Measure(s)	<u>Trigger/ Contingencies</u>
LPP1:CS& LPP2	CS3 (as amended), GSP1,CS17, CS18, GN1, GN2, CA1, HP2, OT2, MA1. OT1, BN1, HY1, GN3	Five Year Supply of (deliverable) housing land, including 20% buffer. Total number of dwellings delivered in the Borough and Housing Delivery Test (last 3 years %).	Supply against national five year housing land supply requirement. Delivery against housing target and national Housing Delivery Test.	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policy CS3)</u>
LPP1:CS & LPP2	CS3, CS17, CS18, GN1, GN2, CA1, HP2, OT2, MA1. OT1, BN1, HY1, GN3	Progress of allocations - planning permissions granted, no. units completed.	Delivery of all housing allocations.	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS2, CS3, CS4, CS17 & CS18)</u> <u>For MA1 if existing consent is implemented explore potential for alternative employment land through Local Plan review.</u>
LPP1:CS & LPP2	CS3, H11	The amount of specialist units & bed spaces permitted and completed for elderly/vulnerable people.	The provision of accommodation especially suitable for elderly and other vulnerable people to support identified local needs.	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policy CS3)</u>
LPP1:CS & LPP2	CS4 (as amended), H2	Total number of affordable dwellings permitted & completed.	Performance of affordable housing delivery in relation to Policy CS4 & H2.	<u>As set out in the Core Strategy Monitoring</u>

Local Plan Monitoring Framework				
Document(s)	Policy(s)	Indicator(s)	Measure(s)	<u>Trigger/ Contingencies</u>
		Discussion on thresholds achieved and any exception schemes.		<u>Framework (Appendix 5, Policy CS4)</u>
LPP1:CS	CS5 (as amended),	Total number of traveller pitches built/delivered in the Borough. Maintain a five year supply of deliverable traveller pitches.	Number of new gypsy/traveller pitches over the plan period to 2030 and maintain 5 year supply as set out in Policy CS5.	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policy CS5)</u>
LPP2	H5, H6, H7, H8, H10	Discuss applications for rural/exception dwellings.	Extent of permitted rural residential development and effectiveness of policy in decision making.	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS2 and CS3)</u>
LPP2	H12	The amount number of HMOs permitted and completed. Commentary on location of HMOs - any permitted contrary to policy.	Performance of Policy H12 measured in terms of the location and amount of HMO's.	<u>N/A</u>
Retail Development				
LPP1:CS & LPP2	CS7 (as amended), UCS7 R1, R2, GY1, GY2, R3, R4, R5, BL1, CA1	Retail Survey: %ground floor units in retail-based uses (A1, A2, A3) in designated centres. Number and percentage of vacant units in designated centres; Area of new permitted/completed floor space for town centre of uses (A1, A2, A3) in or adjacent to designated centres &	Performance of designated centres (retail hierarchy and protected frontages) & where retail development is locating. Progress of Beacon Park District Centre & allocation.	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS2, CS7 & CS17)</u>

Local Plan Monitoring Framework				
Document(s)	Policy(s)	Indicator(s)	Measure(s)	<u>Trigger/ Contingencies</u>
		outside of retail centres. Discuss general performance (and larger trends), permitted/built development outside of designated centres.		
LPP2	R6 R7	Discussion of approved proposals for kiosks/stalls & food and drink uses - locations, extent & potential impacts.	Extent of kiosks/stalls & food and drink uses - are they dominating designated centres/holiday areas or causing nuisance?	<u>N/A</u>
Business and Employment Development				
LPP1:CS & LPP2	CS6, CS18, GN4, GN5, GY10	Permitted/completed business developments (Use classes B1, B2, B8) - by site area (hectares) and active floor space (m ²), separating out: <ul style="list-style-type: none"> • Beacon Park • Beacon Park extensions • Safeguarded employment sites • Commentary on performance of areas including development permitted outside of employment areas and Development Limits 	Increased occupancy & quality of employment space both by site size and floor space in designated employment areas. Progress of Beacon Park and Great Yarmouth Port and Harbour Area (including South Denes) as strategic employment sites.	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS6 & CS18)</u>

Local Plan Monitoring Framework				
Document(s)	Policy(s)	Indicator(s)	Measure(s)	<u>Trigger/ Contingencies</u>
LPP1:CS	CS6	Economic activity rate Unemployment rate Total number of businesses that are VAT registered	Increase economic activity rate, reduce average unemployment & increase business creation - year-on-year	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policy CS6)</u>
<u>LPP2</u>	<u>MA1</u>	<u>Status of existing safeguarded employment land in Martham</u>	<u>Existing safeguarded employment land is lost through the implementation of planning permission 06/20/0390/F</u>	<u>Explore potential to allocate further employment land in Martham as part of the Local Plan review</u>
Leisure Development				
LPP1:CS & LPP2	CS8, L1, L2, L3 GY2, GY5, GY6	Discussion of approved development - locations, resorts, improvements. Extent of development - area/accommodation units or pitches. Progress of designation GY2.	Improvement/growth of tourism industry - mainly within existing designated/allocated areas.	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS7 & CS8)</u>
Environment and Development				
LPP1:CS & LPP2	E5, CS10	Discussion on historic building/heritage project funding works, document progression. Number and percentage of listed buildings at risk.	The state of the Borough's historic environment, heritage and improvements made.	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS9 & CS10)</u>

Local Plan Monitoring Framework				
Document(s)	Policy(s)	Indicator(s)	Measure(s)	<u>Trigger/ Contingencies</u>
LPP2	E4	Trees with preservation orders lost/gained on sites where development is undertaken.	The works carried out to protected trees and the protection of TPOs and conservation areas	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS9 & CS11)</u>
LPP1:CS & LPP2	CS13, E1, E6	Number of planning applications approved subject to sustained objections from the Environment Agency or any other statutory consultees on flood risk grounds, water quality, hazards/pollution or contamination.	The amount of planning applications approved subject to sustained objections from the Environment Agency or other statutory consultees on flood risk grounds, water quality hazards/pollution or contamination.	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS9 & CS13)</u>
LPP1:CS & LPP2	CS13, GSP4, E2	Commentary on development approved and refused in the Coastal Change Management Area and commentary on any relocation of existing development	Extent of new development within the Coastal Change Management Areas and relocation of existing development due to coastal erosion	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policy CS13)</u>
LPP1:CS & LPP2	GSP5, GSP6, CS11	Discussion on the implementation, habitat monitoring results, collected & spent S.106 monies and progress on necessary mitigation. Discussion on quality of Green Infrastructure network Condition of SSSI - Percentage of total area of SSSIs in positive management/with a net gain in	Implementation of Natura 2000 National Site Network Habitats and species impacts avoidance and mitigation. Changes in ecological connectivity (subject to biodiversity data, such as from Norfolk Biodiversity Partnership). Monitoring, protecting & enhancing the state of the Borough's important	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policy CS11)</u>

Local Plan Monitoring Framework				
Document(s)	Policy(s)	Indicator(s)	Measure(s)	<u>Trigger/ Contingencies</u>
		biodiversity Discuss findings of Norfolk Biodiversity Information Service (CWS etc). Discuss findings of latest water quality tests (including: estuaries, coastal waters, groundwater, lakes and rivers) by EA.	habitats, and improvement to the overall green infrastructure network.	
Community Facilities and Development				
LPP2	C1, C2	Qualitative discussion on gain & loss of community facilities - with specific examples where this has occurred in settlements.	The change in service provision for communities - where gaps occur, why and what can be done to improve provision.	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policy CS15)</u>
Development and Infrastructure				
LPP2	CS14, CS16, I1, GSP7	Discussion on the progress of infrastructure scheme delivery, including any significant schemes relating to vehicle parking policy and cycle trackways.	Whether infrastructure needs have been met, identifying gaps and/or slippage in timetable.	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS14 & CS16)</u>
Site Specific Development/Improvement Areas				
LPP1:CS & LPP2	CS17, GY3, GY4	Discussion of progress on the Town Centre Regeneration Framework and Masterplan projects - SPD production; influence on specific proposals.	Improvement of Great Yarmouth Town Centre - progress on the 3 development areas.	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS7 & CS17)</u>

Local Plan Monitoring Framework				
Document(s)	Policy(s)	Indicator(s)	Measure(s)	<u>Trigger/ Contingencies</u>
LPP2	GY6, GY8, GY9,	Where relevant update in discussion on the current state & proposals (could include visuals).	General improvement of specific areas in relation to policy requirements.	<u>As set out in the Core Strategy Monitoring Framework (Appendix 5, Policies CS6 & CS8)</u>

Appendix 2 – Modifications to Housing Provision and Trajectory

[Amend paragraph 1.6 (page 11) as follows]

1.6 The Local Plan Part 2 seeks to provide ~~7,043~~**7,020** dwellings over the remainder of the plan period. While this is a significant addition to the local housing need target, a buffer of around ~~33~~**32**% on the target will provide greater flexibility to deliver the local housing need, particularly in the context of a persistent past under-delivery of housing to meet local plan housing needs. This provision is comprised of:

- ~~1,310~~**1,691** houses already completed (between April 2013 and March 2019~~20~~);
- ~~2,953~~**2,850** houses committed through planning permissions (and resolutions to grant planning permission following Development Control Committee);
- ~~266~~**177** houses remaining to be built in the strategic allocations at Great Yarmouth Waterfront (CS17) and Beacon Park, Bradwell (CS18)(which are expected to be delivered in the plan period).
- ~~1,772~~**1,636** houses allocated through this plan (which are expected to be delivered in the plan period); and
- ~~742~~**666** houses projected to come forward as 'windfall' (unallocated) sites.

[To amend the housing numbers in Table 3.1 (page 32) as follows:]

~~504~~**627**

~~987~~**914**

~~620~~**617**

~~472~~**430**

~~2583~~**2588**

[To amend the housing numbers in Table 3.5 (page 65) as follows:]

~~474~~**644**

~~1199~~**1062**

~~505~~**435**

~~46~~**47**

~~2224~~**2188**

[To amend the housing numbers in Table 3.7 (page 75) as follows:]

~~224~~**281**

~~928~~**870**

~~647~~**584**

~~139~~**115**

~~1938~~**1850**

[To update the housing numbers in Table C.1 (page 175) as follows:]

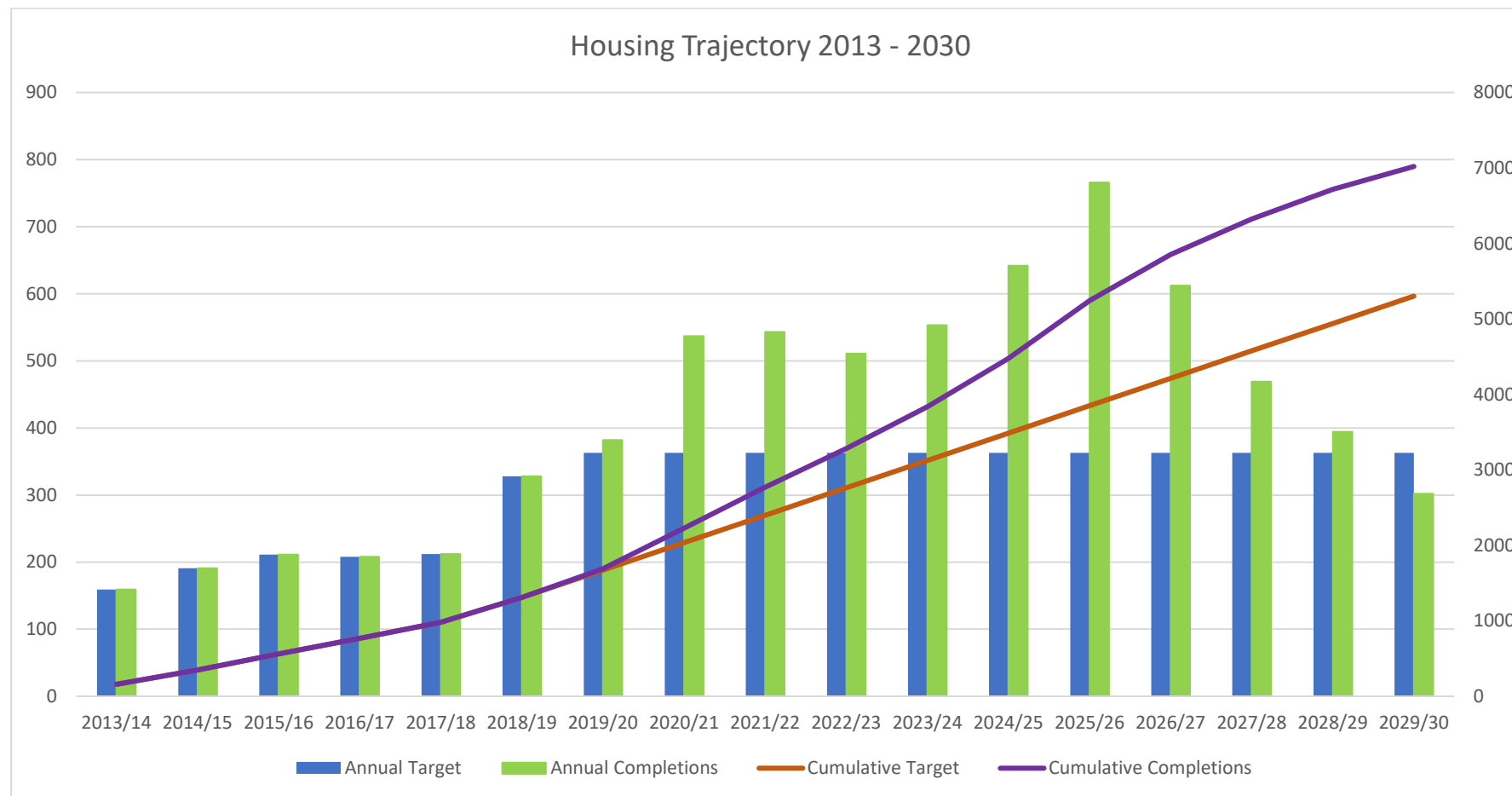
Settlement tier	Homes built 2013- 2019 2020	Existing housing commitments	Homes allocated in Local Plan expected to be delivered in plan period	Anticipated windfall development expected during plan period	Total housing growth 2013-2030	Percentage against settlement tier
Main Towns	504 627	987 914	620 617	472 430	2583 2588	36.7% 36.9%
Key Service Centres	474 644	1199 1062	505 435	46 47	2224 2188	31.6% 31.2%
Primary Villages	224 281	928 870	647 584	139 115	1938 1850	27.5% 26.4%
Secondary Villages	97 124	95 169	0	70 63	262 356	3.7% 5.1%
Tertiary Villages	11 15	10 12	0	15 11	36 38	0.5%
Total	1310 1691	3219 3027	1772 1636	742 666	7043 7020	

[To update the housing numbers in Table C.2 (page 176) as follows:]

Settlement Tier	2013/ 14	2014/ 15	2015/ 16	2016/ 17	2017/ 18	2018/ 19	2019/ 20	2020/ 21	2021/ 22	2022/ 23	2023/ 24	2024/ 25	2025/ 26	2026/ 27	2027/ 28	2028/ 29	2029/ 30	Total
Main Towns																		
	76	86	85	74	80	103	139 <u>123</u>	239 <u>180</u>	209 <u>239</u>	191 <u>174</u>	163 <u>142</u>	235 <u>190</u>	219 <u>250</u>	190 <u>228</u>	188 <u>203</u>	166 <u>199</u>	140 <u>156</u>	2583 <u>2588</u>
Key Service Centres																		
	41	51	59	71	93	159	205 <u>170</u>	150 <u>234</u>	144 <u>168</u>	194 <u>106</u>	207 <u>135</u>	214 <u>149</u>	148 <u>214</u>	138 <u>197</u>	138 <u>136</u>	132 <u>117</u>	80 <u>88</u>	2224 <u>2188</u>
Primary Villages																		
	28	31	49	47	17	52 <u>51</u>	83 <u>58</u>	118 <u>84</u>	162 <u>108</u>	205 <u>185</u>	196 <u>252</u>	241 <u>275</u>	218 <u>272</u>	207 <u>171</u>	170 <u>115</u>	69 <u>63</u>	45 <u>44</u>	1938 <u>1850</u>

Secondary Villages																		
	13	20	18	16	17	13	36 <u>27</u>	26 <u>33</u>	20 <u>27</u>	12 <u>44</u>	12 <u>22</u>	13 <u>26</u>	10 <u>28</u>	9 <u>14</u>	9 <u>13</u>	9 <u>13</u>	9 <u>12</u>	262 <u>356</u>
Tertiary Villages																		
	1	3	0	0	5	2	3 <u>4</u>	2 <u>6</u>	3 <u>1</u>	3 <u>2</u>	2 <u>2</u>	2	2	2	2	2	2	36 <u>38</u>
Total	159	191	211	208	212	329 328	466 382	535 537	538 543	605 511	580 553	705 642	597 766	546 612	507 469	378 394	276 302	7043 7020

[To insert a new housing trajectory in Picture C.1 (page 177) as follows:]



[To update the housing number in Table C.3 (page 178) as follows:]

Total number of homes	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Delivery (plan period)	Delivery post 2030
CS17 - Great Yarmouth Waterfront												
946 857	0	0	0	0	48 0	48 40	48 40	48 40	27 37	0	246 157	700
GN1 – Land south of Links Road, Gorleston-on-Sea												
500	0	0	35 0	70 50	70 75	70 75	70 75	70 75	70 75	45	500	0
GN2 – Emerald Park, Gorleston-on-Sea												
100 97	0	0	12 0	22 0	22 0	22 12	0 22	0 22	0 22	0 19	100 97	0
GN3 – Land at Ferryside, High Road, Gorleston-on-Sea												
20	0	0	0	0	10 0	10	0 10	0	0	0	20	0
CS18 – Land south of Bradwell, Bradwell												
740 686	80 126	81 155	98 61	93 57	80 92	72 96	62 80	62 19	56 0	4 0	740 686	0
CA1 – Land off Jack Chase Way, Caister-on-Sea												
725 665	0	0	3 0	50 35	70 50	70	70	70	70	70	505 435	220 230
BN1 – Land south of New Road, Belton												
100	0	0	0	12	22	22	22	22	0	0	100	0
HY1 – Land at Former Pontins Holiday Camp, Hemsby												
190	0	15 0	30 29	30 58	30 58	30 45	30 0	25 0	0	0	190	0
HP2 – Land to the west of Coast Road, Hopton-on-Sea												
40	0	0	10 0	20 0	10 0	0 10	0 20	0 10	0	0	40	0
MA1 – Land north of Hemsby Road, Martham												
95 112	0	0 20	0 40	12 32	22 20	22 0	22 0	17 0	0	0	95 112	0

Total number of homes	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Delivery (plan period)	Delivery post 2030
OT1 – Land south of Cromer Road, Ormesby St Margaret												
190	0	0	0	15 0	30 10	30 20	30 20	30 20	30 20	25 20	190 110	40 80
OT2 – Land north of Barton Way, Ormesby St Margaret												
32	0	0	10 0	22 16	0 16	0	0	0	0	0	32	0

Local Plan Part 2 – Adoption (Policy & Resources Committee)

Appendix 5 – Additional Modifications Schedule



Local Plan Part 2 Examination

Schedule of Additional Modifications to the

Local Plan Part 2

(December 2021)



Proposed 'Additional Modifications'

The modifications listed below are not considered to materially alter the policies of the plan as they are minor clarifications and consequential amendments and factual corrections. They are not specifically required by the Inspector to make the plan sound. However, they do address some concerns raised in representations and also provide grammatical and typographical corrections. They are expressed either in the conventional tracked-changes form of ~~strike through~~ for deletions and **bold underlining** for additions of text. The page numbers and paragraph numbering below refer to the Final Draft Local Plan (February 2020), and do not take account of the deletion or addition of text. New paragraph numbering is simply identified as X.XX. A column is also provided to set out the reason for making the modification.

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
AM1	15	Paragraph 2.3	2.3 The Local Plan makes provision for more than enough development to meet needs over the plan period and therefore satisfies the presumption in favour of sustainable development for plan making. In order for the strategy to be successful, it is necessary that the Local Plan controls and limits development in certain locations. The Local Plan also needs to give clear signals to developers, the community and infrastructure providers about where development will take place and where it will not take place. Development Limits are one of the key policy tools available to achieve this and guide the location, type and amount of development to ensure it is delivers, and is consistent with, the overall strategy for development as detailed in the Core Strategy. Development Limits also help to avoid urban/suburban sprawl, the unplanned coalescence of settlements and unnecessary loss of agricultural and undeveloped land. This is particularly important in Great Yarmouth Borough given that much of the agricultural land is high grade.	Typographical error (removing 'is') noted in Rep ID: 143 – Broads Authority
AM2	29	Paragraph 2.41	2.41 Some development proposals, particularly larger scale residential schemes will be required to contribute towards healthcare infrastructure. An engagement protocol ² has been adopted between all Norfolk local planning authorities, Norfolk and Waveney Sustainability & Transformation Partnership (STP), Clinical Commissioning Groups (CCGs), Health Partners and Public Health Norfolk, to plan for future growth and healthcare service delivery. Through the	Correction of organisation reference as suggested in Rep

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
			protocol, the Borough Council will consult Public Health Norfolk Norfolk County Council Public Health, the STP and any other relevant health partners for all housing development proposals over 50 dwellings, as well as all planning applications for care homes, housing for the elderly, student accommodation and any proposals which would lead to the loss of significant public open space.	ID: 226 – Norfolk County Council.
AM3	33	Third paragraph	The Town is rich in historic assets with the largest unparished church in the country, one of the best preserved medieval walls in the country, a large number of listed buildings including the piers, The Hippodrome, St George's Theatre and the Winter Gardens. Nelson's Monument is a Grade I listed structure located in South Denes built in memorial to Admiral Nelson. The built form of the oldest part of the Town is also distinguished by a network of over 100 narrow, historic rows. The Town's Venetian Waterways and Boating Lake (Grade II listed on the Historic Parks and Gardens Register), dating from the mid-1920s have recently been restored. <u>The Great Yarmouth High Street Heritage Action Zone (HAZ) was designated in early 2020 and aims to create an enhanced historic environment in the centre of the town. The zone covers the area from St Nicholas Minster Church to St Georges Theatre and includes parts of King Street, the Market Place and the historic rows. The HAZ will focus on re-using, restoring and enhancing vacant properties along with improvements to the public realm.</u>	Specific reference added to the Heritage Action Zone as requested by Rep ID: 166 – Historic England. Correct typographical error on previously consulted AM3 (insert "Minster" after "St Nicholas")
AM4	34	Paragraph 3.7	3.7 Great Yarmouth Town Centre is identified within the Core Strategy retail hierarchy (<u>under Policy CS7, as amended</u>) as the Borough's 'main' town centre. The town centre is principally contained within the historic market place, stretching north-south between the Great Yarmouth St Nicholas Minster , Market Place and King Street; and east-west between Market Gates Shopping Centre, Market Row and the River Yare. The main retail core of the town centre is fixed around	To ensure that Policy CS7 is read as a whole, as amended.

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
			the Market Place and the principal retailing streets that are contiguous to it. This forms the delineation of the Great Yarmouth Primary Shopping Area, where main town centre uses, and in particular retail, will be focused. A wider, town centre boundary has been delineated which reflects the location of other supporting town centre uses such as commercial and residential, lying within the functional area of the town centre.	Correct typographical error on previously consulted AM3 (insert “Minster” after “St Nicholas”)
AM5	35	Paragraph 3.8	3.8 Great Yarmouth is the largest retail, leisure and service centre within the Borough, providing a wide range of activities, uses and functions. It does, however, continue to face a myriad of challenges affecting its vitality and viability, including rising levels of vacancies, tightened and selective customer spending, and continued competition from out of centre retailing. Managing the future role and direction of the town centre is a priority of the Council and new investment opportunities and initiatives are currently being pursued in the town centre through the Council’s adopted Great Yarmouth Town Centre Regeneration Framework and Masterplan and Future High Streets Fund. This policy seeks to support the vitality and viability of Great Yarmouth town centre in accordance with the Core Strategy and national policy, and in the context of supporting new development opportunities and initiatives currently being pursued by the Council.	To provide consistency in the title of the ‘Great Yarmouth Town Centre Regeneration Framework and Masterplan’.
AM6	36	Paragraph 3.11	3.11 The Great Yarmouth Market Place lies at the heart of the town centre and is an example of an extremely high quality townscape and built environment, providing a direct connection to the town's past heritage. The southern end of the Market Place is home to the town's permanent covered market which consists of around 40 small stalls, however its current canopy structure is in a poor condition. The revitalisation of the permanent covered market is identified as a key objective in the Great Yarmouth Town Centre Regeneration Framework and Masterplan therefore proposals which seek to strengthen the market's central role in the town's social and	To provide consistency in the title of the ‘Great Yarmouth Town Centre Regeneration Framework and Masterplan’.

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
			economic life, enhance the tourist experience, dwell time and spend within the town centre, will be generally supported.	
AM7	37	Paragraph 3.19	3.19 Whilst this policy allows for a greater flexibility of uses within the shopping centre, it is necessary to retain, where possible, certain areas within the shopping centre for core A1 shopping uses, as the vitality of the town centre would likely be undermined if the main shopping units providing active frontage to Market Gates (and by extension, to the Market Place); were to be significantly diluted out of core retail uses.	Deletion of reference to former use class A1 to support changes in the policy.
AM8	39	Paragraph 3.20	3.20 To ensure that the existing Market Gates Shopping Centre retains a principal focus on core retail uses, any proposal coming forward on units which provide frontage either; to the main shopping centre entrance off the Market Place; or along the principal internal shopping corridor between Market Place and Regent Road, will be determined against Policy R2 'Protected Shopping Frontage'. Policy R2 does not necessarily preclude other retail uses e.g. food & beverage proposals from being allowed, but seeks to maintain a principal focus upon core A1 shopping uses.	Deletion of reference to former use class A1 .
AM9	37	Paragraph 3.22	3.22 Hall Quay is situated within Great Yarmouth's town centre but in recent years the area has undergone a period of significant commercial change, with many of the high street banks having moved or relocated to the Market Place leaving vacant many of the large and listed former banking halls fronting the quay. The re-purposing of this area towards a new food, drinking and leisure 'cluster' is identified in the Council's adopted Town Centre Regeneration Framework and Masterplan and a subsequent Planning Brief Supplementary Planning Document was adopted in July 2019 to provide further supplementary guidance to more closely define the type, size and form of development to be brought forward in this area.	To provide consistency in the title of the 'Great Yarmouth Town Centre Regeneration Framework and Masterplan'.
AM10	39	Paragraph 3.23	3.23 Development proposals which are located or positioned along the principal frontage to Hall Quay will be carefully managed to ensure that an appropriate mix and type of uses are brought	Deletion of references to

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
			forward to help to stimulate activity and prioritise pedestrian movement within the area. In pursuance of this, new food and drink (A3 & A4) and hotel proposals will be particularly supported within the area. Other retail and office related uses (A1, A2 and B1) may also be permitted where these continue to provide active ground floor frontage i.e. window displays, entrances and views of internal activity. Residential uses will be generally supported within the entire policy area, but will be restricted to upper floors only where proposed in buildings fronting Hall Quay. This is to help avoid blank or un-activated frontages on Hall Quay.	former uses classes A1, A2, A3, A4 & B1.
AM11	39	Paragraph 3.24	3.24 The policy also seeks to support the implementation of other complementary projects to help fully deliver the vision of Hall Quay, as envisaged by the Town Centre Regeneration Framework and Masterplan. This includes supporting major highway and public realm improvements to help reduce the dominance of the highway in order to engineer an environment more conducive to the uses being proposed in Hall Quay e.g. casual dining, public open space.	To provide consistency in the title of the 'Great Yarmouth Town Centre Regeneration Framework and Masterplan'.
AM12	47	Paragraph 3.49	3.49 There has been a tendency over a number of years for former hotels and B&Bs in the area to become Houses in Multiple Occupation (HMOs), and this has led to complaints and generally more negative perceptions of the area. While there is a recognised need for HMOs in the Borough, a significant minority of them can result in problems for neighbouring occupiers, and an increasing concentration of them is not conducive to either the continued success of the remaining tourism businesses, nor in gradually developing a positive new character for the area. The policy therefore seeks to resist further HMO use in this particular area. <u>This is consistent with the approach of Policy H12 Houses in multiple occupation which details when and where HMOs will be permitted.</u>	To cross-reference HMO consideration with Policy H12.

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
AM13	49	Paragraph 3.56	3.56 Although the use of the airfield for helicopter operations has been suspended by the current owner (who has focused its operations elsewhere) the airfield is a specialised and finite facility, located off in close proximity to the Norfolk coast and on a main transport corridor with good links to Great Yarmouth and its Enterprise Zones. The retention of the airfield is therefore considered necessary given its strategic importance in the context of the continued growth of the offshore energy sector in Great Yarmouth and the Borough's economy overall.	Clarification of location in relation to the Norfolk coast.
AM14	50	Paragraph 3.58	3.58 The port, quays and harbour in Great Yarmouth and Gorleston-on-Sea (along sections of the west bank of the River Yare) are key strategic infrastructure assets for the Borough supporting offshore-related industries, and particularly the offshore energy industry. In accordance with Policy CS6, the above policy recognises the strategic need and importance of retaining land for such uses. The strategic importance of the South Denes part of the port area is recognised in the Norfolk Strategic Planning Framework. <u>National access to this area will be significantly improved via the strategic road network when the Great Yarmouth Third River Crossing is in place. The scheme has been granted a Development Consent Order by the Secretary of State and construction is expected to commence in January 2021.</u>	Specific reference to the Third River Crossing as requested by Rep ID: 227 – Norfolk County Council. Clarification that the policy area defined on the Policies Map includes part of the west bank of the River Yare, which is in Gorleston.
AM15	54	Paragraph 3.71	3.71 An element of retirement and/or housing with an element of care, such as sheltered housing, very sheltered housing, extra care housing or a care home, totalling at least 10% of the housing units on site (about 50 units) should also be provided to meet the needs of the borough's ageing population. The site presents an ideal opportunity to accommodate this need when taking into	Correcting typographical error.

