



GREAT YARMOUTH
BOROUGH COUNCIL

Council

Date: Wednesday, 20 April 2022

Time: 19:00

Venue: Council Chamber

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 MAYORS ANNOUCEMENTS

To receive any announcements from his Worship the Mayor.

4 ITEMS OF URGENT BUSINESS

To consider any Items of Urgent Business.

5 MINUTES

4 - 18

To confirm the minutes of the meeting held on the 22 February 2022.

6 SERVICE COMMITTEE DECISION LIST 31 JANUARY 2022 TO 10 MARCH 2022

19 - 25

Report attached.

7 FLEGGBURGH NEIGHBOURHOOD PLAN EXAMINATION AND RECOMMENDATION

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Report attached.

8 ADOPTION OF FILBY NEIGHBOURHOOD PLAN

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Report attached.

9 ADOPTION OF ROLLESBY NEIGHBOURHOOD PLAN

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Report attached.

10 ADOPTION OF WINTERTON-ON-SEA NEIGHBOURHOOD PLAN

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Report attached.

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Council

Minutes

Tuesday, 22 February 2022 at 19:00

PRESENT:-

His Worship, The Mayor, Councillor Thompson; Councillors Annison, Bensly, Bird, Borg, Candon, G Carpenter, P Carpenter, Cordiner-Achenbach, Fairhead, Flaxman-Taylor, Freeman, Galer, Grant, Hacon, D Hammond, P Hammond, Hanton, Jeal, Lawn, Martin, Mogford, Myers, Plant, Robinson-Payne, Smith, Smith-Clare, Stenhouse, Talbot, Wainwright, B Walker, C M Walker, Waters-Bunn, Wells, 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 N Turner (Housing Director), Mr I Robertson (Major Projects & Development Director), Mrs M Lee (Head of Customer Services), Mr J Goffin (Head of Media & Communications), Mrs S Wintle (Corporate Services Manager), Ms L Snow (Finance Manager) & Mrs C Webb (Executive Services Officer).

Mr D Zimmerling (IT Support).

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Cameron & Price.

2 DECLARATIONS OF INTEREST

Councillor Hanton declared a personal interest in item number 11, General Fund Budget Report 2022-23, as he was the Chair of Great Yarmouth Community Safety

Partnership which received funding from the Council.

3 MINUTES

The minutes of the meeting held on 9 December 2021 were confirmed.

Proposer: Councillor Smith
Seconder: Councillor Candon.

CARRIED.

4 SERVICE COMMITTEE DECISION LIST

Members received and considered and noted the Service Committee Decision List for the period November 2021 to January 2022.

Proposer: Councillor Smith
Seconder: Councillor Candon

CARRIED.

5 PAY POLICY STATEMENT 2022-23

Council received and considered the report from the Head of Organisational Development.

The Leader of the Council welcomed back Councillor Stenhouse who had been absent due to a long period of very ill health.

The Leader of the Council reported that Section 38 of the Localism Act 2011 required the Council to produce an annual pay policy statement for the start of each financial year. It was a legal requirement that Full Council formally signed off this statement and the responsibility could not be devolved to any other person or committee and must be approved by the end of March each year. The Pay Policy Statement had therefore been updated for the 2022-23 financial year.

The Leader of the Council informed Council that the Pay Policy Statement met the statutory requirements of the Localism Act and it was therefore recommended to adopt the Pay Policy Statement for 2022/23 and to publish it on the Council's website.

That Council adopt the Pay Policy Statement for 2022/23 and to publish it on the Council's website.

Proposer: Councillor Smith
Seconder: Councillor Grant

CARRIED

6 FEES AND CHARGES 2022-23

Council received and considered the report from the Finance Director.

The Leader of the Council reported that the fees and charges for 2022/23 had been reviewed in detail to inform the budget setting for 2022/23. The Fees and Charges Policy was approved in December 2019 which provided a clear framework for the annual review and setting of fees and charges as part of the budget process. The policy allowed for annual increases of RPI only or RPI plus up to 2% and also, where applicable, having regard to the cost of the provision of services. Fees and charges proposals for the coming year within the policy were approved by Policy and Resources Committee on 8 February 2022 and the recommendation was that those fees and charges proposals that were outside of the policy be brought to Council for approval and these were included in Appendix B to the report.

The Leader of the Council reported that these fees had been increased in line with the market retail prices where applicable and also to bring a consistent approach to the car parking charges across the borough, recognising that the fees had remained frozen for a number of years.

Councillor Wainwright informed Council that fees and charges were agreed by Policy & Resources Committee on the 8 February as per the policy agreed in December 2019, which was RPI plus 2%, although a number of charges were frozen. Since 2019, RPI had increased to 4.9% which meant that some fees and charges would be increased by 6.9% this year, and with inflation rising this year, the Council could see RPI at 6% or above next year. Councillor Wainwright reported that he would like to see the policy re-visited this year to reflect any changes that might be necessary.

Councillor Wainwright reported that in respect of the increases outside of the policy as proposed in Appendix B; Fees and Charges, he would like to move an amendment as follows:-

- (a) Town Centre Car Parks; Mon-Sat and Sundays (proposed increase 20%),
- (b) Gorleston Car Parks Mon-Sat and Sundays (proposed increase 49%),
- (c) Caister (Summer) Car Park (proposed increase 20%),
- (d) Beach Coach Station Winter per day (proposed increase 70%), Rover Tickets Weekly (proposed increase (20%); and Rover Tickets Three day (proposed increase (10%) all remain at 2021/22 Levels.

The cost to the General Fund would be between £15k to £20k with this money to be taken from the General Reserve.

