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Subject: Adoption of Filby Neighbourhood Plan

Report to: Full Council – 20 April 2022

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SUBJECT MATTER

Adoption of the Filby Neighbourhood Plan

RECOMMENDATION

Full Council adopt Filby Neighbourhood Plan

1. Introduction

- 1.1. Following the Full Council decision to accept the Examiner Recommendations for the Filby Neighbourhood Plan on the 9 December 2021, the neighbourhood referendum took place in the local village hall on Thursday 24 February 2022. The referendum was open for voting to those that live within the parish area.
- 1.2. In summary, the plan passed successfully through referendum. In accordance with section 61E(4) of the Town & Country Planning Act 1990 (as amended), plans must be 'made' (adopted) by the Borough Council. The only exceptions are if the plan would breach, or would otherwise be incompatible with, any retained EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998) in accordance with section 61E(8) of the Town and Country Planning Act 1990 Act as amended. It is not considered that this plan is incompatible with any of these pieces of legislation. Therefore, the recommendation is to adopt the neighbourhood plan.
- 1.3. Upon adoption, the plan will formally become part of the Council's Development Plan. When determining planning applications, decisions must be made in accordance with the adopted policies of the Development Plan unless material considerations indicate otherwise. As the plan has successfully passed referendum, the plan effectively already has full planning weight in decision taking.
- 1.4. As the plan area also falls within the designated Broads Area, the plan also needs to be adopted by that authority. The plan was formally adopted by the Broads Authority on 18 March 2022.

Local Plan Working Party

- 1.5. 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 recommendation for Full Council to adopt the neighbourhood plan was considered and endorsed by Local Plan Working Party on 17 March 2022.

2. Neighbourhood Plan Referendums - Results

- 2.1. The Filby Neighbourhood Plan Referendum took place on Thursday 24 February 2022, in the local village hall. The referendum was advertised in accordance with the Regulations, ensuring that residents had every opportunity to be informed what the plan was, and when and where the referendum would take place.

Summary of Filby Neighbourhood Referendum Results:

- Total ballots 244
- Total 'Yes' votes 225
- Total 'No' votes 19
- Plan passes with **92% majority**

3. Decision making

- 3.1. In accordance with the Regulations, the Council cannot make any other decision than to 'make' (adopt) the plan as part of the Development Plan unless it considers that the plan would breach any retained EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998) (under section 61E(8) of the Town and Country Planning Act 1990 Act as amended). There are no such reasons to prohibit the Filby Neighbourhood Plan from being formally adopted.
- 3.2. Upon adoption, the plan would need to be published and supported by a final decision statement setting out the reason(s) for the decision, where the decision and document can be inspected, and notifying those who have requested to be notified when the decision is made.

4. Financial Implications

- 4.1. The Borough Council has already received £5,000 for the adopted neighbourhood plan areas (it has actually received 5 of these through the first 5 adopted areas). This funding will support the payments required to appoint independent examiners.
- 4.2. The Borough Council is in the process of applying for a further Government grant of £20,000 for each of the decision statements (to send the neighbourhood plan to referendum) issued.
- 4.3. All costs associated with officer resources, the examination and referendum of the neighbourhood plan are expected to be covered by this Government funding.

5. Legal and Risk Implications

- 5.1. The Council has progressed the neighbourhood plan in line with the relevant legislation referred to above. The plan has been independently examined, with the Examiner's report finding that the plan meets the 'Basic Conditions' subject to modifications. The neighbourhood plan is supported by a screening report for Strategic Environmental Assessment and Habitat Regulations Assessment, screening out the need for full assessments

to satisfy requirements under the Environmental Assessment of Plans and Programmes Regulations 2004 and the Conservation of Habitats and Species Regulations 2017. While this was published in February 2020, the content and conclusions are considered to be appropriate to determine that no significant environmental effects will result from the plan.

- 5.2. Following adoption, a person aggrieved by the Neighbourhood Plan, may under Section 61N of the Town and Country Planning Act 1990, make an application to the court to challenge it. Such an application must be made within six weeks of adoption.

6. Conclusion

- 6.1. The recommendation is to adopt the Filby Neighbourhood Plan 2020-2030, having successfully passed the neighbourhood referendum.

7. Links

- [Result Notice – Filby Neighbourhood Plan](#)

8. Appendices

Appendix 1 – Filby Neighbourhood Plan 2020-2030

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:	Through ELT
Section 151 Officer Consultation:	n/a
Existing Council Policies:	Local Plan Part 1: Core Strategy, Local Plan Part 2
Financial Implications (including VAT and tax):	See Section 4
Legal Implications (including human rights):	See Section 5
Risk Implications:	See Section 5
Equality Issues/EQIA assessment:	n/a
Crime & Disorder:	n/a
Every Child Matters:	n/a



FILBY NEIGHBOURHOOD PLAN 2020-2030

Adoption by Broads Authority March
2022, Adoption by Great Yarmouth
Borough Council April 2022



C O N T E N T S

Filby Neighbourhood Plan Referendum Version (Published January 2022)

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Introduction

1. Filby is a parish in rural east Norfolk, around 6 miles north-west of Great Yarmouth and 16 miles east of the city of Norwich. The parish has an area of a little over 2.2 square miles (543 acres) and a population of around 800.
2. Filby is quite well served by local facilities and amenities including a shopping parade along the main road, serving residents of both Filby and Fleggburgh. Services within the village include the primary school, pre-school, village hall, village shop and post office, a hairdressers and a bakery, All Saints church, the Kings Head, Community Centre, playing fields, and Filby Bridge restaurant by the Broads.
3. Filby has a strong sense of community, with various events taking place at the village hall and community centre, a community speedwatch initiative, volunteering on projects to support nature conservation, and annual participation in 'Filby in Bloom'. Filby has won the village category of Britain in Bloom on a number of occasions, and there was a considerable fundraising effort a short while ago for the new village hall.
4. The village has a limited peak-time bus service that connects it with neighbouring communities and Great Yarmouth. The A1064 runs through the parish, along which will be found most of the development. This connects the village with neighbouring parishes including Fleggburgh and Caister-on-Sea, and the village is an attractive base for commuters to both Great Yarmouth and Norwich. Despite the main road and its traffic, overall Filby remains a tranquil parish.
5. Filby has a close relationship with the natural environment, with the village surrounded by fields and of course, on the western side there are Filby Broad and Ormesby Little Broad, these being part of the Trinity Broads. These are a small network of landlocked Broads connected with the rest of the waterways via Muck Fleet, but not connected in terms of navigation. It is highly valued by both residents and visitors alike, as well as providing a water supply to local homes in the Great Yarmouth area. The Broads area is recognised nationally and internationally as a key site for wildlife and has nature conservation designations such as the Broads Special Area of Conservation (SAC) and Trinity Broads Site of Special Scientific Interest (SSSI). It also has status equivalent to a National Park. There are a number of Public Rights of Way that connect residents and visitors with the surrounding countryside. Many of these run along field boundaries and there is a concentration to the south-west around the Broads.
6. Filby has a number of buildings of historical and heritage value that provide a connection with the centuries of human activity. The area has a long and fascinating history. The Romans visited the area and when they left, Saxon invaders were followed by Vikings who entered East Norfolk via the river systems. Danes settled the largely unpopulated area and many of the local village names are Danish in origin, with Filby itself ending in 'by' which means 'new settlement'. Filby, which

was situated alongside the watercourse, today known as Muck Fleet, is thought to be the place of File the Dane.

7. Filby features in the Domesday Book as a community of 198 people and 287 acres whose Tenant in Chief was Rabel the Engineer, the artificer of the Norman army. In the middle ages peat was dug for burning and there was a substantial demand for this fuel, particularly from the large religious communities at St. Bennet's Abbey and in Norwich, to which it was transported by boat. Extensive peat 'quarries' were formed, some up to five metres deep and, as the water table rose, so the diggings were filled to form what are now known as the Norfolk and Suffolk Broads.
8. In the more recent history, Filby has been agricultural in character, known particularly for its market gardens. It was noted for its raspberries and half of the village acreage was given over to this single crop.
9. Back to today, Filby village is identified as a Secondary Village in the Great Yarmouth Local Plan Core Strategy 2013-2030. These are settlements containing relatively few services and facilities, with limited access to public transport and few employment opportunities. The current Local Plan Core Strategy requires 5% of housing growth to be accommodated in secondary and tertiary villages. The emerging Local Plan Part 2 makes no allocations in secondary or tertiary villages and draft Policy GSP2 makes it clear that there is no housing requirement for the neighbourhood plan area. The Local Plan for the Broads does not allocate land for development in Filby and it includes a policy on the Trinity Broads (SSTRI) which aims to strictly control the volume, extent and nature of boating on the broads for the purposes of quiet recreation and to reflect the importance of the area as a wild bird refuge. Despite this however, there have been, and there may continue to be, speculative planning applications.
10. This Neighbourhood Plan aims to build on the strengths of the parish and its community, notably its rural character and strong, valued sense of community. It will enhance the natural environment for wildlife and people, protect key historic assets and the tranquillity, help to tackle climate change, and facilitate opportunities for people to meet and get together. Importantly, if there is any further housing development, the plans aims to ensure it is the right type with the right design.

Neighbourhood Planning

Overview of Neighbourhood Planning

11. Neighbourhood planning was introduced by the Localism Act 2011. Neighbourhood Planning legislation came into effect in April 2012 and gives communities the power to agree a Neighbourhood Development Plan. It is an important and powerful tool that gives communities such as parish councils statutory powers to develop a shared vision and shape how their community develops and changes over time.
12. Filby is in Great Yarmouth borough and so the Neighbourhood Plan sits within the context of the Great Yarmouth Local Plan. The borough council has an adopted Local Plan Part 1: Core Strategy (2015). It is also well advanced in developing a Local Plan Part 2: Development Management Policies, Site Allocations and Revised Housing Target. Part of the parish is also within the Broads Executive Area, and so it is covered by the Broads Authority and its own recently adopted local plan.
13. The Neighbourhood Plan will be a document that sets out planning policies for the Parish and these will be used, alongside the local plans, to decide whether planning applications are approved or not. It's a community document, that's written by local people who know and love the area.
14. The Neighbourhood plan has to support the delivery of the 'strategic policies' contained in the Great Yarmouth Local Plan and that for the Broads Authority, and so it cannot promote less development than set out in local plans. That is, the local plans set the overall strategic policies such as the amount of new development and the distribution of that development across the borough. In the case of Filby, the emerging local plan for Great Yarmouth and the Local Plan for the Broads do not allocate land for housing in the parish.
15. The Neighbourhood Plan can include 'non-strategic policies', such as the mix of housing if any comes forward, design principles for new development, conserving and enhancing the natural and historic environment, protecting local green spaces from development, and setting out other development management policies. Importantly, the Neighbourhood Plan will contribute to the achievement of sustainable development as described in the National Planning Policy Framework.
16. Once a Neighbourhood Plan has been 'made', following consultation with residents and a local referendum, it becomes part of the statutory development plan for the parish and will be used by the borough council and Broads Authority in deciding on all planning applications in the parish.

Process of Developing this Neighbourhood Plan

17. The parish area shown in **Figure 1** was designated as a Neighbourhood Plan Area in June 2019. Working on behalf of the community, the Filby Neighbourhood Plan

Working Group has prepared this draft plan that will shape and influence any future development and change across the parish.