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
			consideration the level of development combined with the site's good accessibility and integration with existing amenities, such as James Paget University Hospital. To ensure timely delivery, the provision of retirement/extra care housing should be provided before the occupation of the 250th dwelling (50%) on the site. The affordable housing requirement will not apply to the accommodation comprising retirement/extra-care, care housing, as this type of housing has less viability to cross-subsidise the delivery of affordable housing.	
AM16	54	Paragraph 3.74	3.74 Car parking provision within the site should have regard to Norfolk County Council Parking Standards both with regarding to the number of spaces per dwelling and the width of parking spaces to accommodate modern cars (2.5m). Parking provision should include a mix of solutions including on-plot parking, well designed on-street parking and parking courts. Rear parking courts should only be used in limited circumstances where spaces are well surveilled, secure and close to the respective dwellings. Continuous front curtilage parking should be avoided as this creates a car-dominated environment as well as limiting the scope for on-street visitor parking. Where garages are provided they must be a minimum of 3m wide (internal dimensions) to allow people to park within them and be able to open the car doors sufficiently wide to enter/leave the car with relative ease. <u>The highway authority may consider applying waiting restrictions within the development's road layout to protect visibility splays from parked vehicles, particularly at Links Road to secure the safe operation of the proposed highway accesses.</u>	Updated requirements from the Highway Authority as recommended in Rep ID: 231 – Norfolk County Council Correct typographical error on previously consulted AM16 ("regard")
AM17	55	Footnote 4 (Table 3.2)	Financial <u>Developer</u> contributions have been estimated based on the costs <u>current required levels of service provision and published standards</u> at the time of preparing the plan. It is likely that <u>both the costs and the need for additional infrastructure</u> could change by the time a planning application may be submitted <u>and require a re-evaluation of developer contributions in</u>	Clarity that the contributions are estimates based on the standards at the time of

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
			line with the most up to date published standards. Additionally, the need for infrastructure can change.	writing as requested by Rep ID: 215 – Norfolk County Council
AM18	58	Footnote 5 (Table 3.3)	Financial Developer contributions have been estimated based on the costs current required levels of service provision and published standards at the time of preparing the plan. It is likely that both the costs and the need for additional infrastructure could change by the time a planning application may be submitted and require a re-evaluation of developer contributions in line with the most up to date published standards. Additionally, the need for infrastructure can change.	Clarity that the contributions are estimates based on the standards at the time of writing as requested by Rep ID: 205 – Norfolk County Council
AM19	60	Footnote 6 (Table 3.4)	Financial Developer contributions have been estimated based on the costs current required levels of service provision and published standards at the time of preparing the plan. It is likely that both the costs and the need for additional infrastructure could change by the time a planning application may be submitted and require a re-evaluation of developer contributions in line with the most up to date published standards. Additionally, the need for infrastructure can change.	Clarity that the contributions are estimates based on the standards at the time of writing as requested by Rep ID: 216 – Norfolk County Council
AM20	68	Paragraph 3.123	3.123 In accordance with Core Strategy Policy CS7(a) (as amended) , the above policy provides strategic detail on the nature of the new District Centre and how it should be delivered in order to serve residents and workers in the Beacon Park growth area and the wider fringes of Bradwell and Gorleston-on-Sea. The policy provides further detail as to the types and manner of the uses to be brought forward in the District Centre.	To ensure that Policy CS7 is read as a whole, as amended.

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
				Correct typographical error on previously consulted AM20 (insert “-on-Sea” after “Gorleston”)
AM21	72	Paragraph 3.135	3.135 The biggest challenge of the site is to provide a sustainable extension to Caister-on-Sea which would successfully integrate the new community with the existing settlement, when the two are divided by the current Caister bypass (Jack Chase Way). An appropriate solution will be required to ensure safe and easy pedestrian, cycle and vehicular access between the development site and existing settlement, without unduly impeding through traffic or encouraging it to divert through the centre of Caister-on-Sea. <u>This solution may include the reduction of the Jack Chase Way speed limit to 40mph.</u> It is therefore particularly important that there are “pull” factors on the site to encourage the existing residents of Caister-on-Sea to cross Jack Chase Way, such as a primary school, formal recreation facilities and communities facilities.	Updated requirements from the Highway Authority as recommended in Rep ID: 230 – Norfolk County Council
AM22	74	Footnote 7 (Table 3.6)	Financial <u>Developer</u> contributions have been estimated based on the costs <u>current required levels of service provision and published standards</u> at the time of preparing the plan. It is likely that <u>both the costs and the need for additional infrastructure</u> could change by the time a planning application may be submitted <u>and require a re-evaluation of developer contributions in line with the most up to date published standards.</u> Additionally, the need for infrastructure can change.	Clarity that the contributions are estimates based on the standards at the time of writing as requested by Rep ID: 214 – Norfolk County Council

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
AM23	79	Footnote 8 (Table 3.8)	Financial Developer contributions have been estimated based on the costs current required levels of service provision and published standards at the time of preparing the plan. It is likely that both the costs and the need for additional infrastructure could change by the time a planning application may be submitted and require a re-evaluation of developer contributions in line with the most up to date published standards. Additionally, the need for infrastructure can change.	Clarity that the contributions are estimates based on the standards at the time of writing as requested by Rep ID: 213 – Norfolk County Council
AM24	80	Paragraph 3.170	3.170 Hemsby remains a popular seaside village with a reasonable range of facilities including a primary school, small supermarket, post office, doctor's surgery and two public houses all within reasonable walking distance of residents. <u>Much of the tourist industry is located along the coastal stretch, with the south-eastern area known as Newport.</u> A greater range of seasonal facilities are clustered along Beach Road serving the holiday trade. Since the 2000's the tourism industry in Hemsby has shown some signs of contraction, with, notably, the 2009 closure and subsequent and long term vacancy of the large former Pontins holiday camp site. <u>Hemsby has a wide selection of holiday caravan and chalet parks with direct access to the beach and a decent range of attraction facilities to entertain visitors. Despite its size and proximity in relation to Great Yarmouth and Gorleston-on-Sea, Hemsby has established its own national presence as a seaside resort. Recent investments by established holiday parks show that Hemsby continues to make an important contribution to the Borough's economy.</u>	To clarify the settlement area in relation to 'Newport' and provide an updated summary of the state of the local tourist industry.
AM25	83	Footnote 9 (Table 3.9)	Financial Developer contributions have been estimated based on the costs current required levels of service provision and published standards at the time of preparing the plan. It is likely that both the costs and the need for additional infrastructure could change by the time a planning application may be submitted and require a re-evaluation of developer contributions in	Clarity that the contributions are estimates based on the standards at the time of

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
			line with the most up to date published standards. Additionally, the need for infrastructure can change.	writing as requested by Rep ID: 219 – Norfolk County Council
AM26	85	Paragraph 3.191	3.191 Any future developments within the indicated area may, depending on their scale, nature and locations, exacerbate the existing problems or provide the potential for some mitigation of them. <u>The Council will seek advice from the local highway authority when considering</u> Consideration will be given there to developments in this area to assess whether they have such potential, and how this might be best addressed.	Updated requirements from the Highway Authority as recommended in Rep ID: 235 – Norfolk County Council
AM27	87	Footnote 10 (Table 3.10)	Financial <u>Developer</u> contributions have been estimated based on the costs <u>current required levels of service provision and published standards</u> at the time of preparing the plan. It is likely that both the costs <u>and the need for additional infrastructure</u> could change by the time a planning application may be submitted <u>and require a re-evaluation of developer contributions in line with the most up to date published standards.</u> Additionally, the need for infrastructure can change.	Clarity that the contributions are estimates based on the standards at the time of writing as requested by Rep ID: 218 – Norfolk County Council
AM28	90-91	Paragraph 3.204	3.204 Approximately 1.32 hectares of the western part of the site is safeguarded employment land under Policy CS6 of the Core Strategy. The provision of small scale employment uses on this site will help support the sustainability of Martham as a village providing a local source of employment and reducing the need to travel. This is particularly important given the amount of recent housing development which has taken place in the village and the amount of existing commitments. Therefore 1.32 hectares of the site should be developed for employment uses	To clarify employment uses following changes to the Use Classes Order.

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
			<p>falling under use class B1 <u>including offices, research and development, and light industrial uses</u> which are compatible with the surrounding residential development. If it can be demonstrated through marketing that there is no interest in developing this land for employment use, then the 1.32 hectares could be released for additional housing to the 95 homes proposed for the site. Policy CS6 requires marketing to take place for a period of 18 months. A shorter period could be considered appropriate if evidence is provided to justify the use of a shorter period (e.g. the length of time similar land and premises are normally marketed for). The land should be marketed at a reasonable price reflecting market value and should be on competitive terms and conditions. The marketing should include advertisements in the local press and online as well as targeted approaches. Marketing evidence should include a full record of enquiries together with reasons as to why the sale/lease did not progress.</p>	
AM29	92	Footnote 11 (Table 3.11)	<p>Financial <u>Developer</u> contributions have been estimated based on the costs <u>current required levels of service provision and published standards</u> at the time of preparing the plan. It is likely that <u>both the costs and the need for additional infrastructure</u> could change by the time a planning application may be submitted <u>and require a re-evaluation of developer contributions in line with the most up to date published standards.</u> Additionally, the need for infrastructure can change.</p>	Clarity that the contributions are estimates based on the standards at the time of writing as requested by Rep ID: 221 – Norfolk County Council
AM30	96	Footnote 12 (Table 3.12)	<p>Financial <u>Developer</u> contributions have been estimated based on the costs <u>current required levels of service provision and published standards</u> at the time of preparing the plan. It is likely that <u>both the costs and the need for additional infrastructure</u> could change by the time a planning application may be submitted <u>and require a re-evaluation of developer contributions in line with the most up to date published standards.</u> Additionally, the need for infrastructure can change.</p>	Clarity that the contributions are estimates based on the standards at the time of writing as

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
				requested by Rep ID: 222 – Norfolk County Council
AM31	99	Footnote 13 (Table 3.13)	Financial Developer contributions have been estimated based on the costs current required levels of service provision and published standards at the time of preparing the plan. It is likely that both the costs and the need for additional infrastructure could change by the time a planning application may be submitted and require a re-evaluation of developer contributions in line with the most up to date published standards. Additionally, the need for infrastructure can change.	Clarity that the contributions are estimates based on the standards at the time of writing as requested by Rep ID: 224 – Norfolk County Council
AM32	105	Paragraph 5.7	5.7 The policy is framed around the key headings set out in the National Design Guide and provides some specific local requirements for design. In terms of context regard should also be had to policies on the historic and natural environment including Policies CS10, CS11, E4 and E5. Evidence including Conservation Area Appraisals, the Great Yarmouth & Waveney Settlement Fringe Landscape Sensitivity Study (December, 2016), the Great Yarmouth Borough Landscape Character Assessment (April, 2008) and the Broads Landscape Character Assessment should be considered. Site specific heritage impact assessments, where necessary, may also help inform setting the context of the development. Development should take into account key local features and create and maintain views to key buildings and landmarks such as Caister Castle and Great Yarmouth Minster and natural features such as the coast and The Broads.	Correcting typographical error – ‘appraisals’.
AM33	105	Paragraph 5.9	5.9 A key quality of a well-designed place is a sense of enclosure which results from the spatial organisation of landscape features and/or buildings. Appropriate levels of enclosure create spaces which are visually pleasing and provide a connection between the pedestrian, the landscape or the building. Appropriately scaled terraced homes which are well related to the street achieve	Grammatical corrections – inserted commas.

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			this. As do detached and semi-detached homes with generous landscaping around them. Therefore, detached buildings should have appropriate space around them to allow for landscaping, including trees, and front gardens to create a sense of enclosure. Another key feature of achieving visually attractive places is an active frontage which creates a sense of security and adds visual interest to the street. Therefore, buildings should face streets and at junctions, effectively turn the corner to provide an active frontage on to both streets.	
AM34	109	Heading & First Paragraph	Affordable Housing The NPPF clarifies that the provision of affordable housing should not be sought for developments that are not 'major sites' (for housing, 10 or more homes or sites of an area over 0.5 hectares or more), other than in rural designated areas (where policies may set out a lower threshold of 5 units or fewer). This effectively supersedes, in most cases, the thresholds set at 5 dwellings in Core Strategy Policy CS4 which apply to Affordable Housing Sub-market Areas 1 and 2 (excepting those parts within the Norfolk Coast Area of Outstanding Natural Beauty where the threshold remains at 5 dwellings or less).	A modification is proposed above to amend Policy CS4 in line with national changes to policy. Therefore, this text is no longer required.
AM35	118	Paragraph 6.18	6.18 Permitted development rights exist for the conversion of certain redundant agricultural rural buildings to dwellings, but this policy addresses situations not covered by permitted development, and where there is a potential long term heritage or landscape value which can be secured by facilitating a residential conversion of a building. This is in accordance with Core Strategy Policies CS3(d c), CS9(a) & (g), CS10(a) and CS11(e), and the NPPF.	Correcting cross-reference to Policy CS3 part c).
AM36	127	Paragraph 6.49	6.49 In accordance with Policy GSP5, contributions will be sought for habitat monitoring and mitigation measures where there is an anticipated increase in the potential recreational disturbance to Natura 2000 National Site Network habitat sites, as calculated through the Habitats Monitoring and Mitigation Strategy. The contribution is charged per six bed-spaces (as	To replace 'Natura 2000 Sites' with 'National Site

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			equivalent to a dwelling) and rounded up where it is part of the next six (for example, 8 bed-spaces would round up to 2 equivalent dwellings).	Network' habitat sites, to reflect the updated Conservation Regulations following Brexit.
AM37	129	Paragraph 7.1	7.1 This policy provides further detail to Core Strategy Policy CS7 (as amended) by setting out how the development of new town centre uses will be treated within the Borough of Great Yarmouth. The NPPF is clear that town centres are the preferred location for the development of new retail, offices, tourism, cultural and community uses and that their location should be considered sequentially i.e. on town centre sites before edge of centre sites, and if that is not possible, considered on well connected out of centre sites.	To ensure that Policy CS7 is read as a whole, as amended.
AM38	130	Paragraph 7.3	7.3 Although it is presently demonstrated that there is no 'need' for additional retail floorspace within the plan period, it is necessary to be clear where new retail development will be focused when market interest and demand does arise. Core Policy CS7 (as amended) sets out the plan's retail hierarchy which focuses new retail and leisure development towards the 'Main Town Centre' of Great Yarmouth, followed by the 'Town Centre' of Gorleston-on-Sea and than then a smaller proportion to the two 'District Centres' in Caister-on-Sea and Bradwell. Finally, a limited amount will be directed to identified 'Local Centres' across the Borough to help sustain the needs of local communities.	To ensure that Policy CS7 is read as a whole, as amended. Correct typographical error on previously consulted AM38 (replace "than" with "then")
AM39	130	Paragraph 7.4	7.4 When determining proposals for main town centre uses the NPPF requires a sequential approach to be undertaken. In Great Yarmouth a concentrated Primary Shopping Area is	Modification required to clarify

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			designated within the Town Centre Boundary to define where retail development is to be principally focused, reflecting its strategic importance at the top of the retail hierarchy. This means when determining appropriate edge of centre sites in Great Yarmouth, this will be dependent on whether purely 'retail' (e.g. A1) uses (e.g. shops) or other main town centre uses are being proposed. In the other designated centres of Gorleston-on-Sea, Bradwell, Caister-on-Sea and the Local Centres, appropriate edge of centre sites will be always be for considered as being within 300 metres of the designated centre for main town centre uses.	interpretation of 'retail' in the absence of former use class 'A1'. Correct typographical error on previously consulted AM39 (insert "on-Sea" after Gorleston and after Caister)
AM40	131	Paragraph 7.6	7.6 This policy supports the Core Strategy (Policy CS7(d)) and the NPPF (paragraph 85) by identifying 'protected shopping frontages' (as defined on the Policies Map) as the main focus of retail activity within the town centres of Great Yarmouth and Gorleston-on-Sea. Accordingly, the main uses encouraged within these ground floor frontages to support footfall will be Class A1 Retail (shopping) retail uses.	Modification required to clarify interpretation of 'retail' in the absence of former use class 'A1'.
AM41	133	Paragraph 7.10	7.10 Gorleston Town Centre is identified within the Core Strategy retail hierarchy (Policy CS7, as amended) as the Borough's 'second' town, below Great Yarmouth. The town centre is principally located along the High Street; north-south between School Lane and Sussex Road, and east-west between Church Lane and Baker Street. The high street is compact and tightly contained beside adjacent residential uses, which is reflected in the delineation of its town centre boundary.	To ensure that Policy CS7 is read as a whole, as amended.

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AM42	133	Paragraph 7.13	7.13 Non-main town centre uses including residential uses can play an important role to support the vitality of centres, particularly on the upper floors, providing activity and critical mass to support services and facilities. However, this needs to be finely balanced so as not to be detrimental to the function the of and character of the town centre, such as through the inappropriate loss of shopfronts to residential changes of use.	Correcting grammatical error.
AM43	134	Paragraph 7.14	7.14 Caister-on-Sea is identified within the Core Strategy retail hierarchy (<u>Policy CS7, as amended</u>) as a 'District Centre'. The centre is principally defined along Caister High Street, stretching between Holy Trinity Church in the north to Tan Lane and slightly beyond, in the south.	To ensure that Policy CS7 is read as a whole, as amended.
AM44	140	Paragraph 8.1	8.1 This policy adds detail to Core Strategy Policy CS6 and the NPPF in supporting business development (in this case comprising: Classes B1 (business), B2 (general industrial), B8 (storage or distribution) and Sui Generis from the Use Class Order). The criteria within the policy addresses proposals for new and extended business development, and the requirements within and outside of defined development limits as identified on the Policies Map. The policy will help to ensure that business development is located appropriately according to its intended use and potential impacts on the surrounding environment are minimised and avoided where possible.	Modification required to be consistent with definition of business development and the new Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.
AM45	146	Paragraph 10.4	10.4 For sites comprising 100% affordable housing to meet a specific local need, or an exception site under Policy CS4, a smaller area of search relative to the local need will be appropriate for the Sequential Test. The overall supply across of housing across the Borough will not be relevant in these scenarios as these schemes are for the purpose of meeting a local need.	Correction of typographical error.

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AM46	153	Paragraph 10.25	<p>10.25 Sites and installations which have quantities of hazardous substances present on-site are designated as notifiable installations by the Health and Safety Executive (HSE). There are a number of sites within the Borough which are identified as notifiable installations as they pose specific issues of safety and possible harm to human health in adjoining areas:</p> <ul style="list-style-type: none"> • Bunn Fertiliser, • Transco, Great Yarmouth Holder Station, • ASCO Fuels & Lubricants 	Correcting typographical error.
AM47	154	Paragraph 10.29	<p>10.29 Where proposals are within a close proximity (500m) to watercourses there may be the potential for a hydrological link. Where the watercourses are within, or linked to, any Natura 2000 National Site Network habitat sites the proposals should also be supported with a project level Habitats Regulation Assessment (HRA) which addresses any likely significant effects.</p>	<p>Correcting typographical error.</p> <p>To replace 'Natura 2000 Sites' with 'National Site Network' habitat sites, to reflect the updated Conservation Regulations following Brexit.</p>
AM48	158	Paragraph 12.1	<p>12.1 This policy adds detail to Core Strategy Policy CS9 part (e) and NPPF paragraph 105. When determining planning applications, the Borough Council will have regard to the current parking standards (current version: 2007) published by Norfolk County Council. Of particular importance, the standards set the number of spaces per dwellings and the width of parking spaces to</p>	To clarify the date of the current parking standards used.

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			accommodate modern cars (2.5m) and garages of 3m wide (internal dimensions) to allow people to park within them and be able to open the doors sufficiently wide to enter/leave the vehicle with relative ease.	
AM49	11	Paragraph 1.5	1.5 Over the last few years, the Borough Council has been unable to demonstrate a deliverable 5-year housing land supply. There is a recent history of under-delivery on the Core Strategy target, with a total of 1,310 dwellings completed since the start of the Core Strategy P period up to April 2019. When measured against the original Core Strategy stepped target for the period at 300 dwellings per annum (a total target of 1,800 dwellings), this causes a deficit of 490 dwellings; but measured over the original Core Strategy's annualised housing target (a total target of 2,520 dwellings) this causes a deficit of 1,210 dwellings. It is therefore clear that the delivery of the original housing target set out in the original Core Strategy was extremely challenging and that the use of the new standard method will be both more appropriate and achievable. Crucially, the new local housing need target will enable the Borough Council to demonstrate a deliverable supply of housing land over a five year period and therefore ensure that development is plan-led in the Borough. Adoption of the new standard method for calculating housing need will not only bring the Borough in line with the Government's requirement at the earliest opportunity but it would also allow the Borough Council to bring the housing target to a level which is considered more realistic and achievable within the plan period.	Correcting typographical errors.
AM50	13	Paragraph 1.12	1.12 To reflect this approach, the re-aligned Town Centre Boundary includes the areas around Greyfriars Way and Queen Street, as well as Church Plain and Priory Row which functions as important commercial areas to the town. The area around and including the Great Yarmouth <u>St Nicholas</u> Minster is also included to allow it further flexibility to bring forward ancillary cultural	Correcting typographical errors to insert "St Nicholas" before "Minster"

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			and community uses, where appropriate. The extent of the Great Yarmouth High Street Heritage Action Zone (HAZ), which also includes the St Nicholas Minster and much of the historic town centre within the medieval walls has also been included within the Town Centre Boundary. Lastly, the Town Centre Boundary has also been re-aligned to exclude areas which are no longer considered necessary or appropriate under the Town Centre Boundary designation. This includes part of King Street and Regent Road.	and correct reference to Great Yarmouth High Street Heritage Action Zone.
AM51	14	Paragraph 1.21	1.21 On the basis of the current evidence published since the adoption of the Core Strategy, there is no longer a quantitative need for new food and non-food shopping floorspace. Consequently, there is not a requirement under national policy for the Council to specifically identify and allocate sites for new retail-led development and therefore Policy USC7 deletes the previous retail requirement provided in Policy CS7b). Notwithstanding this, there is evidence of a limited number of locational requirements and accessibility deficits in localised shopping provision that will need to be addressed, including to support the delivery of some of the allocations in this Plan. Therefore, where market interest and demand does arise for new retail development, this will be supported in the town, district and local centres in accordance with the plans retail hierarchy in Policies CS7 (as amended), CS17, R1, R5 and BL1 and on the land allocated by Policy CA1 to create a new local centre in Caister- on-Sea and on the land allocated by Policy HY1 for small scale shopping facilities.	Correcting typographical errors to insert “-on-Sea” after “Caister”
AM52	17	Paragraph 2.7	2.7 A Neighbourhood Plan can allocate sites for development including housing. In accordance with paragraphs 65 and 66 of the NPPF, the above policy sets out the indicative housing requirement figures for the Borough’s designated Neighbourhood Areas and this is zero. This is due to the provision of housing through existing commitments and the consideration of housing	Correcting typographical error in previously

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			from elsewhere within the Borough to meet the overall housing need of the Borough. Whist Whilst the requirement is zero for each area, this should not discourage or prohibit Neighbourhood Plans from allocating housing to respond to the latest evidence of local housing need, provided that the policy criteria is met. The policy criteria ensures that housing allocations that do come forward through Neighbourhood Plans will be in accordance with the Local Plan to provide housing strategically across the Borough. Some Neighbourhood Areas are both within the Great Yarmouth Borough Council planning area and the Broads Authority planning area. The Broads Authority do not allocate a housing figure for Neighbourhood Plans. So, the target remains at zero for any Neighbourhood Plan areas that are also within the Broads Area.	consulted MM8 (replace “Whist” with “Whilst”) Note – the text opposite (excluding the additional modification) reflects the final modified wording as per the Inspector’s Main Modifications
AM53	19	Paragraph 2.10	2.10 The Borough is characterised by a number of settlements, generally located close to one another. The Local Plan seeks to maintain the separate identities of these, and maintain distinct gaps as far as practicable. The Core Strategy stated this Plan would include Strategic Gaps between Great Yarmouth and Caister- <u>on-Sea</u> , Bradwell and Belton, and Gorleston- <u>on-Sea</u> and Hopton- <u>on-Sea</u> , and consider others. The Development Limits provide a degree of control to such ends, but this policy applies further considerations to development which may be proposed outside those limits in accordance with other policies of the Plan.	Correcting typographical errors to insert “-on-Sea” after Caister, Gorleston and Hopton
AM54	19	Paragraph 2.15	2.15 The Strategic Gap between Hopton-on-Sea and & Corton helps reduce the risk of further coalescence between the settlements across the local planning authority boundaries. This approach to 'separation' is similarly recognised and shared by East Suffolk District Council.	Correct typographical error to replace “and” with “&”

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AM55	22	Paragraph 2.21	2.21 The policy has also been produced with regard to the Statement of Common Ground on Coastal Zone Planning between the Borough Council of King's Lynn & West Norfolk, North Norfolk District Council, Great Yarmouth Borough Council, East Suffolk Council and the Broads Authority, the area covered by Coastal Partnership East (with the exception of King's Lynn and West Norfolk). The Statement of Common Ground includes a set of agreements which include alignment of planning policies for the coast. Policy GSP4 is consistent with the approaches set out in adopted and emerging Local Plans across the Norfolk and Suffolk Coast and of <u>by</u> ensuring policies for managing the coast are 'strategic' (i.e. Neighbourhood Plans have to be in conformity with them).	Correct typographical error to replace "of" with "by"
AM56	25	Paragraph 2.27	2.27 Depending of <u>upon</u> the type, extent and location of development, there is the potential to require further financial contributions to ensure the protection of National Site Network habitat sites from new development. Residential development sites within immediate proximity to National Site Network habitat sites, and tourist development (including tourist development that does not result in new accommodation), may be applicable for separate, additional contributions where these have been identified as more likely to give rise to increased visitor pressures or create direct adverse impacts. These may be collected by Section 106 agreements or by other means such as Section 111 undertakings.	Correct typographical error in previously consulted MM11 (replace "of" with "upon") Note – the text opposite (excluding the additional modification) reflects the final modified wording as per the

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AM57	25	Paragraph 2.30	2.30 Following recent caselaw ¹ , it is important that Appropriate Assessment is undertaken before any mitigation measures are applied to deal with potential adverse effects. The above policy therefore sets out that in such cases a project-level HRA will be required, with applicants preparing a shadow HRA to provide evidence to inform the Borough Council's determination on such matters as competent authority. To simplify this process for low-impact developments (i.e. those located further than 400m away from National Site Network habitat sites and of a smaller scale of less than 10 dwellings or 1-20 tourist bed spaces) applicants may be able to use the Borough Council's template HRA from its website . In all other cases, applicants will be expected to provide their own shadow HRA undertaken by an appropriate qualified individual (such as an ecologist).	Correct typographical error in previously consulted MM11 (insert "applicants" before "may") Note – the text opposite (excluding the additional modification) reflects the final modified wording as per the Inspector's Main Modifications
AM58	26	Paragraph 2.31	2.31 The above policy seeks to enhance the Borough's Green Infrastructure network supporting policies CS11, CS15 and GSP5. The policy recognises the potential for green infrastructure to	Correct typographical error "protected"

¹ The 'Sweetman' case - People Over Wind & Sweetman v. Coillte Teoranta (C-323/17)

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			improve nature conservation and the protected ed landscapes, identifying landscapes of specific importance such as The Broads.	
AM59	27	Paragraph 2.34	2.34 The borough benefits from having a number of former railways which, radiating from the main urban area, has have the potential to significantly increase the network and distance of 'green travel' routes across the borough and in some cases, link strategic with other protected railways in neighbouring plans (e.g. Local Plan for The Broads).	Correct typographical error – replace “has” with “have”
AM60	30	Paragraph 2.43	2.43 The Local Plan requires all new residential development to make a contribution towards the provision of new open space, including accessible natural greenspace, to meet the needs of the growing population. This contribution will either take the form of on-site/off-site provision or a financial contribution in lieu. Policy H4 provides further detail detailed information on the application of this contribution.	Correct typographical error – replace “detail” with “detailed”
AM61	36	Paragraph 3.12	3.12 Many of the major and traditional retailers are beginning to change their store formats and locational requirements in response to the growth of online sales and to provide a more exciting and engaging shopping experience. Out-of-centre retail parks are often favoured to meet this demand due to the often perceived constraints of traditional town centre environments e.g. tighter shopping environments and restrictions from conservation areas and listed buildings, (however these can be overcome through good design and appreciation and regard to context and setting etc). It is essential, therefore, that consideration be given where potential opportunities exist to provide larger modern units either through the re-purposing, reconfiguration or potential redevelopment of underutilised space in Great Yarmouth town centre	Correct typographical error – delete “town centre”

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			town centre. Any new development proposals should be designed to maximise pedestrian permeability and connectivity to drive footfall within the town centre.	
AM62	36	Paragraph 3.13	3.13 Along King Street and the Market Place, the main array of shop frontages and facades are located in the town centre. Some frontages form part of, or are attached to, listed buildings and many are in a poor state of condition or of a design which does <u>not</u> complement the listed building or enhance the historic setting of the town. The Council will support the refurbishment or replacement of shopfronts, particularly where this strengthens the local distinctiveness of the town and its heritage. The reinstatement of original ground floor frontages, such as historic townhouses, will also be encouraged for their contribution to the town's historic character, unless this has an adverse impact on the Protected Shopping Frontage, or on the designated heritage assets, as per Policies R2, E5 and CS10.	Correct typographical error – insert “not” after “does”
AM63	37	Policy GY2 (3 rd paragraph)	To maintain core retail frontage within the existing Shopping Centre, any new proposals which provide frontage to the shopping centre entrance (off Market Place); or provide frontage along it's <u>its</u> principal internal corridor (linking Market Place and Regent Road); will be determined against Policy R2 'Protected Shopping Frontage'	Grammatical change - remove apostrophe from “it’s”
AM64	37	Paragraph 3.18	3.18 To facilitate these changes, the Council will consider the merits of potential changes of use, <u>and</u> partial or comprehensive redevelopment of the Market Gates Shopping Centre. Proposals which improve connections between the Market Place and Temple Road, and in particular enhancements to the public realm around the Bus Station will be encouraged.	Correct typographical error – add “and” before “partial”
AM65	39	Paragraph 3.26	3.26 Such facilities could take a number of forms, and could potentially be located either at Hall Quay, or on the opposite bank near the Ice House. Arrangements for the management and	Grammatical change (insert

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			maintenance of such facilities would be an important factor, as would ensuring that the facility does not compromise commercial craft movements and other port activities, but both of these are successfully achieved in many other ports and towns.	“not” after “does”)
AM66	44	Paragraph 3.39	3.39 Maintaining and encouraging new vibrant and visually active uses along the seafront is fundamental for the continued vitality of the Borough's tourism, leisure and cultural offer. They provide interest and 'pull' along the extent of its area, and help to encourage a variety of visitors, spend and footfall throughout the year. In furtherance of this, investment in new leisure, entertainment and tourist uses will be flexibly supported throughout the Seafront Area and particularly where this maintains or re-introduces ground floor frontage and/or activity to the seafront. Tourist and leisure proposals which activate the upper floors of seafront buildings will also be positively encouraged, particularly where this helps to secure the long-term maintenance and integrity of heritage assets.	Correct typographical error – add “and” before “help”
AM67	45	Paragraph 3.43	3.43 The Seafront's public realm facilities and open space will continue to be upgraded or enhanced for the needs and enjoyment of residents, and tourists and businesses operating in the area. Consideration will be given to the provision of new public facilities such as toilets, seating and shelters, and well designed, attractive signage, wayfinding to optimise the use of open space, the beach and wider resorts and facilities linked to the town centre and train & bus stations. The Council will also consider ways in which to address deficiencies in the public realm, for example seeking environmental improvements or encouraging the replacement or alteration of buildings and structures which present a blank facade at ground level or an impediment to pedestrian movement.	Correcting typographical errors – delete “and” before “tourists”