Councillor Wainwright reported that with major investment in the new market taking place and the first phase scheduled to open in April 2022 which would hopefully increase footfall, and act as a catalyst to bring in new business to the Town Centre,

this was completely the wrong time to be increasing car parking charges in the Town Centre car parks. As far as the other car parks were concerned, once again, this was the wrong time to increase these charges and by leaving the charges at 2020/21 levels, this would attract residents and holidaymakers to these locations and he urged all Members to support this amendment.

Proposer: Councillor Wainwright
Seconded: Councillor Martin.

AMENDMENT LOST

Proposer: Councillor Smith

Seconded: Councillor Candon

That Council agree the schedule of fees and charges as set out in Appendix B that fall outside of the Fees & Charges Policy.

CARRIED

7 INVESTMENT STRATEGY 2022-23

Council received and considered the report from the Financial Services Manager

The Leader of the Council reported that the investment strategy was the first of three finance strategy documents that were presented for approval together with the budget each year.

In particular, it focused on commercial and service investments and recognised the ongoing implications of related investment decisions now, and in the past, had on future revenue budgets. The strategy provided the framework for specific investment decisions that might be presented as part of a business case in the coming financial year.

Proposer: Councillor Smith

Seconded: Councillor Candon

That Council approve the 2022/23 Investment Strategy

CARRIED

8 CAPITAL STRATEGY 2022-23

Council received and considered the report from the Financial Services Manager.

The Leader of the Council reported that this report presented the Council's Capital Strategy for approval, which was again, one of the strategies for approval alongside the budget.

This strategy provided an overview of capital expenditure and how it was to be financed, recognising how capital spend contributed to local service provision and covered the General Fund, Housing Revenue Account and commercial capital spend & financing.

The capital strategy was intrinsically linked to a number of strategies; namely Treasury Management, Investment, Asset Management and also the Medium-Term Financial Strategy. The last of these strategies, recognised the ongoing impact of capital financial decisions taken now on future budgets. In light of this, the capital strategy also considered the risks around the capital spend and how these were mitigated, as well as the sustainability of the planned spend.

Proposer: Councillor Smith
Seconder: Councillor Candon

CARRIED

9 TREASURY MANAGEMENT STRATEGY 2022-23

Council received and considered the report from the Finance Director.

The Leader of the Council reported that the final strategy presented for approval alongside the setting of the annual budget, was the treasury management strategy for the forthcoming financial year. The strategy outlined the approach to the borrowing and investment activity and managing these in a prudent way which had regard to security and liquidity ahead of the highest rate of return, and ensuring that sufficient cash was available to meet the capital expenditure plans.

The Leader of the Council reported that the Treasury Strategy covered both the borrowing for the general fund and the housing revenue account, taking into account future borrowing requirements which were aligned to the approved capital programme for the Council as presented within the budget reports. The strategy was considered by the Policy and Resources Committee on 8 February 2022 and would be monitored during the year with a half-year report being made to Members later in the year.

Proposer: Councillor Smith

Seconder: Councillor Annison

That Council approve the:-

- (a) The Treasury Management Strategy for 2022/23,
- (b) The Annual Investment Strategy (section 4); and
- (c) Operational Boundary and Authorised Limits (Appendix C)

CARRIED

10 HOUSING REVENUE ACCOUNT BUDGET 2022-23

Council received and considered the report from the HRA Service Accountant.

Councillor Grant reported that as the landlord to approximately 5,800 dwellings and

368 leaseholder homes across the Borough, this report presented for approval the Housing Revenue Account Budget for 2022/23 and reflected the spending and income plans for 2022/23 and the following four years for both the day-to-day revenue account and the longer term capital plans.

Councillor Grant reported that the annual budget included a provision of £9.6m for repairs in the year and just under £9m of capital works to the properties and estates, a significant investment to homes within the borough. This report recommended the annual rent setting and following the end of the 1% reduction to all social rents in 2019/20, this was budgeted to increase at a rate of CPI + 1%, and for next year this would equate to 4.1%. Service charges were also increasing for next year, although this was completed on a cost neutral basis, reflecting increasing cost pressures.

Councillor Grant reported that the budgeted works within the capital programme continued to reduce the existing level of non-decency identified within the housing stock, as well as addressing the newly arising need going forward. To further support continuing works, the budget allowed for a provision to undertake a further stock condition review which would be used to inform the future budget setting for the stock.

Proposer: Councillor Grant

Seconded: Councillor D Hammond

That Council approve:-

- (i) The increase in rents of CPI + 1%, as set out in the new Rents for Social Housing policy for 2022/23. For 2022/23 this equates to 4.1%,
- (ii) The Revenue budget for 2022/23, along with the forecast projections for the period up until 2026/27, including the extended borrowing to support the provision of additional HRA homes,
- (iii) The Capital budget for the period 2022/23 to 2026/27,
- (iv) The HRA Service charges for 2022/23; and
- (v) The revised HRA Capital and Revenue forecasts for 2021/22.

CARRIED.

11 GENERAL FUND BUDGET REPORT 2022-23

Council received and considered the report from the Finance Director.

The Leader of the Council presented for approval the revenue and capital budgets for the General Fund for 2022/23. The budget as presented, was the culmination of significant work and had been informed by the one-year local government finance settlement, for which the final announcement earlier this month, confirmed an additional £80,000 of funding for 2022/23, which had allowed for the continuation of the Member ward budgets for a further year.