18. A broad range of evidence has been reviewed to determine issues and develop policies for the plan. This includes evidence from the Census 2011, housing data, review of environmental designations, Index of Multiple Deprivation, habitat surveys and historical records. Further assessment to gather new evidence has also been undertaken, including an assessment of key views, all supported by consultation activities with the community.
19. Any new development should serve both current and future residents. The policies contained within this plan will enable us to influence the design, location and type of any new homes being delivered in the village, as well as ensuring infrastructure improvements are delivered alongside growth so as to maximise community benefit.

Figure 1: Designated Neighbourhood Plan Area

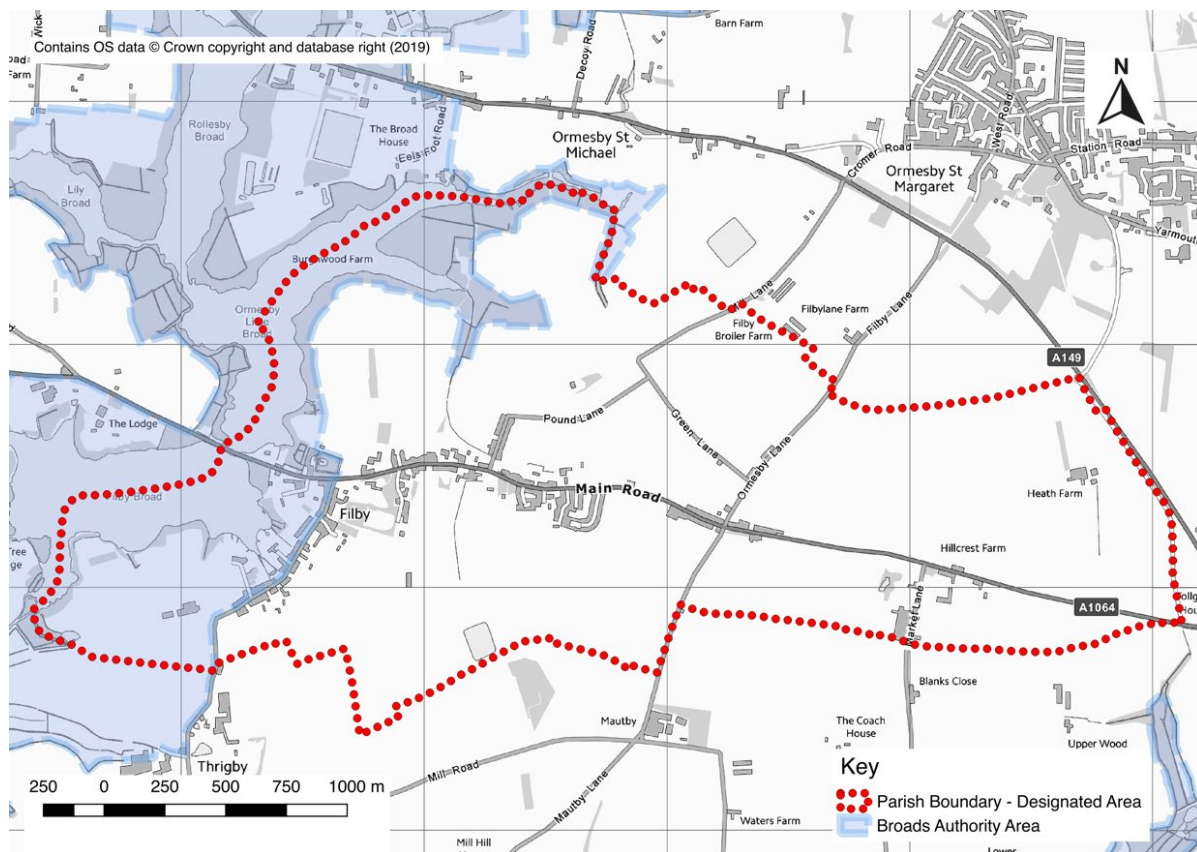
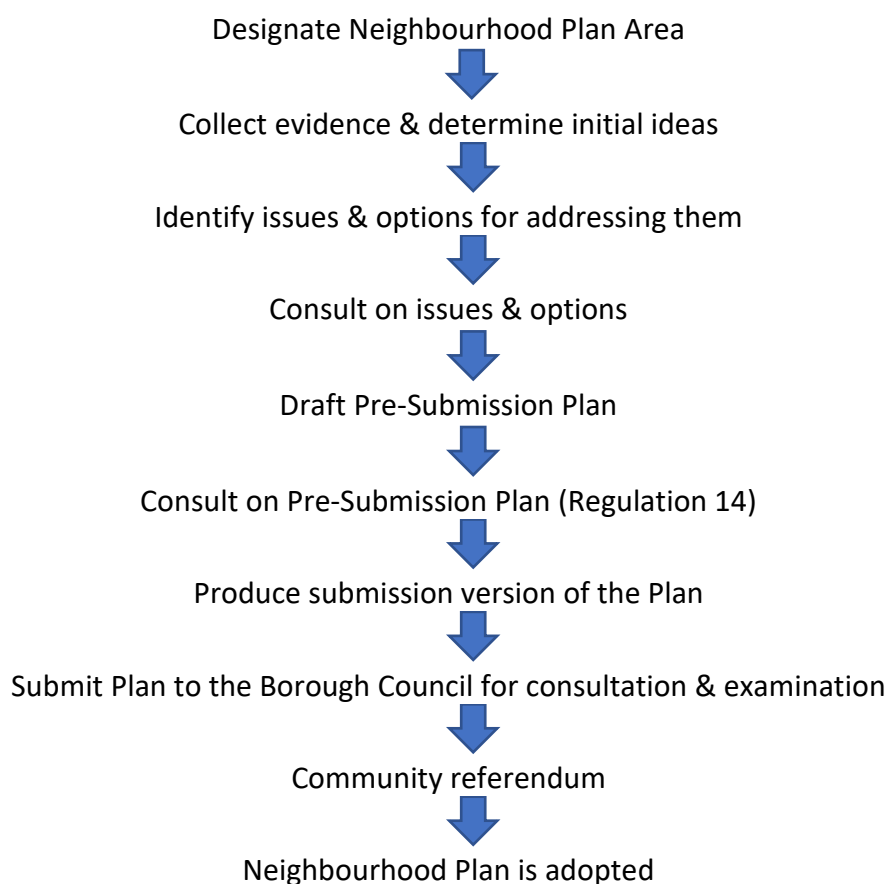


Figure 2: Neighbourhood Plan Process



Consultation with Residents

20. Filby Neighbourhood Plan has been developed by residents of the village on behalf of the wider community. A working group, comprising a mix of residents and parish councillors, has overseen the process throughout on behalf of the Parish Council as the qualifying body. Engaging the wider community in the Neighbourhood Plan's development has been a key focus for the working group.
21. In August 2019 a consultation on Issues and Options for the Neighbourhood Plan was undertaken. This included a questionnaire sent to all households in the village and a consultation event attended by people who live in the village. This enabled residents to provide their views on a wide range of issues and comment on policy options. The early engagement helped the working group to formulate a Regulation 14 pre-submission draft, which was consulted upon August – September 2020.
22. A full account of consultation activities, the key points and how these were considered by the working group is provided in the Consultation Statement which accompanies the Neighbourhood Plan.

Vision and Objectives

Vision

23. 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 tranquillity 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 tranquillity 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 tranquillity 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.

Objectives

- 24.
- A. Ensure the natural environment is a key consideration in all decisions about how Filby changes;
 - B. Conserve and enhance Filby's ecological network;
 - C. Ensure any future housing development meets the needs of current and future residents of the parish;
 - D. Promote sensitive development that protects and enriches the landscape of the parish, safeguarding key views and protecting valuable agricultural land;
 - E. Respond to climate change, promoting sustainable development and energy efficiency;
 - F. Conserve the significance of heritage assets;
 - G. Protect important green spaces;
 - H. Promote access to the countryside for recreation and enjoyment; and
 - I. Reduce the impact of traffic through the village, investigating ways to emphasise entrances to the village, signifying the change from rural roads to speed restricted areas.

25. Although the neighbourhood plan does not have a specific policy on climate change, it is seen as such a priority that it has been woven into many of the policies. For example:
1. Policy H2 requires new homes to be designed to high standards of energy efficiency. Policy E4 discourages the use of street lighting. These will reduce energy consumption which should reduce CO2 emissions;
 2. Policies H2, E1, E2 and E3 promote the protection of the natural environmental and natural features such as trees, as well as the planting of new trees, hedges and habitats. Increased vegetation should not only have a cooling effect on air temperature, but will absorb CO2 emissions;
 3. Policy E6 focuses on flood risk and drainage, which will need to take account of the increase in severe weather storm events due to climate change; and
 4. Policy AT1 encourages the use of sustainable transport such as walking. This should reduce some car journeys which in turn will reduce CO2 emissions.
26. 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.

Housing and Design

This section on **Housing and Design** and the policies it contains aims to deliver the following neighbourhood plan objectives for Filby:

Objective A: Ensure the natural environment is a key consideration in all decisions about how Filby changes;

Objective C: Ensure any future housing development meets the needs of current and future residents of the parish;

Objective E: Respond to climate change, promoting sustainable development and energy efficiency;

Housing Type and Mix

27. Although Filby is a relatively small village there have been 28 new homes built over the last six years and there are 26 more with permission. Overall this is a 17% increase in homes within the parish. The Local Plan for the Broads does not allocate land for housing and the Borough Council has indicated that it does not intend to allocate further sites within Filby within their Local Plan Part 2, however the borough council does not have a 5-year housing land supply at the time of writing this plan, which makes further speculative or windfall development more likely. This situation could change, particularly as the emerging Local Plan 2 intends to demonstrate that it now has a 5-year housing land supply.
28. Consultation with the community highlights a lack of support for further housing growth in the village. Over half of respondents to a survey felt strongly that there wasn't a need for further new housing. However, if there is any further housing it is important that it meets a local need in terms of the type and mix of houses provided, not least so that local people are able to stay in the parish rather than having to move away, and this is seen as important in retaining the special community spirit of the parish.
29. Filby's housing profile is currently dominated by detached homes. Home ownership is high and there are very few homes available to rent. In terms of size, just over a third have 4 or more bedrooms, and indeed almost 10% have at least 5 bedrooms, which is a much higher proportion than for the borough as a whole. There is a very low proportion of one-bedroom homes, 14 or 5%, and in contrast over a fifth of households are single occupancy, suggesting that there may be an unmet need for smaller housing units. Similarly, compared to the borough or England in general, there is a very low proportion of 2-bedroomed homes. The profile indicates that homes will tend to be more expensive and they may be unaffordable for younger people or first-time buyers, which could result in younger residents having to move away.
30. A Neighbourhood Plan can influence the size and type of new homes that will be built in the future. When asked about preferences for new homes the community

indicated a slight preference towards medium sized homes of 3 or 4 bedrooms, followed by smaller homes of 1 or 2 bedrooms being built. In terms of housing type there was a strong preference for more bungalows in the village, followed by detached homes, and then semi-detached homes.