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AM68	46	Policy GY7 criterion m	m. Provision of adequate, concealed bin storage for the intended use, of out out of sight from the street.	Correcting typographical error on previously consulted MM19 (replace “of out” with “out of”) Note – the text opposite (excluding the additional modification) reflects the final modified wording as per the Inspector’s Main Modifications
AM69	46	Paragraph 3.45	3.45 The above policy provides guidance for assessing development proposals and appropriate uses in areas at the back of Great Yarmouth seafront. These areas are built-up and largely contain Bed and Breakfast (B&B) establishments and residential properties. As the demand for holiday accommodation has changed over the years, the previous predominance of hotels and B&Bs in this these areas has lessened. The intention of the policy is to manage that process of change.	Correcting typographical error – replace “this” with “these”

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AM70	48	Paragraph 3.51	3.51 This policy provides a positive approach to help guide the future long-term use of the Great Yarmouth Racecourse, a strategically important leisure facility and visitor attraction. The Great Yarmouth Racecourse has been established on the North Denes since the 1920s, and provides a major 'all year round' visitor attraction that contributes to the tourism offer in the Borough and the wider region, being only one of two horse racing courses within Norfolk (the other being Fakenham). The policy seeks to safeguard the racecourse and maximise it <u>its</u> future role in contributing <u>to</u> the Borough's tourism and leisure offer. The policy therefore complements the ambitions of Policy CS8 of the Core Strategy.	Correcting typographical errors – replace “it” with “its” and insert “to” before “the”.
AM71	48	Paragraph 3.52	3.52 In recent years the use of the racecourse and its ancillary facilities have been widened to flexibly accommodate alternative tourism uses such as conferencing and wedding facilities and areas for camping and caravanning leisure. This policy therefore continues to support future development proposals which are both ancillary to the racecourse and expected to continue securing its long-term future use for the benefit <u>of the</u> tourism economy, both locally and regionally.	Correcting typographical errors – add “of the” before “tourism”
AM72	50	Paragraph 3.61	3.61 In determining new proposals for port related developments, applicants should have particularly regard to the impact of traffic from increased port activity on the Great Yarmouth seafront and wider town area, in compliance with Core Policy CS16.	Correcting typographical errors – “particular”
AM73	53	Paragraph 3.66	3.66 Whilst the site proposed is noted to be within the parish boundary of Hopton-on-Sea, the site would in effect represent a sustainable extension to the settlement of Gorleston-on-Sea, with close access to services notably within Gorleston- <u>on-Sea</u> , Bradwell & <u>and</u> Beacon Park. The	Correcting typographical errors

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			location is in particularly close proximity to the James Paget University Hospital, Beacon Business Park and the schools to the north.	(insert “-on-Sea” after Gorleston, and replace “&” with “and”)
AM74	54	Paragraph 3.72	3.72 The design of the whole scheme is exceptionally important. The development should be designed so that it creates a locally distinctive neighbourhood which is sympathetic to the environment it lies within. There should be a good variety of house types and styles and a variety of different materials and treatments used, as well as thoughtful landscaping, green infrastructure and tree-planting to encourage healthy living. Design tools such as the Building for Healthy Life criteria should be applied when designing the scheme and assessing the quality of the design. Proposals will need to be in accordance Policies CS9 and A2 on design and the National Design Guide.	Correct reference to “Building for Healthy Life”
AM75	56	Policy GN2 (1 st paragraph)	Land at Emerald Park Football Ground (2.3 Hectares) as identified on the draft Policies Map, is allocated for approximately 100 dwellings. The site should be developed in accordance with the following site specific criteria:	Deletion of “draft” on previously consulted MM23 Note – the text opposite (excluding the additional modification) reflects the final modified wording as per the

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AM76	59	Paragraph 3.97	3.97 The site is adjacent to a conservation area, in close proximity to a number of listed buildings, and there are protected trees within the site. The site itself contains a building of local heritage interest, but this is now partially demolished. A flint wall running to the boundary of the Malthouse Lane contributes to the amenity of the site. A well designed scheme that is sympathetic to the local environment, i.e. retaining key features including the protected trees and the historic flint wall, has the potential to positively enhance the character of the site and the conservation area. Taking account of those constraints, the Council's assessment of the site allocation suggests that a lower density of development is required when compared with the standards set in Policy H3 and that typically only 20 dwellings could be accommodated. A recent appeal decision ² relating to the site allocation has granted planning permission for a higher density of development comprising 6 houses and 28 flats with associated works. Nonetheless, it is reasonable that approximately 20 dwellings reflects an appropriate threshold for the allocation as it would be necessary, should the existing planning permission not be brought forward, that an alternative proposal also demonstrate that the constraints can be overcome through high quality urban design and landscaping.	<p>Typographical errors on previously consulted MM24 (delete "the" before "Malthouse Lane")</p> <p>Note – the text opposite (excluding the additional modification) reflects the final modified wording as per the Inspector's Main Modifications</p>
AM77	59	Paragraph 3.94	3.94 The site is within the existing built up area of Gorleston-on-Sea. The land is brownfield, with a disused office building occupying the site. Surrounding land uses include residential to the south and a fire station with business/industrial uses to the north and east associated with the river frontage.	Correcting typographical errors (insert "-on-Sea" after "Gorleston")

² Appeal Ref: APP/U2615/W/20/3245040, application Ref: 06/16/0190/F - date of decision: 6 July 2021

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AM78	59	Paragraph 3.95	3.95 The site is within walking distance of Gorleston town centre and other amenities including schools and a health centre. There is a bus stop in front of the site offering regular bus services between Gorleston- <u>on-Sea</u> and Great Yarmouth.	Correcting typographical errors (insert “-on-Sea” after “Gorleston”)
AM79	60	Paragraph 3.98	3.98 The site has been identified by the Norfolk County Council <u>Historic</u> Environment Service as having considerable archaeological potential. Remains are anticipated relating to a former Augustinian Friary and this historic River Yare crossing point. The policy therefore requires an Archaeological Written Scheme of Investigation to be submitted to the Borough Council for consultation with Norfolk County Council <u>Historic</u> Environment Service prior to the commencement of the development.	Correct reference to “Norfolk County Council Historic Environment Service”
AM80	63	Paragraph 3.110	3.110 The site is allocated for mix use <u>mixed-use</u> development to facilitate an update to the healthcare and community use currently provided on site. The current healthcare facility is housed in a temporary building. This allocation would allow the permanence of the healthcare provision on this site whilst allowing the site to be updated to provide healthcare to future anticipated standards.	Correcting typographical error - replace “mix use” with “mixed-use”
AM81	64	Paragraph 3.114	3.114 An element of housing with care should be provided on the site as this would be compatible with the healthcare use currently provided on site and the permanence of <u>the</u> healthcare facility which this policy is seeking to safeguard. This would have to be at an appropriate scale to not prejudice the delivery of the healthcare facility.	Correcting typographical error - insert “the” before “healthcare”

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
AM82	66	Paragraph 3.118	3.118 Bradwell is one of the larger settlements in the Borough with a current population of around 10,500 people. It is located in the south of the Borough, contiguous with Gorleston-on-Sea and close to Great Yarmouth.	Correcting typographical errors (insert “-on-Sea” after “Gorleston”)
AM83	66	Paragraph 3.119	3.119 Bradwell has evolved from a small rural community: a collection of hamlets and farmsteads clustered around commons and greens, that saw little change until the 20th century. During the 1950s the settlement grew substantially towards the railway in the north and Gorleston-on-Sea to the east, with further waves of major estate scale development taking place during the 1980s and 1990s.	Correcting typographical errors (insert “-on-Sea” after “Gorleston”)
AM84	66	Paragraph 3.121	3.121 The Core Strategy includes <u>a</u> major urban extension to the south of Bradwell, which is currently under construction. This will eventually provide a further 1,000 new homes, new land for employment, and community facilities such as a new primary school and a district shopping, etc. centre.	Correcting typographical errors (insert “a” after “includes” and delete “shopping, etc.”)
AM85	68	Paragraph 3.126	3.126 New residential development is planned beyond both the site's north-western boundary and to the east, adjacent Woodfarm Lane. Appropriate structural landscaping should be provided along these perimeter boundaries to provide a softer edge to the development and help reduce the likely impact of the planned commercial uses upon the amenities of future residents to the north. Landscaping will also be required to soften the impact of surface car parking car parking and reduce <u>the</u> appearance of a car dominated environment. Buildings should be aligned to provide a strong frontage on Beaufort Way and to limit extensive views of surface car parking.	Correcting typographical errors (delete “car parking” repetition and insert “the” before “appearance”)

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
AM86	69	Paragraph 3.129	3.129 Caister-on-Sea is one of the larger settlements in the Borough with a total population of approximately 9,000 people. It is located on the coast north of Great Yarmouth and separated from its built up area by only a short stretch of open land. Caister- <u>on-Sea</u> was an important settlement for the Romans, and the remains of the historic shore fort are still evident; once overlooking what was then a vast estuary between Caister- <u>on-Sea</u> and Burgh Castle. The fort is now in the centre of the settlement which has grown around it as sea level has changed and taking advantage of land reclaimed during the medieval period.	Correcting typographical errors (insert “-on-Sea” after “Caister”)
AM87	69	Paragraph 3.130	3.130 Caister's recent history is intertwined with tourism: the UK's oldest holiday camp was established here in 1906. The opening here of a new halt on the coastal railway stimulated further tourism and housing development in the area. Following successive waves of housing development, by the end of the 20th century the extent of Caister- <u>on-Sea</u> had largely reached its current size and extent, owing in part to the constraint eventually imposed by the Caister bypass constructed in the 1980's.	Correcting typographical errors (insert “-on-Sea” after “Caister”)
AM88	72	Paragraph 3.139	3.139 Car parking provision within the site should have regard to Norfolk County Council Parking Standards both with regard to the number of spaces per dwelling and the width of parking spaces to accommodate modern cars (2.5m). Parking provision should include a mix of solutions including on-plot parking, well designed on-street parking and parking courts. Rear parking courts should only be used in limited circumstances where spaces are well surveilled, secure and close to the respective dwellings. Continuous front curtilage parking should be avoided as this creates a car-dominated environment as well as limiting the scope for on-street visitor parking. Where garages are provided, they must be a minimum of 3m wide (internal dimensions) to allow people	Correcting typographical errors “regard”

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			to park within them and be able to open the car doors sufficiently wide to enter/leave the car with relative ease.	
AM89	73	Paragraph 3.140	3.140 Design tools such as Building for Healthy Life criteria should be applied when designing the scheme and assessing the quality of the design. Proposals will need to be in accordance Policies CS9 and A2 on design and the National Design Guide.	Correct reference to “Building for Healthy Life”
AM90	76	Paragraph 3.156	3.156 Today, Belton is a popular village, with a good range of local facilities including a primary school, children’s centre, supermarket, post office and church clustered together as effectively a small ‘centre’. A village hall with playing field and play equipment, and two public houses are also within walking distance of many residents. A wider range of services and facilities are located nearby in Great Yarmouth and Gorleston- on-Sea , connections are provided within the village, by regular public transport.	Correcting typographical errors (insert “-on-Sea” after “Gorleston”)
AM91	78	Paragraph 3.160	3.160 Planning consent granted to the north of New Road for 64 dwellings includes the provision of a roundabout to serve the proposed development. On-site access to this allocation should be taken off of a new spur from the proposed roundabout at New Road and/or Church Lane. Appropriate foot way provision to connect the site to the existing footpath on New Road should also be provided. Direct vehicular access on to Church Lane will be avoided to preserve its rural character. The site would benefit from better integration into the existing pedestrian and cycling networks particularly between Stepshort and the recreational ground and between Church Lane and St Georges Road therefore new improvements will be required of the development. The site has the potential to impact upon the Beccles Road/Mill Lane junction and should be further	Typographical errors on previously consulted MM30 (delete “of”) Note – the text opposite (excluding the additional modification)

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
			investigated through a site-specific Transport Assessment with necessary mitigation measures secured. A Travel Plan should also be submitted identifying measures to encourage sustainable modes of transport.	reflects the final modified wording as per the Inspector's Main Modifications
AM92	78	Paragraph 3.165	3.165 There are heritage assets with archaeological interest identified on the site, therefore the potential for unearthing further archaeological deposits are considered likely. The policy requires the developer to submit a Heritage Impact Assessment accompanied by the results of an archaeological field evaluation to understand the significance of any archaeological remains on site and how this <u>will</u> be best addressed through the development of the site.	Correcting typographical errors (insert "will" after "this")
AM93	80	Paragraph 3.168	3.168 Hemsby is one of the larger villages in the Borough, with a resident population of approximately 3,000. It is located 6 miles north of Great Yarmouth, close to both Winterton-on-Sea, Ormesby St Margaret and Martham.	Correcting typographical errors (delete "both")
AM94	80	Paragraph 3.172	3.172 The Great Yarmouth Surface Water Management Plan identifies the built-up area of Hemsby as being particularly at risk from surface water flooding, with Haycroft Road, Barleycroft Road and Beach Road notably affected. The risk of flooding from the river (fluvial) is not generally considered to be a problem within the present built-up area. However, land close to the recreational ground on the western periphery of Hemsby is within fluvial flood risk zones 2&3 (medium and high risk). To the east of the settlement, the coastal front has <u>frontage</u> is also identified as being with the Coastal Change Management Area which is addressed in Policy GSP4.	Correcting typographical errors (delete "front has" and replace with "frontage")

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
AM95	84	Paragraph 3.185	3.185 To the west, the village has sustained a more residential function and character, comprising several estate scale developments, the last large-scale development being completed in the early 2000's to the south of the village. Hopton is relatively self-contained, with a good range of facilities including a primary school, doctors surgery, dentist, pharmacy, two convenience stores, two public houses, a gym and village hall, all within a reasonable walking distance for residents. It's close proximity to both Gorleston- <u>on-Sea</u> and Lowestoft via the A47 trunk road means that residents are particularly well served by sustainable transport to a greater range of facilities and employment opportunities.	Correcting typographical errors (insert “-on-Sea” after “Gorleston”)
AM96	84	Paragraph 3.186	3.186 The surrounding area to Hopton is not considered by the Great Yarmouth and Waveney Settlement Fringe Study to be highly sensitive to new development, though the Council is keen to preserve a distinct gap between Hopton and the built up area of Gorleston- <u>on-Sea</u> to the north, and with Corton (outside the plan area) to the south.	Correcting typographical errors (insert “-on-Sea” after “Gorleston”)
AM97	85	Paragraph 3.189	3.189 Traffic from the Potters Resort and other premises in the vicinity (including those to the south, across the county boundary) tends to move via Station Road, to the detriment of amenity and safety in the heart of the Hopton- <u>on-Sea</u> . Longfulans Lane and Lowestoft Road provides an alternative which avoids those problems, but its current narrow width, lack of a footway and sharp bend onto Lowestoft Road deters its use.	Correcting typographical errors (insert “-on-Sea” after “Hopton”)
AM98	87	Paragraph 3.192	3.192 The site is adjacent to a recently consented housing site to the west and in conjunction could provide improvements to access to the south of Hopton- <u>on-Sea</u> which would support a long term ambition by the Borough Council to improve the existing Longfulans Lane, in accordance with Policy HP1.	Correcting typographical errors (insert “-on-Sea” after “Hopton”)

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
AM99	88	Paragraph 3.197	3.197 Martham is approximately 10 miles north of Great Yarmouth, and within 3 miles of Hemsby, Winterton- <u>on-Sea</u> , and a number of other smaller villages. It is of Saxon origin and grew around the village green and 14th century church, both of which remain as village landmarks. The village remained relatively compact until the arrival of the railway in the 19th century, which was followed by significant infilling along the principal routes into the village. Though the railway closed in the 1950s, the settlement has continued to expand, with several estate scale developments being built during the 1970s, 1980s and 1990s.	Correcting typographical errors (insert “-on-Sea” after “Winterton”)
AM100	88	Paragraph 3.198	3.198 Today, Martham is the largest Primary Village in the Borough, with a residential population of 3,500. It has an extensive range of local services including a primary school, nursery school, post office, library, public house, two convenience stores and a range of other local village shops. Key social facilities such as Flegg Secondary School and the James Kittle medical centre are also situated within the village, meaning that Martham also assumes more of a as 'service centre' role for the surrounding smaller villages such as Repps with Bastwick, Rollesby and Somerton in the north of the Borough.	Correcting typographical errors (delete “as”)
AM101	91	Paragraph 3.210	3.210 The site has previously been tested for contaminated land during the planning application process, for application ref 06/14/0817/O. That it There may be contaminants present on the site related to former industrial uses on parts of the site. Therefore the policy requires a remediation scheme to be carried out in full.	Correcting typographical and punctuation (delete “That”)
AM102	93	Paragraph 3.215	3.215 The Great Yarmouth and Waveney Settlement Fringe Study identifies areas to the southeast of Ormesby St Margaret as generally being more sensitive to new development, due its exposed character and contribution to the setting of local heritage assets such as Ormesby Hall and	Correcting typographical error – pluralise “seek”

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
			Duncan Hall School. The Local Plan also seeks to preserve a distinct gap between the village and Caister-on-Sea to the south-east.	
AM103	98	Paragraph 3.226	3.226 The site is well located adjacent to the north of the existing built-up area with good access to local services and facilities. Vehicular access can be achieved via Barton Way provided that it is widened to the required Highway Authority standard at its narrower sections. In doing this, existing street trees should be protected and where possible and replaced where lost. The site can also be potentially accessed from Thurne Way. The site can be easily integrated into <u>the</u> settlement with good connectivity and minimal impact upon the surrounding countryside. However, a lower density than that set out in Policy H3 is required to reflect the character of the area. This proposed allocation would provide a deliverable development opportunity for a small to medium sized housebuilder.	Correcting typographical errors on previously consulted MM35 (to delete “and” and insert “the” before “settlement”) Note – the text opposite (excluding the additional modification) reflects the final modified wording as per the Inspector’s Main Modifications
AM104	104	Paragraph 5.5	5.5 This policy when assessing housing design, adds detail to Core Strategy Policy CS9 and reflects the NPPF chapter ‘Requiring good design’ ‘Achieving well-designed places’ and the new National Design Guide.	Correct reference to NPPF Chapter

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AM105	105	Paragraph 5.7	5.7 The policy is framed around the key headings set out in the National Design Guide and provides some specific local requirements for design. In terms of context regard should also be had to policies on the historic and natural environment including Policies CS10, CS11, E4 and E5. Evidence including Conservation Area Appraisals, the Great Yarmouth & Waveney Settlement Fringe Landscape Sensitivity Study (December, 2016), the Great Yarmouth Borough Landscape Character Assessment (April, 2008) and the Broads Landscape Character Assessment should be considered. Site specific heritage impact assessments, where necessary, may also help inform setting the context of the development. Development should take into account key local features and create and maintain views to key buildings and landmarks such as Caister Castle and Great Yarmouth <u>St Nicholas</u> Minster and natural features such as the coast and The Broads.	Correcting typographical errors (insert “St Nicholas” before “Minster”)
AM106	105	Paragraph 5.11	5.11 It is essential that sufficient and well-designed parking spaces are provided for on new housing developments to avoid problems such as pavement parking and other dangerous on-street parking. In terms of provision, development will need to be in accordance with Policy I1. In terms of design, the main aim is to ensure parking spaces are well-used and do not result in a car-dominated street-scene. It is generally best to have a mix of solutions. For detached and semi-detached houses, it is best to provide parking on-plot to the side of houses to allow for the provision of front gardens and landscaping and maintain a relationship between the building and the street, thus avoiding a car-dominated environment. For streets with terraced housing, a mix of solutions will be required. This could include off-street solutions such as car-ports, parking courts, integral garages, and space in the front curtilage or rear curtilage of the property. Front-curtilage parking should generally be avoided as it can remove the possibility for landscaping, street trees and front gardens, removes the opportunity for on-street parking for visitors, increases the potential for conflicts between pedestrians and vehicles and results in a car-	Correcting typographical errors – pluralise “pedestrian”

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
			dominated environment with a poor sense of enclosure. Similarly, rear-parking courts should be avoided as they often are poorly used which results in cars parked informally on streets not designed to accommodate them. Rear-parking courts should only be used where they have good access to properties, are secure and well-overlooked to encourage use. On-street parking can be a desirable solution where streets are of sufficient width to accommodate parked cars. Parking bays in streets can also be a positive solution particularly where separated with street trees.	
AM107	107	Paragraph 5.15	5.15 Housing developments should be designed with consideration of how things might be in future, for the example the provision of electric and autonomous vehicles, broadband requirements and energy requirements. Developers also should consider carefully and set out a plan as to how public spaces such as streets, open spaces, drainage and parking courts will be managed in the long-term. Policy H4 sets out requirements for the adoption of open space. For other public spaces, consideration should be given to whether public authorities can adopt them or whether a management company needs to be formed or commissioned.	Correcting typographical errors – delete “the”
AM108	107	Paragraph 5.16	5.16 The Design and Access Statement should clearly set out how the policy requirements in Policy A2 have been met. Other tools should also be considered such as the Building for <u>Healthy</u> Life 12 criteria.	Correct reference to “Building for Healthy Life”
AM109	108	Paragraph 5.17	5.18 The display of advertisements is subject to a separate consent process (Control of Advertisements Regulations, 2007) within the planning system. Advertisements are subject to control only in the interests of amenity and public safety. The following <u>above</u> policy indicates how such assessments will be approached. Policies A1 'Amenity' and E4 'Trees and Landscape' will also be of particular relevance to advertisement proposals.	Correcting typographical errors – replace “following” with “above” and amend “approach”

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)			Reason
AM110	111	Paragraph 6.6	6.6 The Borough has a high need for affordable housing. To address circumstances where housing proposals submitted in phases or cumulatively (i.e. those on a larger specific site) would result in a lower overall requirement for affordable housing, the Borough Council will seek to ensure that the affordable housing contribution is based upon the whole site. For example where there is a planning application for seven units has already been approved and after a further year another planning application under the same ownership on an adjacent site is submitted for three units; then the affordable housing requirement will be calculated from a total development of ten. If the affordable units could not be provided on the latest planning application, then a contribution for off-site provision will be sought.			Correcting typographical error (delete “there is” before “a planning application”)
AM111	112	Policy H3 (Table Heading)		Location - settlement(s)	Net minimum housing density (dwellings her per hectare)	Typographical errors on previously consulted MM41 (replace “her” with “per”) Note – the text opposite (excluding the additional modification) reflects the final modified wording as per the
				Great Yarmouth Town Centre & Gorleston-on-Sea Town Centre, and edge of centre locations	50	
				Elsewhere in the settlements of Great Yarmouth, Gorleston-on-Sea & Bradwell	35	
				Caister-on-Sea, Belton, Hemsby, Hopton-on-Sea Martham, Ormesby St Margaret and Winterton-on-Sea	30	
				Elsewhere in the Borough	20	

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
				Inspector's Main Modifications
AM112	112	Paragraph 6.7	6.7 The above policy builds on the NPPF which encourages local planning authorities to make an effective use of land when meeting housing needs, and suggests the use of density standards to support this aim.	Grammatical change (pluralise "encourage" and "suggest")
AM113	115	Paragraph 6.14	6.14 Core Strategy Policy CS3(d) seeks to ensure the provision of an appropriate range of housing to meet different housing needs, and CS6(i) supports the provision of rural worker's dwellings on economic grounds. The NPPF requires the Council to plan for a mix of housing based on the needs of different groups in the community, and specifically identifies rural worker's dwellings as a potential exception to its presumption against isolated dwellings in the countryside.	Correcting typographical error – insert "The" before "NPPF"
AM114	118	Paragraph 6.21	6.21 Where a conversion is, in itself, advantageous, restriction of permitted development rights may be required to ensure that such advantage is maintained in the long term, and not eroded by excessive or poorly designed or located buildings, or other domestic clutter.	Correcting typographical error – pluralise "building"
AM115	123	Paragraph 6.31	6.31 The design standards have regard to the principles set out in the 'Housing our Aging Population Panel for Innovation' (HAPPI) report which when published in 2009 sought to consider what reforms were needed to ensure that new build specialised housing meets the future needs and aspirations of older people.	Correcting typographical error – insert "when" before "published"
AM116	125	Paragraph 6.39	6.39 The greater risk of unacceptable amenity impacts, and also impacts on the character of the area, tends to occur with new <i>sui generis</i> HMOs. At least some C4 HMOs may have no greater impact on amenity, character and parking (for example) than C3 dwellings, so a slightly less restrictive policy approach in terms of concentration is appropriate. Having a 20% (<i>sui generis</i>)	Correcting typographical errors – "tend"

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
			<p>HMO limit on properties within 50m of any part of the curtilage of a proposed new <i>sui generis</i> HMO is considered to strike a pragmatic balance between:</p> <ul style="list-style-type: none"> i. recognising the need for low-cost accommodation in the Borough, and that conversion to an HMO can sometimes be the most cost-effective way of keeping, or returning a vacant building to active use; ii. the amenity and/or character impacts that can sometimes occur with HMOs; and iii. being fairly straightforward to calculate and measure on the ground. 	
AM117	126	Paragraph 6.41	<p>6.41 For some limited areas of the Borough, further HMOs would undermine the particular plan proposals for them, including the 'Great Yarmouth Seafront improvement Area' (see Policy GY6) and the 'Hall Quay Development Area' (see Policy GY3), so no new HMOs will be permitted there. The 'Back of the Seafront Improvement Area' (see Policy GY7) has been, and remains, under significant pressure for new HMOs – many such conversions have taken place over recent decades. Where former guest houses etc are being considered for alternative uses, the Council prefers changes from holiday use to normal C3 dwelling houses and business premises rather than new HMOs, to try to develop a different character to the area.</p>	Correcting typographical errors (deletion of "see" before each reference to Policies, and correct reference to Policies GY6 & GY7)
AM118	128	Paragraph 6.50	<p>6.50 The NPPF seeks to significantly improve the supply of new homes. The Council's Local Plan also seeks to ensure new housing is delivered to meet needs. It is therefore important that proposals for new housing are deliverable.</p>	Grammatical change (pluralise "seek")
AM119	132	Paragraph 7.8	<p>7.8 It has not been considered necessary to designate Secondary Shopping Frontages as indicated by Core Policy CS7(d). Secondary Shopping Frontages are usually designated to identify frontages</p>	Correcting typographical

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
			for a greater mix of uses including banks, building societies, estate agents, restaurants and cafes etc. These uses are generally acceptable within the wider town centre area of Great Yarmouth (Policy GY1) and Gorleston (Policy R3) and where in compliance with the criteria in Policy R2. Additionally, it has not been necessary to designate Holiday Shopping Frontages, as indicated by Core Policy CS7(d) as Policies GY5 and GY6 provide further direction on how particular retail uses which support leisure and tourism uses along Regent Road and the seafront will be managed.	errors – “designate”
AM120	132	Paragraph 7.9	7.9 It is noted that some changes of use can take place without the need for planning permission under the General Permitted Development Order 2015 which allows some flexibility of uses within the town centre (subject to size, final proposed land use and whether it is located within a conservation <u>area</u> or not). The ability of the Council to control such proposals highlights the need to give particular scrutiny to proposals that continue to require the submission of a planning application. The Council will consider the use of Article 4 Directions where consistent with the Written Ministerial Statement – Revitalising high streets and town centres made on 1 July 2021 and any subsequent updates to national policy.	Correcting typographical area on previously consulted MM50 (insert “area” after “conservation) Note – the text opposite (excluding the additional modification) reflects the final modified wording as per the Inspector’s Main Modifications

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
AM121	133	Paragraph 7.11	7.11 Gorleston -on-Sea functions well as a town centre and compliments, rather than duplicates, the main town centre role fulfilled by Great Yarmouth, performing the principal day-to-day convenience and service destination for local residents, businesses and sixth form college. The main stretch of shopping frontage lies between Cross Street and Baker Street, and is strongly dominated by traditional shopfronts, activated <u>active</u> ground floors and a vibrant mix of retail and leisure uses with relatively low levels of long term vacancies.	Correcting typographical errors (insert “-on-Sea” after “Gorleston”, replace “activated” with “active”)
AM122	137	Paragraph 7.22	7.22 Reflecting this important contribution on <u>to</u> the Borough's overall retail, tourism and cultural offer, new kiosk and stall proposals will be generally acceptable where located within the designated Holiday Accommodation Areas, Town Centres and Great Yarmouth Seafront Area. Proposals for new kiosks or stalls outside of these areas will only be acceptable where meeting the requirements of the sequential approach in Policy R1.	Correcting typographical errors – replace “on” with “to”
AM123	139	Paragraph 7.27	7.27 In recent years, the range of products sold, particularly in garden centres, have <u>has</u> been extended to include other retail goods as well as providing popular activities such as cafes and play areas, however these have the ability to draw trade away from the Borough's town, district and local centres, potentially undermining their future vitality and viability. Garden centres (and similar enterprises) often require large areas of land to accommodate buildings, car parking and display of plants and other goods and by their commercial nature, can be both visually intrusive upon the landscape and have a significant impact on the local highway network.	Correcting typographical error – replace “have” with “has”
AM124	139	Paragraph 7.28	7.28 To ensure that new or expanded rural retailing use do <u>does</u> not undermine the viability and vitality of nearby designated centres, proposals for retail development based in the countryside will be assessed against the above policy criteria. Where a development proposal is planned over	Correcting typographical error – replace “do” with “does”