The Leader reported that whilst Council was only being asked to approve the budget for 2022/23, the detail in the report did include the following two financial year forecasts, for which there were still budget challenges. As the Council awaited the outcome of the fair funding review and review of business rates, the Council continued to prioritise work aligned to the key themes of the Council's business

strategy to reduce the forecast funding gap, which included:-

- ensuring that we operated in the most effective and efficient manner,
- delivering and facilitating growth; be it new homes or business,
- ensuring that our assets were being utilised in the most efficient way, for example, reviewing opportunities for income generation and also opportunities for disposals where capital receipts could be used to fund the capital programme and deliver ongoing savings to the revenue account; and
- regeneration.

The Leader of the Council reported that the regeneration of the borough continued to be a priority and this was being delivered by both Norfolk County Council projects, namely the third river crossing and the Operations and Maintenance development, but also by direct investment by the Borough. For example, this summer we would see the opening of the new Marina Centre on the seafront. The investment of £26m would be a significant boost for the local economy, whilst supporting the health and well-being for the whole borough and be an attraction for visitors all year round.

Furthermore, the Leader reported that the Council was starting to see the benefits from the £13.7m investment from the Government's future high street fund which would transform and revive Great Yarmouth's town centre, the first significant project being the redevelopment of the market place for which the first phase was nearing completion.

The Leader of the Council reported that during the current year, we had received the confirmation of the allocation of £20.1m from the Town Deal Fund, which would deliver a number of projects over the next few years, including a new learning centre in the centre of Great Yarmouth, business incubator units linked to the new Operations and Maintenance campus, restoration and re-purposing of vacant historic buildings and the restoration of the iconic Wintergardens which had been possible by the allocation of nearly £10m award from the National Lottery Heritage Horizon Awards.

The Leader of the Council informed Members that the report covered the 2022/23 budget only and made recommendations for the setting of the council tax for the borough element, which was in line with the national assumptions of council tax increases, which amounted to a £5 increase for a Band D property per annum, and £3.33 increase for a Band A property. When taken into account with the level of parish precepts for the borough, Great Yarmouth would continue to be one of the lowest nationally.

The Leader reported that Council continued to hold a number of earmarked reserves which together with the general reserve provided some financial stability. Whilst the transfers from reserves should only be seen as a one-off source of funding, use of reserves in this way could provide one-off upfront funding for projects and schemes that could deliver future savings and efficiencies.

The Leader of the Council reported that despite the challenges of the last two years, the budget continued to support delivery of vital services to the residents and businesses within the borough including:-

- waste and recycling,
- grounds maintenance,
- housing including support for homelessness; and
- essential support to households through local council tax support.

The Leader of the Council reported that the Council had continued to provide support

to businesses throughout the pandemic, through the administration of grants which were now in excess of £66m, that had been paid out since the start of the pandemic. There would also be continued business rate relief of 50% for retail, hospitality and leisure sector for 2022/23.

In addition, the Council had continued to provide support to our residents and those that were most vulnerable in our communities, including further assistance via council tax hardship and support for energy, food and housing.

The Leader reported that Members would have heard the recent announcements of the £150 energy rebate scheme which would be paid to all households in council tax bands A to D in April 2022. The Council is aware that there will be some households that do not fall into this criteria and there will be £144m allocated nationally for Council's to develop their own discretionary scheme. Guidance on discretionary schemes together with funding allocations had not yet been issued. However, in order to administer a discretionary scheme in a swift manner, it was proposed that delegation be given to the Head of Customer Services and Finance Director, in consultation with myself as the Leader and Councillor Wainwright as the Leader of the Labour Group, to develop our local scheme.

In summary, the Leader of the Council reported that he was confident that the budget, as presented, continued to support the residents and businesses across the borough, was achievable and supported the delivery of the Corporate Plan and he therefore recommended the budget for 2022/23 as detailed on the agenda report.

The Leader of the Council reported that he would like to thank the Finance Director and her team for their work on the budget, which at times must have been a challenge. I would also like to thank the Head of Customer Services and the Head of Inward Investment and their teams for the way in which they had administered the Covid and ARG grants over the last two years. These grants had been a lifeline to businesses, enabling many to survive over this difficult period.

Councillor Wainwright informed Council that once again Great Yarmouth was being levelled- down instead of levelled-up by this administration and central government, with the borough still having to receive one-off Lower Tier Grants and Services Grants to balance its budgets.

The revenue support grant increasing by 3.1% (£63,331) to £2,136,919 was way below what the borough actually needed. Councillor Wainwright recalled when Great Yarmouth received from a Labour Government RSG increases of 14% which was still not enough for the Conservatives.

Councillor Wainwright reported that Local Authorities across the country had been given levelling-up monies of approximately £2 Billion, to areas that had lost £25 Billion since 2010, one of those areas being Great Yarmouth.

Councillor Wainwright informed Council that from April 2022, this government would be hitting working families with a £12 Billion hike in National Insurance, the biggest tax hike in 70 years, with personal tax allowances frozen until 2026, millions to be hit by crippling rises in energy bills, fuel prices and food and with inflation at a 30 year high. Council Tax increase for a Band D Property in Great Yarmouth would be increasing by £61.64 a year without any noticeable increase in services. Once again, cuts to local government funding had forced Councils to raise council tax, this being acknowledged by Andrew Procter, Leader of Norfolk County Council, and he asked the Leader of the Council what his response to this was. Councillor Wainwright highlighted that the £150 Council

Tax rebate announced by the Government was not a Council Tax Rebate but was actually a £150 payment using council tax records and based on council tax bands.

Councillor Wainwright reported that he would not be presenting an alternative budget or moving amendments much to the dismay perhaps of Councillor Wells, as there was little or no scope to do this, with forecast deficits for the next three years increasing to £1.9m by 2024/25 and the General Reserve at its recommended balance of £3.5m.