31. There are indications that the population is ageing with the proportion of residents aged 65 or over increasing. The number of households comprising just this age group however, including those living alone, has been fairly steady at around one quarter of all households in the parish. Future housing must meet the on-going needs of our older population.
32. A mix of responses were received about the kind of housing there was a need for, though starter homes for younger people, lifetime homes and family homes received the most votes. Affordable housing was talked about by many at the consultation event. The demand for affordable housing in the village outstrips its supply, with current data indicating that demand is highest for homes that are 1 or 2 bedrooms. **Policy H1** especially supports affordable housing delivery within the development limits, recognising that proposals located here will be supported by the emerging Great Yarmouth Local Plan (Policy GSP1).

Policy H1: Housing Type and Mix

All housing proposals for five or more dwellings will need to provide a mix of housing types and sizes, and these should aim to reflect local need using the best available and proportionate evidence. This should include, unless evidence is provided either showing a lower need is justified or the scheme is made unviable:

- a) All housing must be accessible and adaptable, with bungalows strongly encouraged; and
- b) A minimum of 25% of dwellings comprising two bedrooms or fewer, to enable older residents to downsize or younger residents to get on the housing ladder.

Conversely, the inclusion of dwellings comprising five bedrooms or more will not be supported unless it is clearly and demonstrably meeting a local housing need.

These requirements apply to the whole proposal, and so open-market and affordable housing combined.

All proposals for sheltered housing will be encouraged subject to meeting other policies in this plan and the local plans.

All proposals within the development limits that will deliver affordable housing but fall below the national threshold requiring provision of such¹ will be especially supported.

¹ The national threshold in the 2019 NPPF is that affordable housing is required on sites where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.

For the whole of this policy, separate proposals on contiguous sites that are in the same ownership and/or control, or have a planning history indicating that they have been considered together, will be considered as single proposal.

33. The Borough Council or Broads Authority will ensure that any planning permission granted for affordable housing schemes is subject to appropriate conditions and/or planning obligations to secure its affordability in perpetuity (for the life of the property), whilst recognising the national Right to Buy scheme. Within the Broads Authority Executive Area, Policy DM34 of the Local Plan requires development of 6-9 dwellings to contribute a commuted sum (off-site contribution) towards the provision of affordable housing. **Policy H1** intends to ensure appropriate levels of affordable housing are delivered where landowners/developers own large sites within the village, but choose to divide these up in such a way that affordable housing thresholds are not met.
34. Although a mix of housing as set out in **Policy H1** will be expected, it is recognised that with building conversions it might not always be possible.

34.

Design

35. Design is another key area where the Neighbourhood Plan can have influence. A number of suggestions were made by people during the consultation about the local characteristics of buildings in Filby. This included Norfolk red brick, flint in the walls, traditional clay tiles, thatch, timber cladding, cottage style, pitched-roof dormers and use of hedges for boundary treatments. Some people indicated that they felt any new homes should be in-keeping specifically with those nearby, others felt a mix of building styles should be encouraged.
36. Design, however, is more than just what the actual building looks like. It also relates to layout, density and how it incorporates habitat features and landscaping. The augmenting of ecological networks is a key feature of the plan, and all development will be expected to contribute to this.

Policy H2: Design

All development will be designed to a high quality, reinforcing and complementing local distinctiveness and character. Design which fails to have regard to local context and does not preserve, complement or enhance the character and quality of its immediate area and the wider parish will not be acceptable. Any new development in the Broads area must be designed to the highest standard which is fitting with the areas equivalence of National Park status.

Proposals must be of an appropriate density, height, variety, scale and layout, and the use of traditional materials that are prevalent in the parish will be supported.

This is not intended to discourage innovation, which will be welcomed. Designs that reduce energy requirements will be encouraged. All new housing is encouraged to be designed to the highest allowable prevailing energy efficiency requirements. Homes built to even higher energy efficiency standards will be considered as delivering a significant benefit. Electric car charging points will be expected to be provided as part of all new development, reflecting the number of car parking spaces. One charge point per formal parking space will be expected on residential development unless it can be clearly demonstrated that this would be unviable.

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.

Landscaping and vegetation must be used to retain and augment the overall sense of rural character. Proposals will also need to fully incorporate landscaping and natural features such as trees, both those that are retained and those introduced, where the opportunity exists to help to deliver or complement the ecological network (see also **Policy E1**). Boundaries will be expected to have 'soft' treatments, comprising of hedges and/or trees rather than hard boundaries such as close boarded fencing.

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.

New development situated along the A1064 should have an active street frontage.

37. 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 0.5ha or for 10 units.
38. In line with **Policy H2** electric vehicle charging points should be provided in line with national technical standards if available, or one per residential parking space. A judgement will need to be made with respect to other types of development. In July 2019 the Government published "*Electric Vehicle Charging in Residential and Non-Residential Buildings*" as part of its industrial strategy and its zero-carbon target. This sets out the preference for incorporating electric vehicle charge points into building regulations, but it also provides the option for planning policy. It is

understood that in October 2019 the Government announced its intention to use building regulations but at the time of preparing this neighbourhood plan it is not obvious that this has happened. When it does, that aspect of the policy could be superseded.

39. The requirement for any new development to have an active street frontage is to enhance the sense of place and reinforce the existing 30mph speed limit along Main Road. An active frontage in this policy is where each home accesses directly the A1064, rather than via a shared driveway or estate road. This design provides more activity in terms of turning movements which, combined with the street facing housing, tends to reduce the speed of traffic.

Environment

This section on **Environment** and the policies it contains aims to deliver the following neighbourhood plan objectives for Filby:

Objective A: Ensure the natural environment is a key consideration in all decisions about how Filby changes;

Objective B: Conserve and enhance Filby's ecological network;

Objective D: Promote sensitive development that protects and enriches the landscape of the parish, safeguarding key views and protecting valuable agricultural land;

Objective E: Respond to climate change, promoting sustainable development and energy efficiency;

Objective G: Protect important green spaces;

Habitat for Wildlife

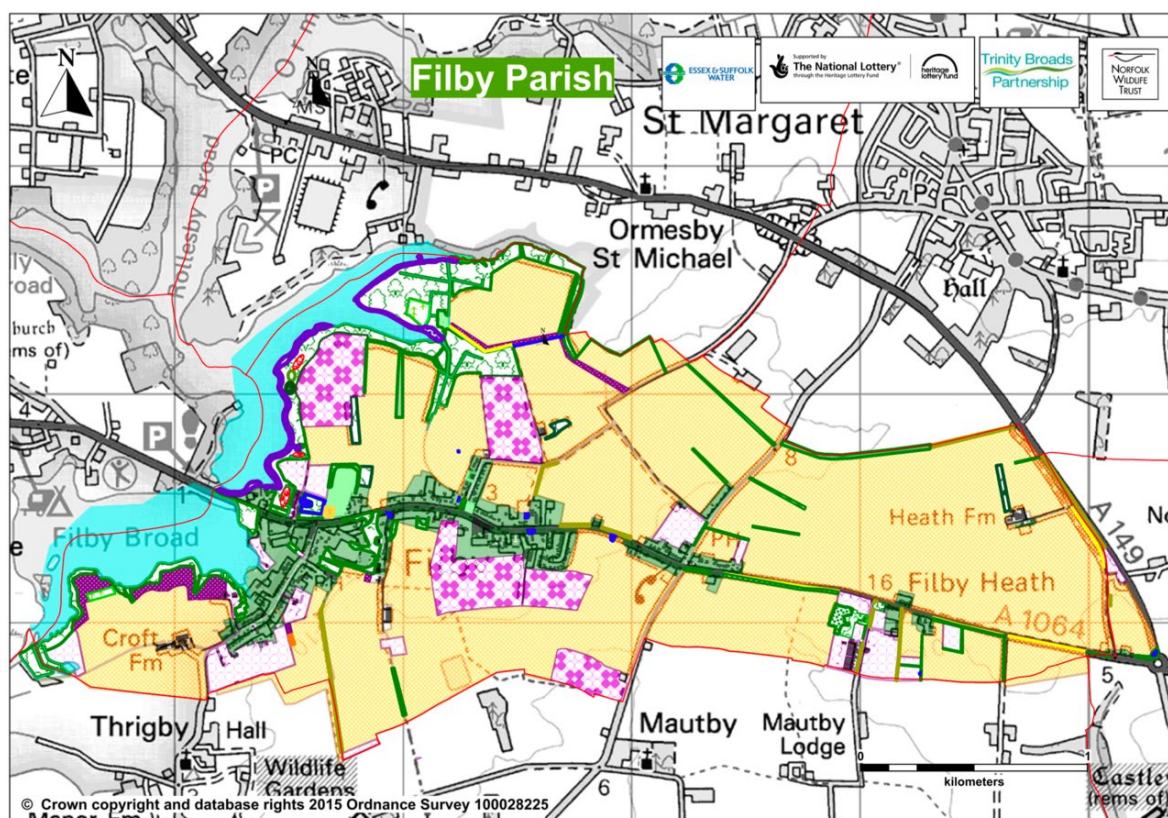
40. Filby is a parish rich in wildlife, nestling on the east side of the Trinity Broads catchment with two of the five broads within its boundaries. The open water habitat of Ormesby Little Broad stretches to the north-west of the parish and Filby Broad is to the south-west.
41. This part of the Broads network is designated The Broads Special Area of Conservation (SAC) and Trinity Broads Site of Special Scientific Interest (SSSI). They are extremely rich in wildlife with some species rarely found outside of the Broads fen habitats. Habitats include wide expanses of shallow open water, extensive tracts of broadshore reedbed and undisturbed areas of wet woodland. These habitats support a wealth of wildlife, from the tiniest rare snail, to stands of bulrushes which have virtually disappeared from the rest of the Broads area, to the bittern. The ecological importance of the area is reflected in the variety of international, national and local nature conservation designations.



Filby Broad

42. Trinity Broads make up 14% of the open water within the Broads. They are a significant fresh water supply with approximately 5 million litres of water abstracted each day, supplying 80,000 homes in the surrounding villages and Great Yarmouth. They cover 162 hectares of open water in total, with 21km of broadshore habitat including fen meadow, tall herb fen, littoral reed bed and alluvial forest. It is important to ensure that the water quality is not impacted by future development.
43. These designated sites are critical for biodiversity in the parish, but they connect with a range of other important habitats for wildlife, including ponds, trees, hedgerows and gardens. This ecological network as a whole is crucial for wildlife and contributes significantly to the overall quality of life for residents within the parish.
44. A Habitat Survey undertaken in 2015 by the Norfolk Wildlife Trust and volunteers from Filby village provides an important record of the ecological network that this neighbourhood plan aims to conserve and enhance. The Habitat Map is provided in **Figure 4**. Building on this, Wildlife Corridors have been identified as part of development this Neighbourhood Plan, by residents in conjunction with the Norfolk Wildlife Trust and Trinity Broads Partnership, these are identified in **Figure 5**. They reflect the key corridors connecting wildlife within the parish. Typically, these include native vegetation, tree or hedgerow lines, follow public rights of way and join some key habitats, such as Filby Common, and designated Local Green Spaces. These will be considered a priority for preservation and improvement locally. Where the corridors are on private land the Parish Council will work with local landowners to explore opportunities for improvement.
45. During consultation to develop the neighbourhood plan 97% of local people who responded to the resident survey agreed that any new development should be expected to protect the environment and improve wildlife areas. This accords with emerging national requirements. Following consultation in 2018 the government is to introduce a requirement for developers to deliver a biodiversity net gain on new housing or commercial developments. Filby Neighbourhood plan puts this into a local context to ensure that Filby's rich ecological network is enhanced through development. In the absence of national legislation and guidance on measurement of biodiversity net gain, the calculation tool available from Defra should be used. This considers the on and off-site baseline and post development habitat, including habitat creation or enhancement. This enables losses and gains in biodiversity to be measured in an objective and repeatable manner. For the avoidance of doubt, the requirement set out in **Policy E1** is for all future housing and commercial development schemes to deliver a mandatory 10% net gain in biodiversity.