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
			200m ² the submission of a Retail Impact Assessment will be required. This complies with the approach set out in Core Policy CS7. Where it is necessary, the Council may limit the range and goods sold by planning condition, in the interest or protecting and not undermining the vitality of existing designated centres.	
AM125	139	Paragraph 7.29	7.29 Some permitted development rights presently exist for the conversion of agricultural buildings to flexible commercial, business and services uses including A1 retail. In circumstances where planning permission is required, Policy R8 will apply.	Delete reference to A1 from previous Use Classes Order and insert "business and services")
AM126	142	Paragraph 9.2	9.2 Development proposals for food and drink uses, or kiosks and stalls, will be considered carefully against the specific detailed policies (Policy Policies R6 and R7). This will ensure that the local tourist industry is not adversely affected by either the potential over-concentration or nuisance and disturbance that can result from food and drink uses.	Correcting typographical errors – replace "Policy" with "Policies"
AM127	146	Paragraph 10.6	10.6 Where the Sequential Test can be passed, proposals will still need to be subject to the Exception Test as relevant and set out in national planning policy. The exception test requires demonstration that the sustainability benefits of the development outweigh the risk of flooding and by ensuring that the development is safe for its lifetime and does not worsen flood risk elsewhere. In terms of demonstrating the sustainability benefits of the development, the proposal should be assessed against the sustainability appraisal framework contained with within the Sustainability Appraisal Report which accompanies this plan. In terms of demonstrating the site is safe for development, finished floor levels or living accommodation in 'more vulnerable'	Correcting typographical errors on previously consulted MM59 (insert "by" before "ensuring" and replace

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
			development should be 300mm above the 1 in 200 year flood event level (including climate change allowance) and safe refuge in the building should be provided 300mm above the 0.1% (1 in 1000 year) flood event level (including climate change allowance).	“with” with “within” Note – the text opposite (excluding the additional modification) reflects the final modified wording as per the Inspector’s Main Modifications
AM128	149	Paragraph 10.12	10.12 The above policy builds on <u>the</u> NPPF in protecting open spaces. Open spaces tend to be publicly available and provide local amenity and recreational facilities for the local community. However, they can also be private spaces or provide more subtle functions such as contributing to the character and setting of buildings of historic or architectural value. Open spaces also help support biodiversity, the aesthetic quality of the public realm and built environment and mitigate flood risk.	Correcting typographical errors – insert “the” before “NPPF”
AM129	154	Paragraph 10.27	10.27 The siting of new notifiable installations will be managed with the aim of keeping the installations separate from housing and other sensitive land uses with which the installations would be incompatible. The Council will consult the Heath <u>Health</u> and Safety Executive and the Environment Agency about the siting of proposals for new notifiable installations.	Correct typographical error (replace “Heath” with Health”)

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)	Reason
AM130	160	Paragraph 12.10	12.10 The Council will continue to seek the advice of the statutory water bodies on site specific proposals (such as but not limited to; Anglian Water, the Lead Local Flood Authority & and the Environment Agency).	Correcting typographical errors – replace “&” with “and”
AM131	164	Table A.1, Appendix A:(Retail Development Indicator)	Retail Survey: %ground floor units in retail-based uses (A1, A2, A3) in designated centres. Number and percentage of vacant units in designated centres; Area of new permitted/completed floor space for town centre of uses (A1, A2, A3) in or adjacent to designated centres & outside of retail centres. Discuss general performance (and larger trends), permitted/built development outside of designated centres.	Delete references to A1, A2 & A3 from the previous Use Classes Order as previously consulted under MM68
AM132	165	Table A.1, Appendix A:(Business and Employment Development Indicator)	Permitted/completed business developments (Use classes B1, B2, B8) – by site area (hectares) and active floor space (m ²), separating out: Beacon Park Beacon Park extensions Safeguarded employment sites Commentary on performance of areas including development permitted outside of employment areas and Development Limits	Delete references to use classes order, as previously consulted under MM68.
AM133	167	Table A.1, Appendix A: Site Specific Development/	Discussion of progress on the Great Yarmouth Town Centre Masterplan and Regeneration Framework projects - SPD production; influence on specific proposals.	Correct reference to “Great Yarmouth Town Centre

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)		Reason
		Improvement Areas Indicator			Masterplan and Regeneration Framework”, as previously consulted under MM68
AM134	171	Table B1, Appendix B: Superseded Policy TR7	TR7 – New visitor facilities in Prime Commercial Holiday Areas	Replaced by Policy L1 Holiday Accommodation Areas, Policy L2 New or expanded Countryside Tourism tourist facilities outside of Development Limits and Holiday Accommodation Areas , and Policy GY6 Great Yarmouth Seafront, and Policy GY5 Regent Road	Correct reference to Policy L2
AM135	171	Table B1, Appendix B: Superseded Policy TR10	TR10 – New leisure or recreational facilities in the countryside and open coastal areas	Replaced by Policy L2 New or expanded Countryside Tourism tourist facilities outside of Development Limits and Holiday Accommodation Areas.	Correct reference to Policy L2
AM136	172	Table B1, Appendix B: Superseded Policy TR15	TR15 – Upgrading of chalet and caravan parks	Removed - there is sufficient coverage in Policy L1 Holiday Accommodation Areas and Policy L2 New or expanded Countryside Tourism tourist facilities outside of Development Limits and Holiday Accommodation Areas.	Correct reference to Policy L2

Ref.	Page of Final Draft Local Plan	Policy / Paragraph of Final Draft Local Plan	Additional Modification(s)		Reason
AM137	172	Table B1, Appendix B: Superseded Policy TR16	TR16 – New holiday accommodation	Removed - there is sufficient coverage in Policy L1 Holiday Accommodation Areas and Policy L2 New or expanded Countryside Tourism tourist facilities outside of Development Limits and Holiday Accommodation Areas.	Correct reference to Policy L2
AM138	173	Table B1, Appendix B: Superseded Policy INF16	INF16 – New development within coastal areas	Replaced by Policy GSP4 <u>New Development in Coastal Change Management Areas</u>	Correct reference to Policy GSP4
AM139	174	Table B1, Appendix B: Superseded Policy REC8	REC8 – Provision of recreational, amenity and play space	Replaced by Policy H4 Open Space Provision for New Housing <u>Development</u>	Correct reference to Policy H4
AM140	174	Table B1, Appendix B: Superseded Policy SG1	SG1 – Business Park and Commercial Area	Policy removed - an area is defined through Policy GN4 Beacon Park Business Park and the extension in Policy GN5 <u>Policy GN5 Beacon Business Park extension</u>	Correct reference to Policy GN5

Local Plan Part 2 – Adoption (Policy & Resources Committee)

Appendix 6 – Equality Impact Assessment



Great Yarmouth Local Plan Part 2

Equalities Impact Assessment

December 2021



Author	Service	Date Completed
Kim Balls, Senior Strategic Planner	Strategic Planning, Planning & Growth	12 November 2021

Part A – Aims and procedures of the policy, service or function.

1.	Title of function, or policy to be assessed?	Great Yarmouth Local Plan Part 2 “LPP2”
2.	The status of the policy?	To be adopted (Regulation 26) by Full Council on 9 th December 2021.
3.	What are the aims, objectives and purpose of the policy?	<p>The principal aim/objective of the LPP2 is to provide the detailed planning policy to assist with the determination of planning applications within the Borough of Great Yarmouth to 2030.</p> <p>The LPP2 builds upon and supplements the policies within the Core Strategy (Local Plan Part 1) which was previously adopted in December 2015.</p> <p>Given the time passed since the adoption of the Core Strategy, the LPP2 updates and partly supersedes four policies of the Core Strategy, relating to matters on overall housing and retail requirements; the needs of gypsy, travellers & travelling showpeople; and, affordable housing thresholds. The LPP2 also identifies specific sites for allocation for various difference uses and (as required) includes both Strategic and Non-Strategic Policies.</p>
4.	Are there any other function, policies or services which might be linked with this one for the purposes of this exercise?	<p>The LPP2 will be part of the statutory development plan for the Borough of Great Yarmouth, with links to several plans and policies, including those listed below:</p> <ul style="list-style-type: none"> • Great Yarmouth Core Strategy (Local Plan Part 1) • Great Yarmouth Corporate Plan 2020-2025 • Norfolk County Council Mineral and Waste Local Plan • National Planning Policy Framework (NPPF) • National Planning Practice Guidance (NPPG) • <i>Emerging</i> Neighbourhood Plans
5.	Who is it intending to affect or benefit (the target population)?	The LPP2 will sit alongside the already adopted Core Strategy (Local Plan Part 1) to provide the statutory planning and development framework for the borough. It therefore affects a wide number of individuals including Borough residents, developers, landowners, employees and other key stakeholders that operate within it.

Part B – Consideration of data and research

6.	What examples of data (qualitative and quantitative) or any consultation information is available that will enable the impact assessment to be undertaken?	<p>At each stage of the LPP2s preparation, community engagement and consultation has been undertaken. Consultation feedback and representations received at each stage of the process has informed the plan's production in an iterative and reflective manner.</p> <p>Throughout the LPP2's preparation, all consultation stages were undertaken in accordance with the Council's Statement of Community Involvement (SCI). The method employed has been set out in more detail within the Regulation 22 Consultation Statement which accompanied the submission of the plan.</p> <p>The Strategic Planning Team has had the opportunity to review the consultation practices and their effectiveness throughout the LPP2's preparation. This has included compliance with statutory consultation requirements during the COVID-19 pandemic, as set out in the Regulation 22 Consultation Statement.</p>
7.	What evidence of complaints against the service, policy, procedure have been made on grounds of discrimination?	<p>Responses received at each consultation stage on the LPP2, including objections, have been published in the Regulation 22 Consultation Statement which accompanied the submission of the Plan.</p> <p>No complaints were received throughout the LPP2's preparation on the grounds of discrimination.</p>
8.	What does the consultation/research/data indicate about the negative impact of the service, policy, procedure or practice?	<p>Sustainability Appraisal (SA) has been undertaken in parallel with each preparation stage of the LPP2. The purpose of the SA is to assess the social, economic, and environmental impact of the draft policies and site allocations to ensure that the plan is sustainable. The SA uses a sustainability framework which is comprised of SA objectives to predict the positive, negative, neutral, or uncertain impacts on the LPP2 policies.</p> <p>The 2020 SA report (which accompanied the submission of the LPP2) identified a significant negative effect in relation to the loss of soil resources and soil quality. This was unsurprising and could not be avoided given that the plan allocates land for new housing. Notwithstanding this, the plan sought to minimise the significance of this effect through the implementation of other policies and is balanced by positive effect of increased housing provision to meet housing needs.</p> <p>There were relatively few other negative effects identified through the 2020 SA Report.</p>

		<p>Following the LPP2 examination hearings (undertaken between March and April 2021) a revised Sustainability Appraisal Report (2021 SA Report) was undertaken which assessed the effects of all modifications proposed by the examining Planning Inspector, deemed necessary for the plan's soundness. These modifications included two further significant amendments to the adopted Core Strategy on matters relating to: affordable housing thresholds (Policy UCS4); and, the needs of gypsies, travellers & travelling showpeople (Policy UCS5).</p> <p>The conclusions of the 2021 SA Report (in terms of identified negative effects) were not materially different to the 2020 SA Report.</p>
9.	<p>What does the consultation/research/data indicate about the positive impact of the service, policy, procedure, or practice?</p>	<p>The 2020 SA identified positive effects against a majority of the SA objectives, with significant positive effects identified against improving accessibility to key services, improving housing provision and revitalising town centres.</p> <p>The conclusions of the 2021 SA Report (in terms of identified positive effects) were not materially different to the 2020 SA Report.</p>

Part C – Testing of proposed plan against protected characteristics

Part C tests the individual policies of the LPP2 against each of the protected characteristics and ascribes a Neutral, Positive or Negative effect.

Local Plan Part 2 Policy	Equalities Group – is the effect Neutral, Positive or Negative?									Explanation and Evidence
	Age	Disability	Gender Re-assignment	Race	Religion	Gender	Sexual Orientation	Marriage & Civil Partnership	Pregnancy and Maternity	
Policy UCS3: Adjustment to Core Strategy housing target	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy amends the existing Core Strategy housing target to reflect changes in national policy. The policy will benefit all sections of the community by meeting the needs of current and future residents.
Policy UCS4: Amendment to CS4 – Delivering affordable housing	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy amends the threshold at which affordable housing contributions will be sought, in accordance with national policy. There is no positive or negative discrimination of any of the protected characteristics.
Policy UCS5: Amendments to CS5 – Meeting the needs of gypsies, travellers and travelling showpeople	Neutral	Neutral	Neutral	Positive	Neutral	Neutral	Neutral	Neutral	Neutral	<p>This policy amends the Core Strategy gypsy & traveller pitch target to reflect the most recently assessed need for gypsies and travellers. It also commits an early review of the evidence base to ensure future needs of gypsies, travellers and travelling showpeople are identified as soon as possible.</p> <p>The policy encourages the extension of the existing safeguarded gypsy and traveller site to be explored to potentially</p>

Local Plan Part 2 Policy	Equalities Group – is the effect Neutral, Positive or Negative?									Explanation and Evidence
	Age	Disability	Gender Re-assignment	Race	Religion	Gender	Sexual Orientation	Marriage & Civil Partnership	Pregnancy and Maternity	
										facilitate an increase in gypsy & traveller pitches to meet the identified needs. The policy has clear benefits upon meeting the needs of the gypsy and traveller community.
Policy UCS7: Amendments to UCS7 – Strengthening our centres	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy amends the existing Great Yarmouth Town Centre Boundary, designates a new Bradwell District Centre, and deletes the currently adopted retail requirements laid down in the Core Strategy. There is no positive or negative discrimination on any of the protected characteristics.
Policy GSP1: Development Limits	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy defines where new development will or will not be principally supported. There is no positive or negative discrimination on any of the protected characteristics.
Policy GSP2: Housing Requirements for Neighbourhood Plan Areas	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy indicates the general level of housing that will be expected to come forward through individual neighbourhood plan. There is no positive or negative discrimination on any of the protected characteristics.
Policy GSP3: Strategic gaps between settlements	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy aims to protect the strategic gaps in the borough to maintain the separate identities

Local Plan Part 2 Policy	Equalities Group – is the effect Neutral, Positive or Negative?									Explanation and Evidence
	Age	Disability	Gender Re-assignment	Race	Religion	Gender	Sexual Orientation	Marriage & Civil Partnership	Pregnancy and Maternity	
										of settlements. This will provide accessible amenity space for the benefit of all.
Policy GSP4: New development in Coastal Change Management Areas	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy seeks to reduce the risk to coastal communities from climate change, by identifying a Coastal Change Management Area (CCMA) and indicating the type of development which will or will not be permissible within in. The policy will be of benefit to all members of society affected by coastal pressures.
Policy GSP5: Internationally protected habitats and species impact avoidance and mitigation	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy seeks to ensure that the potential affects arising from new residential or tourism development or internally protected designated sites are fully considered and addressed. There is no positive or negative discrimination on any of the protected characteristics.
Policy GSP6: Green Infrastructure	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy encourages access to green infrastructure for all members of society.
Policy GSP7: Potential Strategic Cycling and Pedestrian Routes	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy encourages access to strategic cycling and pedestrian routes for all members of society.
Policy GSP8: Planning obligations	Positive	Positive	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy ensures that where necessary, development provides services, facilities, and mitigation to ensure that sustainable development is achieved. The

Local Plan Part 2 Policy	Equalities Group – is the effect Neutral, Positive or Negative?									Explanation and Evidence
	Age	Disability	Gender Re-assignment	Race	Religion	Gender	Sexual Orientation	Marriage & Civil Partnership	Pregnancy and Maternity	
										policy lists the types of obligations which may be considered including educational, affordable housing and healthcare.
Policy GY1: Great Yarmouth Town Centre	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy promotes a town centre first approach to Great Yarmouth Town Centre and aims to encourage the health and vitality of the town centre. There is no positive or negative discrimination on any of the protected characteristics.
Policy GY2: Market Gates Shopping Centre	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy aims to help manage the future health and vitality of the shopping centre by allowing greater flexibility in the types of use permitted. There is no positive or negative discrimination on any of the protected characteristics.
Policy GY3: Hall Quay Development Area	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy seeks to facilitate increased food, beverage, and leisure development in Hall Quay for the greater health and vitality of Great Yarmouth. There is no positive or negative discrimination on any of the protected characteristics.
Policy GY4: King Street Enhancement Area	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy seeks to provide greater flexibility in the types of uses permissible within King Street in order to secure the long-

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	Age	Disability	Gender Re-assignment	Race	Religion	Gender	Sexual Orientation	Marriage & Civil Partnership	Pregnancy and Maternity	
										term future of historic assets and the historic environment. There is no positive or negative discrimination on any of the protected characteristics.
Policy GY5: Regent Road	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy aims to ensure that new development permitted in Regent Road continues to strengthen its role as a historic, cultural, and commercial link between the town centre and seafront, whilst having regard to the amenity of existing and future occupiers/traders in the area. There is no positive or negative discrimination on any of the protected characteristics.
Policy GY6: Great Yarmouth Seafront Area	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy seeks to support leisure and tourism development in Great Yarmouth. It has amenity benefits for local people and provides opportunities to enhance the local economy.
Policy GY7: Great Yarmouth Back of Seafront Improvement Area	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy aims to improve the general amenity and character of the area situated behind Great Yarmouth's seafront by limiting the types of uses permitted within the area. There is no positive or negative discrimination on any of the protection characteristics.

Local Plan Part 2 Policy	Equalities Group – is the effect Neutral, Positive or Negative?									Explanation and Evidence
	Age	Disability	Gender Re-assignment	Race	Religion	Gender	Sexual Orientation	Marriage & Civil Partnership	Pregnancy and Maternity	
Policy GY8: Great Yarmouth Racecourse	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy aims to guide and support the long-term use of the Great Yarmouth Racecourse as a 'year-round' attraction, benefitting the local leisure economy for all.
Policy GY9: Great Yarmouth North Denes Airfield	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy seeks to secure the long-term future of Great Yarmouth's North Denes Airfield by indicating the types of temporary and permanent uses permissible, providing local employment opportunities. There is no positive or negative discrimination on any of the protected characteristics.
Policy GY10: Great Yarmouth Port & Harbour Area	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy will benefit all sections of the community by continuing to safeguard land for employment opportunities.
Policy GN1: Land south of Links Road, Gorleston-on-Sea	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy will benefit the local community, providing development with accessibility to services, facilities, and improved transport infrastructure
Policy GN2: Emerald Park, Gorleston-on-Sea	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy will benefit the local community, providing development with accessibility to services, facilities, and improved transport infrastructure
Policy GN3: Land at Ferryside, High Road, Gorleston-on-Sea	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy will benefit the local community, providing development with accessibility to

Local Plan Part 2 Policy	Equalities Group – is the effect Neutral, Positive or Negative?									Explanation and Evidence
	Age	Disability	Gender Re-assignment	Race	Religion	Gender	Sexual Orientation	Marriage & Civil Partnership	Pregnancy and Maternity	
										services, facilities, and improved transport infrastructure
Policy GN4: Beacon Park Business Park	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy will benefit all sections of the community by continuing to safeguard land for employment opportunities.
Policy GN5: Beacon Business Park Extension	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy will benefit all sections of the community by allocating land for offshore, higher value technology and R&D activities, thus providing employment opportunities.
Policy GN6: Shrublands Community Facility	Positive	Positive	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Positive	The policy will benefit the local community, particularly those with a need to access local healthcare facilities.
Policy BL1: Beacon Park District Centre	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy will benefit the local community, providing accessible new retail and community development.
Policy CA1: Land west of Jack Chase Way, Caister-on-Sea	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy will benefit the local community, providing development with accessibility to services, facilities, and improved transport infrastructure
Policy BN1: Land south of New Road, Belton	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy will benefit the local community, providing development with accessibility to services, facilities, and improved transport infrastructure
Policy HY1: Land at former Pontins Holiday Camp, Hemsby	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy will benefit the local community, providing development with accessibility to

Local Plan Part 2 Policy	Equalities Group – is the effect Neutral, Positive or Negative?									Explanation and Evidence
	Age	Disability	Gender Re-assignment	Race	Religion	Gender	Sexual Orientation	Marriage & Civil Partnership	Pregnancy and Maternity	
										services, facilities, and improved transport infrastructure
Policy HP1: Access improvements in the south of Hopton-on-Sea	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy will benefit the local community, providing a safer route for pedestrian and cyclists accessing the area.
Policy HP2: Land to the West of Coast Road, Hopton-on-Sea	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	This policy will benefit the local community, providing development with accessibility to services, facilities, and improved transport infrastructure
Policy MA1: Land north of Hemsby Road, Martham	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy will benefit the local community, providing development with accessibility to services, facilities, and improved transport infrastructure
Policy OT1: Land South of Cromer Road, Ormesby St Margaret	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy will benefit the local community, providing development with accessibility to services, facilities, and improved transport infrastructure
Policy OT2: North of Barton Way, Ormesby St Margaret	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy will benefit the local community, providing development with accessibility to services, facilities, and improved transport infrastructure
Policy A1: Amenity	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy seeks to improve the quality of local environments by setting out a list of the main amenity considerations to be addressed through new developments. There is no positive or negative

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	Age	Disability	Gender Re-assignment	Race	Religion	Gender	Sexual Orientation	Marriage & Civil Partnership	Pregnancy and Maternity	
										discrimination on any of the protected characteristics.
Policy A2: Housing design principles	Positive	Positive	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy seeks to ensure that development considers the needs of residents and users. Specific positive effects when measured against age and disability characteristics, ensuring design takes into consideration needs across the lifetime of people and their changing circumstances.
Policy A3: Advertisements	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy will benefit all sections of the community.
Policy H1: Affordable Housing Tenure Mix	Positive	Positive	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Positive	The policy provides further detail to the Council's currently adopted affordable housing policy and will positively contribute to the meeting the Council's identified housing need, in particular those who may struggle to access traditional local housing markets.
Policy H2: Delivering affordable housing on phased or cumulative developments	Positive	Positive	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Positive	The policy aims to ensure that affordable housing needs continue to be met, in full and are not frustrated through the phasing of sites. The policy will positively contribute to the meeting of the Council's identified housing need, in particular those who may struggle to access traditional local housing markets.

Local Plan Part 2 Policy	Equalities Group – is the effect Neutral, Positive or Negative?									Explanation and Evidence
	Age	Disability	Gender Re-assignment	Race	Religion	Gender	Sexual Orientation	Marriage & Civil Partnership	Pregnancy and Maternity	
Policy H3: Housing Density	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy aims to ensure that residential developments make efficient and effective use of land, with densities reflecting the character and accessibility of both urban and rural areas. There is no positive or negative discrimination on any of the protected characteristics.
Policy H4: Open Space provision for New Housing Development	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy seeks to ensure an appropriate level of open, accessible, and recreational green space is provided for the benefit of the community. There is no positive or negative discrimination on any of the protected characteristics.
Policy H5: Rural worker dwellings	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy aims to ensure that the provision of new rural workers dwellings outside of the development limits is justified and has no detrimental impact on the rural area. There is no positive or negative discrimination on any of the protected characteristics.
Policy H6: Retention and removal of existing occupationally restricted dwellings	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy aims to ensure that the removal of occupancy restriction conditions is only approved where it is robustly justified, to avoid new isolated market dwellings being created in the countryside. There is no

Local Plan Part 2 Policy	Equalities Group – is the effect Neutral, Positive or Negative?									Explanation and Evidence
	Age	Disability	Gender Re-assignment	Race	Religion	Gender	Sexual Orientation	Marriage & Civil Partnership	Pregnancy and Maternity	
										positive or negative discrimination on any of the protected characteristics.
Policy H7: Conversion of rural buildings to residential uses	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The aim of the policy is to ensure that the conversion of rural buildings to residential use has regard to the character and setting of the building and the wider area, and the impact upon any protected species possible affected by the proposal. There is no positive or negative discrimination on any of the protected characteristics.
Policy H8: Replacement dwellings outside of the development limits	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The aim of the policy is to ensure that the replacement of dwellings in the countryside has regard to the character and setting of the building and the wider area, and the amenity of neighbouring occupiers. There is no positive or negative discrimination on any of the protected characteristics.
Policy H9: Residential extensions	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy allows homeowners to improve their homes to address changing needs and circumstances, whilst considering the impacts on upon adjacent neighbours, benefitting the whole community. There is no positive or negative discrimination of any on the protected characteristics.

Local Plan Part 2 Policy	Equalities Group – is the effect Neutral, Positive or Negative?									Explanation and Evidence
	Age	Disability	Gender Re-assignment	Race	Religion	Gender	Sexual Orientation	Marriage & Civil Partnership	Pregnancy and Maternity	
Policy H10: Residential annexes	Positive	Positive	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy facilitates the adaptation and change of the housing stock in carefully considered locations. The provision of annexes often benefits the elderly, young adults, and those with disabilities to live semi independently within the wider family unit.
Policy H11: Housing for the elderly and other vulnerable uses	Positive	Positive	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy helps secure suitable and accessible accommodation to meet the needs of elderly and other vulnerable uses.
Policy H12: Houses in multiple occupation	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy seeks to manage the appropriateness, location, and design of HMO proposals for the benefit of the community. There is no positive or negative discrimination on any of the protected characteristics.
Policy H13: Housing supply and delivery	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy seeks to increase the delivery of new homes to ensure the Council's meets its identified housing requirements. There is no positive or negative discrimination on any of the protected characteristics.
Policy R1: Location of retail development	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy ensures that new town centre development is focussed towards identified centres as a priority, thus ensuring that services and facilities are accessible to the whole

Local Plan Part 2 Policy	Equalities Group – is the effect Neutral, Positive or Negative?									Explanation and Evidence
	Age	Disability	Gender Re-assignment	Race	Religion	Gender	Sexual Orientation	Marriage & Civil Partnership	Pregnancy and Maternity	
										community. There is no positive or negative discrimination on any of the protected characteristics.
Policy R2: Protected shopping frontages	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy seeks to protect and encourage retail shopping uses within concentrated areas of Great Yarmouth and Gorleston town centre. There is no positive or negative discrimination on any of the protected characteristics.
Policy R3: Gorleston-on-Sea Town Centre Area	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy promotes a town centre first approach to Gorleston Town Centre and aims to encourage the health and vitality of the town centre. There is no positive or negative discrimination on any of the protected characteristics.
Policy R4: Caister-on-Sea District Centre Area	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy promotes a town centre first approach to Caister-on-Sea District Centre and aims to encourage the health and vitality of the district centre. There is no positive or negative discrimination on any of the protected characteristics.
Policy R5: Local Centres	Positive	Positive	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy encourages the expansion of new, and retention of existing local amenities within local centres. The policy particularly benefits the elderly and those with limited mobility.

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	Age	Disability	Gender Re-assignment	Race	Religion	Gender	Sexual Orientation	Marriage & Civil Partnership	Pregnancy and Maternity	
Policy R6: Kiosks and stalls	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy established the approach to permitting new kiosks and stalls in the borough. There is no positive or negative discrimination on any of the protected characteristics.
Policy R7: Food and drink amenity	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy seeks to ensure that the impact of new food and drink proposals on the amenity, appearance and vitality of the area is fully considered. There is no positive or negative discrimination on any of the protected characteristics.
Policy R8: Rural retailing	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy establishes the approach to permitted new retail uses within the rural areas. The policy provides opportunities to enhance the local rural economy whilst having regard to the sensitivity or impact on the surrounding landscape. There is no positive or negative discrimination on any of the protected characteristics.
Policy B1: Business Development	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy establishes the approach to permitting new business development proposals within or outside the settlement limits. The policy provides opportunities to enhance the local economy and provide job opportunities. There is no

Local Plan Part 2 Policy	Equalities Group – is the effect Neutral, Positive or Negative?									Explanation and Evidence
	Age	Disability	Gender Re-assignment	Race	Religion	Gender	Sexual Orientation	Marriage & Civil Partnership	Pregnancy and Maternity	
										positive or negative discrimination on any of the protected characteristics.
Policy L1: Holiday accommodation areas	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy establishes the types of leisure uses to be encouraged within particular areas of the borough. The policy provides opportunities to enhance the local economy and provide job opportunities.
Policy L2: New or expanded tourist facilities outside of Development Limits and Holiday accommodation areas	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy provides clarity on the types and management of leisure uses allowed outside of current development limits and holiday accommodation areas, having regard to the character, setting and sensitivity of the countryside and protected conservation sites. There is no positive or negative discrimination on any of the protected characteristics.
Policy L3: Equestrian development	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy permits new and extended equestrian development, having regard to landscape setting and occupiers of adjacent users. There is no positive or negative discrimination on any of the protected characteristics.
Policy E1: Flood Risk	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy aims to avoid or where necessary, mitigate the risk of flooding. The policy has clear

Local Plan Part 2 Policy	Equalities Group – is the effect Neutral, Positive or Negative?									Explanation and Evidence
	Age	Disability	Gender Re-assignment	Race	Religion	Gender	Sexual Orientation	Marriage & Civil Partnership	Pregnancy and Maternity	
										benefits to all members of society.
Policy E2: Relocation from Coastal Change Management Areas	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy aims to manage the approach used when relocating uses away from Coastal Change Management Areas. The policy has clear benefits to all members of society directly affected by coastal erosion issues.
Policy E3: Protection of open spaces	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy aims to protect open spaces which provide benefit or amenity to the local community.
Policy E4: Trees and landscapes	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy seeks to ensure that intrinsic quality and amenity of trees and landscapes are fully considered when determining new development proposals. There is no positive or negative discrimination on any of the protected characteristics.
Policy E5: Historic environment and heritage	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy seeks to ensure that development will not cause harm to the significance of both designated and non-designated heritage assets. There is no positive or negative discrimination on any of the protected characteristics.
Policy E6: Pollution and hazards in development	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy seeks to ensure that new development is demonstrated as being safe, where located close to, or susceptible to the potential of

Local Plan Part 2 Policy	Equalities Group – is the effect Neutral, Positive or Negative?									Explanation and Evidence
	Age	Disability	Gender Re-assignment	Race	Religion	Gender	Sexual Orientation	Marriage & Civil Partnership	Pregnancy and Maternity	
										hazards or pollution. The policy ensures that the potential for hydrologically linked affects to protected sites is fully considered. There is no positive or negative discrimination on any of the protected characteristics.
Policy E7: Water conservation in new dwellings and holiday accommodation	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy seeks standards to improve the water efficiency of new residential and holiday accommodation development. There is no positive or negative discrimination on any of the protected characteristics.
Policy C1: Community facilities	Positive	Positive	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Positive	The policy aims to safeguard community facilities (including educational and healthcare facilities) or seek their replacement where necessary. Considered to be particularly positive for those with children those more likely to access services.
Policy C2: Educational facilities	Positive	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy seeks to ensure that educational facilities are located appropriately according to the communities they serve while limiting the potential for adverse impacts on the surrounding environment. The policy has clear benefits to those in or entering education.

Local Plan Part 2 Policy	Equalities Group – is the effect Neutral, Positive or Negative?									Explanation and Evidence
	Age	Disability	Gender Re-assignment	Race	Religion	Gender	Sexual Orientation	Marriage & Civil Partnership	Pregnancy and Maternity	
Policy I1: Vehicle parking for developments	Positive	Positive	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy ensures that the type and location of vehicle parking has regard to the most up to local parking standards, including adequate width to enter/exit cars. This is particularly beneficial to the elderly and those with mobility issues.
Policy I2: Telecommunications	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy facilitates better connectivity to access social and economic services, facilities, and jobs. The policy has clear benefits to all members of society.
Policy I3: Foul drainage	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	Neutral	The policy ensure that new development proposals do not undermine the quality of the borough's water resources by ensuring adequate foul drainage connections. There is no positive or negative discrimination on any of the protected characteristics.