Councillor Wainwright questioned whether the Leader of the Council knew something that he did not and that the Fair Funding review in 2022/23, or the UK Shared Prosperity Fund allocation being announced in the Spring, would bring in millions of pounds into the Borough, although he would not hold his breath.

Councillor Wainwright once again requested that the concurrent funding given to the Parishes amounting to £142,313 in 2022/23 be looked at as there were only two local authorities in the country providing this type of funding, Great Yarmouth being one of them. Did this funding to the parish council's offer value for money, or should GYBS be commissioned to carry out the works or parish councils be responsible to cover this amount. The funding given is for maintenance of Burial Grounds, Beach Cleaning, Parks and Open Spaces and Bus Shelters and for example, two parishes also received monies from the BID totalling £8394. Parish Precepts for 2022/23 would raise by an average of 15% to £596,030 equating to £20.31 for a Band D property. At the same time, Bradwell Parish Council is taking away Football Provision on the Green Lane Playing Field through lack of funds, which I did not vote for. Therefore, I would ask again that these concurrent function grants are looked at again during 2022/23.

Councillor Wainwright summed up that this budget presented to us today was an indictment of the failure of the current administration to grasp the magnitude of the challenges ahead, and their focus now seemed to be moving to a Cabinet System from May 2022, in the hope that this change of governance would make everything alright.

Councillor Myers questioned why there was still an element of social care precept within council tax which resulted in residents paying twice and that the government needed to address this matter urgently.

Councillor A Wright informed Council why his group had been unable to put forward an alternative budget due to the continued funding cuts sustained over the last ten years which had left them unable to do anything. Councillor A Wright alluded to the significant amount of improvement works to the borough and likened them to a beauty pageant as the results would be lovely to look at but would not address the grass root problems of local residents struggling with the cost of living on a daily basis.

Councillor Talbot reported that she had been listening to the views of local residents on social media who were concerned that the increases in car parking and council tax had been made to cover the increases Members had voted through to increase their Member allowances.

The Leader of the Council reported that he was constantly talking to the government

regarding the Council's four year settlement. The Leader regretted the increase in council tax but reported it was necessary to balance the budget as the Council worked to cover the deficit and advised that a report would be brought back to Council in six months time when it was hoped that the deficit would be covered. The Leader reported that he had asked the S151 Officer to look into the concurrent funding for the parish councils and a report would come to Council.

Proposer: Councillor Smith
Seconder: Councillor Candon

That Council approve the following:-

- 1) The general fund revenue budget as detailed at Appendix A;
- 2) The Council Tax for 2022/23 for the Borough Council tax be £176.48 (for an average Band D);
- 3) That the demand on the Collection Fund for 2022/23 be:
 - a. £5,085,693 for the Borough Council purposes;
 - b. £596,030 for Parish Precepts.
- 4) The statement of and movement on the reserves as detailed at Appendix D and within section 8 of the report;
- 5) The Policy framework for reserves as detailed at Appendix E;
- 6) The updated Capital Programme and financing for 2021/22 to 2022/23 as detailed at Appendix F;
- 7) New capital bid proposals at Appendix G;
- 8) The Minimum Revenue Provision Statement 2022/23 as included at Appendix H;
- 9) The underwriting of the £3.5million funding for the Learning Centre project as outlined at section 5;
- 10) The inclusion of ward budgets for 2022/23 totalling £39,000; and
- 11) That delegation be given to the Head of Customer Services and the Finance Director, in consultation with the Leader of the Council and Councillor Wainwright to develop the local discretionary energy rebate grant scheme.

CARRIED

That a recorded vote be taken on this item as follows:-

For the motion:- Councillors Annison, Bensly, Bird, Candon, G Carpenter, P Carpenter, Flaxman-Taylor, Freeman, Galer, Grant, Hacon, D Hammond, P Hammond, Hanton, Lawn, Mogford, Plant, Smith, Stenhouse, Thompson & Wells.

Against the motion:- Councillor Talbot

Abstentions:- Councillor Borg, Cordiner-Achenbach, Fairhead, Jeal, Martin, Myers, Robinson-Payne, Smith-Clare, Wainwright, Williamson, B Walker, C Walker, Waters-Bunn, A Wright & B Wright.

12 COUNCIL TAX SETTING 2022-23

Council received and considered the report from Council.

The Finance Director presented for approval by Council, the statutory calculations for the Council Tax Setting for 2022/23 in accordance with the Local Government Finance Act 1992. The report also included the Chief Finance Officer's report on the robustness of the estimates and adequacy of reserves.

The Finance Director informed Council that this report should be considered alongside the budget report as presented to Policy and Resources Committee on 8 February 2022, as outlined at appendix A.

Proposer: Councillor Smith
Seconded: Councillor Candon

That Council having approved the Budget for 2022/23 as detailed in the earlier agenda item (Policy and Resources Committee Budget Report, 8 February 2022, as outlined at Appendix A) and considered the Chief Financial Officer's report on the robustness of the estimates and the adequacy of reserves, agree to:-
(i) Undertake the Council Tax and statutory calculations as set out in section 4 of the report and set the Council Tax for 2022/23; and
(ii) Approve the demand on the Collection Fund for 2022/23 be:-
a) £5,085,693 for the Borough Council purposes;
b) £596,030 for Parish Precepts.

CARRIED.

That a recorded vote be taken on this item as follows:-

For the motion:- Councillors Annison, Bensly, Bird, Candon, G Carpenter, P Carpenter, Flaxman-Taylor, Freeman, Galer, Grant, Hacon, D Hammond, P Hammond, Hanton, Lawn, Mogford, Plant, Smith, Stenhouse, Thompson & Wells.