Figure 4: Habitat Map



KEY		
Parish boundary		
Arable		
Scrub scattered		
Scrub dense and continuous		
Hedge with trees		
Hedge intact species poor		
Hedge defunct species poor		
Woodland coniferous plantation		
Woodland broadleaved semi-natural		
Woodland broadleaved plantation		
Parkland broadleaved		
Parkland mixed		
Allotment		
Wildlife garden		
Bowls green		
Introduced shrub		
Swamp		
Standing water eutrophic		
Standing water mesotrophic		
Tall herb and fern tall ruderal		
Tall herb and fern non-ruderal		
Orchard		
Dry ditch		
Building		
Marshy grassland		
Improved grassland		
Semi-improved grassland		
Amenity grassland		
Garden		

Norfolk Wildlife Trust, 2015

Policy E1: Habitat for Wildlife

Filby's wildlife rich habitats must be safeguarded and enhanced through proactive action as part of development. Proposals will be supported where they can demonstrate:

- Delivery of at least a 10% net gain in biodiversity;
- Action has been taken to conserve existing biodiversity features such as ponds, orchards, hedgerows and trees on site;
- How they can support the Trinity Broads Partnership with conservation management and enhancing the natural carbon capture of the Trinity Broads area; and
- Opportunity has been taken to enhance connectivity for wildlife across or to existing wildlife corridors.

This requirement can be delivered through the use of Sustainable Drainage Systems, as set out in **Policy E6**.

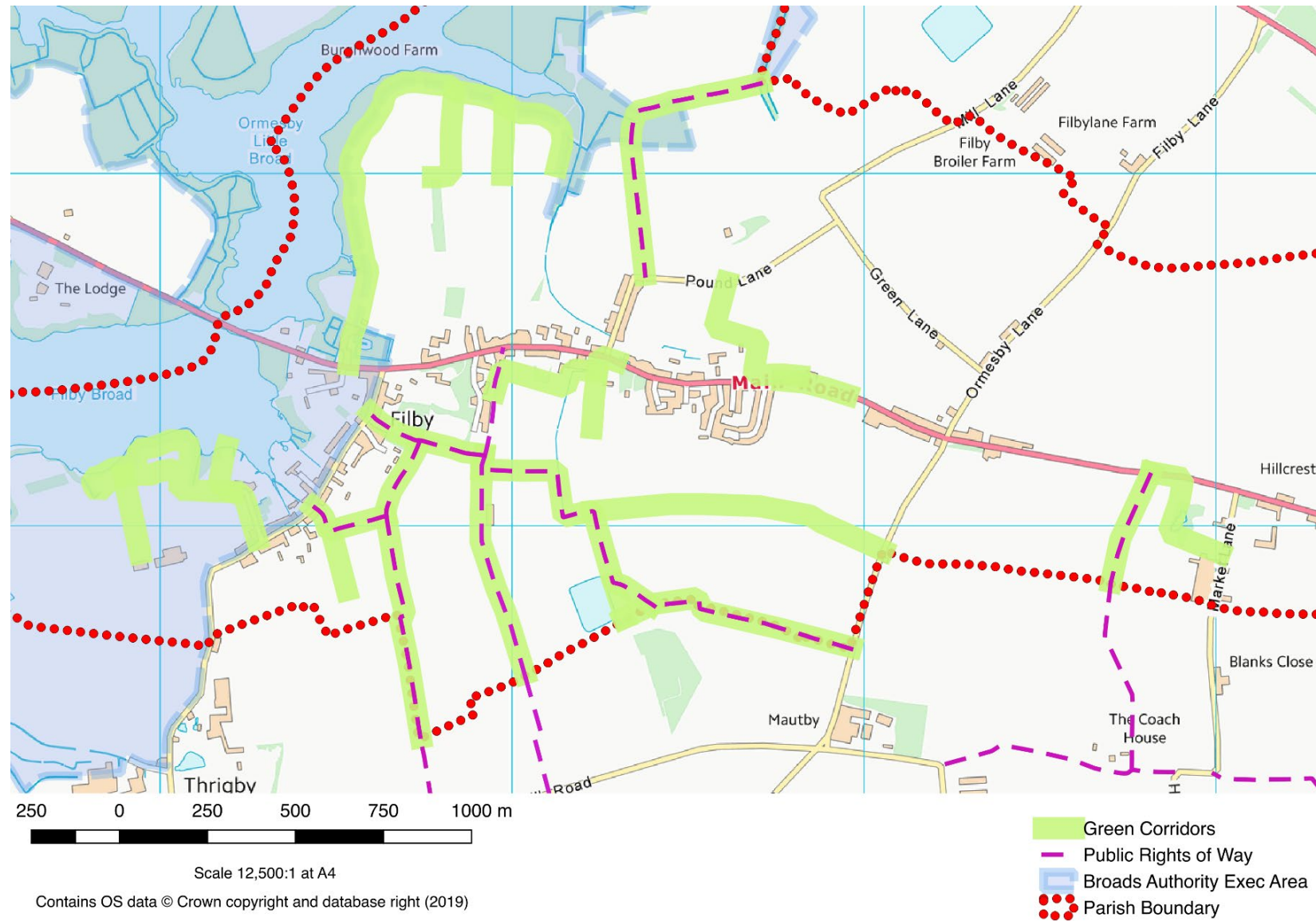
Proposals that would result in net loss of biodiversity on site will be expected to compensate for this by delivering habitat improvement to local wildlife corridors, as identified in **Figure 5**.

Trees and Hedgerows

46. Trees and hedgerows form an essential part of Filby's landscape character and provide a vital link between wildlife areas such as the Broads, the community orchard and domestic gardens. They provide diversity and richness to the landscape, as well as forming wildlife corridors and providing a rich source of food for insects, birds and wild animals. The Trinity Broads area is of exceptional importance for bats which use trees for roosts.
47. The Habitat Survey (2015, NWT) recorded around 8km of hedgerow in Filby parish, which may have increased slightly due to proactive planting by the community. The retention of existing trees and hedgerow and the provision of additional planting within new development is therefore important.
48. Some trees in the parish have protected status, mainly under the designation of a Tree Preservation Order (TPO) made by the Local Planning Authority for their protection. 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. It includes a corridor of mature and veteran oaks alongside a public footpath near to the allotments and church, which in themselves can support over 350 different species of wildlife.
49. **Policy E2** seeks to protect Filby's trees and hedgerow. It has due regard of the National Planning Policy Framework which in Paragraph 180 lists some examples of irreplaceable habitat. Within Filby Neighbourhood Plan the view has been taken

that woodlands, mature trees and biodiversity rich hedgerow are also irreplaceable as they make a significant contribution to Filby's wildlife habitat and landscape.

Figure 5: Wildlife Corridors



Community Aspiration 1: Protection of Trees

The Parish Council will build on the Habitat Survey results from 2015 to develop a list of important trees within the parish and seek protection of these trees through the Borough Council or Broads Authority.

Policy E2: Trees and Hedgerows

Existing trees and hedgerows must be retained and integrated into the design of new development. Proposals requiring the loss of woodlands, mature trees or biodiversity rich hedgerows will not be supported unless there are wholly exceptional reasons, or removal is necessary to enhance the survival of other protected trees or mature hedgerow.

Where proposals will result in the loss of trees or hedgerow, adequate replacement provision, using native British species of greater value, will be required. Developers should ensure sufficient space is available on site for this. In exceptional circumstances where it can be demonstrated that this is not feasible, planting should take place to fill known gaps in Filby's Wildlife Corridors, identified in **Figure 5**. Where on-site planting is demonstrated to be unfeasible developers are expected to work with the Parish Council to find appropriate alternative sites.

Where development will affect trees and or hedgerows, proposals must be accompanied by a survey which establishes the health and longevity of affected trees and/or hedgerows and an appropriate management plan.

Conservation Trust

50. Filby residents are especially keen on promoting the conservation of wildlife and biodiversity in and around Filby. In February 2020 they established Filby Lands and Conservation Trust, which aims to enhance the Filby area for wildlife, habitat conservation and community amenity. This will be achieved through the purchase and management of land as and when available or under threat from undesirable development. Any areas of purchased land will be managed for wildlife and habitat conservation in perpetuity. Land south-west of the Church, adjoining a designated Local Green Space and linked to the wildlife corridors has been purchased by the Trust and will be planted up as a community woodland. The new woodland will be called Trinity Wood in celebration of 25 years of the Trinity Broads Project. Adjoining land has been gifted to the church, to later become an extension to the burial ground, and until that point the community intend to create a wildflower meadow.

Community Aspiration 2: Filby Lands and Conservation Trust

The Trust will take opportunities to enhance the Filby area for wildlife, habitat conservation and community amenity by purchasing and managing areas of land that become available. This includes creation of a new woodland south-west of All Saints Church.

Local Green Space

51. The National Planning Policy Framework sets out that specific areas of land that are demonstrably special to the local community may be protected against development through designation as Local Green Space (LGS). The designation should only be used where:
- The green space is reasonably close to the community it serves;
 - The green area is demonstrably special to the community and holds a particular local significance, for example because of its beauty, historic significance, recreational value, tranquillity or richness of its wildlife;
 - The green area concerned is local in character and is not an extensive tract of land.
52. This neighbourhood plan designates ten LGSs for protection, these are identified in **Figures 6 and 7**. They are important not only for the wildlife they support, but provide significant quality of life benefits to residents, for example through encouraging recreation. Many of these contribute to the distinctiveness of Filby, making it an attractive place to live. All of the LGSs were identified by the community during consultation to develop this neighbourhood plan.
53. These local green spaces are additional to those protected by the Great Yarmouth Local Plan Core Strategy. Local Plan 2 includes a general policy to protect open spaces, but these sites will not be mapped.
54. Local Green Space policy is required to be broadly consistent with national policy for Green Belt. **Policy E3** does not prevent adjacent proposals but recognises that as some Local Green Spaces are very small in nature, their integrity could be affected by adjacent development, which is less likely to be the case for large areas of Green Belt.

Figure 6: Local Green Space Designations in Filby

	Green Space	Location	Why its special to the community
FLGS1	Playing field, play area and bowls green	Off Main Road adjacent the Village Hall.	Recreational value. These green spaces are well maintained and utilised by a range of clubs and local families. These are identified as Greenspace on OS Maps.