Part D – Summary of protected characteristic analysis

Part D provides a summary of each protected characteristic as analysed through Part C.

Age	The policies within the LPP2 are regarded as being generally positive for all within society. The aim of the LPP2 is to facilitate sustainable development for all ages of society but will particularly help those at the younger and older spectrum of age, providing accessibility to health, community facilities and services and the design of accessible, lifetime homes and specific homes to meet the needs of the elderly.
Disability	The policies within the LPP2 are regarded as being generally positive for all within society, and some particularly positive for this protected characteristic. The policies in the LPP2 will help to address the needs of those with disabilities, particularly accessibility to health, community facilities and services, and the design of accessible homes.
Gender Re-assignment	The policies within the LPP2 are regarded as being generally positive for all and as having no impact on this group. The promotion of equal opportunities is integral to the integrity of the plan to support sustainable development. The LPP2 is inclusive of all members of the community and does not discriminate against any gender reassignment
Race	The policies within the LPP2 are regarded as being generally positive for all and in particular meeting the housing needs of gypsies and travellers. The promotion of equal opportunities is integral to the integrity of the plan to support sustainable development. The LPP2 is inclusive of all members of the community and does not discriminate against any race.
Religion	The policies within the LPP2 are regarded as being generally positive for all and as having no impact on this group. The promotion of equal opportunities is integral to the integrity of the plan to support sustainable development. The LPP2 is inclusive of all members of the community and does not discriminate against any religion or expression of belief.
Gender	The policies within the LPP2 are regarded as being generally positive for all and as having no impact on this group. The promotion of equal opportunities is integral to the integrity of the plan to support sustainable development. The LPP2 is inclusive of all members of the community and does not discriminate against any gender
Sexual Orientation	The policies within the LPP2 are regarded as being generally positive for all and as having no impact on this group. The promotion of equal opportunities is integral to the integrity of the plan to support sustainable development. The LPP2 is inclusive of all members of the community and does not discriminate against any sexual orientation.
Marriage and Civil Partnership	The policies within the LPP2 are regarded as being generally positive for all and as having no impact on this group. The promotion of equal opportunities is integral to the integrity of the plan to support sustainable development. The LPP2 is inclusive of all members of the community and does not discriminate against any relationship status.
Pregnancy and Maternity	The policies within the LPP2 are regarded as being generally positive for all. Given the needs of this protected characteristic e.g. access to healthcare, community facilities and local housing markets, some of the policies in the plan have highlighted a positive impact through this assessment.

URN: 21-105

Subject: Council Tax Base 2022/23

Report to: Policy & Resources Committee 30th November 2021
Council 9th December 2021

Report by: Stuart Brabben, Revenue and Benefits Manager

SUBJECT MATTER

This report asks Council to endorse the calculation of the 2022/23 tax base totalling 29,344. This is the total number of domestic properties in the Borough using band D as the average property band.

RECOMMENDATION

Policy and Resources Committee recommend that Council :

- 1) Endorse the calculation of the 2022/23 tax base totaling 29,344 and the estimated tax bases for the Borough and for each parish, as shown in Appendix A

1. Introduction

- 1.1 The Council Tax base is a technical calculation that must be formally set each year. It is the first stage of the Council Tax setting process that will be finalised once the budgets have been agreed.

2. Tax Base Calculation

- 2.1 Dwellings have been valued in accordance with the following valuation bands:

Valuation	Range of Values	Proportion of 'Band D charge'
A	Up to £40,000	6/9=2/3
B	Over £40,000 up to £52,000	7/9
C	Over £52,000 up to £68,000	8/9
D	Over £68,000 up to £88,000	9/9=1
E	Over £88,000 up to £120,000	11/9
F	Over £120,000 up to £160,000	13/9
G	Over £160,000 up to £320,000	15/9
H	Over £320,000	18/9=2

The tax bill for each band is calculated in proportion to band D, which is deemed to be the average for these purposes. Accordingly, a taxpayer whose home is in band A will pay two-thirds of what someone whose home is in band D will pay; a taxpayer whose home is in band H will pay twice what someone whose home is in band D will pay.

- 2.2 A tax base calculation must be done in accordance with the Local Authority (Calculation of Council Tax Base) Regulations 1992 and Local Authority (Calculation of Council Tax Base) Regulations 2012 as amended, for each parish based on the number of taxable dwellings calculation in terms of band D equivalent.
- 2.3 The calculation involves the following:
 - (a) The number of current chargeable dwellings for each band shown in the valuation list;
 - (b) The number of discounts and disabled reductions which apply to those dwellings;
 - (c) The estimated changes during the coming year, for example, for new properties, discounts and appeals;
 - (d) The proportion which dwellings in a band bear to dwellings in band D (as shown in paragraph 2.1); and
 - (e) The estimated collection rate (2.1%).
- 2.4 For the purposes of this report the Local Council Tax Support Scheme has been estimated for maximum award of 91.5% for working age claimants.
- 2.5 For the tax base calculation for 2021/22 the non-collection rate was increased to 2.5% because of the predicted impact on collection of the COVID Pandemic. For this year the non-collection rate has still been estimated as higher than normal for the same reasons, although for this year it is deemed prudent to reduce it to 2.1%.

3. FINANCIAL IMPLICATIONS

- 3.1 To comply with a statutory requirement as the first stage of the Council Tax setting process

4. RECOMMENDATIONS

- 4.1 To endorse the calculation of the 2022/23 tax base totalling 29,344 and the estimated tax bases for the Borough and for each parish, as shown in Appendix A which is to be approved by Council.

5. BACKGROUND PAPERS

- 5.1 Local Authority (Calculation of Tax Base) Regulations 1992 and 2012 & The Local Authorities (Calculation of Council Tax Base) (Amendment) (England) Regulations 2003.

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?

Area for consideration	Comment
Monitoring Officer Consultation:	
Section 151 Officer Consultation:	Yes
Existing Council Policies:	

Financial Implications (including VAT and tax):	To comply with a statutory requirement as the first stage of the Council Tax setting process.
Legal Implications (including human rights):	Yes, as outlined
Risk Implications:	
Equality Issues/EQIA assessment:	
Crime & Disorder:	
Every Child Matters:	

TAX BASE -EQUIVALENT BAND'D' for 2022/23 -OVERALL TAXBASE

Appendix A

	Current	~~~~~Adjustments for Assumptions~~~~~					Non- collection 2.10%	TAX BASE	Current % in parish
	Data base after discounts	+ New Props	Less Appeals	Less Seasonal	Discount Changes	Adjusted total			
PARISH:									
Gt Yarmouth/Gorleston	13,049	108	0	0	-5	13,152	-276	12,876	43.60%
Ashby with Oby	24	0	0	0	0	24	-1	23	0.08%
Belton with Browston	1,151	1	0	0	0	1,152	-24	1,128	3.85%
Bradwell	3,863	55	0	0	0	3,918	-82	3,836	12.91%
Burgh Castle	463	11	0	-12	0	462	-10	452	1.55%
Caister on Sea	2,874	0	0	0	0	2,874	-60	2,814	9.60%
Filby	348	1	0	0	0	349	-7	342	1.16%
Fleggburgh	412	5	0	0	0	417	-9	408	1.38%
Fritton with St Olaves	267	0	0	0	0	267	-6	261	0.89%
Hemsby	1,578	34	0	-120	0	1,492	-31	1,461	5.27%
Hopton	1,045	46	0	0	0	1,091	-23	1,068	3.49%
Martham	1,215	51	0	0	0	1,266	-27	1,239	4.06%
Mautby	146	0	0	0	0	146	-3	143	0.49%
Ormesby St Margaret	1,861	-8	0	-82	0	1,771	-37	1,734	6.22%
Ormesby St Michael	117	0	0	0	0	117	-2	115	0.39%
Repps with Bastwick	158	0	0	0	0	158	-3	155	0.53%
Rollesby	355	4	0	0	0	359	-8	351	1.19%
Somerton	116	0	0	0	0	116	-2	114	0.39%
Stokesby	122	0	0	0	0	122	-3	119	0.41%
Thurne	53	0	0	0	0	53	-1	52	0.18%
West Caister	76	0	0	0	0	76	-2	74	0.25%
Winterton	637	2	0	-48	0	591	-12	579	2.13%
TOTAL	29,930	310	0	-262	-5	29,973	-629	29,344	100%

URN: 21-104

Subject: Council Tax Discounts 2022/23

Report to: Policy & Resources Committee 30th November 2021
Council 9th December 2021

Report by: Stuart Brabben, Revenue Services Manager

SUBJECT MATTER

This report asks Council to endorse the levels of council tax discount that shall apply for 2022/23 as set out in this paper.

RECOMMENDATION

Policy and Resources Committee recommend that Council :

- 1) Endorse the council tax discounts as shown in Section 2.1 which will apply for 2022/23

1. Council Tax Discounts

- 1.1 Under Section 11A of the Local Government Finance Act 1992 as enacted by Section 75 of the Local Government Act 2003, Section 11B of the Local Government Finance Act 1992, as enacted by Section 11 and Section 12 of the Local Government Finance Act 2012 and in accordance with the provisions of the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 and the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 the mechanism for levying council tax discount on unoccupied and empty domestic properties is set out. The regulations allow Councils some discretion in setting the level of council tax charged in respect of these unoccupied properties and second homes.

- 1.2 For the financial year 2022/23 it is proposed that there is no change to these discounts.

Information on the Long-Term Empty Property Premium

- 1.3 The Council has discretion to be able to add a premium charge to properties that have been empty over more than two years. This premium was introduced in 2013 as part of the Government's range of measures to bring empty homes into use. Empty homes are wasted assets and are often a blight on the local community, harming the local amenity of neighbouring properties. Therefore, putting empty homes more quickly back into productive use will increase housing supply.

- 1.4 Currently this premium can be up to 100% for those properties that have been empty between 2 years and less than five years, 200% for those properties empty for between 5 years and less than 10 years and 300% for properties that have been empty for more than 10 years.

- 1.5 The table below shows the empty property charges for 2022/23

Table1

Financial Year	Premiums for Long-Term Empty Property (Discount Class C)	Premium Value
2022/23	Properties empty for two years and less than 5 years	100%
	Properties empty for 5 years but less than 10 years	200%
	Properties empty for 10 years or more	300%

- 1.6 Appendix 1 provides a summary analysis of the impact of the introduction of the empty property premiums on the number of empty properties within the time periods which demonstrates a reduction in the number of empty properties defined as ‘long term’.

2. Recommended Council Tax Discounts to be applied for 2022/23

- 2.1 The table below shows the full recommended Council Tax discounts to be applied in 2022/23.

Table 2

Discount Class	Equivalent in 2021/22	2022/23
Class C: Properties vacant (unoccupied and unfurnished) for one month or less	100% discount	100% discount
Class C: Properties vacant (unoccupied and unfurnished) for one month and one day and less than 2 years	0% discount (full 100% charge)	0% discount (full 100% charge)
Class C: Properties vacant (unoccupied and unfurnished) for 2 years and less than 5 years	200% charge (100% Empty Property Premium)	200% charge (100% Empty Property Premium)
Class C: Properties vacant (unoccupied and unfurnished) for 5 years but less than 10 years	300% charge (200% Empty Property Premium)	300% charge (200% Empty Property Premium)
Class C: Properties vacant (unoccupied and unfurnished) for 10 years or more	400% charge (300% Empty Property Premium)	400% charge (300% Empty Property Premium)

Class B: Furnished properties and second homes that are no one's main residence	0% discount (Full 100% charge)	0% discount (Full 100% charge)
Class D: Property that is vacant (unoccupied and unfurnished) and (a) it requires or is undergoing major repair work to render it habitable, (b) It is undergoing structural alteration or (c) it has undergone major repair works to render it habitable or structural alteration and less than six months have elapsed since the date on which the work was substantially completed and the dwelling has remained vacant since that date.	0% discount (full 100% charge)	0% discount (full 100% charge)
Class A: Properties that fall into Class A of Section 11A of the Local Government Finance Act 1992 and the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 <ul style="list-style-type: none"> - A property that is not the sole or main residence of an individual, - which is furnished, and - the occupation of which is restricted by a planning condition preventing occupancy for a continuous period of at least 28 days in a relevant year 	10% discount	10% discount
Care Leavers Discount A care leaver is defined as a person aged 25 or under, who has been looked after by a local authority for at least 13 weeks since the age of 14; and who was looked after by the local authority at school-leaving age or after that date.	100% Discount	100% Discount

3. Financial Implications

- 3.1 Extra revenue could be generated by the impact of the changes to Long-Term Empty Premiums that have already been implemented.

4. Recommendations

- 4.1 The committee is asked to endorse the council tax discounts as shown in section 2.1 will apply for 2022/23.

Areas of consideration: e.g.. does this report raise any of the following issues and if so how have these been considered/mitigated against?

Area for consideration	Comment
Monitoring Officer Consultation:	
Section 151 Officer Consultation:	Yes
Existing Council Policies:	N/A
Financial Implications (including VAT and tax):	Yes, as outlined
Legal Implications (including human rights):	Yes, Local Government Finance Act 1992
Risk Implications:	
Equality Issues/EQIA assessment:	
Crime & Disorder:	
Every Child Matters:	

URN: 21-072

Subject: Council Tax Support Scheme 2022/23

Report to: Policy & Resources Committee 30th November 2021
Council 9th December 2021

Report by: Miranda Lee, Head of Customer Services

SUBJECT MATTER

This report seeks Council approval of the Local Council Tax Support Scheme for 2022/23

RECOMMENDATION

Policy and Resources Committee recommend that Council :

- 1) Agree to continue with the existing scheme for 2022/23 - a maximum award of 91.5% of the Council Tax Liability for Working Age

1. Introduction

- 1.1 The Committee Report of the 13th July 2021 requested permission to commence consultation in relation to the 2022/23 Local Council Tax Support Scheme.
- 1.2 In April 2013 Council Tax Benefit was replaced with a new Local Council Tax Support Scheme. This followed the Government announcement in the Spending Review 2010 that financial support for council tax would be localised.
- 1.3 Initially the amount of funding provided to local authorities to run the scheme was approximately 10% less than what was previously spent on the council tax benefit scheme. For the first 2 years funding had been specifically ring-fenced for allocation towards the scheme.
- 1.4 In 2014, the Government announced that future funding towards the Council Tax Support Scheme would be included within the overall Revenue Support Grant and would not be separately identified or ring-fenced from within the grant.
- 1.5 In designing a local scheme for 2022/23 the council must consider:
 - The amount of funding the Council decides to allocate towards the scheme
 - Support for pensioners must be protected and would not be affected by the local scheme meaning that the rules around a localised scheme would only apply to those of working age

2. Current Position

- 2.1. Consultation in relation to the 2022 scheme has now closed with only 36 individual responders taking part in the survey.
- 2.2. As in previous years the consultation was available through the council's website. Consultation was based on retaining the existing scheme for 2022/23 for a working age with pensioners being protected.
- 2.3. The consultation ran for a 12-week period. Due to the lack of response the results of the consultation are negligible in helping to determine the scheme, however, out of the responses received most favoured retaining the existing scheme for a further year. The results of the consultation are contained within Appendix 1.
- 2.4. Norfolk County Council also responded to the consultation in a formal letter on 22 October 2021, which all Norfolk District Councils received. In the letter they proposed three major changes to the scheme.
 - (i) To limit the Council Tax Support where a claimant has savings at a lower level than £16,000
 - (ii) To limit the Council Tax Support to occupants of properties no higher than Council Tax Band D
 - (iii) A maximum cap of Council Tax Support to be awarded of 75%
- 2.5. The proposed changes above would see a significant change to the Council Tax Support Scheme and at the current time with the Borough recovering from the economic impact of the pandemic, the timing of consideration of these changes does not seem appropriate. Although there would be financial advantages to the preceptors (the County Council would see the largest financial advantage), there would likely be negative impacts such as;
 - (i) increasing the number of residents in debt
 - (ii) lower collection rates
- 2.6. To properly evaluate these major changes there would there need to be more understanding and time given to consider the potential impacts. Therefore, these proposed changes are not recommended for consideration at this time.

Options Considered for the 2022/23 Scheme

- 3.1. This proposal is to continue with the existing overall scheme subject to including any relevant minor adjustments to the scheme to keep the scheme up to date and aligned to other welfare benefits/financial assistance should changes in legislation come into force.
- 3.2. Appendix 2 provides a summary of current Council Tax Support Schemes for local authorities across Norfolk.

4. Requirement for Change

- 4.1. Schedule 1A of the Local Government Finance Act 1992 states:
 1. For each financial year, each billing authority must consider whether to revise its scheme or to replace it with another scheme: and

2. the authority must make any revision to its scheme, or any replacement scheme, no later than 31 January in the financial year preceding that for which the revision or replacement scheme is to have effect.
- 4.2 As each Local Authority decides their local scheme it is possible that other nearby Local Authorities can have different types of scheme with varying financial implications for customers.

5. Financial Implications

- 5.1. Initially an element of Government funding for Local Authorities to administer their local schemes was funded from within the Revenue Support Grant (RSG). Since 2015, this amount has not been separately identifiable from overall grants received. Following the Autumn Budget and Spending Review summary in October 21, there is still a significant degree of uncertainty around Local Government finances and funding arrangements for 2022/23.
- 5.2. As Council Tax Support is a discount it reduces the Councils tax base, along with a reduction in the tax base for Norfolk County Council and the Norfolk Police & Crime Commissioner.
- 5.3. For illustrative purposes the following gives the financial breakdown of the cost for the recommended scheme.

Table 1

Estimated cost of scheme	£10,113,300
Precept Split	
Norfolk County Council	£7,686,108
Police	£1,415,862
GYBC	£910,197
Parish	£101,133

6. Risk Implications

The cost of the scheme

- 6.1 Whilst we can predict anticipated costs of the scheme for 2022/23 based on continuing with the existing scheme for 2021/22, any increases in demand, changes in composition of current caseload or unforeseen changes to other welfare benefits during the year could represent a financial risk by increasing the cost of the overall scheme. Ongoing uncertainty of financial effects on residents through and beyond the COVID-19 pandemic could also increase the demand on this scheme.

Council Tax Collection

- 6.2 Collection rates of council tax have been impacted with the introduction of the localised scheme but not as much as first anticipated. The tax base has been calculated to take into consideration the costs of the Council Tax Support Scheme with some provision for impact on

collection rates. Ongoing uncertainty of financial effects on residents through the COVID-19 pandemic could continue to impact collection.

7. Recommendation

- 7.1. To continue with the existing scheme for 2022/23 - a maximum award of 91.5% of the Council Tax Liability for Working Age.

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?

Area for consideration	Comment
Monitoring Officer Consultation:	Yes
Section 151 Officer Consultation:	Yes
Existing Council Policies:	S13a Council Tax Support Scheme
Financial Implications (including VAT and tax):	Yes, as outlined
Legal Implications (including human rights):	Schedule 1A and 2 Local Government Finance Act 1992
Risk Implications:	Yes, as outlined
Equality Issues/EQIA assessment:	Yes
Crime & Disorder:	
Every Child Matters:	

Council Tax Support 2022/23



1. Council Tax Support Consultation Introduction





1. Have you read the background information about the Council Tax Reduction Scheme?				
Answer Choices			Response Percent	Response Total
1	Yes	<div></div>	88.89%	32
2	No	<div></div>	11.11%	4
			answered	36
			skipped	0

2. Page 2

2. We are considering retaining the current Council Tax Support Scheme for next year. The current scheme limits the maximum amount of Council Tax Support to 91.5% of the Council Tax liability for Working Age customers. The benefit of this is: There would be no major changes to the level of Council Tax Support a customer would receive. Do you think the Council should retain the current scheme for 2022?				
Answer Choices			Response Percent	Response Total
1	Yes	<div></div>	75.00%	27
2	No	<div></div>	13.89%	5
3	Don't know	<div></div>	13.89%	5
			answered	36
			skipped	0

3. Is there any further changes to the scheme you think that we should consider?				
Answer Choices			Response Percent	Response Total
1	Yes	<div></div>	41.67%	15
2	No	<div></div>	58.33%	21
			answered	36
			skipped	0
Comments: (13)				

4. Are you, or someone in your household, getting a Council Tax Support at this time?				
1	Yes		33.33%	12
2	No		66.67%	24
3	Don't know		0.00%	0
			answered	36
			skipped	0

5. What is your age group?				
Answer Choices			Response Percent	Response Total
1	under 18		0.00%	0
2	18-24		2.78%	1
3	25-34		13.89%	5
4	35-54		44.44%	16
5	55+		38.89%	14
			answered	36
			skipped	0

Appendix 2 – Current Council Tax Support Schemes for Norfolk

LA	Max Award of Liability	Savings Limit	Non- dependant deductions	Support restricted to Council Tax band limit?
Great Yarmouth	91.5%	£16,000	£5 flat rate reduction (exemptions apply)	No
Breckland (ARP)	Currently 91.5%	£16,000	No	No
Broadland	84%	£16,000	£5 flat rate reduction (exemptions apply)	No
North Norfolk	91.5%	£16,000	No	No
Norwich	100%	£16,000	No	No
South Norfolk	84%	£16,000	£5 flat rate reduction (exemptions apply)	No
Kings Lynn	75%	£6,000	£10 flat rate reduction	No

URN 21-100

Subject Medium Term Financial Strategy 2022/23 to 2024/25

Report to Policy and Resources Committee – 30 November 2021
Council – 9 December 2021

Report by: Finance Director



SUBJECT MATTER/RECOMMENDATIONS

This report presents an update to the Council's Medium Term Financial Strategy (MTFS) and covers the period 2022/23 to 2024/25.

Recommendations:

Policy and Resources Committee recommend that Council :

- 1) Approve the updated Medium Term Financial Strategy (MTFS) and the key themes of the business strategy as outlined at Section 7;
- 2) Approve the revised reserves statement as included at Appendix A to the MTFS;
- 3) Approve the updated capital programme as included at Appendix B to the MTFS;
- 4) Approve the allocation of £50,000 within the capital programme for the implementation of the Agile Working Policy;
- 5) Approve the Capital Strategy and Investment Strategy 2021/22 as included at Appendix C and D.

1. Introduction and Background

- 1.1. There is legal requirement to prepare an annual budget and set the Council tax each year. There are a number of preparatory reports and pieces of work that are prepared in support of setting the annual budget each year. This report presents an update of the Council's Medium Term Financial Strategy for the period 2022/23 to 2024/25. The attached strategy document (MTFS) provides the framework for establishing and maintaining a stable and prudent financial position. The MTFS is one of a suite of key strategies and plans that sets out the current priorities that are aligned to the Corporate Plan for the delivery of services within the Borough.
- 1.2. The MTFS sets out the latest financial projections for the three years that are covered by the strategy which identifies an estimated budget gap of £900k for 2022/23, this is ahead of the provisional settlement announcement and the detailed work on the service budgets for 2022/23.
- 1.3. There continues to be significant uncertainties around funding for Local Government and policy including the following:
 - 1.3.1. Comprehensive Spending review
 - 1.3.2. The Fair Funding Review
 - 1.3.3. Business Rates Retention
- 1.4. As part of the funding reforms these include a move to a 75% business rates retention scheme, aligned to this will be a reset of business rate baselines. The impact of the reset is not yet known or the planned timescales. The purpose of a reset is to remove the disproportional gains and losses between Councils. An assessment of need from the fair funding review is also

key to the funding reforms, clearly as a significant receiver of Revenue Support Grant, the fair funding review will need to take account of these pressure to mitigate the net impact to the financial position of the Council.

2. Financial Forecasts

- 2.1. Due to the uncertainties around the 2021/22 budget and the impact of covid, a one year budget was set for 2021/22 only. The updated financial strategy provides indicative financial forecasts for the three-year period 2022/23 to 2024/25. Once the provisional finance settlement is published and updates to the planned changes to the funding for local government are announced the projections will be revised and the strategy updated accordingly.
- 2.2. The current forecasts are projecting a budget gap of £903,000 in 2022/23, increasing to £1.39m in 2023/24 and to £1.6m in 2024/25. This is before the detail on the budget is finalized for 2022/23 and these forecast will be updated as part of this work and also once the provisional settlement is announced in December.

3. Financial and Business Strategy

- 3.1. The MTFS outlines the following key themes for the business strategy:
 - 3.1.1.Strategic Asset Management
 - 3.1.2.Economic and Housing Growth
 - 3.1.3.Property Investment and Commercialisation
 - 3.1.4.Technological Investment
 - 3.1.5.Partnerships
 - 3.1.6.GYBC Operating model.
- 3.2. The above themes are presented in more detail within section 7 of the MTFS and savings and additional income proposals will be brought forward for consideration as part of the 2022/23 budget that are aligned to these key priorities. The updated forecast gap is still in the region of £900,000 for the general fund ahead of the detailed working on the budget for 2022/23. Work is currently ongoing regarding actions to mitigate the funding gap.

4. Housing Revenue Account

- 4.1. The priorities for the HRA investment plans are to continue to maintain and improve the housing stock and also the provision of new affordable council housing including replacing sales under the right to buy scheme. There continues to be similar challenges to the HRA for example in response to inflation costs and increased borrowing to fund the capital programme for the stock. The detail of the HRA business plan for 2022/23 is currently being worked upon and will be reported to Members in the new year.

5. Capital and Investment Strategy

- 5.1. The Policy and Resources Committee considered the following strategies in March 2021. As part of approving the MTFS these have been reviewed and are presented for approval by Council. These are attached at appendix C and D.
- 5.2. Capital Strategy – This strategy sets out the framework for capital investments made in respect of service and commercial investment, decisions in relation to specific investments

will be presented for approval through the decision-making process as per the constitution and the financial implications would be determined for the capital investments as part of the business case for approval.

- 5.3. Investment Strategy – This strategy focuses on the service and commercial investments for the Council that support local public services and earn investment income. This strategy does not cover the treasury management function which covers the treatment of surplus cash in its day to day activity and the borrowing strategy.
- 5.4. These two strategies are key to supporting the medium term financial strategy for the Council.

6. Financial Implications

- 6.1. The commentary with in the MTFS has highlighted the financial challenges that continue to face the Council. The current forecast gap for 2022/23 is projected to be in the region of £900,000, although this is before the detail of the 2022/23 budgets have been pulled together and consideration of savings proposals and targets that are being worked upon to bring forward as part of the approval of the 2022/23 budget.
- 6.2. The Council does continue to hold earmarked and general reserves that can be used to fund upfront costs as part of invest to save proposals. Regular review of reserves, both general fund, earmarked and Housing revenue Reserves are essential to inform the in-year decisions and also part of the budget setting report.

7. Risks

- 7.1. The risk and sensitivity section within the MTFS includes the more significant risks.

8. Conclusion

- 8.1. The continued uncertainty around the future of local government funding does make the medium to long term financial planning somewhat challenging. The Council remains committed to the ambitious plans for regeneration of the borough including the Future High Street and Towns Fund and the capital programmes have been updated as part of this report. These and the current approved capital programme of works including the re-provision of the Marina centre which will be completed in the summer of 2022 are essential to support the wider economic growth and regeneration of the borough.

9. Background Papers

- 9.1. 2021/22 Budget monitoring reports
- 9.2. 2020/21 outturn report and statement of accounts
- 9.3. Funding announcements and financial modelling

Area for consideration Comment	Comment
Monitoring Officer Consultation	
Section 151 Officer Consultation	
Existing Council Policies See background papers	
Financial Implications eg within existing budgets or funding identified	
Legal Implications (including human rights)	
Risk Implications	
Equality Issues/EQIA assessment (if EQIA not required explain why)	

Details contained in strategy	
Crime & Disorder	
Every Child Matters	



Medium Term Financial Strategy 2022/23

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1. INTRODUCTION AND BACKGROUND

- 1.1. The Medium-Term Financial Strategy (MTFS) outlines the Council's budget strategy and framework to deliver the budget for the following year. The MTFS term is refreshed annually in response to changing pressures and opportunities and supports the preparation of the coming years budget.
- 1.2. The MTFS supports delivery of the Council's priorities by setting out the framework within which resources are available to the Council over the medium term. It provides high level financial projections taking into account known local and national factors, spending pressures and commitments, forecast of future funding reductions and the economic outlook
- 1.3. The MTFS is a strategic document that supports the delivery of the Corporate Plan The Plan 2020-2025 . Great Yarmouth Borough Council's sets out the Council's commitment to drive and facilitate in the following four strategic areas:
 - A strong and growing economy
 - Improved housing and strong communities
 - High-quality and sustainable environment
 - An efficient and effective council.
- 1.4. The MTFS along with the updated financial forecast outlines the demands on the capital programme of both ambition and resources, the impact on the revenue account (for both housing and non-housing) and on the level of reserves held by the Council. Furthermore, the longer term ambitions of the Town Deal and Future High Streets funding are significant investments that will support the delivery of the Corporate Plan and are also linked to the priorities of the MTFS.
- 1.5. Finally, the strategy addresses both the sustainability of the Councils financial position and examines the more significant risks inherent in the proposals.
- 1.6. There continues to be significant uncertainty around Local Government Funding and Policy, namely the fair funding review, the business rates retention review, comprehensive spending review along with the significant economic uncertainties as well as the ongoing impact and recovery of Covid.
- 1.7. The current year (2021/22) saw a further delay of these significant policy reviews and a one-year roll over settlement from the prior year. In September 2021 the Chancellor announced a three-year Spending Review 2021 (SR2021) covering the period 2022/23 to 2024/25. Further announcements were then made on 27 October 2021 when he presented his Autumn Budget and Spending Review (SR21). The announcements confirmed that core spending power for Local Government is estimated to increase by an average of 3% in real terms each year over the SR21 period.
- 1.8. The Chancellor also set out that the Government is providing Local Government with £4.8 billion of new grant funding over the SR21 period for social care and other services, however the detail of how the funding is to be allocated will not be published until December 2021. There is a risk that the larger share of the extra funding will be diverted to social care authorities.
- 1.9. The timing of this means that a draft Local Government Settlement is not likely to be announced until mid-December. Whether this will deliver a three-year finance settlements for local government is unknown, at best as a sector there is an expectation there will be a further one year settlement, again providing no certainty of funding longer term.