Against the motion:- Councillor Talbot

Abstentions:- Councillor Borg, Cordiner-Achenbach, Fairhead, Jeal, Martin, Myers, Robinson-Payne, Smith-Clare, Wainwright, Williamson, B Walker, C Walker, Waters-Bunn, A Wright & B Wright.

13 APPOINTMENT OF EXTERNAL AUDITORS

Council received and considered the report from the Finance Director.

Councillor Flaxman-Taylor informed Council that in accordance with the Local Government Audit and Accountability Act 2014, the Council was required to appoint an External Auditor. The existing external audit provider (EY) was procured via the Public Sector Audit Appointments Ltd (PSAA) for the period 2018/19 to 2022/23.

Councillor Flaxman-Taylor reported that PSAA was a company limited by guarantee and was incorporated by the Local Government Association in 2014. In 2016 the PSAA was specified by the Secretary of State for Housing Communities and Local Government as the appointing person for principal local government and police bodies for audits from 2018/19. PSAA was now undertaking a procurement for the next period of appointment of external auditors and all eligible bodies have been invited to opt into their national scheme for external audit appointments from 2023/24 onward. The Council's invitation to opt into the national scheme was included at Appendix A to the report.

Councillor Flaxman-Taylor reported that there were three options available for the appointment of an external auditor for the five-year period from 2022/23:

- Undertake an individual auditor procurement and appointment exercise;

- Undertake a joint audit procurement and appointing exercise with other bodies, those in the same locality for example; or
- Join PSAA's sector led national scheme.

A decision to join the PSSA sector led scheme must be made by Council. Options 1 and 2 above would require the establishment of an independent auditor panel to make the appointment, this would be after a local procurement process. The independent panel would consist wholly or majority of independent members excluding current and former members (or officers). In addition, the panel would be responsible for overseeing the management of the contract for its duration.

Opting into the national scheme would provide the independence required for the procurement and appointment process. By undertaking a collective procurement this would reduce the costs for the sector and the bodies that are part of the procurement. The PSAA option would also deliver the requirement to establish an auditor panel. It was therefore recommended that the Council opt into the national scheme for the auditor appointment process from 2023/24 onward. This report was previously reported to the Audit and Risk Committee on 6 December 2021 whereby the committee agreed to make the recommendation to Council.

Proposer: Councillor Flaxman-Taylor
Seconder: Councillor Galer

That Council agree that Great Yarmouth Borough Council accepts the Public Sector Audit Appointments' invitation to opt into the sector led option for the appointment of external auditors for the five years from 1 April 2023.

CARRIED.

14 NOTICE OF MOTION

Council are asked to consider the following Motion on Notice that has been submitted :-

(1) Motion received from Councillors Wainwright, T Wright, B Wright, Williamson, B Walker and C Walker.

Councillor Wainwright reported that following the announcement of the Governments white paper on Levelling up, we are disappointed to learn that any devolution deal for Norfolk does not require the consent of Districts or Boroughs. Gt Yarmouth Borough Council has a long history of delivering for the residents of the Borough. Projects such as the Outer Harbour, Third River crossing, New Energy Park, along with ground breaking public private partnerships such as GYMI, GYTA and more recently the BID. We have also been at the forefront for obtaining £millions of grants over many years with the exemplary work from our Borough officers and lately the joint working of councillors across the political divide and officers have delivered well during the Covid outbreak. We therefore ask that this Council opposes, as it has done before, any proposals for a directly elected Mayor and a Unitary Council for Norfolk, and that Great Yarmouth Borough Council and its residents be allowed to continue determining our own future.

Councillor A Wright reported that an elected mayor was not the way forward for Great Yarmouth and that this Council was perfectly capable of running its own affairs and this should remain so and urged all councillors to support the continuation of local democracy.

Councillor Wainwright apologised to His Worship, The Mayor, Councillor Thompson as he had been amiss and had not requested a recorded vote on this item when he presented the motion to Council.

The Leader of the Council reported that he had asked Councillor Wainwright to withdraw his motion on two or three occasions. The Leader reported that he sat on the Norfolk Sector Leaders Board and was prepared to listen and to see what was on offer and he therefore felt that the motion was premature.

The Leader of the Council proposed that the motion go straight to the vote and that he did not oppose a recorded vote on the item. This motion was seconded by Councillor Wells.

Councillor Wainwright summed up his party's objection to a elected mayor or an unitary council which would encompass the borough and that he was heartened to hear that other local authority leaders in Norfolk were also opposed to this too. Councillor Wainwright had not withdrawn the motion as he wished to put a marker down for Council.

Proposer: Councillor Wainwright
Seconder Councillor A Wright.

MOTION LOST

That a recorded vote be taken on this motion as follows:-

For the motion:- Councillor Borg, Cordiner-Achenbach, Fairhead, Jeal, Martin, Myers, Robinson-Payne, Smith-Clare, Thompson, Wainwright, Williamson, B Walker, C Walker, Waters-Bunn, A Wright & B Wright.

Against the motion:- Councillors Annison, Bensly, Bird, Candon, G Carpenter, P Carpenter, Flaxman-Taylor, Freeman, Galer, Grant, Hacon, D Hammond, P Hammond, Hanton, Lawn, Mogford, Plant, Smith, Stenhouse & Wells.

Abstentions:- Councillor Talbot.

15 ANY OTHER BUSINESS

(i) The Leader of the Council, Councillor Smith, reported that he would keep Members informed of talks on Devolution which formed part of the Government's white paper on Levelling Up.