	Green Space	Location	Why its special to the community
FLGS2	Allotments	Off Thrigby Road	Recreational value & wildlife habitat. Well used by residents of Filby as an opportunity to grow food locally. The land is owned by Norfolk County Council with a lease to the parish overseen by Norfolk Property Consultants. The allotments are identified as Greenspace on OS Maps.
FLGS3	Community Orchards	Off Thrigby Road	Recreational value & wildlife habitat. Adjacent the allotments these have a variety of fruit trees and are well looked after by Filby residents. The land is owned by Norfolk County Council with a lease to the parish overseen by Norfolk Property Consultants. The community orchards are identified as Greenspace on OS Maps.
FLGS4	Community Paddocks	Off Thrigby Road	Recreational value & wildlife habitat. Currently used for grazing horses that are owned by residents of the parish. These are owned by Norfolk County Council with a lease to the parish overseen by Norfolk Property Consultants.
FLGS5	Village pond	Off Main Road	Wildlife habitat & recreational value. The pond is in private ownership but can be observed from a public standpoint.
FLGS6	Filby Dissenter' Chapel	Off Thrigby Road near to the orchard and allotments	Heritage & recreational value. Remains of an early chapel built in 1705 that was badly damaged in World War 2. Also listed on the Norfolk Historic Environment Record. Enjoyed by residents and visitors accessing the public footpath. The Chapel is in private ownership.
FLGS7	The Pound	Corner of Main Road and Pound Lane	Wildlife habitat and heritage value. A small grassy area with a bench and the location of the Filby Village Sign. An area adorned with flowers during the summer months as part of Filby in Bloom.
FLGS8	Filby Common	Off Common Lane	Wildlife habitat, its beauty, tranquillity & recreational value. The common has lovely views over Filby Broad and is part of the transitional landscape between the broads and Filby settlement.
FLGS9	Filby Claypits	Thrigby Road, near the school	Heritage value & wildlife habitat. Original houses in the village were constructed of clay lump from this pit which is now publicly accessible and has a small pond. Parish ownership.

Policy E3: Local Green Space

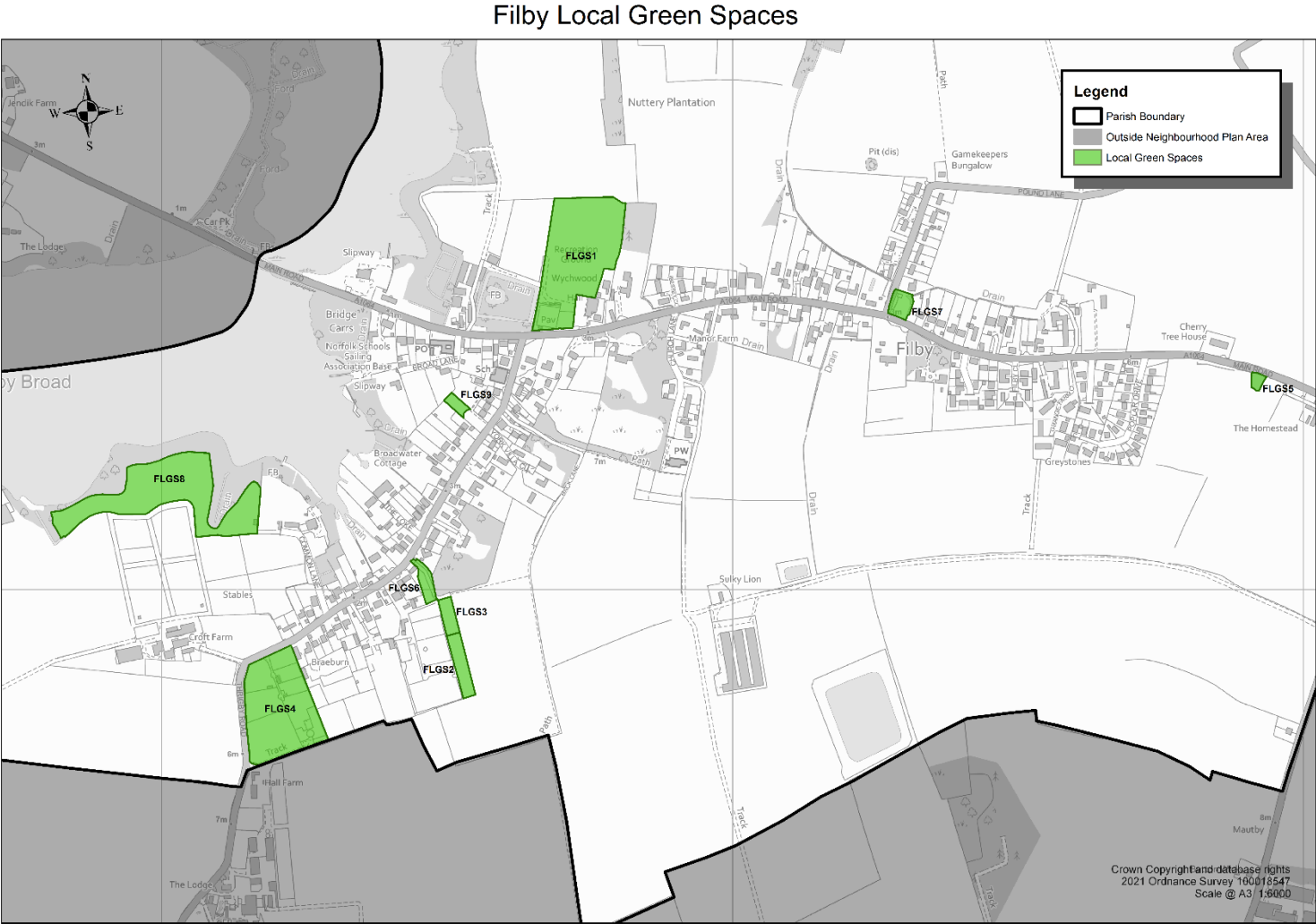
The areas shown in Figure 7 are designated as Local Green Spaces.

Development proposals adjacent to LGSs will be required to:

- a) Not encroach on the LGS; and
- b) Complement its setting and not impact upon the integrity of the space.

Opportunities to create linkages between LGSs, for example through the creation of new rights of way, may be considered favourable.

Figure 7: Local Green Spaces



Dark Skies

55. Filby is valued by residents for its tranquillity. Its proximity to the Broads and a lack of street lighting means there are dark expansive skies at night. The Campaign to Protect Rural England's Light Pollution and Dark Skies Mapping² identifies Filby parish to be in one of the darkest areas, except for a small zone along Thrigby Road, Ormesby Lane and Main Road, see Filby Neighbourhood Plan Evidence Base. Recent evidence from the Broads Authority identifies the Broads, including Filby and Ormesby Little Broad, as intrinsically dark landscapes which must be preserved. Dark skies are a valuable asset and that is important to wildlife and benefits the health and wellbeing of residents. Artificial light can be detrimental to wildlife. Around 60% of insects are nocturnal and it is estimated that a third of those attracted to artificial light are killed as a result.
56. Residents place particular value on the peace and tranquillity of the area. In the resident's survey 82% of people strongly agreed that dark skies should be retained and preserved, with any new lighting needed as part of development required to be low energy.
57. The Local Plan for the Broads contains **Policy DM22: Light Pollution and Dark Skies** which seeks to conserve and enhance the tranquillity and dark sky experience of the Broads. This policy applies in the area of Filby parish covered by the Broads Authority Executive Area, see **Figure 1**, the following **Policy E4** applies to the rest of the parish.

Policy E4: Dark Skies

There will be a presumption against proposals that detrimentally affect the tranquillity of the area including through unnecessary lighting that results in the loss of night time dark skies.

Any applications that involve external lighting will only be permitted where they are required for safety, security or community reasons. They will need to be accompanied by a lighting scheme that should show how the status of dark skies will be protected and designed to minimise light spillage.

In considering the impacts, regard will be had to the Institute of Lighting Professionals guidance and other relevant standards or guidance for lighting³.

² https://www.nightblight.cpre.org.uk/maps/?_ga=2.217528022.1718306731.1573479253-820694389.1573479253

³ For the purposes of the ILP lighting guidance (CIE 150:2003 Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installations www.theilp.org.uk/documents/obtrusive-light/) the Broads Authority is included within Environment Zone 1 as a reflection of its protected status and its intrinsically dark skies.