- 1.10. Until the detail of the spending review is known there is little certainty on what the future public spending envelope will look like. There continues to be significant pressures facing the economy for example the wider spending pressures in health and care, supply chain challenges and more recently the impact to the construction industry, energy prices and inflation. These challenges mixed with the lack of certainty of future funding for local government makes the annual budget setting and longer-term financial planning process ever more challenging. The outcome of a spending review will be balancing additional taxes, spending cuts and borrowing. Therefore, it remains important that the Council must continue to adopt a prudent approach for any medium-term financial strategy to set priorities that will support and deliver savings, additional income and efficiencies for the Borough Council.
- 1.11. For Local Government the funding outlook remains uncertain, for example will the new Homes Bonus scheme continue, will there be a further one-off allocation or a replacement incentive, changes to business rates retention and 100% pilots. The continued uncertainty further curtails the ability to provide accurate financial projections and forecasts over the medium term, for the purpose of the MTFS and the planning for the 2022/23 budget setting it has been assumed that there will be a further¹ roll forward of the 2021/22 finance settlement into 2022/23. Until announcements are made on the likely funding for Local Government estimates have been based on previous funding allocations, although for the period from 2022/23 onwards it would be prudent to plan for funding reductions and to ensure that the MTFS provides a sound framework for the business strategy moving forward that seeks to grow the income base and seeks efficiencies that will mitigate future funding gaps.
- 1.12. As part of the funding reforms these include a move to a 75% business rates retention scheme, aligned to this will be a reset of business rate baselines. The impact of the reset is not yet known or the planned timescales. The purpose of a reset is to remove the disproportional gains and losses between Councils. An assessment of need from the fair funding review is also key to the funding reforms, clearly as a significant receiver of Revenue Support Grant, the fair funding review will need to take account of these pressure to mitigate the net impact to the financial position of the Council.
- 1.13. Despite the national uncertainty, the refresh of the MTFS is required to inform the detailed budget setting process for the 2022/23 budget ahead of approval of the budget in February 2023.

¹ This would mean a third roll over of funding, 2021/22 and 2020/21 both saw settlement roll overs.

2. RESOURCES

- 2.1. This section provides an overview of the financial resources available to the Council along with the assumptions to inform the updated financial projections. Internal resources are influenced by local decision making, for example council tax, sales, fees and charges to be levied, capital receipts from asset disposals and use of available reserves. External resources include government grants, business rates although whilst the Borough Council collects the rates, it does not set them and has very little discretion over reliefs that can be granted, however local decisions that support future growth in business rates will see a direct benefit returned to the council through the business rates retention scheme.
- 2.2. **REVENUE SUPPORT GRANT (RSG)** – RSG is a central government grant provided to Local Authorities to be used to finance revenue expenditure. The past two years have seen small inflationary increase in the RSG allocated due to the roll-over of previous grant allocations². The RSG allocation in 2021/22 was £2.074m. The Council continues to be one of the largest receivers of RSG compared to similar tiers of authorities, this is primarily due to the previous method of funding allocation for local government reflecting local characteristics of deprivation and spending. It is currently assumed that this grant will continue at existing levels for 2022/23 with inflationary increases pending the wider fair funding review.
- 2.3. **BUSINESS RATES RETENTION** – The current system of business rates retentions sees 50% of the rates collected locally is retained for the provision of services and has been in place since April 2013. Under the scheme business rates are shared between central and local government. The current splits are 50% local (40% Borough and 10% County) and 50% central government.
- 2.4. The localised scheme is not without risk and complications. Businesses have the right to appeal the valuation of their premises which if successful can be backdated. Local Authorities can mitigate some of the risks of the payment of successful appeals through the making of provisions against which payment of appeals are made. The risk is whether the provision raised is sufficient to cover refunds as they materialise. Business Rateable Values were re-valued from April 2017, resulting in further volatility in the system.
- 2.5. The current business rates system allows pooling whereby growth that would be paid to central government can be retained in the pool. Norfolk Local Authorities have operated a business rates pool since the introduction of business rates retention, albeit with varying membership over the years (GYBC has been a pool member since 2018/19). Due to the uncertainty of the impact of covid on business rates in 2021/22 the Norfolk pool (of all Norfolk authorities) was disbanded, with pooling planning to be re-commenced for 2022/23. The remainder of the business rates pool from 2020/21 has been agreed to be allocated across the Norfolk Authorities, this will see in the region of £675,000 to be allocated to the Borough Council, it is recommended that this is set aside to be used for projects that will deliver against the growth for the Borough.
- 2.6. The Government is still committed to implementing the Fair Funding Review and reforms to the Business Rate Retention Scheme (BRRS), although these continue to be delayed with an assumption now that they will be delivered in 2023/24.
- 2.7. Mandatory business rate reliefs and those introduced by the government which reduce the amount of business rates collected locally are normally reimbursed via a section 31 grant to compensate for the income that would have been collected.

² This was following the annual reduction in the RSG from 2016/27 to 2019/20 as part of the last multi year finance settlement.

- 2.8. Business rate information on reliefs and income received or expected is collected via the annual National Non-Domestic Rate (NNDR) returns submitted in January (projection) and May (actual). The business rates baseline funding and tariff is included in the annual finance settlement announcement and these increase by inflation each year.
- 2.9. **NEW HOMES BONUS (NHB)** – New homes bonus has been part of the funding for local government since 2011/12. The scheme was originally introduced to incentivise and reward Councils for building new homes in their areas. The grant is calculated by multiplying the national average council tax by the net additional homes growth (net of movements in long-term empty properties and demolitions), in addition there is an additional supplement of £350 per affordable dwelling. The system splits the grant between local authority tiers; 80% to the lower tier (GYBC) and 20% to the upper tier (NCC) with annual allocations of NHB Grant being announced as part of the finance settlement based on annual returns³.
- 2.10. The future of the scheme is not yet known, a review is long overdue. There is a fundamental flaw in the current system in that those authorities with fewer sites and low land values are disadvantaged even when meeting their local plan housing targets. There is a clear inequity in the current system due to the factors that drive the delivery of new homes, for example land value, number of housing developers operating in an area and local demographics that influence the number of homes that are delivered therefore creating significant inequity in the allocation of the bonus. The current system is heavily skewed towards, and therefore, benefits local authorities with higher land values and have numerous housing developers (especially volume house builders) actively providing new homes within their local areas. The borough is not one of these areas, over the 11 years of the current NHB system, within Norfolk the highest receiver of NHB i has received in the region of £38.7million compared to GYBC's £7.6million. The current system makes no allowances for those areas that have a higher-than-average proportion of lower council tax banded properties, such as Great Yarmouth, for example 68% of the properties in the borough are in bands A and B, compared to a national average of 41% and county average of 55%.
- 2.11. **COUNCIL TAX** – The current band D equivalent for the boroughs Council tax is £171.48. Alongside the annual Local Government Finance Settlement, the Government sets the annual increase in council tax above which would trigger a referendum. Council tax capping in recent years has meant that annual increases in council tax for borough and district authorities have been limited to the higher of 3% or £5 for a band D. Announcements on referendum limits for council tax increases are announced annually as part of the annual Local Government finance settlement, no changes to the limits are currently anticipated for 2022/23.
- 2.12. The Council tax base is an assessment of the number of dwellings expressed in Band D equivalents after allowing for non-collection, discounts, and new property growth. The tax base for 2021/22 is 28,910 which was a reduction of 138 compared to 2020/21, further due to the impact of Covid there was also a reduction in the collection rate and an increase in the level of discounts from local council tax support. Prior to this the MTFS had always allowed for increases in the tax base growth of 500 band D per annum. For 2022/23 the tax base has been assumed to increase to 29,344 which is positive for the MTFS purposes.
- 2.13. Covid support offered to Local Government in 2020/21 included the ability for collection fund deficits to be phased over three years. Local tax income (council tax and business rates) is collected by the billing authority and paid into the local collection funds. Where there is a shortfall in tax receipts in any financial year compared to the level expected, this can lead to a

³ Council Tax Base Returns submitted to government annual covering twelve months October to September. The calculation of the bonus does not take into account planning permissions or any other elements of the planning processes.

deficit on the collection fund which should usually be recovered the following financial year. The impact of collection fund deficits will fall to the main precepting bodies (County and Borough), Parish and Town Councils are protected from the impact of collection fund deficits as any deficit relating to the parish share is the responsibility of the billing authority.

- 2.14. The level of council tax discounts has a direct impact on the net collectable council tax and therefore income that is received in the general fund. The Local Council Tax Support Scheme (LCTS) is essentially a discount that supports those households and individuals that are on low income.
- 2.15. **SALES, FEES AND CHARGES** – Income from sales, fees and charges from the provision of services continue to be an essential source of funding for local authorities. These include income from a number of demand led services for example, car parking, planning and building control and waste services. The 2021/22 base budget assumed the recovery of incomes to pre pandemic levels, whilst there have been some fluctuations in the current year this continues to be an essential source of income for the provision of services. The forward financial projections allow for annual increases to fees and charges in line with the current fees and charges policy⁴. The general principles of the policy are annual increases of RPI plus up to 2% to cover the cost of service delivery. Current forecasts suggest annual increases in the fees and charges in line with the policy could be in the region of 4.9% to 6.9% for 2022/23.
- 2.16. The update financial forecasts will be informed by estimates of all the above financial resources, and this is included in section 4.

⁴ Fees and charges policy 2020/21 to 2024/25 [Policy Document](#)

3. FINANCIAL FORECAST UPDATE

- 3.1. The production of a detailed financial forecast from 2022/23 onwards is challenging due to the uncertainties around funding reviews and before any detail on how the additional £4.8bn for Local Government funding for the three year period 2022/23 to 2024/25 will be allocated.
- 3.2. The forecast update has been informed by the base budget for 2021/22 allowing for inflation increases and known commitments. The in-year financial monitoring has also informed the projections. The following provides an overview of the more significant items that have been used to inform the update of the financial forecast and assumptions for the three year period 2022/23 to 2024/25.
- 3.3. **INTEREST RECEIVABLE AND PAYABLE** – The Bank of England maintained Bank Rate at 0.1% and its Quantitative Easing programme at £745 billion. This has in return reduced the amount of investment income received on the Council's investments. The forecast impact in the current financial year is expected to be a lower return than estimated and it would be prudent to assume that this will continue for 2022/23.
- 3.4. The borrowing requirements for the Council continue to be undertaken in line with the treasury management strategy and due to slippage in the capital programme some of the planned borrowing will be re-profiled to 2022/23 and 2023/24, this is therefore expected to reduce the forecast interest payments in 2022/23 and overall is expected to mitigate the impact of reduced interest receivable.
- 3.5. **MINIMUM REVENUE PROVISION (MRP** – allowance in the revenue account for the repayment of debt incurred for capital expenditure) – The MRP is set annually based on prior year and the forecast capital spend for the current year financed by borrowing. Future year's MRP is estimated based on this, plus additional borrowing required within the capital programme approved as part of the budget setting. New capital receipts identified and generated serve to reduce the need for external borrowing for capital purposes to smooth the future MRP charges.
- 3.6. **EMPLOYEE COSTS** – The 2021/22 budget assumed an annual increase in the employee pay award of 2% per annum although this is yet to be agreed nationally. Forecasts for 2022/23 and onwards assume pay awards of 2% per annum. The Local Government Pension Scheme cost for the Council is made up of employer contributions payable on actual employee costs incurred in the year as well as a lumpsum element. The lumpsum element is set for three financial years, in line with the triennial valuation. 2022/23 is the final year of the current three year period for which there will be will growth of £171,000 compared to the 2021/22 base budget. The outcomes of the next triennial valuation will inform the forecasts for the period from 2023/24 and for the purposes of the forward projections, growth in line with previous years has been assumed.
- 3.7. Furthermore the increase of 1.25% to National Insurance Contributions announced recently as a method for funding adult social care will increase the employee costs, although whether the funding is passed down to mitigate the additional costs to Local Authorities, this is not yet clear. There is a further impact on third parties that provide services for the Council, for example joint ventures and contractors where the costs may fall to the council.
- 3.8. **COUNCIL TAX** – Annual tax base growth has averaged 570 over the past 5 years prior to 2021/22 which saw a reduction due to covid. This would have added in the region of £235,000 per annum of additional Council Tax revenue. Based on the latest tax base projections along with current collection and assuming the £5 band D Council increase, this would deliver approximately £220,000 additional resources to the general fund. The forward financial forecasts assume growth in the tax base of 500 per annum.

- 3.9. **EXTERNAL GRANT AND FUNDING** – The 2021/22 finance settlement was a roll-over of the prior year. The provisional settlement for Local Government is not expected until mid-December which will confirm RSG allocations and hopefully make announcements on the New Homes Bonus. Currently the forecast for 2022/23 is assuming £150,000 in additional grant compared to the current year⁵. The net impact is reduced by the removal of one-off funding received in 2021/22, largely in relation to the impact of covid which was allocated for one year only. The financial forecast does allow for some of this funding to be utilised in 2022/23.
- 3.10. **BUSINESS RATES** – Despite the challenges around collection of business rates due to covid, the latest forecast does assume an element of growth from the current year (in line with the forecast) and for the 2022/23 financial year. The Council has confirmed membership of the Norfolk Business rates pool which would see a return of growth from across the County being allocated to all the members. As in previous years the Council continues to hold an earmarked reserve that can be used to smooth the impact between financial years of fluctuations in business rates in the short term.
- 3.11. Due to the uncertainty of the future funding reforms to local government it is difficult to accurately project the future funding levels from business rates and grants. Therefore, for the purposes of the financial projections, it is assumed that funding levels will increase annually in line with inflation, as in previous years. Once the outcomes of the funding reforms are announced the MTFS projections will be updated accordingly.
- 3.12. **NET COST OF SERVICES (NCS)** – As part of the detailed budget work, the service budgets for income and expenditure will be informed by inflationary increases for both expenditure and income. Fees and charges income will be increased in line with the fees and charges policy which allows for annual increases of RPI plus up to 2% with the aim to recover costs. For 2022/23 the RPI rate of 4.9% has been used which could see increases in fees and charges of up to 6.9%. These are currently under review to be presented for approval as part of the 2022/23 budget. The detailed income estimates will inform the detailed budget workings to be presented as part of the budget report in February 2022.
- 3.13. At this stage the impact of inflation on expenditure is assumed to be greater than the increase in the corresponding income, resulting in anticipated net growth in the net cost of services. Further, other costs within the NCS are also impacted by inflation increases such as the GYBS services fee, additional waste disposal costs and the full year impact of the legal services provision.
- 3.14. **SUMMARY** – After allowing for the factors above the following table summarises the current forecast gap for 2022/23.

Updated Financial Forecast 2021/22	£000
2021/22 Budget Gap	112
+ Removal of one-off funding in 21/22	886
+ Interest (Receivable and Payable) and Minimum Revenue Provision	610
+ Employee Costs (Pay award and Pensions)	327
+ Additional Inflationary pressures	320
- Council Tax	(220)
- Financial Settlement – Revised Forecasts	(720)
- Planned use of reserves	(412)
Forecast Financial Gap 2022/23	903

⁵ This has also been informed by the Pixel Financial Modelling service which the Council subscribe to.

- 3.15. The following table provides the high-level funding gap for the three year period 2022/23 to 2024/25. This position has been informed by the assumptions included above and reflects the known spending pressures and assumptions on funding over the next three years. This includes the forecast impact to the revenue account of regeneration schemes, such as the new Marina facility, forecast capital receipts and growth in business rates and council tax homes above the base budget assumptions.

	2022/23 £000	2023/24 £000	2024/25 £000
Forecast Gap	903	1,391	1,642
Year on Year Increase		488	250

- 3.16. The above summary shows an increasing budget gap for the next three years. As a guide if an annual savings target of £500,000 were to be added each year (i.e. £1.5m over the three years of new savings) this would reduce the funding gap to £403k in 2022/23, £391k in 2023/24 and £142k in 2024/25.
- 3.17. Detailed work on the 2022/23 budget has already commenced with the Management Team to critically review budgets and look at options to reduce the forecast gap for 2022/23. In addition, the key themes for the MTFS are included at section 7 and these will be the priorities to be taken forward for reducing the future budget gap.

4. HOUSING REVENUE ACCOUNT

- 4.1. Since the introduction of self-financing in 2012, the HRA business plan has continued to be challenged by several changes. Right to buy (RTB) discounts have increased, rent-setting policy has changed and other future new proposals affecting the HRA have been announced and developed. Recently, the impact of covid on the HRA has seen an increase to the level of arrears as the financial impact of covid continues to make debts more difficult to collect.
- 4.2. The recent strategy for the HRA has been to keep the HRA reserves levels sufficient to mitigate any loss of revenue. The Council continues to be prepared for further reductions in resources available to manage, maintain, improve, and add to its housing stock, as well as managing the implications from the stock condition survey.
- 4.3. Community Housing continues to review all its revenue spending to look at where savings and efficiencies can be made. The Capital programme, which is funded partly by contributions from revenue, is monitored regularly during the year and is reviewed in detail to update the position of the 2021/22 budget.
- 4.4. The HRA increased its capital programmes to address the increased need of the stock following a full stock condition survey in 2017/18. As a reflection of this, the stock condition has improved, and repairs and maintenance demand has greatly reduced. As part of the continuing review of the HRA stock condition, the HRA has budgeted for a second stock condition survey to take place in 2022/23.
- 4.5. Additional borrowing currently maintains the affordable housing programme to comply with the RTB agreement. The HRA's previous regulations instructed that receipts received from the sale of a Council dwelling were to be utilised within three years of a dwelling sale, to support up to 30% of the scheme cost of replacement homes. Following consultation, from 1 April 2021 the regulations around the use of Retained RTB receipts have been revised. New regulations allow RTB receipts to be used to support up to 40% of the scheme cost of replacement homes. Time restrictions have also been revised, detailing that sale receipts must now be utilised within five years from the sale of the dwelling.
- 4.6. Most fees and charges relating to the Housing Revenue Account have been increased in line with the corporate formula adopted by the Council, RPI + 2%, aiming to close the gap in terms of recovery of costs.
- 4.7. **RENT SETTING POLICY** - The Welfare Reform and Work Act 2016 introduced a 1% reduction per year for four years to social housing rents starting in April 2016, with 2019/20 being the final year subject to the reduction. From 2020/21 onwards, rent setting assumptions have been based on increases of CPI + 1%. For 2021/22 this equated to 1.5%, on both social and affordable rent in line with the new Rents for Social Housing policy for 2021/22. For 2022/23 this is currently being finalised but early indications suggest this will be in the region of 4.1 %, if applying CPI plus 1%.
- 4.8. **RIGHT TO BUY DISCOUNTS AND RETAINED RECEIPTS** - Right to buy discounts have increased since the introduction of Self Financing, the maximum discount increases each year based on the consumer price index (CPI). The business model has been amended to incorporate this change.
- 4.9. The HRA is still part of a retention agreement, where the HRA can retain receipts, to support up to 40% of the cost of replacement homes if incurred in a five-year period. If retained receipts are not used, the Council is liable for repayment of the receipt plus interest, sales and receipts are therefore closely monitored to mitigate any repayment liabilities.

- 4.10. The Council has set out a plan and ambition to use retained receipts to develop affordable council housing and to further increase the supply of affordable housing using a combination of four options:
- Grant contribution to Housing Association development
 - Development of new build homes
 - Purchasing empty homes on the open market
 - Purchase of suitable properties on the open market.
- 4.11. **HRA DEBT CAP SUMMARY** - In 2018 it was announced that to help solve the 'housing crisis', the Government would scrap the borrowing cap limitations on how much councils can borrow against their HRA Assets, this came into force on 30 October 2018. The Council's HRA had previously been subject to a borrowing cap limitation of £89 million. Following the removal of the borrowing cap, the Council is now able to borrow above its original borrowing limit but must ensure any borrowing is affordable.
- 4.12. The Council continues to actively review the best way to utilise the additional borrowing capacity within the HRA, to deliver further affordable homes within the Borough. The council plans to utilise revenue savings to finance additional borrowing within the HRA, along with the use of accrued 1-4-1 receipts, which may have otherwise been repaid to government along with the relevant interest.
- 4.13. Overall, the aim is to increase the levels of new housing within the existing housing stock, and to increase net rental income received. The HRA continues to model the implications to the housing business plan, as well as identifying potential sites for the delivery of additional housing. Increased borrowing for the HRA will need to be able to demonstrate affordability and informed decisions taken to understand the longer-term impact to the HRA funding.
- 4.14. There are two key strands to the Council's HRA investment plans:
- Maintaining and improving the housing stock;
 - New Affordable council housing, including new housing to replace sales under RTB in line with Government guidance.
- 4.15. The plans are prepared over the medium term and are reviewed and updated annually. Future investment decisions will be based on local decision making and local knowledge of the condition of the stock and the components.

5. RESERVES

5.1. This section provides an overview of reserves held by the Council. The Policy Framework for Reserves is reviewed annually alongside the setting of the annual budget. The reserves held by the Council fall within one of the following categories.

- General Reserve
- Earmarked Reserves (General Fund and Housing Revenue Account)
- Capital Receipts Reserve
- Housing Revenue Account Reserve.

5.2. The General Reserve is held for two main purposes - to provide a working balance to help cushion the impact of uneven cash flows to avoid temporary borrowing, and as a contingency to help cushion the impact of unexpected events or emergencies.

5.3. As part of setting the budget each year the adequacy of all reserves is assessed along with the optimum level of general reserve that an authority should hold. The optimum level of the general reserve takes into account a risk assessment of the budget and the context within which it has been prepared, including the following factors:

- sensitivity to pay and price inflation and fluctuations in interest rates;
- the level of savings that have been factored into the budget and the risk they will not be delivered as anticipated, both level and timing;
- potential legal claims where earmarked funds have not been allocated;
- emergencies and other unknowns;
- impact of demand led pressures which impact on both income and expenditure;
- future funding fluctuations;
- level of earmarked reserves held;
- a level of general reserve that is within 5% to 10% of net expenditure.

5.4. A financial assessment is made of all the factors to arrive at a recommended level for the general reserve, which for the 2021/22 financial year was assessed to be £3 million. The general reserve balance as at 1 April 2021 was £3.7million, based on the latest financial monitoring position, the balance at 31 March 2022 is expected to be £3.5million, so remaining within a reasonable tolerance of the recommended balance.

5.5. **EARMARKED RESERVES** provide a means of building up funds to meet known or predicted liabilities and are used to set aside sums for major schemes, such as capital developments or asset purchases, or to fund restructurings as part of invest to save proposals. These reserves are earmarked until the amounts are budgeted to be taken from the reserves. Earmarked reserves can also be held for service projects and business units, which have been established from surpluses to cover potential losses in future years, or to finance capital expenditure. Earmarked reserves also provide a mechanism to carry forward underspends at the year-end for use in the following financial year.

5.6. For each earmarked reserve several principles should be established:

- the reasons for, or the purpose of the reserve

- how and when the reserve can be used – short to long term
 - procedures for the reserve's management and control.
- 5.7. The planned use of earmarked reserves is reviewed during the year and as part of the budget setting and year end process. An updated reserves statement is included at Appendix A and reflects the latest position for the use of reserves in the current and future financial years where known. There is still some uncertainty around the exact timing of the use of some of the reserves, for which some are held as a contingency to mitigate a potential liability although the timing and likelihood of this is dependent upon future events.
- 5.8. The following provides a commentary on some of the more significant reserves that the Council currently holds and maintains:
- 5.9. **INVEST TO SAVE** – This earmarked reserve provides resources to fund one-off/upfront costs for projects that will deliver future savings. Examples include:
- officer restructures, where one-off redundancy or pension strain costs might be payable subject to a business case that delivers on-going revenue savings;
 - for an investment in IT hardware, software or equipment which will deliver savings through more efficient ways of working.
- The balance at the beginning of the year was £1.55m and the forecast balance at 31 March 2022 is £1.38million.
- 5.10. **COLLECTION FUND NATIONAL NON DOMESTIC RATES RESERVE** – This reserve is used to offset the fluctuation in the level of retained business receipts received in the year to mitigate the impact to the revenue account. The reasons for the fluctuations include timing of the outcome of appeals and actual collection of rates. The balance as at the 1 April 2021 was £1.978 million, the actual use of the reserve in the year will depend upon the business rates position at the year end. In addition there are still risks around the potential reset of the business rates baseline as part of the wider reforms, therefore there maybe a future call on the use of this reserve, depending on the outcomes of the reset.
- 5.11. **ASSET MANAGEMENT RESERVE** – This reserve was established to earmark funds that will support the provision of current and future assets, of the reserve £1.26m has been committed to smooth the impact to the revenue account of the new leisure facility, the current forecast unallocated balance is £540k.
- 5.12. **CAPITAL RECEIPTS RESERVE** - The Council also holds a reserve which includes the balance of receipts generated from asset disposals - capital receipts. Capital receipts can only be used to fund capital expenditure (so not for on-going revenue expenditure). The balance of capital receipts is used to fund the current approved capital programme. The balance as at 31 March 2021 was £1.633million.
- 5.13. All reserves, general and earmarked, will be reviewed over the coming months as part of setting the detailed budgets for 2022/23. Using reserves to finance one-off spend for example in relation to projects, and where the funds can be used to lever in other external funding enables flexibility and does not tie up in-year budget allocations. However utilising reserves to fund annual budget deficits, only provides a short-term measure to reduce the funding gap, and whilst it can be used to mitigate the impact in the short-term for example in response to changes to funding regimes and in response to unplanned impacts, this does not provide a sustainable solution in the medium to long term.

6. CAPITAL

6.1. This section provides an overview of the current capital programme and resources available to it for the financing of current and new capital schemes. The capital programme has been updated to reflect the Town deal and Future High Streets projects. A copy of the current capital programme is included at Appendix B.

6.2. **GENERAL FUND CAPITAL PROGRAMME** - The following tables provide a summary of the current capital programme for 2021/22, together with current forecasts for 2022/23 ahead of consideration of new capital proposals.

2021/22	Forecast Expenditure	Borrowing	Grants & Contributions	Revenue/ Earmarked Reserves	Capital Receipts
Service Area:	£'000	£'000	£'000	£'000	£'000
Executive	418	112	276	30	0
Communities	145	145	0	0	0
Customer Services	655	655	0	0	0
Inward Investment	20,943	11,379	8,349	20	1,195
Housing	2,992	1,798	1,008	100	86
ICT	750	750	0	0	0
Property & Asset Management	5,945	2,503	3,213	20	209
Environmental Health	26	26	0	0	0
Total	31,874	17,368	12,846	170	1,490

2022/23	Forecast Expenditure	Borrowing	Grants & Contributions	Revenue/ Earmarked Reserves	Capital Receipts
Service Area:	£'000	£'000	£'000	£'000	£'000
Executive	500	500	0	0	0
Communities	0	0	0	0	0
Customer Services	0	0	0	0	0
Inward Investment	31,842	12,481	19,310	50	0
Housing	3,945	1,045	1,175	840	884
ICT	680	650	0	30	0
Property & Asset Management	5,729	5,394	120	215	0
Environmental Health	0	0	0	0	0
Total	42,694	20,070	20,606	1,135	884

6.3. The capital programme currently includes £6.7m of borrowing against Future high Street Fund (FHSF) projects in 2022/23. However, it is anticipated that this borrowing would be predicated on business cases being produced to show that this be offset by either the generation of capital receipts or revenue from future income generation as part of the development of the FHSF projects.

6.4. The current capital programme is funded from the following sources of finance:

- Capital Receipts – generated from asset disposals (both new and existing within the capital receipts reserve). As part of the ongoing work and review of the asset management plan, there will be opportunities to generate capital receipts that can be used to reduce the need to rely on external borrowing to finance the capital programme;
- Grants and contributions received from external sources including third parties and government, these include the allocations of Future High Street and Towns Fund;
- Revenue – by means of making a revenue contribution to capital;
- Prudential Borrowing – by means of loans made to the council by PWLB and other sources;
- Internal Borrowing – by using of the council’s cash balances as opposed to borrowing externally.

6.5. Prudential borrowing to fund capital expenditure can only be undertaken when an authority can demonstrate the need to borrow. The need to undertake prudential borrowing is demonstrated through its Capital Financing Requirement, which is driven by the balance sheet of the authority and takes into account reserves (including general and earmarked). Financing costs of the borrowing are charged to the revenue account and therefore any decision to undertake external borrowing would need to take account of the debt costs including interest and the Minimum Revenue Provision (MRP) and overall demonstrate affordability.

6.6. As an example, if a £5m capital project is approved the revenue impact from an MRP charge to the revenue account will be made in line with the current MRP Policy – probably over the useful life of the asset – which would amount to £200,000 per annum (assuming a 25 year life).

6.7. If a decision is to be taken to use revenue reserves or capital receipts to finance the expenditure, no MRP charge would be necessary, as the expenditure would be financed immediately by a revenue contribution to capital. When considering the financing of the capital programme, the most financial beneficial approach to the financing of the spend will be taken. Furthermore, as future capital receipts are generated, this provides an opportunity to reduce the revenue costs of borrowing.

6.8. **HOUSING REVENUE ACCOUNT CAPITAL PROGRAMME** - The following provides a summary of the 2021/22 and 2022/23 capital programmes for the HRA along with the financing of these programmes.

	Budget Expenditure	Borrowing	Revenue	Capital Receipts
	£'000	£'000	£'000	£'000
2021/22	13,694	4,148	7,319	2,227
2022/23	9,295	1,100	6,543	1,652

6.9. As part of the 2022/23 budget process capital bids will be considered for approval. Bids will be prioritised in line with the priorities of the business strategy and those that report the delivery of future efficiencies, savings and growth. In addition, as flagged earlier the digital strategy remains a priority and therefore these proposals will be considered internally via the IT Investment group ahead of releasing the funds from the IT capital programme.