16 MAYORS ANNOUNCEMENTS

His Worship, The mayor, Councillor Thompson made the following announcements:-

(i) There would be an extraordinary meeting of Council on Thursday, 14 April 2022, to vote on the proposal that that Michael Thomas Jeal be made an Honorary Freeman of the Borough of Great Yarmouth.

(ii) That next Full Council would be held on Wednesday, 20 April 2022 at 7:00pm in the Council Chamber; and

(iii) That the Mayor's Quiz Night will take place on Wednesday, 2 March 2022 and the Mayor's Ceilidh will be held on Friday, 6 May 2022.

17 CONFIDENTIAL SERVICE COMMITTEE DECISION LIST

Council received, considered and noted the Confidential Service Committee Decision List for the period November 2021 to January 2022.

Proposer: Councillor Smith
Seconder: Councillor Candon.

CARRIED.

18 CONFIDENTIAL MINUTES

The confidential minutes of the meeting held on 9 December 2021 were confirmed.

Proposer: Councillor Smith
Seconder: Councillor Candon

CARRIED

The meeting ended at: TBC

Service Committee Decision List for the period 31 January 2022 to 10 March 2022

	Details of Decision	Officer Lead
1	<p>Economic Development Committee – 31 January 2022</p> <p>GENERATE MARKETING AND PROMOTION UPDATE</p> <p>RESOLVED : That the Committee endorse the marketing activity to date and the forward plan to generate inward investment prospects/leads and continue to embed the new brand into the wider energy sector.</p>	Renewables Marketing Manager
2	<p>Economic Development Committee – 31 January 2022</p> <p>PROPOSED TOWN CENTRE ENTERPRISE HUB</p> <p>RESOLVED :</p> <p>That the Committee endorse the contents of the report</p>	Regeneration & Funding Manager
3	<p>Policy & Resources Committee – 8 February 2022</p> <p>QUARTER 3 PERFORMANCE REPORT 2021-22</p> <p>RESOLVED :</p> <p>(i) That the Committee agree that all measures to be monitored during the next quarter; and</p> <p>(ii) All key projects will 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>	Senior Performance & Data Protection Officer
4	<p>Policy & Resources Committee – 8 February 2022</p> <p>ADOPTION OF THE BEACON PARK LOCAL DEVELOPMENT ORDER</p> <p>RESOLVED :</p> <p>That the Committee approve the beacon Park LDO as proposed as appended at Appendix 1 and the Design Code appended at Appendix 2 to the report.</p>	Strategic Planning Manager

5	<p>Policy & Resources Committee – 8 February 2022</p> <p>HAZ – GY SHOPFRONT DESIGN GUIDE</p> <p>RESOLVED:</p> <p>That the Committee approve the final draft of the GY Shopfront Design Guide Supplementary Planning Document for consultation.</p>	HAZ Project Manager
6	<p>Policy & Resources Committee – 8 February 2022</p> <p>COVID-19 ADDITIONAL RELIEF (CARF) SCHEME BUSINESS RATES</p> <p>RESOLVED:</p> <p>That the Committee endorse the recommended Covid-19 Additional Relief Fund Scheme as summarised in the report and detailed at Appendix A.</p>	Head of Customer Services
7	<p>Policy & Resources Committee – 8 February 2022</p> <p>RECOGNITION AWARDS</p> <p>RESOLVED:</p> <p>That the Committee:-</p> <ul style="list-style-type: none"> (i) Agree to the holding of a Recognition Awards ceremony via a 4-yearly cycle, (ii) Consider and agree that the nomination, criteria and selection process be delegated to the Leader of the Council, Shadow Leader & Chief Executive Officer, including those amendments made at the meeting as follows:- (iii) (a) 1.3 Given all this, the Council is proposing to celebrate a small number of individuals and local organisations (maximum of 3), acknowledging their outstanding contribution to the Borough and beyond. The Council is proposing to run a Recognition Awards ceremony, with the first to take place in Spring 2022 to therefore bring positivity to the Borough and celebrate those who deserve recognition for their endeavours. (b) 2.2 Nominations would be proposed by any elected member, with all nominations to meet all the criteria as laid out in section 2.3 below. All final chosen nominees would require support from the Leader of the Council, Shadow Leader and Chief Executive Officer, and as such, require unanimity. An equality impact assessment will be undertaken throughout the selection process. (c) 2.3 Criteria for nomination; Nominees must:- Have been born, and/or raised, educated and lived within the Borough • Achieved success amounting to national or international recognition • A positive ambassador and 	Head of Marketing & Comms

	<p>role model for the Borough.</p> <p>(d) 2.4 All nominations will be presented to the group leaders with justification and evidence as to how each nominee meets all of the qualifying criteria. Should there be more than three nominees the Leader of the Council, The Shadow Leader and the Chief Executive Officer will reserve the right to choose the final recipients of the awards based on the quality of the justification provided.</p> <p>Agree to the hosting of the first Awards ceremony in the Spring of 2022.</p>	
8	<p>Policy & Resources Committee – 8 February 2022</p> <p>FEES & CHARGES 2022-23</p> <p>RESOLVED:</p> <p>That the Committee approve those Fees & Charges for the financial year 2022-23 as included in Appendix A and recommend to Council those included in Appendix B of the report.</p>	Finance Director
9	<p>Policy & Resources Committee – 8 February 2022</p> <p>INVESTMENT STRATEGY 2022-23</p> <p>RESOLVED:</p> <p>That the Committee recommend the Investment Strategy 2022-23 to Council for approval.</p>	Finance Director
10	<p>Policy & Resources Committee – 8 February 2022</p> <p>CAPITAL STRATEGY 2022-23</p> <p>RESOLVED:</p> <p>That the Committee recommend the Capital Strategy 2022-23 to Council for approval.</p>	Finance Director