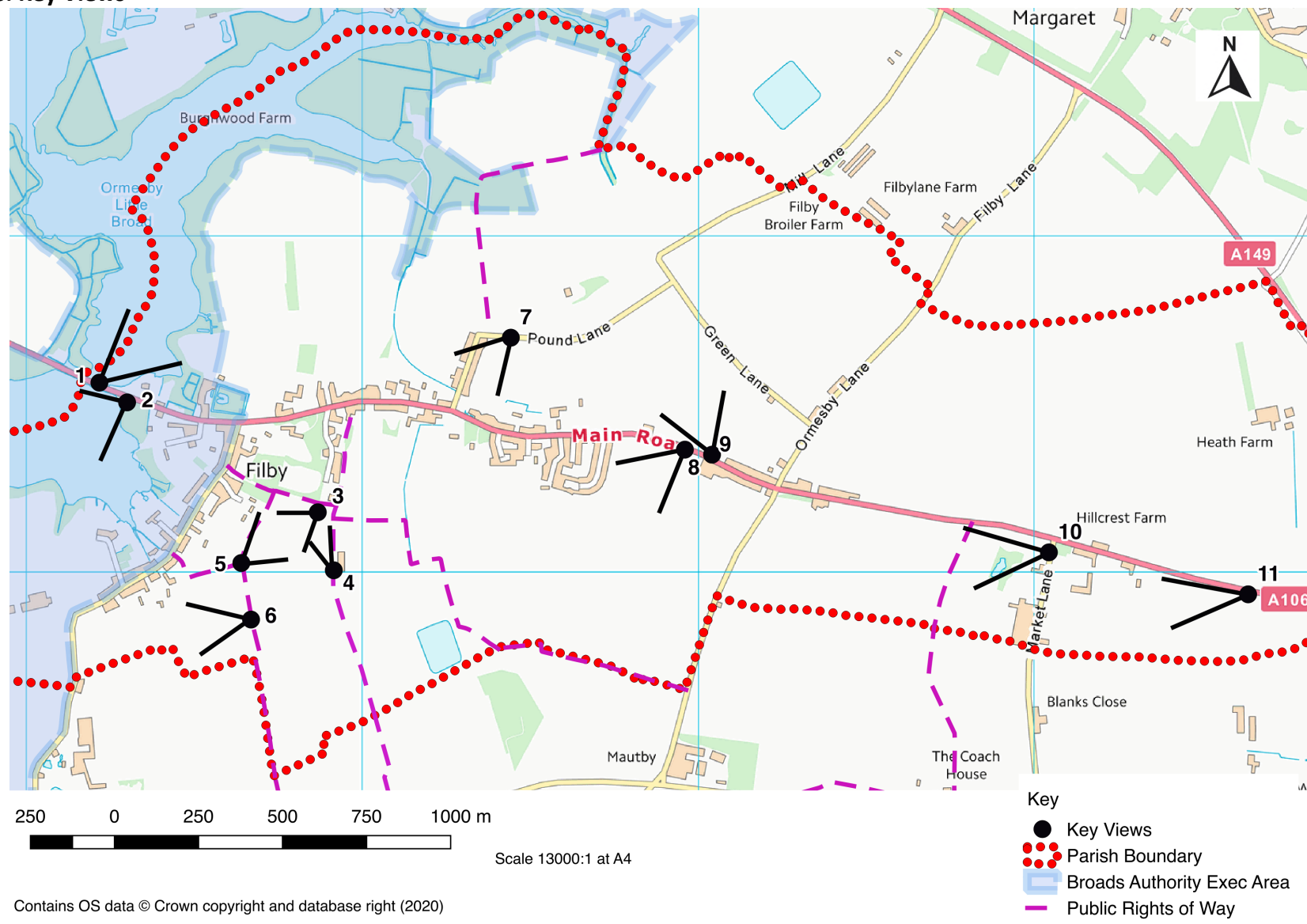
Landscape Character

58. The landscape setting of the parish is open and dominated by arable farmland which makes up around 76% of the parish and amounts to approximately 388 hectares. Accordingly, the Great Yarmouth Character Assessment classifies the parish as 'Ormesby and Filby Settled Farmland', an enclosure of arable landscape. The character area is fringed by and forms the landscape setting of the Broads, which is reflected in the Broads Authority Character Assessment of the Muck Fleet Valley – The Trinity Broads. The wooded backdrop of the Broads creates a sense of heightened tranquillity and wildness, in an otherwise arable landscape. Key considerations in relation to development include ensuring that settlement edges are transitional in character and integrate within their landscape setting. Existing hedgerows should be reinforced and wooded wetlands which form part of the Broadland landscape setting should be conserved. This is reflected in **Policy E5**.
59. The Broads and surrounding arable farmland play an important part in Filby's sense of place and local distinctiveness. The topography, which is fairly flat, results in a number of stunning views over the countryside and of the church, a key landmark. The neighbourhood plan seeks to conserve Filby's landscape character by protecting eleven key views and vistas, all of which are accessible from public places within the parish. These views were identified by residents as part of consultation exercises to develop the plan and have been independently assessed against objective criteria to determine their inclusion. A separate document, Filby Views Assessment is available as part of the evidence base.
60. The key views are protected in **Policy E5**. This does not rule out all forms of development, but requires that the location, scale and design have given full consideration of key views and the development will not obstruct or punctuate key views in a way that would undermine the contribution they make to defining the character of Filby parish.

View 1: Ormesby Little Broad



Figure 8: Key Views



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View 2: Filby Broad



View 3: From All Saints Church



View 4: All Saints Church



View 5: All Saints Church and down to the village settlement



View 6: Thrigby Hall & Wildlife Gardens



View 7: The village from Pound Lane



View 8: Across arable fields in the gap between the two distinct parts of the settlement



View 9: Across arable fields in the gap between the two distinct parts of the settlement



View 10: Filby Heath from Market Lane



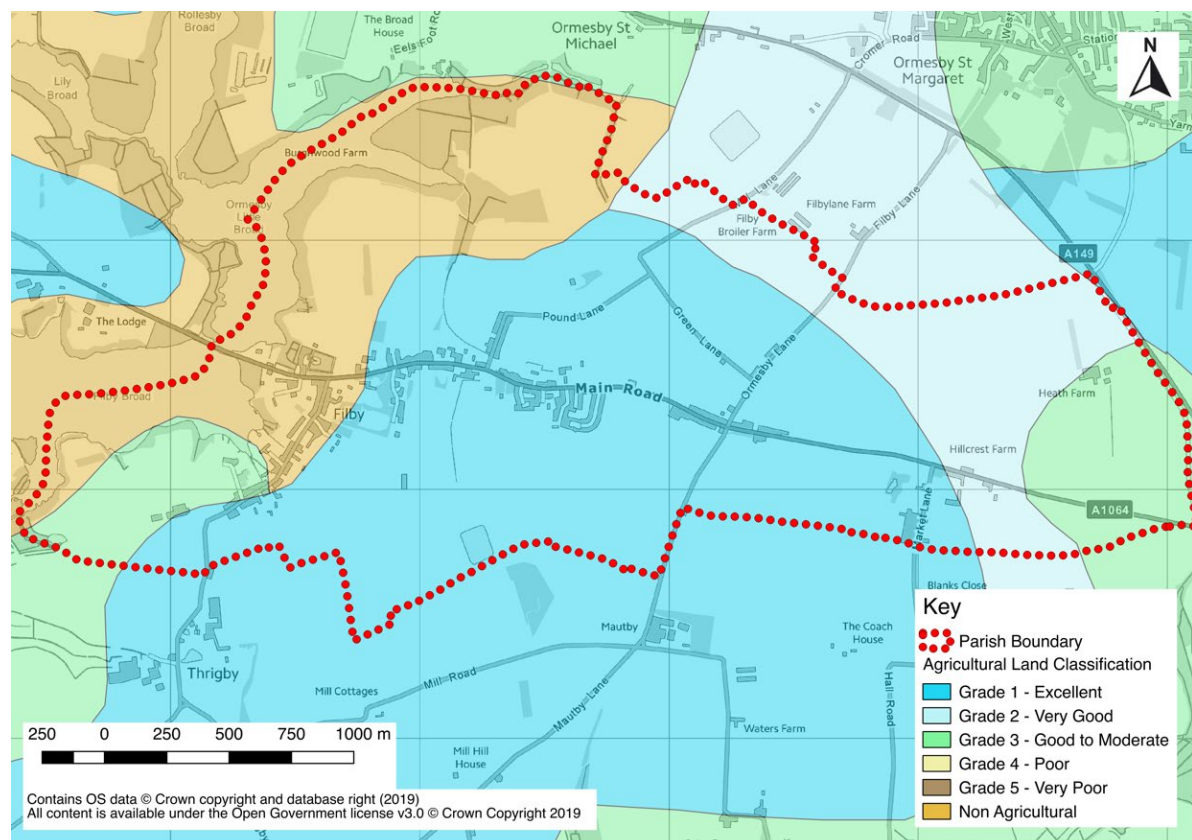
View 11: Filby Heath from Wood Farm Loke



Agriculture

61. Much of the arable farmland surrounding the main settlement is classified as the best and most versatile agricultural land, see **Figure 9**. The plan seeks to protect valuable agricultural land classified as Excellent quality (Grade 1) through **Policy E5**, as this contributes to the sustainability of the area, given the importance of farming to the economy, and Filby's setting. This complements Policy SP4: Soils in the Local Plan for the Broads, which seeks to protect the best and most versatile agricultural land, defined as Grades 1, 2 and 3a. This specifically covers the Broads Authority area. Planning applications for development of agricultural land may need to include an updated survey of land quality in accordance with current guidelines.

Figure 9: Agricultural Land Classification



Policy E5: Landscape Character

Development proposals must conserve and enhance the character, appearance and setting of the parish.

Proposals will be supported where it can be demonstrated they are sited, designed and of a scale that does not significantly harm the key views identified in **Figure 8**.

Proposals sited on Grade 1 agricultural land that is currently in farming use will not be supported, unless the community benefits of such development significantly and demonstrably outweigh the harm of losing the land in the long term, such as affordable housing.

Proposals adjacent the Broads must reflect the transitional nature of this part of the parish by reinforcing existing hedgerow and conserving wetland areas.

Flood and Water

62. The area to the west of Thrigby Road, and a smaller area to the west of Pound Lane are identified as being within fluvial flood risk zones 2 and 3, medium and high risk. Here the risk of surface water flooding is also greater. In addition, Environment Agency maps indicate surface water flooding along the main A1064 and Mill Lane, Green Lane and Filby Lane. To a large extent, policies in the NPPF, Great Yarmouth Local Plan and the Local Plan for the Broads, ensure flood risk is considered through the planning process. This policy framework cannot solve existing flooding problems, but it should ensure issues are not worsened through development proposals.
63. Filby's surface water collection and disposal is largely based on the original medieval system. In the main this system continues to work well. An interesting network of ditches takes the water north and then west in stages until it discharges into the Trinity Broads. At various points ponds were located which help to smooth the flow of water during heavy rain and provide drinking water for animals. There were also boggy areas which helped balance the flow. One of these still remain today. The lowest point of the village is on the main road where it joins Pound Lane. Water from both directions flows towards this point and is carried to the Broad through critical ditches which skirt around or are cut through the rising ground to the west.
64. Changes to the system in recent years have affected its efficiency:
- At least one pond has been filled in, another has had its flow interrupted recently.
 - The west flowing dyke on the north side of the main road has been filled and the flow diverted further to the north to join a pre-existing parallel system to the Broad;
 - At least one dyke has had the flow reversed and been partly filled and sections piped under buildings;

- Instances have been discovered where dumping in the ditch, usually garden waste, have blocked the flow.
65. The success of the system relies on the careful management of surface water flows and open land holding and balancing flows during spells of heavy rainfall. Any future development resulting in an increase in hard, impervious surfaces will result in increased water needing to be carried away that could cause problems in the future.
66. In line with its environmental objectives, the neighbourhood plan will ensure that development supports wildlife habitat and extends the ecological network through the use of Sustainable Drainage Systems (SuDS). SuDS provides an effective way of both managing surface water and creating diverse habitats for wildlife. With good design SuDS provide shelter, food and breeding opportunities for a variety of wildlife species. Biodiversity benefits can be delivered by even small, isolated components, but the greatest value is likely to be delivered where SuDS are planned as part of wider green landscapes and they can assist with wildlife connectivity.

Policy E6: Managing Surface Water

To promote sustainable development and help address vulnerability to the effects of climate change all development proposals should incorporate Sustainable Drainage Systems (SuDS) appropriate to the scale and nature of the development. Such measures will be required except where this is not technically feasible or where it can be demonstrated that other factors preclude their use.

Development must maximise the use of permeable materials to increase infiltration capacity and incorporate on-site water storage. This will be required unless the developer can provide justification to demonstrate that it is not practicable or feasible within the constraints or configuration of the site. Proposals making use of green roofs will be seen to deliver significant benefit.

SuDS should link with Filby's key wildlife corridors (as identified in **Figure 5**), acting as a stepping stone.

Built and Historic Environments

This section on the **Built Environment** and the policies it contains aims to deliver the following neighbourhood plan objectives for Filby:

Objective A: Ensure the natural environment is a key consideration in all decisions about how Filby changes;

Objective F: Conserve the significance of heritage assets;

Heritage Assets

67. Historically Filby developed as a farming community. There are numerous finds of archaeological importance, fragments of field systems are visible as cropmarks dating back to the Bronze Age, Iron Age and Roman Period (Norfolk Heritage Explorer). There are nine Grade II Listed Buildings, the majority of which are along the main road through the village and cluster around All Saint's Church which is grade II* listed. There are also non-designated heritage assets of significant local importance, some of which are listed on the Norfolk Historic Environment Record.



Filby Church of All Saints, Grade II, Mike Page*

68. A robust evidence base has been developed to support the neighbourhood plan. This includes consultation with residents, character assessment, review of historic records including the Norfolk Historic Environment Record, and advice from the

Historic Environment Team at Norfolk County Council, to assess the significance of heritage assets. This has enabled identification of twelve non-designated heritage assets that are worthy of protection in the Neighbourhood Plan. In accordance with national guidance, each of these has been assessed against criteria provided in Historic England's Advice Note 7 on Local Heritage Listing⁴. This is provided as a supplementary evidence document to support the Neighbourhood Plan. Preservation of these assets and their settings are important for good community reasons and help to engender community feel and identification.