7. FINANCIAL AND BUSINESS STRATEGY

- 7.1. This section outlines the short to medium term priorities to reduce the forecast deficit. Despite the lack of certainty around future funding levels, the Council's strategy must continue to look for opportunities to maximise income and at the same time, continue to ensure that it is operating in the most efficient way to identify and deliver saving opportunities. The following outlines in more detail the **key themes of the financial and business strategy that** should be continued over the short to medium term. Each of the themes should not be seen in isolation and where applicable should support other themes in the overall delivery:
- 7.2. **STRATEGIC ASSET MANAGEMENT** – The Council must ensure that it is utilising its assets in the most efficient way. The Council holds a significant property base that needs to be managed via the asset management plan to ensure that assets held are beneficial to the Council and assets are disposed of in a considered manner. Some assets, for example, commercial properties deliver a return to the Council from rentals and lease payments. In the same way that these properties are reviewed in terms of the financial return to the Council, other assets that are utilised in the delivery of services should be reviewed to ensure that they too support the delivery of services and the wider priorities within the corporate plan. Regular review of all the Council's asset holdings to ensure that income streams are being maximised and costs minimised should be a continued focus to identify development opportunities, new investment or recognise assets which are under performing for potential disposal, with a view to adding value to strategic assets. **The key aim is to identify the most efficient way to utilise the Council's assets and maximise the benefit that the Council receives from them.** Delivery of this theme is informed by the Asset Management Strategy and will also cover opportunities to grow the asset base and demonstrate linkages with external funding opportunities and grants.
- 7.3. **ECONOMIC AND HOUSING GROWTH** – Income from homes and businesses within the borough provides an essential source of income to fund the provision of local services. **A key aim must be to maximise income from housing and business rates through enabling growth and retaining existing baselines.** With an expected greater reliance on income from business rates in the future it is important to enhance and protect this funding. There needs to be opportunities to encourage new growth in the Borough, including the enterprise zones and other areas. The Council already has mechanisms in place to support the priority to maximise housing growth, both within its own stock through the Housing Revenue Account and the wider delivery of homes through its companies, Equinox Enterprises Ltd and Equinox Property Holdings. Optimising the Council tax base continues to be how Council Tax income can be maximised. This could be through growth in property numbers, increased collection, and reductions in discounts as well as through proactive work to ensure that all eligible council tax properties are identified.
- 7.4. **PROPERTY INVESTMENT AND COMMERCIALISATION** – This theme is closely linked to the strategic Asset management priority, but also seeks to identify other external opportunities for investment in properties to achieve either an income stream or improved returns on investment. These would not necessarily be for investment purposes alone but seeks to regenerate areas which may require up front regeneration funding interventions, with a wider opportunity and growth potential. Opportunities could be indirect through treasury management property investments or direct delivery by the Council or through an appropriate vehicle. These could support, for example, regeneration within the Borough to deliver growth and linkages to the economic growth theme as detailed above. Any direct investment would be subject to a business case, considering all risks and the full revenue implications (including borrowing costs). Currently these opportunities are identified as part of the current asset management plan or proposals taken forward by the appropriate decision making process.

- 7.5. **TECHNOLOGICAL INVESTMENT** – The Council approved its digital strategy in October 2019, the strategy continues to be a live document and contains three strategic aims of **Digital Services, Digital Communities and Digital Workforce**. The three aims are supported by the following objectives:
- A. *To make our service provision more efficient via automation, reducing duplication of effort and reducing manual intervention.*
 - B. *To increase the quality of our service, by increasing speed, reliability, and consistency.*
 - C. *Increase data sharing across services*
 - D. *Create a single view of residents, land, and property*
 - E. *To promote Great Yarmouth as a great place to live, work, do business and visit.*
 - F. *To improve the accessibility and availability of our services.*
 - G. *To provide up to date always available information online for our customers*
 - H. *To have a workforce that has the right information, equipment, systems, training, and confidence to do their job in a digital workplace.*
- 7.6. Current system reviews are included within the strategy to ensure that the current service system software supports the efficient delivery of services, during the current and next year the housing system is being updated to enable improvements in the service delivery and linkages between systems, this is one of a number of key software systems that will be reviewed and updated as part of the digital strategy. Furthermore, the continued use of Microsoft teams as a default method of holding meetings has created efficiencies in relation to officer time, however the impact of the managing of diaries and greater accessibility to schedule meetings does need to be managed to ensure that time outside of meetings is available for delivery.
- 7.7. **PARTNERSHIPS** - Creating efficiencies through collaborative working with others. Identifying opportunities must continue at a local level with partners and other organisations, ensuring that realistic and deliverable benefits are achieved. In addition, strengthening approaches to working with communities and partners in the voluntary sector to:
- Drive better outcomes for local residents;
 - Reduce avoidable demand on council services;
 - Secure investment to drive new partnerships with partners and communities to deliver corporate ambitions;
 - Make better use of council assets and resources to offer greater social value to local communities and to develop a partnership approach with public sector partners to working with communities across the borough.
- 7.8. **GYBC OPERATING MODEL** – It is essential that the Council provides services in the most effective and efficient way, ensuring value for money and the ability to challenge where necessary. The key to this is the operating model by which the services are delivered to the residents and businesses of the borough including the use of technology. There are various strands to considering what the right operating model is for the Council and how these can drive efficiency and savings:
- **Organisational Development Strategy** – This work is ongoing and provides an opportunity to continue to review service delivery and the strategic capacity of the organisation. This focuses on the people resource and ensures that the Council has the right people with the right skills and empowering staff to challenge and drive forward transformation initiatives, whilst being clear on the benefits they will bring and being accountable for their delivery. The Council recently approved its Agile Working Policy⁶ which provides a framework for ways of working which have

⁶ Approved by Policy and Resources Committee 27 July 2021

become more common following the pandemic. At that time work on the action plan for the resources to deliver the policy including investment in equipment was underway, an assessment of equipment requirements has now been completed as part of the MTFs it is recommended that £50,000 be included in the capital programme to roll out further equipment to implement the policy.

- **Digital Strategy** – Whilst technological investment is a key theme in itself, the digital strategy provides the framework that will support the wider investment. With an ambition to become more efficient via automation, reducing duplication of effort and manual intervention the action plan supports this work to provide on-line services for residents, businesses and visitors that is supported by a seamless transfer of data in the back office and ensuring that staff can work in the most effective way with the appropriate tools, support joined-up working, and mobile solutions. The digital strategy had previously highlighted the need for some of the back-office system upgrades and reviews for example the housing system for which the implementation is underway
- **Procurement and Contract Management** – The council has in place several contracts/arrangements for the provision of services. These make up a considerable element of both the day to day and capital spend for the Council. Therefore, there needs to be robust arrangements in place for managing these contracts (whether this is through a joint venture or formal contract management), ensuring key governance principles are adopted including the establishment of clear specifications for service delivery under contract arrangement, pro-active budget and contract management of the service, and ensuring value for money is being challenged and achieved.

7.9. SAVINGS AND ADDITIONAL INCOME - As part of the annual budget work Management Team are requested to critically review their budgets and put forward savings and additional income proposals. These will be presented for approval as part of the budget reports in January and February 2022. It is too early to put monetary amounts against the individual savings proposals as this work is still to be concluded. However a total indicative target of £500,000 to £700,000 would be reasonable at this time, although these may require some lead in time ahead of the full savings targets being factored into the base budget. These proposals will be worked upon in the coming months ahead of consideration by Members as part of the budget reports.

7.10. SUSTAINABILITY STRATEGY – It is recommended that sustainability be added as a key theme to support the financial strategy. Whilst this strategy is at early stages of development, it should be an important priority within the financial strategy moving forward.

7.11. USE OF RESERVES AND INVEST TO SAVE - Use of reserves to balance a budget provides only a short-term solution as the funds can only be used once. Reserves can however be used to smooth the impact of funding reductions and fluctuations in funding over the short to medium term and to allow for planning and implementing projects and work streams that will deliver a longer-term financial benefit through reduced costs or additional income.

7.12. Similarly, reserves can be used to fund one-off costs for projects that will deliver a longer-term benefit, for example the invest to save reserve. The use of the reserves in this way will be considered as part of the full business case for individual project proposals, taking into account the payback period of the project along with indirect financial implications.

7.13. **PARISH COUNCIL SUPPORT** – As part of the 2020/21 budget setting, Council agreed for a review to be undertaken on the level of concurrent function grants awarded to Parish Councils. The Borough Council is currently providing concurrent function grants totalling £142,000 to parish councils to in the form of grants annually. The concurrent function grants have remained the

same since 2016/17. Concurrent functions are discretionary services that can be carried out by the Borough Council but can also be undertaken by parish councils where these exist. They cover services that are provided in some parts of the borough by the borough council and in other areas by the parish councils and can result in parish taxpayers being charged twice – double taxation. The payment of grants to the parishes seeks to contribute to the costs to mitigate this. Further review of this area of spend is to be undertaken and at this time the financial forecasts assume a continued freeze on the grant.

- 7.14. **KEY ACTIONS** – The details of the 2022/23 budgets are currently being worked on. As projects that are aligned to the business themes are progressed, the associated savings/additional income will be quantified and factored into the budget and will be brought forward to members for approval as part of the setting of the 2022/23 budget.
- 7.15. The continued uncertainty on the future local government funding and the short-term nature of this funding presents a significant challenge. Whilst the budget challenge work is still to be completed looking to reduce the forecast gap for 2022/23, it is expected that a transfer from reserves in 2022/23 will still be needed. The longer term financial position does need to be critically reviewed to ensure that the budget remains achievable in the medium term.
- 7.16. **SUMMARY** - The updated position above is prior to the detailed work on the budget for 2022/23 being completed, which is currently in progress to be presented to Members in February. Work is continuing with services to identify further options to reduce the forecast gap in the short to medium term.

8. RISK AND SENSITIVITY

- 8.1. The medium-term financial planning process at a time when there continues to be spending pressures along with the lack of certainty of future funding reforms presents significant risks to the sector of Local government.
- 8.2. Many factors may impact on the financial forecast and overall financial position and these have been highlighted in the respective sections. Most significant are the potential revisions of Local Government finance policy, including review of business rates, revisions to the New Homes Bonus system and continuing pressures on income levels. It is not known what extent this would have on Great Yarmouth.
- 8.3. The continued effects the pandemic will have on the strategy cannot be underestimated. Continuing uncertainty and risk, in particular to significant areas of income such as property income, car parking fees and planning fees that are linked directly to economic demand, as well as tax income.
- 8.4. Despite the risks, the Council must continue to respond to the challenges and take a proactive approach to the economic growth and regeneration of the Borough to deliver growth to tax bases for domestic and business properties to deliver direct income. The significant investment that is underway in the borough from the Marina centre, future high streets and towns fund coupled with partner and external investment through the County Council should continue to be a medium to long term priority to support the financial position for the authority and to meet its priorities and provide the best possible services to the borough residents and businesses.
- 8.5. There is a legal requirement to set a balanced budget annually and must be set in an informed manner and may propose changes to service levels, which may require upfront investment. Alongside approval of the budget, the level of reserves and robustness of the estimates are factors that are considered in full ahead of approving the budget and the council tax for the coming year. Whilst reserves can be used to mitigate one-off funding gaps, the use of the reserves cannot be seen as a longer-term sustainable option to delivering robust budget and financial management.
- 8.6. The updated financial forecasts are dependent upon a number of key assumptions at a point in time, which are outside the control of the Council. The most significant of these are detailed below along with the sensitivities to the financial projections.
- 8.7. **EMPLOYEE COSTS** – As mentioned above the forecasts assume an annual pay award of 2%, the Council is part of a national pay agreement and as a guide for GYBC, 1% equates to approximately £90,000 annually. The base budgets allow for a turnover element from staffing costs, which equate to approximately 2% per annum.
- 8.8. **INFLATION** – The Council has a significant investment programme including the projects to be delivered through the Town Deal and Future High Streets funds along with the Wintergardens. Whilst all project budgets will include an element of contingency the increases to construction costs and the demand for materials provides further risks to the programme of delivery. The projects are closely managed, and the Council does hold a number of reserves that can be used in the short term to mitigate costs, the impact to the capital programme will be considered as part of the full budget report to be presented to members in February 2022.
- 8.9. **BUSINESS RATES GROWTH** – Within the Local Government Finance Settlement, the Business Rates Baseline funding is assumed to increase annually in line with inflation. Actual increases (or reductions) will impact the level of income retained locally. As a guide a 1% movement each year would result in approximately £50,000 additional income per annum being retained.

- 8.10. **COUNCIL TAX BASE GROWTH AND NEW HOMES BONUS** – The current budget and projections allow for one further year of NHB allocation for 2022/23. Increases in the tax base generate increases in the locally collected element of the council tax, this is also dependent upon the level of collection.
- 8.11. **REVENUE SUPPORT GRANT** – The current assumptions assume a rollover of the 2021/22 funding plus inflation, as a significant received of RSG until the outcome of the fair funding review is known this remains a risk for future funding.
- 8.12. **FUTURE FUNDING AND BUSINESS RATES** – Local Authority funding from central government continues to be under pressure with the continued shift from central government grant (from revenue support grant) to locally generated resources including retained business rates to fund the provision of local services. There are several inherent risks, which are borne locally including, the status of properties changing, for example business premises becoming empty and the impact of appeals and the resulting outcomes which can result in backdating of refunds. The Council holds an earmarked reserve which can be used to mitigate any adverse impact to the Council in the short to medium term.
- 8.13. **SAVINGS AND ADDITIONAL INCOME OPPORTUNITIES** – The Council is continuing to deliver against a programme of savings and additional income from current and previous budget decisions. Delivery of the savings at the levels budgeted along with the identification of new opportunities is vital to delivery of the overall budget and achieving a sustainable future financial position. The delivery of these savings is closely monitored by ELT and Members as part of the ongoing budget monitoring process.
- 8.14. **SERVICE DEMAND AND INCOME** – Demand led service continue to be a significant income earner for the Council, eg car parking, planning and building control. The importance of maintaining general and earmarked reserves remains essential to mitigate short term impacts of reduced income.
- 8.15. **INTEREST AND MRP** - The revenue budget takes account of the planned borrowing and financing of the current approved capital programmes. Slippage of capital schemes will impact on the level of borrowing required along with the associated financing costs. As new schemes and projects are approved the revenue implications will need to be considered as part of the options appraisal and business case.
- 8.16. **FAIR FUNDING REVIEW AND SPENDING REVIEW** – When the timescales for the fair funding review are announced these will inform the future financial forecasting for Local Government. The timing of such changes is still unclear. For planning purposes, it has been assumed that the 75% Rates Retention scheme will be implemented in 2023/24. It is currently anticipated that the change will be offset other adjustments in the funding reforms to mitigate the impact.
- 8.17. **HRA** – Maintenance of the existing housing stock remains a priority for the HRA along with the ambitions for new housing within the borough. Additional borrowing must still be able to demonstrate affordability and modelling and scenario planning will be undertaken to inform future decisions.
- 8.18. The extent to which the above factors will have an impact on the ongoing financial projections and funding gap will vary. Some will have an ongoing impact and some may be more short term. The above risks will be considered as part of the annual budget setting process.

Appendix A - General Fund Reserves Schedule		Opening Balance 01/04/21	Budgeted Movement 2021/22	Committed Expenditure 2021/22	Actual Movement (inc forecast) 2021/22	Updated Closing Balance 31/03/22	Budgeted Movement 2022/23	Updated Closing Balance 31/03/23	Budgeted Movement 2023/24	Updated Closing Balance 31/03/24	Budgeted Movement 2024/25	Updated Closing Balance 31/03/25
Summary and Purpose of Reserve		£	£	£	£	£	£	£	£	£	£	£
Planning Delivery Grant	The reserve is planned to be used to provide service improvements in Planning, and deliver the Local Development Framework.	136,389		0	0	136,389	0	136,389	0	136,389	0	136,389
Insurance Fund	The Council budgets for a level of excess being charged to the Service Accounts annually. Any under provision is met from the Insurance Fund, and any surplus is transferred to the fund.	574,290		0	(4,114)	570,176	0	570,176	0	570,176	0	570,176
DFG top-up capital loans and grant fund	The Council will utilise this funding for capital expenditure incurred in the Wellesley Rd, Sandown Rd, Euston Rd & Paget Rd areas.	400,000		(50,000)	0	350,000	(50,000)	300,000	(50,000)	250,000	(50,000)	200,000
Restricted use grant	This reserve holds unspent grants received for specific purposes for which the spend has not yet been incurred.	608,431	(3,946)	(175,965)	(37,426)	395,040	(54,000)	341,040	(40,515)	300,525	(20,000)	280,525
Invest to Save	To be used to fund one-off costs associated with projects that will deliver future efficiencies and savings including costs associated with restructures.	1,553,339		(170,681)	0	1,382,658	0	1,382,658	0	1,382,658		1,382,658
Specific budget	This reserve is utilised as expenditure is incurred.	139,327	1,563	0	1,563	140,890	(59,142)	81,748	(47,590)	34,158		34,158
Repairs and Maintenance	This reserve is utilised as expenditure is incurred.	340,788		0	(49,150)	291,638	0	291,638	0	291,638		291,638
Waste Management	This reserve is utilised as expenditure is incurred in relation to the service.	25,170	(11,375)	0	(11,375)	13,795	(11,375)	2,420	(2,420)	(0)		(0)
Collection Fund (Business Rates)	Earmarked to mitigate the fluctuations in business rate income between years.	1,976,810	(100,000)	0	(100,000)	1,876,810	0	1,876,810	0	1,876,810		1,876,810
Community Housing Fund	This represents grants previously received to assist with the delivery of Community Housing.	563,872	(30,000)	0	(30,000)	533,872	(30,000)	503,872	(30,000)	473,872	(30,000)	443,872
Enforcement	Earmarked for enforcement related works to address issues and bring properties back into use.	41,570		0	(7,500)	34,070	0	34,070	0	34,070		34,070
Special Project Reserve	Earmarked for projects and for use as matched funding as appropriate to access external funding, Includes capital and revenue projects.	836,124	(118,316)	(152,514)	(206,340)	477,270	(79,978)	397,292	(25,900)	371,392		371,392
Benefits/Revenues Reserve	This reserve is held to mitigate year on year fluctuations of investment income received.	599,025		0	0	599,025	0	599,025	0	599,025		599,025
Homelessness	To be utilised for service expenditure for the reduction in homelessness.	430,959	(164,963)	0	(164,963)	265,996	(13,905)	252,091	0	252,091		252,091
Treasury Management reserve	Earmarking of grants and underspends to be used for the service and mitigation of subsidy impacts.	300,000		0	0	300,000	0	300,000	0	300,000		300,000

Appendix A - General Fund Reserves Schedule		Opening Balance 01/04/21	Budgeted Movement 2021/22	Committed Expenditure 2021/22	Actual Movement (inc forecast) 2021/22	Updated Closing Balance 31/03/22	Budgeted Movement 2022/23	Updated Closing Balance 31/03/23	Budgeted Movement 2023/24	Updated Closing Balance 31/03/24	Budgeted Movement 2024/25	Updated Closing Balance 31/03/25
Summary and Purpose of Reserve		£	£	£	£	£	£	£	£	£	£	£
Asset Management reserve	This reserve is held to mitigate the impact of fluctuations between financial years from income received from Council assets and properties, in addition it includes re-allocation from other reserves to be used for investments in Council assets including current and future asset enhancements.	1,798,257	(257,300)	(754,379)	(257,300)	786,578	(204,753)	581,826	(204,753)	377,073		377,073
Coast Protection	Funds set aside for match funding and to mitigate one-off costs in relation to coast protection.	74,275		(34,275)	0	40,000	0	40,000	0	40,000		40,000
Empty Business Property Incentive Fund	Earmarking of funds to be used for incentivising bringing properties back into use.	100,000		0	0	100,000	0	100,000	0	100,000		100,000
Covid	This reserve is utilised as expenditure is incurred and represents the covid funding received in the final quarter of 2020/21 for which spend has not been incurred but is committed.	1,030,222		(221,687)	(808,535)	0	0	0	0	0		0
Collection fund income compensation	To be utilised to fund deficit in collection fund. Significant movement in 2020/21 reflects the collection fund adjustment account in respect of Covid to be utilised in 2021/22.	10,297,273		(10,297,273)	0	(0)	0	(0)	0	(0)		(0)
Other Reserves	These Reserves are budget carry forwards to be used in future years	2,285,470	(47,621)	(36,836)	(429,528)	1,819,106	(24,742)	1,794,364	(28,917)	1,765,447	(13,912)	1,751,535
Total GF Earmarked Reserves		24,111,590	(731,958)	(11,893,610)	(2,104,668)	10,113,312	(527,895)	9,585,417	(430,095)	9,155,323	(113,912)	9,041,411
General Fund Reserve	Current recommended balance of £3 million (as at Feb 2021)	3,713,398	(215,000)	(15,000)	(203,151)	3,495,247	0	3,495,247	0	3,495,247	0	3,495,247
Total GF Reserves		27,824,988	(946,958)	(11,908,610)	(2,307,819)	13,608,559	(527,895)	13,080,664	(430,095)	12,650,570	(113,912)	12,536,658
Excluding the Business Rates Adjustment		13,814,317		(1,596,337)	(2,104,668)	10,113,312						

Services & Projects	Updated 21/22 Budget	2021/22 Expenditure £000		21/22 Forecast Financing - £000				2022/23 Expenditure £000	22/23 Forecast Financing - £000			
		Actuals to 30-10-21	Forecast 21/22	Borrowing	Grants & Contributions	Revenue/ Earmarked Reserves	Capital Receipts	Total 2022-23 Forecast	Borrowing	Grants & Contributions	Revenue/ Earmarked Reserves	Capital Receipts
Equinox Property Holdings	500	-	-	-	-	-	-	500	500	-	-	-
CCTV Upgrade - Town Centre	76	76	76	76	-	-	-	0	-	-	-	-
Safer Streets Round 2	111	-	111	15	96	-	-	-	-	-	-	-
Safer Streets Round 3	210	-	210	-	180	30	-	-	-	-	-	-
Human Resources Job Evaluation system	21	16	21	21	-	-	-	0	-	-	-	-
Total: Executive	918	92	418	112	276	30	-	500	500	-	-	-
Childrens Playground Refurbishment	86	0	86	86	-	-	-	-	-	-	-	-
Wellesley CCTV	-	-	-	-	-	-	-	-	-	-	-	-
Wellesley Track	59	25	59	59	-	-	-	0	0	-	-	-
Total: Communities	146	26	145	145	-	-	-	0	0	-	-	-
St Nicholas Minster West Boundary Wall	95	-	95	95	-	-	-	0	-	-	-	-
St Nicholas car park north Boundary Wall	25	-	25	25	-	-	-	-	-	-	-	-
Crematorium Office Roof Works	22	-	22	22	-	-	-	0	-	-	-	-
Crematorium Main Roof Works	60	-	60	60	-	-	-	-	-	-	-	-
Crematorium Tearooms	453	3	453	453	-	-	-	0	-	-	-	-
Total: Customer Services	655	3	655	655	-	-	-	0	-	-	-	-
Health and Leisure (Marina) Centre	19,699	7,394	15,000	11,379	2,426	-	1,195	4,699	4,649	-	50	-
The Waterways	4	-	4	-	4	-	-	0	-	-	-	-
Phoenix Pool & Gym car park extension	130	-	-	-	-	-	-	130	130	-	-	-
Town Deal	1,110	1	1,110	-	1,090	20	-	12,153	1,000	11,153	-	-
Future High Street Fund	3,737	-	3,737	-	3,737	-	-	14,537	6,702	7,835	-	-
Heritage Action Zone (HAZ)	432	-	432	-	432	-	-	323	-	323	-	-
Different Light	635	156	635	-	635	-	-	0	-	-	-	-
Heritage Action Zone	25	-	25	-	25	-	-	0	-	-	-	-
Total: Inward Investment	25,772	7,551	20,943	11,379	8,349	20	1,195	31,841	12,481	19,310	50	-
Disabled Facilities Grants	2,257	396	1,000	-	1,000	-	-	1,257	-	1,175	-	82
Better Care Fund Projects	8	4	8	-	8	-	-	-	-	-	-	-
Empty Homes	510	-	250	250	-	-	-	260	232	-	-	28
DFG Top-up Grants	250	-	-	-	-	-	-	250	-	-	250	-
DFG Top-up Loans	150	-	-	-	-	-	-	150	-	-	150	-
Norfolk & Waveney Equity Loan Scheme	164	-	36	-	-	-	36	128	-	-	-	128
Equity Home Improvement Loans	631	-	50	-	-	-	50	581	-	-	-	581
HMOs /Guesthouse Purchase & Repair Scheme	1,239	32	1,000	1,000	-	-	-	239	239	-	-	-
Housing First Scheme (*)	341	-	341	341	-	-	-	-	-	-	-	-
Acquisition of property for transitional housing (*)	847	44	207	207	-	-	-	640	574	-	-	65
Community Housing Fund Loans	540	-	100	-	-	100	-	440	-	-	440	-
Total: Housing	6,937	476	2,992	1,798	1,008	100	86	3,945	1,045	1,175	840	884
ICT Investment to deliver GYBC ICT Strategy	1,430	322	750	750	-	-	-	680	650	-	30	-
Total: IT, Communications & Marketing	1,430	322	750	750	-	-	-	680	650	-	30	-

Services & Projects	Updated 21/22 Budget	2021/22 Expenditure £000		21/22 Forecast Financing - £000				2022/23 Expenditure £000	22/23 Forecast Financing - £000			
		Actuals to 30-10-21	Forecast 21/22	Borrowing	Grants & Contributions	Revenue/ Earmarked Reserves	Capital Receipts	Total 2022-23 Forecast	Borrowing	Grants & Contributions	Revenue/ Earmarked Reserves	Capital Receipts
Public Toilet Refurbishment Programme	45	46	46	46	-	-	-	-	-	-	-	-
Footway Lighting	511	41	380	380	-	-	-	231	231	-	-	-
External Redecoration & Repair of the Wellesley Grandstand	74	-	74	74	-	-	-	-	-	-	-	-
Esplanade Resurfacing	246	-	150	150	-	-	-	96	96	-	-	-
Phoenix Pool car park soakaway	40	1	40	40	-	-	-	-	-	-	-	-
Beach Huts	209	93	209	-	-	-	209	0	-	-	-	-
Council Chamber relocation	153	-	153	153	-	-	-	0	-	-	-	-
Claydon Pavilion	393	-	393	10	363	20	-	0	-	-	-	-
Replacement Lighting in the Assembly Rooms	25	-	-	-	-	-	-	25	25	-	-	-
Beacon Park Projects	500	-	100	100	-	-	-	400	280	120	-	-
Market Place Redevelopment	4,102	1,099	3,800	950	2,850	-	-	302	302	-	-	-
North Quay Redevelopment	2,351	-	500	500	-	-	-	1,851	1,851	-	-	-
Winter Gardens	1,080	-	-	-	-	-	-	1,080	864	-	215	-
Energy Park - South Denes	1,845	-	100	100	-	-	-	1,745	1,745	-	-	-
Total: Property & Asset Management	11,573	1,280	5,945	2,503	3,213	20	209	5,729	5,394	120	215	-
Noise Meter Replacement	11	10	11	11	-	-	-	0	-	-	-	-
Mobile CCTV	15	-	15	15	-	-	-	-	-	-	-	-
Total: Environmental Health	26	10	26	26	-	-	-	0	-	-	-	-
Overall Total	47,455	9,760	31,874	17,368	12,846	170	1,490	42,695	20,070	20,606	1,135	884

* borrowing only released on confirmation of Homes England funding

Capital Strategy 2021/22

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CAPITAL STRATEGY 2021/22

1. INTRODUCTION

- 1.1. This capital strategy report gives a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of local public services along with an overview of how associated risk is managed and the implications for future financial sustainability. It has been written in an accessible style to enhance members' understanding of these sometimes technical areas.
- 1.2. Decisions made this year on capital and treasury management will have financial consequences for the Authority for many years into the future. They are therefore subject to both a national regulatory framework and to local policy framework, summarised in this report.

2. CAPITAL EXPENDITURE AND FINANCING

- 2.1. Capital expenditure is where the Authority spends money on assets, such as property or vehicles, that will be used for more than one year. In local government this includes spending on assets owned by other bodies, and loans and grants to other bodies enabling them to buy assets. The Authority has some limited discretion on what counts as capital expenditure, for example assets costing below £10,000 are not capitalised and are charged to revenue in year. Further details of the capital accounting policies of the Council are provided as part of the Statement of Accounts which are available at <https://www.great-yarmouth.gov.uk/article/2466/Budgets-and-spending>
- 2.2. In 2021/22, the Authority is planning capital expenditure of £35.86m as summarised below:

Table 1: Prudential Indicator: Estimates of Capital Expenditure in £ millions

	2019/20 actual	2020/21 forecast	2021/22 budget	2022/23 budget	2023/24 budget
General Fund services	4.80	10.53	22.93	11.80	3.82
Council housing (HRA)	13.30	12.71	12.43	9.31	10.93
Capital investments	1.10	0.00	0.50	0.00	0.00
TOTAL	19.20	23.24	35.86	21.11	14.75

- 2.3. The main General Fund capital projects include:
 - The new Health & Leisure Centre £26m over 4 years (2019/20 to 2022/23)
 - Share purchase in Council's company, Equinox Property Holdings
 - North Quay Redevelopment £2.4m
 - Market Redevelopment £4.5m.
- 2.4. The Council has developed Town Deal and Future High Street Funding proposals looking to regenerate the Great Yarmouth town centre which incorporates the North Quay and market redevelopment projects which are already in progress. Initial funding has been confirmed but the final details on costs, plans and timing of the projects within the funding envelope available have not been finalised at this time. The schemes projects have an estimated funding of £34m

(from Future High Streets and Town Deal) at this time. Only the details for the projects in progress are included within the detail of this report. The capital programme will be updated during the year as these projects develop. The Authority also plans to incur £0.5m of capital expenditure on investments, which are detailed later in this report in Table 1.