11	<p>Policy & Resources Committee – 8 February 2022</p> <p>TREASURY MANAGEMENT STRATEGY 2022-23</p> <p>RESOLVED:</p> <p>That the Committee recommend the TMS 2022-23 to Council for approval.</p>	Finance Director
12	<p>Policy and Resources Committee – 8 February 2022</p> <p>HRA BUDGET REPORT 2022-23</p> <p>RESOLVED:</p> <p>That the Committee recommend the general Fund Budget report 2022-23 to Council for approval with the amendment agreed at the meeting to retain Ward Budgets at £1k per Member.</p>	Finance Director
13	<p>Policy and Resources Committee – 8 February 2022</p> <p>2022-23 GENERAL FUND BUDGET REPORT</p> <p>RESOLVED :</p> <p>That Committee recommend to Council :-</p> <p>(1) 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.</p>	Finance Director

14	<p>Environment Committee – 16 February 2022</p> <p>SUSTAINABILITY STRATEGY</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. To recommend to Council the adoption of the Sustainability Strategy to include the setting of a Council's own Net Zero target of 2035. 2. To agree to the establishment of a sustainability forum to enable the council to work collaboratively with external stakeholders to better deliver against this strategy, with terms of reference for this forum to be agreed by Environment Committee. 3. To agree to the allocation of up to £65,000 from the invest to save reserve to appoint an Environmental Strategy Officer of a fixed term basis for 18 months, to support the delivery of our Carbon Reduction Action Plan, Sustainability Action Plan and to support the development of the Investment Plan in relation to this agenda as part of accessing the UK Shared Prosperity Fund. 4. To note there is an underspend of £8,368 for this strategy work, which Members are asked to allocate as a small reserve to support sustainability initiatives during 2022/23. 	Star Molteno, Eunomia
15	<p>Environment Committee – 16 February 2022</p> <p>CARBON FOOTPRINT ACTION PLAN</p> <p>RESOLVED :</p> <p>That the Committee:-</p> <ol style="list-style-type: none"> 1. To accept and approve the Carbon Footprint Report completed by the Carbon Trust 2. To approve the adoption of the Councils' organisational Carbon Reduction Action Plan 2022-2027. 3. To receive six monthly update reports on the progress against the Action Plan. 	Head of Environment & Sustainability.
16	<p>Environment Committee – 16 February 2022</p> <p>OUTSIDE BODIES UPDATE 2021-22</p> <p>RESOLVED :</p> <ol style="list-style-type: none"> 1. To note the report. 	Corporate Services Manager

	2. To recommend to Policy and Resources Committee that all the appointments to Outside Bodies listed in the report are retained.	
17	<p>Housing & Neighbourhoods Committee – 10 March 2022</p> <p>OUTSIDE BODY REPORTS 2021-22</p> <p>RESOLVED:</p> <p>That the Committee note the update reports.</p>	Corporate Services Manager
18	<p>Housing & Neighbourhoods Committee – 10 March 2022</p> <p>MIDDLEGATE ESTATE UPDATE</p> <p>RESOLVED:</p> <p>That the Committee note the update.</p>	Director of Housing
19	<p>Housing & Neighbourhoods Committee – 10 March 2022</p> <p>HOUSING FIRST</p> <p>RESOLVED:</p> <p>That the Committee note the update.</p>	Director of Housing

20	<p>Housing & Neighbourhoods Committee – 10 March 2022</p> <p>SUSTAINABLE WARMTH & DECARBONISATION</p> <p>RESOLVED:</p> <p>The Committee noted the report and agreed: 1. To accept the Homes Upgrade Grant and Social Housing Decarbonisation Fund grant monies.</p> <p>2. The prior completion of the Memorandum of Understanding to secure the SHDF grant monies and completion of the Memorandum of Understanding for the HUG grant award.</p> <p>3. The delegation of all decisions on the use and spend of the Homes Upgrade Grant and Social Housing Decarbonisation Fund monies in accordance with the requirements of the applicable Memorandum of Understanding to the Head of Property and Asset Management/Director of Housing Assets.</p> <p>4. To the updating of the General Fund and Housing Revenue Account 2022/23 capital programmes to reflect the HUG and SHDF spend.</p>	Director of Housing
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URN:

Subject: Fleggburgh Neighbourhood Plan examination & recommendation

Report to: Full Council – 20 April 2022

Report by: Nick Fountain, Senior Strategic Planner

SUBJECT MATTER

Fleggburgh 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 Fleggburgh in April 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 17th March 2022.

Final stages of the plan

- 1.4. The plan was submitted to the Borough Council in July 2021, with the parish council having undertaken early local consultations. The Borough Council published and consulted on the submitted plan in August 2021. An independent examiner was then appointed to examine the plan. To aid the examination, the Examiner then asked some clarification questions with the Borough Council, Broads Authority and parish council. Responses from these were passed to the Examiner for consideration and published on the website.
- 1.5. The appointed Examiner has now examined the Fleggburgh 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 23rd February 2022.
- 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. Therefore, the referendum area will cover the whole parish of Fleggburgh.