69. The National Planning Policy Framework requires the submission of a Heritage Statement for any application for works to any heritage asset, including a locally designated one such as those identified in Filby Neighbourhood Plan. Where an application proposes the demolition of any non-designated heritage building the Heritage Statement will need to justify its loss through a structural survey and reasoning as to why the existing building cannot be retained or extended.
70. The following assets are identified in Filby Neighbourhood Plan as non-designated heritage assets, they are also located on **Figure 10**.
 - A. **The Homestead:** This property is not listed, although the barn behind it is a Grade II Listed building that dates to the late 17th Century. The Homestead may be of the same date as the barn, but it has been heavily modified.
 - B. **Filby Clubroom:** This is one of the last remaining buildings made from local clay lump from the Filby Claypit. It used to be the reading room and is an interesting building worthy of protection.
 - C. **The King's Head Pub:** This is also one of the last remaining buildings built of locally sourced clay lump. It was previously a significant smugglers location. The building dates from before 1840, though has been heavily modified.
 - D. **The Dissenters Chapel:** This is an early chapel worthy of preservation. It was built in 1705, though badly damaged during World War 2. The chapel is also listed on the Norfolk Historic Environment Record NHER 31187.
 - E. **The Primary School:** The original school room was built in Tudor style and dates to 1838, enlarged in 1877 and a further room added in 1882. The school is listed on the Norfolk Historic Environment Record NHER 55147.
 - F. **The Raspberry (Jam) Shed:** Filby used to be an important community growing raspberries and this is where they were weighed prior to shipping to London. The building is not listed, but of local interest and worthy of preservation.
 - G. **Vine Cottage:** This is a 19th Century house of some status, being the old Curates House. The cottage is not listed, but of local importance.

⁴ <https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/heag018-local-heritage-listing/>

- H. **The Toll House:** This is the last house in the village, not listed, but of community value. It is identified on Norfolk Historic Environment Record NHER 18357.
- I. **White Thatch Cottage:** This building dates back to 1600 and is very pretty cottage of local importance. Visitors to the village sometimes stop to take photos.
- J. **The White House:** This was originally built as a Methodist chapel, now a private dwelling. It is of significant local importance and its history has recently been recorded by residents.
- K. **Earthworks of a medieval moated site:** This monument is on Norfolk Historic Environment Record NHER 31191. It is the earths of a possible moat or decoy pond, ditches and possible water meadow of probable medieval date which are visible on aerial photographs.
- L. **Filby Broad & Ormesby Little Broad:** The entire Rollesby Broad complex is listed on the Norfolk Historic Environment Record NHER 13509 as a series of medieval peat cuttings which flooded in the late medieval and post medieval periods to form the Broad. The complex is shown on Saxton's Map of 1574. The Broad has a special designation by Historic England as 'an area of exceptional waterlogged archaeology'.

Policy BE1: Heritage Assets

Heritage assets should be conserved in a manner appropriate to their significance. Development should preserve, and wherever possible enhance the historic character, appearance and setting of designated and non-designated heritage assets.

Proposals that could affect such assets will be expected to submit an assessment that is suitable and proportionate in line with the significance of the asset.

The assets listed in paragraph 70 and shown on Figure 10 are designated as non-designated heritage assets.

For buildings listed as non-designated heritage assets (**Figure 10**):

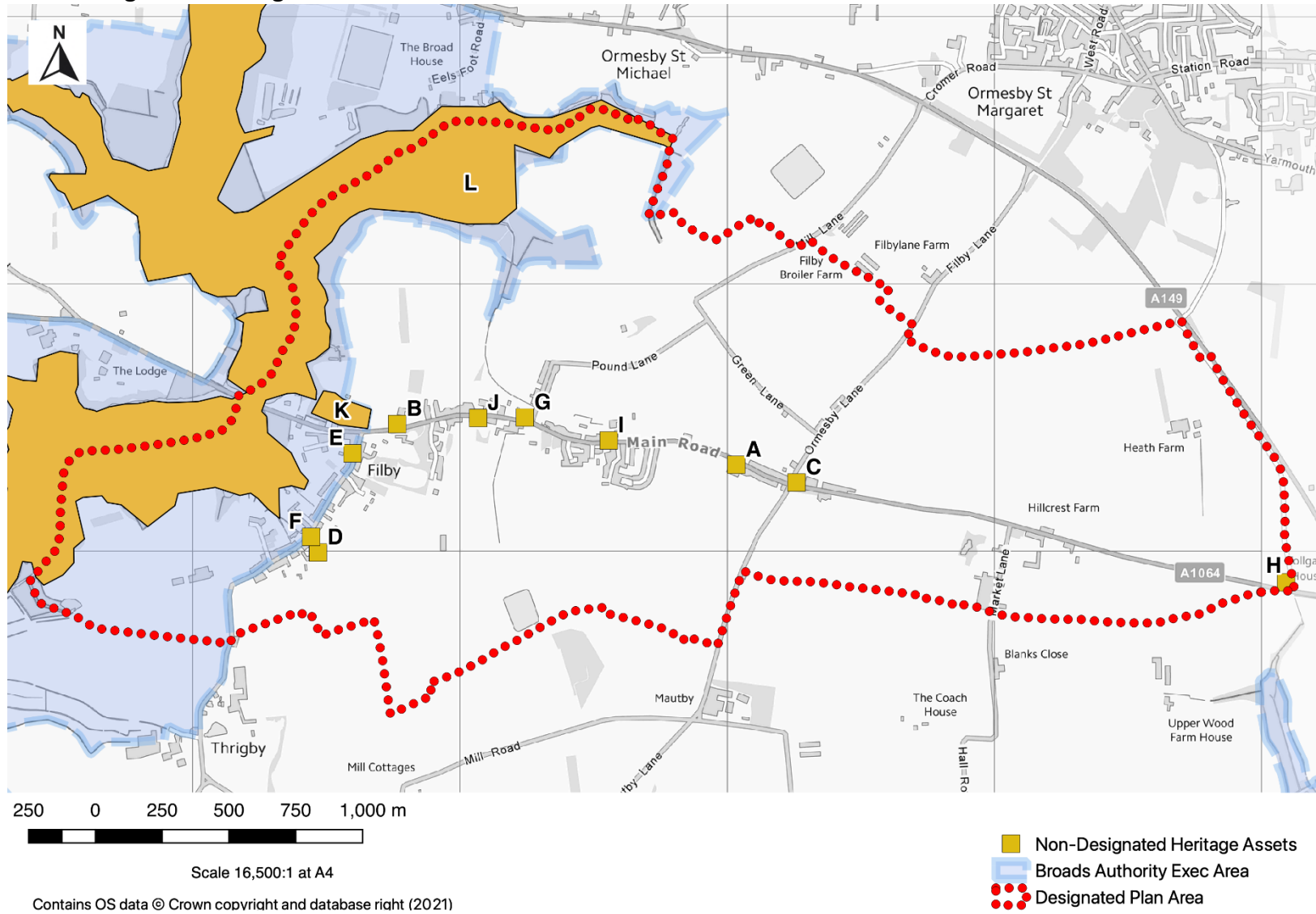
- a) For applications which directly or indirectly affect the non-designated heritage assets, a balanced judgement will be made having regard to the scale of any harm or loss and the significance of the asset;
- b) Conversions for economic or residential purposes in locations that would otherwise be unacceptable will be considered where this would ensure the retention of the building; and
- c) Applications for replacement dwellings will be expected to be accompanied by a Heritage Statement that justifies its loss. Any replacement should make an equal or more significant positive contribution to the wider character of the area to mitigate the harm caused by the loss of a heritage asset.

Norfolk County Council, acting as advisors to the Local Planning Authority, will advise on suitable mitigation measures (if required on all new developments within the parish) if they potentially affect buried archaeological remains.



The White House (Non-designated heritage asset - J)

Figure 10: Non-Designated Heritage Assets



Filby Village Gap

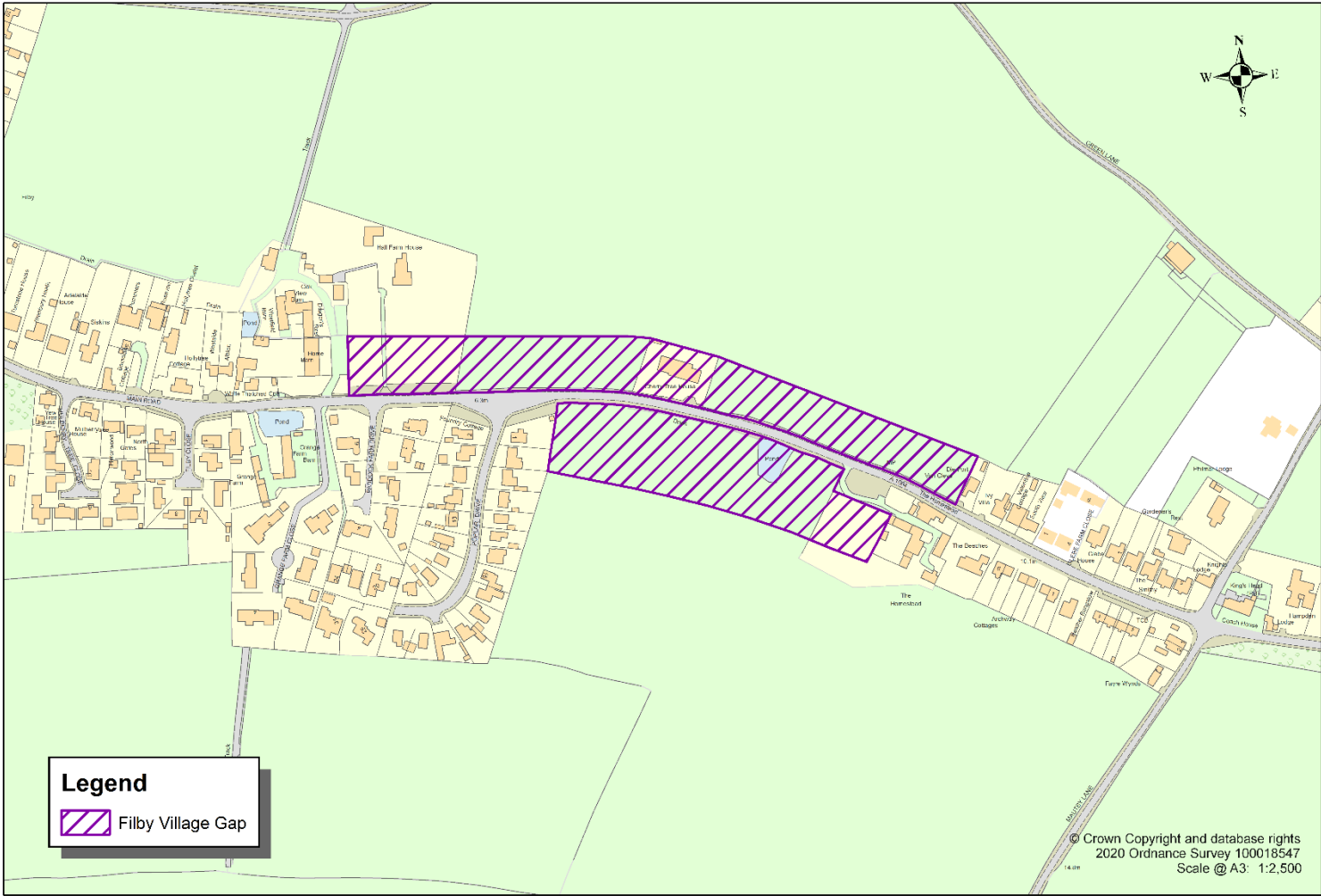
71. The emerging Great Yarmouth Local Plan Part 2 recognises there are two distinct parts of the built-up area of Filby and seeks to retain the gap between them.
72. The village gap is defined in **Figure 11**. Any development within this gap would change the rural aspect of the village and affect the long views currently possible into the surrounding countryside. The gap also has an important historical role in Filby, as the village used to comprise three distinct Manorial systems; one around the crossroads by the King's Head pub; another manor in the middle area; and a third around Church Lane. The history of the village is well documented in the Village Archives and on historical maps, which remain in the village today. There is a listed building (the Barn at the Homestead) and non-designated heritage asset identified in this Neighbourhood Plan (the Homestead), situated adjacent the gap defined to the south of Main Road. Any development on the southern side may affect the setting of these heritage assets. The Neighbourhood Plan seeks to provide additional protection against development happening in the village gap, enabling each element of the settlement to retain its separate identity.