- 2.5. The Housing Revenue Account (HRA) is a ring-fenced account which ensures that council housing does not subsidise, or is itself subsidised, by other local services. HRA capital expenditure is therefore recorded separately and includes the building and acquisition of new homes over the forecast period to replace sales under Right to Buy in line with government guidance. Programmed capital expenditure is also driven to maintaining and improve the overall stock currently held by the HRA, this is prepared over the medium term and reviewed and updated annually.
- 2.6. Capital investments include loans and shares made for service purposes and property to be held primarily for financial return in line with the definition in the *CIPFA Treasury Management Code*.
- 2.7. **Governance:** Heads of Service bid annually in October to include projects in the Council's capital programme. Bids are collated by finance who calculate the financing cost (which can be nil if the project is fully externally financed). The Council's Executive Leadership Team appraises all bids based on a comparison of service priorities against financing costs and identifies projects to be put forwards as part of the annual budget setting and those that will be considered separately via a subsequent business case. The final capital programme is then presented to the Policy and Resources Committee and Council in February each year as part of the approval of the budget for the coming financial year.
- 2.8. For full details of the Authority's capital programme, including the project appraisals undertaken, see: <https://www.great-yarmouth.gov.uk/article/2466/Budgets-and-spending>.
- 2.9. It should be noted that other capital projects may be brought forward during the financial year as business cases which are initially appraised by Executive Leadership Team before being passed for approval to the Policy and Resource Committee. Those capital projects costing over £100,000 would then go onto to Council for final approval. The business cases put forward to Executive Leadership Team have been considered for affordability by Finance and, if relating to an IT project, the IT Investment Group.
- 2.10. All capital expenditure must be financed, either from external sources (government grants and other contributions), the Authority's own resources (revenue, reserves and capital receipts) or debt (borrowing, leasing and Private Finance Initiative). The planned financing of the above expenditure is as follows:

Table 2: Capital financing in £ millions

General Fund	2019/20 actual	2020/21 forecast	2021/22 budget	2022/23 budget	2023/24 budget
External sources	1.30	1.68	6.54	2.45	1.20
Own resources	0.30	0.17	0.53	0.40	0.73
Debt	4.30	8.68	16.36	8.95	1.90
Total	5.90	10.53	22.43	11.80	3.82

Housing Revenue Account	2019/20 actual	2020/21 forecast	2021/22 budget	2022/23 budget	2023/24 budget
External sources	0.00	0.10	0.10	0.10	0.10
Own resources	10.40	8.81	8.23	7.11	6.83
Debt	2.90	3.80	4.10	2.10	4.00
Total	13.30	12.71	12.43	9.31	10.93
TOTAL	19.20	23.24	35.86	21.11	14.75

2.11. Debt is only a temporary source of finance, since loans and leases must be repaid, and this is therefore replaced over time by other financing, usually from revenue which is known as minimum revenue provision (MRP). Alternatively, proceeds from selling capital assets (known as capital receipts) may be used to replace debt finance. Planned MRP and use of capital receipts are as follows:

Table 3: Replacement of debt finance in £ millions

	2019/20 actual	2020/21 forecast	2021/22 budget	2022/23 budget	2023/24 budget
Own resources	1.25	1.41	1.56	1.83	2.64

2.12. The Authority's full minimum revenue provision statement is available here as part of the budget for the year: <https://www.great-yarmouth.gov.uk/article/2466/Budgets-and-spending>

2.13. The Authority's cumulative outstanding amount of debt finance is measured by the capital financing requirement (CFR). This increases with new debt-financed capital expenditure and reduces with MRP and capital receipts used to replace debt. The CFR is expected to £18.8m during 2021/22. Based on the above figures for expenditure and financing, the Authority's estimated CFR is as follows:

Table 4: Prudential Indicator: Estimates of Capital Financing Requirement in £ millions

	31.3.2020 actual	31.3.2021 forecast	31.3.2022 budget	31.3.2023 budget	31.3.2024 budget
General Fund services	56.0	64.5	78.6	86.3	85.6
Council housing (HRA)	85.0	88.7	92.9	95.0	99.0
Capital investments	1.1	0.0	0.5	0.0	0.0
TOTAL CFR	142.1	153.2	172.0	181.3	184.6

2.14. **Asset management:** To ensure that capital assets continue to be of long-term use, the Authority has an asset management strategy in place. The primary aim of the asset management strategy is to support the corporate priorities, achieve service requirements and comply with statutory

duties by setting out the vision to improve the management and utilisation of the Council's land and buildings. The strategy provides the basis for developing a more robust and integrated approach to asset management across the Council.

- 2.15. The asset management strategy promotes collaboration and visibility of resources as well as embedding a culture of scrutiny that will challenge the use, effectiveness and retention of the land and building assets of the council. The strategy outlines the vision and long-term approach to improve the recognition, management and utilisation of land and buildings.
- 2.16. The Council's asset management strategy can be found here: [Corporate Asset Management Strategy 2018-2022](#)
- 2.17. **Asset Management Working group:** The purpose of the group is to monitor and manage asset projects for the Council. The group meets on a monthly basis. The group undertakes to review assets in relation to opportunities, developments and disposal ensuring the assets of the Council are used to the best effect. Any recommendations from the group are then formulated into report or business cases for the Consideration by the Executive Leadership team and then by the appropriate Committee.
- 2.18. **Asset disposals:** When a capital asset is no longer needed, it may be sold so that the proceeds, known as capital receipts, can be spent on new assets or to repay debt. The Authority is currently also permitted to spend capital receipts on service transformation projects until 2022/23. Repayments of capital grants, loans and investments also generate capital receipts. The Authority plans to receive £4.2m of capital receipts in the coming financial year as follows:

Table 5: Capital receipts receivable in £ millions

	2019/20 actual	2020/21 forecast	2021/22 budget	2022/23 budget	2023/24 budget
General Fund Asset sales	0.2	0.1	1.9	0.1	0.1
General Fund Loans etc repaid	0.1	0.1	0.1	0.1	0.1
Housing revenue Account Asset sales	1.6	1.9	2.2	1.7	2.3
TOTAL	1.9	2.1	4.2	1.9	2.5

3. TREASURY MANAGEMENT

- 3.1. Treasury management is concerned with keeping sufficient but not excessive cash available to meet the Authority's spending needs, while managing the risks involved. Surplus cash is invested until required, while a shortage of cash will be met by borrowing, to avoid excessive credit balances or overdrafts in the bank current account. The Authority is typically cash rich in the short-term as revenue income is received before it is spent, but cash poor in the long-term as capital expenditure is incurred before being financed. The revenue cash surpluses are offset against capital cash shortfalls to reduce overall borrowing.

- 3.2. Due to decisions taken in the past in relation to capital and financing decisions with the General Fund and the Housing Revenue Account, the Council currently has £137.2m borrowing at an average interest rates between 0.05% to 4.4% of and £36.9m treasury investments at an average rate of 0.38%.
- 3.3. **Borrowing strategy:** The Authority's main objectives when borrowing are to achieve a low but certain cost of finance while retaining flexibility should plans change in future. These objectives are often conflicting, and the Authority therefore seeks to strike a balance between cheap short-term loans (currently available at around 0.05% to 1.45%) and long-term fixed rate loans where the future cost is known but higher (currently 3.15 to 4.44%).
- 3.4. Projected levels of the Authority's total outstanding debt (which comprises borrowing, leases and transferred from local government reorganisation) are shown below, compared with the capital financing requirement (see above).

Table 6: Prudential Indicator: Gross Debt and the Capital Financing Requirement in £ millions

	31.3.2020 actual	31.3.2021 forecast	31.3.2022 budget	31.3.2023 budget	31.3.2024 budget
Debt (incl. leases)	285.0	248.2	163.9	129.5	93.4
Capital Financing Requirement	142.2	153.2	172.2	181.4	184.6

- 3.5. Statutory guidance is that debt should remain below the capital financing requirement, except in the short-term. As can be seen from table 6, the Authority expects to comply with this in the medium term.
- 3.6. **Liability benchmark:** To compare the Authority's actual borrowing against an alternative strategy, a liability benchmark has been calculated showing the lowest risk level of borrowing. This assumes that cash and investment balances are kept to a minimum level of £12m at each year-end plus any plans the Council has for any longer-term investments. This benchmark is currently £173.0m and is forecast to fall to £36m over the next three years.

Table 7: Borrowing and the Liability Benchmark in £ millions

	31.3.2020 actual	31.3.2021 forecast	31.3.2022 budget	31.3.2023 budget	31.3.2024 budget
Outstanding borrowing	£119.0	£134.2	£82.6	£82.6	£82.4
Liability benchmark	£157.1	£173.0	£49.0	£38.8	£36.0

- 3.7. The table shows that the Authority expects to remain borrowed above its liability benchmark. This is because cash outflows to date have been below the assumptions made when the loans were borrowed.
- 3.8. **Affordable borrowing limit:** The Authority is legally obliged to set an affordable borrowing limit (also termed the authorised limit for external debt) each year. In line with statutory guidance, a lower "operational boundary" is also set as a warning level should debt approach the limit.

- 3.9. These affordable borrowing limits and operational boundaries and further details on borrowing are included within the treasury management strategy at: <https://www.great-yarmouth.gov.uk/policies>
- 3.10. **Treasury investment strategy:** Treasury investments arise from receiving cash before it is paid out again. Investments made for service reasons or for pure financial gain are not generally considered to be part of treasury management.
- 3.11. The Authority's policy on treasury investments is to prioritise security and liquidity over yield, that is to focus on minimising risk rather than maximising returns. Cash that is likely to be spent in the near term is invested securely, for example with the government, other local authorities or selected high-quality banks, to minimise the risk of loss. Money that will be held for longer terms is invested more widely, including in bonds, shares and property, to balance the risk of loss against the risk of receiving returns below inflation. Both near-term and longer-term investments may be held in pooled funds, where an external fund manager makes decisions on which investments to buy and the Authority may request its money back at short notice.

Table 8: Treasury management investments in £millions

	31.3.2020 actual	31.3.2021 forecast	31.3.2022 budget	31.3.2023 budget	31.3.2024 budget
Near-term investments	11.3	12.00	12.00	12.00	12.00
Longer-term investments	3.11	3.22	3.72	3.72	3.72
TOTAL	14.42	15.22	15.72	15.72	15.72

- 3.12. Further details on treasury investments are in the treasury management strategy <https://www.great-yarmouth.gov.uk/policies>.
- 3.13. The near-term investment balance incorporates the £10m investment balance that needs to be held to ensure the Council maintains its professional client status under the Markets in Financial Instruments Directive (MiFID II) requirements.
- 3.14. **Risk management:** The effective management and control of risk are prime objectives of the Authority's treasury management activities. The treasury management strategy therefore sets out various indicators and limits to constrain the risk of unexpected losses and details the extent to which financial derivatives may be used to manage treasury risks.
- 3.15. **Governance:** Decisions on treasury management investment and borrowing are made daily and are therefore delegated to the Section 151 Officer and staff, who must act in line with the treasury management strategy approved by Council. The Section 151 Officer assesses our investment levels to ensure we retain our status as a professional client under MiFID II in order to provide security of capital, access to better investment returns and borrowing rates.
- 3.16. Bi-annual reports on treasury management activity are presented to Policy and Resource Committee. The Policy and Resource Committee is responsible for scrutinising treasury management decisions.

4. INVESTMENTS FOR SERVICE PURPOSES

- 4.1. The Council makes investments by providing discretionary loans to local charities and home improvement loans.
- 4.2. Details of the Council's discretionary Home Improvement loans are given with the Private Sector Housing Adaptation and Improvement (2019) policy which is available at [Private Sector Housing Adaptation and Improvement \(2019\) policy](#)
- 4.3. Home Improvement loans made are equity loan agreements, so the Council obtains a share of the equity of the borrower's home as collateral. This reduces the risk of the Council not recovering the loan amount from the borrower.
- 4.4. Discretionary loans to charities are decided by the Policy and Resources Committee if the spend is below £100,000 or Council if over this amount. These loans incur interest charges which are set at a market rate to reflect the costs and the level of risks. These loans are equity loans to again to reduce the risk of a borrower defaulting on payment in line with the loan agreement.
- 4.5. Total investments for service purposes are currently valued at £3.3m with the largest being the loans to Great Yarmouth Preservation Trust totalling £0.7m providing a net return after all costs of in the region of 3.6%.

5. COMMERCIAL ACTIVITIES

- 5.1. Through its significant asset base, the Council has invested historically in commercial property for financial gain and to support regeneration and lends to its subsidiaries Equinox Enterprise Limited and Equinox Property Holdings Limited for the same reason as well as the wider benefits to the borough. Total commercial property investments are currently valued at £50.7m which provide a net return after all direct costs of £2.6m (as reported in the 2019/20 Statement of Accounts Note 15).
- 5.2. With central government financial support for local public services declining, this is an area that is included in the Councils current business strategy as an opportunity to mitigate reductions in funding at the same time as support the wider regeneration within the borough.
- 5.3. With financial return being one of the main objectives, the Council can accept a higher risk on commercial investment than with treasury investments. The principal risk exposures include:
 - vacancies;
 - fall in capital value;
 - lessee not complying with repairs and maintenance terms of lease agreement;
 - changes in demand for property types (e.g. offices, industrial)
- 5.4. These risks are managed by the Councils Property and Asset Management service and finance.
- 5.5. **Governance:** Decisions on commercial investments are made following consideration of robust business cases for approval in line with the current decision-making governance arrangements. Property and most other commercial investments are also capital expenditure and purchases will therefore also be approved as part of the capital programme.
- 5.6. The Authority also has commercial activities in its subsidiary companies Equinox Enterprises Limited (EEL) and Equinox Property Holdings Limited (EPH). The companies aim is to increase, regenerate and improve the standard of housing across the borough. The Council receives a margin of earned debt interest from the loan facilities with EPH and EEL. All loans for EPH are secured against the properties purchased by the company. The Council will also receive a return on equity invested which reflects profits back from the company's operation of property sales

and market rental income from housing acquired. This return is through dividends paid to the Council once profits and reserves of the companies allows. For EEL a dividend payment is due in 2021/22, and this has been recognised in the revenue budget for 2021/22 at £0.6m.

- 5.7. Both Equinox companies regularly review risk using Corporate and Project Risk Registers. The company boards hold bi-monthly meetings throughout the financial year.
- 5.8. Equinox Enterprises Limited and Equinox Property Holdings Limited are required to agree their respective Business Plans annually. They also provide the Council as shareholder's quarterly update reports as presented to the Policy & Resources Committee.

6. LIABILITIES

- 6.1. In addition to debt of £163.9m detailed above, the Authority is committed to making future payments to cover its pension fund deficit (valued at £61.2m). It has also set aside £1.9m to cover risks of Non-domestic Rate appeals (as at 31st March 2020). The Council currently has no contingent liabilities.
- 6.2. **Governance:** Decisions on incurring new discretionary liabilities are taken by Head of Service in consultation with the S151 Officer. The risk of liabilities crystallising and requiring payment is monitored by Finance and where significant would be reported as part of budget monitoring reports present quarterly to Policy and Resource Committee, if relating to General Fund, and Housing and Neighbourhoods Committee if in relation to the Housing Revenue Account. New liabilities exceeding £1m are reported to full council for approval/notification as appropriate.
- 6.3. Further details on liabilities and guarantees are included within the 2019/20 statement of accounts at <https://www.great-yarmouth.gov.uk/article/2466/Budgets-and-spending>

7. REVENUE BUDGET IMPLICATIONS

- 7.1. Although capital expenditure is not charged directly to the revenue budget, interest payable on loans and MRP are charged to revenue, offset by any investment income receivable. The net annual charge is known as financing costs; this is compared to the net revenue stream i.e. the amount funded from Council Tax, business rates and general government grants.

Table 9: Prudential Indicator: Proportion of financing costs to net revenue stream

	2019/20 actual	2020/21 forecast	2021/22 budget	2022/23 budget	2023/24 budget
Financing costs (£m)	2.0	2.7	2.8	2.7	3.5
Proportion of net revenue stream	16.4%	20.9%	22.7%	23.3%	28.4%

- 7.2. Further details on the revenue implications of capital expenditure are included in the 2021/22 revenue budget at <https://www.great-yarmouth.gov.uk/article/2466/Budgets-and-spending>
- 7.3. **Sustainability:** Due to the very long-term nature of capital expenditure and financing, the revenue budget implications of expenditure incurred in the next few years will extend for up to 50 years into the future. The Section 151 Officer is satisfied that the proposed capital programme is prudent, affordable and sustainable because current and new capital funding decisions have been made in the context of the associated revenue implications.

8. KNOWLEDGE AND SKILLS

- 8.1. The Council employs professionally qualified and experienced staff in senior positions with responsibility for making capital expenditure, borrowing and investment decisions. For example, the Section 151 Officer is a qualified accountant with over 15 years' experience and the Finance Manager is a qualified accountant with over 10 years' experience. The Councils' Property and Asset Management team includes 3 Charter Surveyors (MRICS) who are also registered valuers each with over 10 years' experience. The Council pays for relevant staff to study towards relevant professional qualifications including MRICS, ACCA and AAT.
- 8.2. Where Council staff do not have the knowledge and skills required, use is made of external advisers and consultants that are specialists in their field. The Council currently employs Arlingclose Limited as treasury management advisers and PS Tax as VAT and tax advisors. This approach is more cost effective than employing such staff directly and ensures that the Council has access to knowledge and skills commensurate with its risk appetite.

Investment Strategy Statement 2021/22

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INVESTMENT STRATEGY 2021/22

1. INTRODUCTION

- 1.1 The Authority invests its money for three broad purposes:
- because it has surplus cash as a result of its day-to-day activities, for example when income is received in advance of expenditure (known as treasury management investments),
 - to support local public services by lending to or buying shares in other organisations (service investments), and
 - to earn investment income (known as commercial investments where this is the main purpose).
- 1.2 This investment strategy meets the requirements of statutory guidance issued by the government in January 2018 and focuses on the second and third of these categories.

2. TREASURY MANAGEMENT INVESTMENTS

- 2.1 The Authority typically receives its income in cash (e.g. from taxes and grants) before it pays for its expenditure in cash (e.g. through payroll and invoices). It also holds reserves for future expenditure and collects local taxes on behalf of other local authorities and central government. These activities, plus the timing of borrowing decisions, lead to a cash surplus which is invested in accordance with guidance from the Chartered Institute of Public Finance and Accountancy. The balance of treasury management investments is expected to fluctuate during 2021/22, with an average investment of £21m anticipated for the financial year.
- 2.2 **Contribution:** The contribution that these investments make to the objectives of the Authority is to support effective treasury management activities.
- 2.3 **Further details:** Full details of the Authority's policies and its plan for 2021/22 for treasury management investments are covered in a separate document, the treasury management strategy, available here: <https://www.great-yarmouth.gov.uk/policies>

3. SERVICE INVESTMENT LOANS

- 3.1 **Contribution:** The Council lends money to its subsidiaries (Equinox Enterprises Limited and also once it is operational Equinox Property Holdings), local charities, local businesses, and local residents (in the form of home improvement loans), to support local public services and stimulate local economic growth.
- 3.2 The loans made to Equinox Enterprises Limited and when established Equinox Property Holdings, as the subsidiaries of the Council, form part of investment in the company to provide an initial cash injection to enable the company to become established. The purpose of Equinox Enterprises Limited is to develop housing for sale (including affordable homes) and the purpose of Equinox Property Holdings is to provide quality rental housing in the borough. This supports the Council's objective within the Corporate Plan 2020-2025 to provide a mix of attractive good quality housing for all sectors of the workforce and community that is fit for purpose for all and meet both the borough's existing and future needs.
- 3.3 Discretionary loans are granted to local charities and businesses, this will be following a decision by the Policy and Resources Committee and /or Council as applicable. In line with the Corporate Plan 2020-2025 these loans are granted to support the local charities and businesses that assist in improving the communities and facilities in the borough. The rates for service loans will be set at appropriate rates that reflect counterparty risks and duration.
- 3.4 The Council has a responsibility to address private sector housing that is in poor condition or needs adaptations to meet the needs of those with disabilities. The Council also has an

objective within the Corporate Plan 2020-2025 to provide help early, when people need public health and care, to prevent avoidable problems and to help more people to help themselves as well as tackling challenges within communities. Home improvement loans help residents to redress housing issues that impact on their health. The home improvement loans are made from a recycling pot following repayment of loans made as part of prior year capital programme allocations.

- 3.5 **Security:** The main risk when making service loans is that the borrower will be unable to repay the principal lent and/or the interest due. In order to limit this risk, and ensure that total exposure to service loans remains proportionate to the size of the Authority, upper limits on the outstanding loans to each category of borrower have been set as follows:

Table 1: Loans for service purposes in £ millions

Category of borrower			31/3/20 Actuals	2021/22
	Balance owing	Loss allowance	Net figure in accounts	Approved Limit
Subsidiaries: Equinox Enterprises Limited and Equinox Property Holdings	6.2	0.00	6.2	7.00
Local charities	0.40	0.0	0.40	1.00
Local Businesses	0.00	0.00	0.00	1.00
Local residents (Home Improvement Loans)	2.51	0.02	2.48	3.00
TOTAL	9.11	0.02	9.08	10.00

*loans, except for those to local residents, granted in 2021/22 will be subject to Council/Committee approval during the year.

- 3.6 Accounting standards require the Authority to set aside loss allowance for loans, reflecting the likelihood of non-payment. The figures for loans in the Authority's statement of accounts are shown net of this loss allowance. However, the Authority makes every reasonable effort to collect the full sum lent and has appropriate credit control arrangements in place to recover overdue repayments. It should be noted that both the loans to local charities and local residents are equity loan agreements, so the Council obtains a share of the equity of the borrower's property as collateral. This reduces the risk of the Council not recovering the loan amount from the borrower and occasionally generates a small surplus depending on the agreement type used. On occasions where a loan to a local business would clearly meet the service objectives of the council, loans would be given on market terms. These loans will be made with due attention to the risk to the council, and the rate of interest charged on the loan will be commensurate with the security provided, the duration of the loan and the risk of default (i.e. non-repayment).
- 3.7 **Risk assessment:** The Authority assesses the risk of loss before entering, and whilst holding service loans by undertaking due diligence proportionate to the level of the loan being granted to mitigate as far as possible any risks of non-recovery. This will also include taking external advice as applicable, such as discussion with NP Law as part of the loan agreement process.

4. SERVICE INVESTMENTS: SHARES

- 4.1 **Contribution:** The Council has shares in Equinox Enterprises Limited and will have shares in Equinox Property Holdings when it is established in 2021/22 as its subsidiaries. The Council invests in its subsidiaries to enable them to develop affordable and quality housing within the borough and with the aim of them providing a return on the investment.
- 4.2 **Security:** One of the risks of investing in shares is that they fall in value meaning that the initial outlay may not be recovered. In order to limit this risk, upper limits on the sum invested in each category of shares have been set as follows:

Table 2: Shares held for service purposes in £ millions

	31/3/20		Actuals	2021/22
Category of company	Amounts invested	Gains or losses	Value in accounts	Approved Limit
Equinox Enterprises Limited (Subsidiary)	2.23	0.00	2.23	2.50
Equinox Property Holdings (Subsidiary)	0.00	0.00	0.00	0.50

- 4.3 **Risk assessment:** The Authority assesses the risk of loss before entering into and whilst holding shares by undertaking the appropriate due diligence. As further contracts and opportunities are considered, the company's performance will inform the risk assessment.
- 4.4 **Liquidity:** Any new investment proposal will be considered for approval via the appropriate decision-making route in line with the council's Constitution.
- 4.5 **Non-specified Investments:** Shares are the only investment type that the Authority has identified that meets the definition of a non-specified investment in the government guidance. The limits above on share investments are therefore also the Authority's upper limits on non-specified investments. The Authority has not adopted any procedures for determining further categories of non-specified investment since none are likely to meet the definition.

5. COMMERCIAL INVESTMENTS: PROPERTY

- 5.1 **Contribution:** The council owns a varied portfolio of commercial properties including seafront concessions, warehouses, workshops, offices and industrial units across the borough. These form a significant element of the council's asset management plan which is available here: <https://www.great-yarmouth.gov.uk/article/3222/Plans-and-performance>

Table 3: Property held for investment purposes in £ millions

Property	31/3/20	Actual	31/3/21	Expected
	Gains or (losses)	Value in accounts	Gains or (losses)	Value in accounts
Offices	(0.21)	5.72	0.00	5.72
Corporate Estates	2.58	39.80	0.20	40.00
Seafront Concessions	(0.08)	4.63	0.00	4.63

Market	(0.26)	0.56	0.00	0.56
TOTAL	2.03	50.71	0.20	50.91

5.2 **Security:** In accordance with government guidance, the Authority considers a property investment to be secure if its accounting valuation is at or higher than its purchase cost including taxes and transaction costs.

5.3 A fair value assessment of the Authority's investment property portfolio has been made within the past twelve months, and the underlying assets provide security for capital investment. Should the 2020/21 year end accounts preparation and audit process value these properties below their purchase cost, then an updated investment strategy will be presented to full council detailing the impact of the loss on the security of investments and any revenue consequences arising therefrom.

5.4 **Risk assessment:** The Council's internal Property and Asset Management team includes members of the Royal Institution of Chartered Surveyors (MRICS) and they assess the risk of loss before entering into and whilst holding property investments. They do this in a number of ways including engaging external advisors, agents and reference to quality financial/property press when required. In doing this they assess the market that the investment will be competing in, the nature and level of competition, along with expectations on how the market/customer needs will evolve over time, barriers to entry and exit and any ongoing investment requirements. The strategic objectives of the Commercial Investment Strategy are designed to mitigate risk by:

- The Council's fundamental aim of an income rather than capital return (although the latter is part of the strategy).
- Adopting a portfolio approach to avoid concentration of risk in any one property, tenant or risk type.

Currently the Council has not invested in commercial properties outside of the borough. If the Council were to invest elsewhere then risk assessments would be extended to national advice and any other relevant specialist advice dependent on the type of property to be acquired.

5.5 **Liquidity:** Compared with other investment types, property is relatively difficult to sell and convert to cash at short notice and can take a considerable period to sell in certain market conditions. To ensure that the invested funds can be accessed when they are needed, for example to repay capital borrowed, the Authority do not rely on capital receipts to finance the capital programme. Any capital receipts received will be used to reduce the borrowing requirement within the financial year they are received.

6. LOAN COMMITMENTS AND FINANCIAL GUARANTEES

6.1 Although not strictly counted as investments, since no money has exchanged hands yet, loan commitments and financial guarantees carry similar risks to the Authority and are included here for completeness.

6.2 The Authority has committed to make up to £7.0m of loans to its subsidiaries, Equinox Enterprise Limited and Equinox Property Holdings if required. The Council does not have any financial guarantees, nor does it intend to make any.

7. PROPORTIONALITY

- 7.1 The Authority achieves a balanced revenue budget incorporating surpluses generated from investment activity. Table 4 below shows the extent to which the expenditure planned to meet the service delivery objectives and/or the level that the Authority is dependent on achieving the expected net profit from investments over the lifecycle of the Medium-Term Financial Plan. Should it fail to achieve the expected net profit, the Authority's contingency plans for continuing to provide these services would be to undertake further review of the delivery and potential savings or to use reserves in the short-term.

Table 4: Proportionality of Investments

	2019/20 Actual	2020/21 Forecast	2021/22 Budget	2022/23 Budget	2023/24 Budget
Gross service expenditure	68.72	68.74	70.58	71.00	71.00
Investment income	3.16	1.87	2.55	2.08	2.08
Proportion	4.6%	2.7%	3.6%	2.9%	2.9%

8. BORROWING IN ADVANCE OF NEED

- 8.1 Government guidance is that local authorities must not borrow more than or in advance of their needs purely in order to profit from the investment of the extra sums borrowed. The Authority would not follow this guidance if it was financial advantageous and only after undertaking due diligence to consider risks involved. Currently the Council has not borrowed in advance of need.

9. CAPACITY, SKILLS AND CULTURE

- 9.1 **Elected members:** Elected members are provided with annual investment training by our external advisors, Arlingclose. The Treasury Management Strategy and the Mid-year Treasury Management Strategy are presented to members during the financial year and should any queries arise these would be responded to by officers or advisors as applicable.
- 9.2 **Statutory officers:** Regular meetings are held throughout the year with our external advisors, Arlingclose. Officers working on a daily basis with investment decisions attend courses offered by both Arlingclose and CIPFA throughout the year. Arlingclose provide daily updates of changes in the market as well as providing staff with a contact for queries that arise.
- 9.3 **Commercial deals:** Commercial proposals would be subject to a robust business case and decision making process, including consideration by officer groups ahead of approval via the appropriate decision-making process, ie to Policy and Resources Committee and/or Council. Where applicable the Council would seek to engage external professional advisors, for example financial, property and legal advice as applicable.
- 9.4 **Corporate governance:** The Asset Working Group consider initial property investment decisions. The group is made up of both finance and property and asset management officers who consider initial investment opportunities and obtain regular progress reports on any investment taken forward.
- 9.5 Business cases are completed for property investments, including undertaking due diligence and considering risks, and these form the basis for reports presented to the Policy and Resources Committee for approval.
- 9.6 Other investment decisions are based on the Treasury Management Strategy, with any changes reported for approval as required to Policy and Resources Committee.

10. INVESTMENT INDICATORS

- 10.1 The Authority has set the following quantitative indicators to allow elected members and the public to assess the Authority's total risk exposure as a result of its investment decisions.
- 10.2 Total risk exposure: The first indicator shows the Authority's total exposure to potential investment losses. This includes amounts the Authority is contractually committed to lend but have yet to be drawn down and guarantees the Authority has issued over third-party loans.

Table 5: Total investment exposure in £millions

Total investment exposure	31.03.2020 Actual	31.03.2021 Forecast	31.03.2022 Forecast
Treasury management investments	12.20	13.00	13.00
Service investments: Loans	9.08	11.00	11.00
Service investments: Shares	2.23	2.23	2.72
Commercial investments: Property*	50.71	50.91	51.00
TOTAL INVESTMENTS	74.22	77.14	77.72
Commitments to lend	0.00	0.00	0.00
TOTAL EXPOSURE	74.22	77.14	77.72

* Through its significant asset base, the Council has invested historically in commercial property for financial gain and to support regeneration.

- 10.3 **How investments are funded:** Government guidance is that these indicators should include how investments are funded. Since the Authority does not normally associate particular assets with particular liabilities, this guidance is difficult to comply with. However, the following investments could be described as being funded by borrowing. The remainder of the Authority's investments are funded by usable reserves and income received in advance of expenditure.

Table 6: Investments funded by borrowing in £millions

Investments funded by borrowing	31.03.2020 Actual	31.03.2021 Forecast	31.03.2022 Forecast
Treasury management investments	0.00	0.00	0.00
Service investments: Loans	0.00	0.34	0.33
Service investments: Shares	2.23	2.23	2.73
Commercial investments: Property *	15.75	15.61	15.46
TOTAL FUNDED BY BORROWING	17.98	18.18	18.52

* Commercial Investments - The majority of the asset portfolio that relates to commercial investment properties are historic assets which the Council own or has an interest in for which it is not possible to quantify the level of funding by borrowing. The figures quoted relate to the investments made since 2008/09

- 10.4 **Rate of return received:** This indicator shows the investment income received less the associated costs, including the cost of borrowing where appropriate, as a proportion of the sum initially invested. Note that due to the complex local government accounting framework, not all recorded gains and losses affect the revenue account in the year they are incurred.

Table 7: Investment rate of return (net of all costs)

Investments net rate of return	2019/20 Actual	2020/21 Forecast	2021/22 Forecast
Treasury management investments	1.77%	0.51%	0.35%
Service investments: Loans	5.77%	3.41%	0.16%
Service investments: Shares	N/A	N/A	14.06%
Commercial investments: Property	4.52%	2.72%	3.33%
ALL INVESTMENTS	12.07%	6.64%	17.89%

- 10.5 The treasury management investments returns above reflect the current low interest rates that are expected to continue in the short to medium term. The fall seen in the loan return in the table reflects the repayment of the £6.2m loan to Equinox Enterprises Limited during 2020/21. Equinox Enterprises Limited are expected to pay the first dividend on the Authority's shares in the company in 2021/22. Finally, the commercial investments reflect an anticipated fall in income due to the current economic climate as a result of the Covid-19 pandemic.

Table 8: Other investment indicators

Indicator	2019/20 Actual	2020/21 Forecast	2021/22 Forecast
Debt to net service expenditure ratio	6.22%	4.19%	8.19%
Commercial income to net service expenditure ratio	34.94%	33.00%	29.41%