Policy BE2: Filby Village Gap

An area of separation between the two distinct parts of the village settlement, as defined in **Figure 11**, 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.

Figure 11: Filby Village Gap



Access and Transport

This section on **Access and Transport** and the policies it contains aims to deliver the following neighbourhood plan objectives for Filby:

Objective A: Ensure the natural environment is a key consideration in all decisions about how Filby changes;

Objective C: Ensure any future housing development meets the needs of current and future residents of the parish;

Objective E: Respond to climate change, promoting sustainable development and energy efficiency;

Objective H: Promote access to the countryside for recreation and enjoyment;

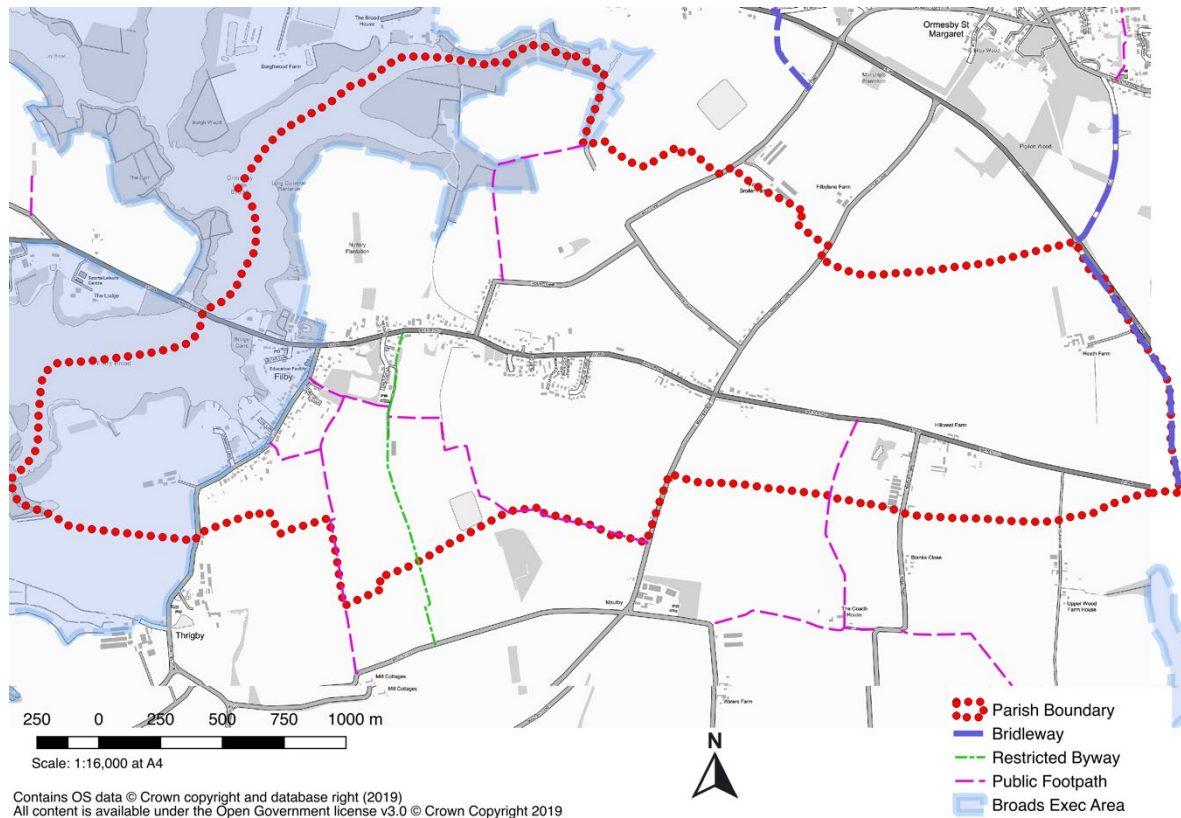
Objective I: Reduce the impact of traffic through the village, investigating ways to emphasise entrances to the village, signifying the change from rural roads to speed restricted areas.

Countryside Access and Sustainable Transport

73. The NPPF and the Local Plans support the promotion of sustainable transport and highway safety. Highway safety will be picked up in the next section on **Traffic and Speed**, with this section focusing on access and sustainable transport such as walking.
74. A lack of good public transport within the village contributes to high levels of private car use. Although a relatively low proportion of households have no car, they are very dependent on local services and public transport. In addition, for other households with just the one car, many of the household members will not have the use of the vehicle if it is used for commuting and so not available for much of the day.
75. Support for walking as an active form of travel was a key outcome from community consultation, especially to access the wider countryside and enabling people to walk to local services and facilities, such as the school. Walking improves both physical and mental well-being and health. It also reduces the need to use the car which has environmental benefits. Within the village, walking appears to be the most popular mode of transport for local trips, but only 5% walk to work, no doubt because of the scarcity of local jobs. There is a footway along one side of the main road through the village, though part footway along Ormesby Lane, which is narrow, for residents to gain access to the village centre. Being able to cross Main Road safely to access the footway on the north side, or just to get to the primary school or playing fields for example, is a concern for many residents, especially with respect to children.
76. Filby has a number of Public Rights of Way, including bridleways, see **Figure 12**, that connect the village with surrounding countryside. Many of these run along field boundaries and there is a concentration to the south-east around the Broads. There are concerns about the condition/ maintenance of some of the footpaths and the

provision of safe off-road routes for horse riders is a priority in the Rights of Way Improvement Plan. There is an aspiration to enhance access across Filby Common and provide circular riding routes for local stables. Access into the open countryside is not only good for wellbeing but, by providing alternatives, may take some recreational pressure off the Broads SSSI and SAC which are environmentally very sensitive, although improving access via footpaths to the Broads will be supported where this is appropriate.

Figure 12: Public Rights of Way



Community Aspiration 3: Public Rights of Way

The Parish Council will work with partners such as landowners and the county council to ensure that Public Rights of Way within Filby are well maintained for the continued enjoyment of residents and visitors. This includes provision for horse riders, enhancing access across Filby Common.

77. Filby is served by public transport, with bus stops mainly along the main road. There is one peak hour bus service to Great Yarmouth and another to Acle, but no other services. This is not sufficient to attract many people away from their cars with very few travelling to work by public transport. In part this is because public transport options are limited and not flexible enough to meet the needs of most people.

78. Developments will be expected to take all reasonable opportunities to provide for safe and convenient access for pedestrians and public transport users. This could include providing new or enhanced facilities as well as improving the physical condition of existing facilities. As required by national and local policy, it is expected that housing and other development will contribute towards improving such local services and infrastructure through the payment of a Community Infrastructure Levy (CIL); planning obligations; or the use of planning conditions.

Policy AT1: Sustainable Transport

New developments will be expected to encourage and enhance sustainable travel choices. Development proposals must demonstrate safe walking links to local services and community facilities, especially to the primary school, playing field and bus stops. Any reasonable opportunities to make crossing Main Road safer must be exploited.

Where necessary, new developments will be expected to improve and/or extend footpaths and footways. Enhancements to existing Public Rights of Ways will need to focus on those that have the potential to take recreational walking pressure off those parts of The Broads SSSI and SAC where habitat deterioration and disturbance are a concern.

All reasonable opportunities to promote and enhance the use of public transport, such as improved waiting facilities, will need to be taken.

79. While using the car in rural areas such as Filby is often the only practical way to get around, the policy promotes the use of more sustainable modes of transport. The benefits vary from reduced air pollution, reduced CO₂ emissions contributing to climate change, better health and well-being, less congestion and less money spent on fuel. Developers can contribute by encouraging a modal shift, for example with a travel plan and by providing infrastructure.
80. To promote sustainable access, applications must, where reasonable to do so, be able to demonstrate that the site is accessible by walking and that future occupiers will be able to walk to most of the local services and facilities and to a bus stop. Contributions and improvements must be proportionately related to the development. These may include the provision of entirely new footway or footpath links, or the improvement, such as the widening, of existing ones, or the provision of crossing points on Main Road. Footway width should ideally be sufficient for two parents pushing a child's buggy to walk side by side. Footpath improvements will need to have regard to any prevailing Public Rights of Way Improvement Plan of Norfolk County Council, as well as the Broads Integrated Access Strategy.

Traffic and Speed

81. Under 10% of residents travel less than 5km to work, which is very low compared to the 43% of people who travel less than 5km across the Borough. This is no doubt

related to the fact that the village lacks services and employment opportunities. The car is the most popular mode for travelling to work by far with 92% of residents either driving or being a passenger. This is higher than the national figure and that for the borough, which is around 70%, which likely reflects limited employment locally and infrequent/inconvenient public transport links.

82. In the consultations, the community is particularly concerned about traffic, both through traffic as the A1064 is a popular commuter route towards Great Yarmouth one way and Norwich the other, and that generated by new development. Traffic is often diverted along the A1064 through the village if the A47 Acle Straight is closed, which can make it very busy. It is not just traffic volume however that causes concern, but the type of traffic – lorries and farm vehicles, and its speed. Although the data indicates that road safety is not a significant issue within the village in terms of actual injury accidents, vehicles travelling in excess of the speed limit is currently a major concern for local residents. The roads through the village are subject to a 30mph limit, however local monitoring as part of Community Speedwatch indicates that average speeds are nearer 40mph and sometimes considerably higher. Speeding traffic compromises pedestrian safety, raising the risk of serious injury, and many people are simply concerned about crossing Main Road safely. Measures to slow down traffic on the A1064 has strong local backing.

Policy AT2: Traffic and Speed

Development should not be detrimental to highway safety and will be required to mitigate its own impacts. New development will need to take reasonable opportunities to reinforce the 30mph speed limit through Filby on the A1064. This could include implementing specific schemes that help to reduce traffic speeds.

83. Specific schemes could include a village gateway scheme at each end of the village, highlighting the change of environment where a 30mph limit applies, or crossing points for pedestrians. However, the speed limit can also be reinforced through the design of new development, such as providing accesses directly onto the A1064, as per **Policy H2**.