2. Fleggburgh 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 high energy efficiency standards
 - Seeking biodiversity net gain on new major developments
 - Retain trees and hedgerows
 - Designate Local Green Spaces
 - Identify key views and protect the best and most versatile agricultural land
 - Protect dark skies
 - Encourage the use of sustainable urban drainage systems
 - Identify a 'Village Centre' to focus community facilities and connectivity
 - Identify non-designated heritage assets

- 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. Though the following policy requirements had more significant text added or removed:
 - Updating any references to the NPPF as necessary
 - (Policy 2) Encouraging (but not requiring) energy efficiency standards in accordance with the Written Ministerial Statement
 - (Policy 2) Removing the EV charge point requirement (but encouraging installation)
 - (Policy 3) Clarifying the threshold of development (major developments) to which Biodiversity Net Gain will apply
 - (Policy 4) Ensuring Local Green Space policy is consistent with Green Belts as set out in national policy
 - (Policy 6) Removing restrictions to lighting installations
 - (Policy 9) Aligning heritage policy with the NPPF in consideration of non-designated heritage assets
 - (Policy 10) Ensuring that the transport requirements meet the obligations tests and are in general conformity with the NPPF

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). As this Full Council meeting falls beyond the 5 week period, the parish council had agreed (in accordance with the Regulations) an extension of time for the Borough Council and Broads Authority to make a decision.
- 4.2. A 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.
- 4.3. 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 1st April 2022). Therefore, a formal joint decision will not be issued until the decision is made by Full Council in April.

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 Local Plan Part 2 (LPP2) strategic policies as the document was emerging. As an adopted part of the Development Plan, the LPP2 was considered under the basic conditions.
- 4.6. Where there are elements of policy that may have the potential to conflict, these will be resolved by favouring the most recently adopted policy. Therefore, the neighbourhood plan policies would take precedence as the document would be formally adopted following a successful referendum. Such conflicts should be rare occurrences 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 March 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 16th June 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 Fleggburgh 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 within the required time limit, and **Thursday 12th June 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 Fleggburgh Neighbourhood Plan \(pre-examination therefore excludes modifications\)](#)
- [SEA & HRA Screening Opinion](#)
- [Submitted SEA & HRA Screening Assessment](#)

9. Appendices

Appendix 1 – Examiner's Report on Fleggburgh Neighbourhood Plan

Appendix 2 – Fleggburgh Decision Statement on Examiner's Report

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 6
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

FLEGGBURGH NEIGHBOURHOOD PLAN

Fleggburgh Neighbourhood Plan Examination
A Report to Great Yarmouth Borough Council and the Broads Authority

by Independent Examiner, Nigel McGurk BSc (Hons) MCD MBA MRTPI

February 2022

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1, Summary

2, Introduction

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4, Background Documents and the Fleggburgh Neighbourhood Area

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8, The Neighbourhood Plan: Other Matters

9, Referendum

1. Summary

- 1 Subject to the recommendations within this Report, made in respect of enabling the Fleggburgh Neighbourhood Plan to meet the basic conditions, I confirm that:
 - 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 of the authority (or any part of that area);
 - the making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations; and
 - the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.
- 2 Taking the above into account, I find that the Fleggburgh Neighbourhood Plan meets the basic conditions¹ and I recommend to Great Yarmouth Borough Council and the Broads Authority that, subject to modifications, it should proceed to Referendum.

¹ It is confirmed in Chapter 3 of this Report that the Fleggburgh Neighbourhood Plan meets the requirements of Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990.

2. Introduction

The Neighbourhood Plan

- 3 This Report provides the findings of the examination into the Fleggburgh Neighbourhood Plan (referred to as the Neighbourhood Plan) prepared by Fleggburgh Parish Council.
- 4 As above, the Report recommends that the Neighbourhood Plan should go forward to a Referendum. At Referendum, should more than 50% of votes be in favour of the Neighbourhood Plan, then the Plan would be formally *made* by Great Yarmouth Borough Council and the Broads Authority.
- 5 The Neighbourhood Plan would then form part of the relevant development plan and as such, it would be used to determine planning applications and guide planning decisions in the Fleggburgh Neighbourhood Area.
- 6 Neighbourhood planning provides communities with the power to establish their own policies to shape future development in and around where they live and work.

"Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood Plans can shape, direct and help to deliver sustainable development."

(Paragraph 29, National Planning Policy Framework)

- 7 As confirmed under "*Legal and Regulatory Compliance*" in paragraph 7 on page 2 of the Basic Conditions Statement, submitted alongside the Neighbourhood Plan, Fleggburgh Parish Council is the *Qualifying Body*, ultimately responsible for the Neighbourhood Plan.
- 8 Paragraph 7 of the Basic Conditions Statement also confirms that the Neighbourhood Plan relates only to the designated Fleggburgh Neighbourhood Area and there is no other neighbourhood plan in place in the Fleggburgh Neighbourhood Area.

- 9 This meets with the aims and purposes of neighbourhood planning, as set out in the Localism Act (2011), the National Planning Policy Framework (2021) and Planning Practice Guidance (2014).

Role of the Independent Examiner

- 10 I was appointed by Great Yarmouth Borough Council and the Broads Authority to conduct the examination of the Fleggburgh Neighbourhood Plan and to provide this Report.
- 11 As an Independent Neighbourhood Plan Examiner, I am independent of the Qualifying Body and the relevant Local Authorities. I do not have any interest in any land that may be affected by the Neighbourhood Plan and I possess appropriate qualifications and experience.
- 12 I am a chartered town planner and have nine years' direct experience as an Independent Examiner of Neighbourhood Plans and Orders. I also have thirty years' land, planning and development experience, gained across the public, private, partnership and community sectors.
- 13 As the Independent Examiner, I must make one of the following recommendations:
- that the Neighbourhood Plan should proceed to Referendum, on the basis that it meets all legal requirements;
 - that the Neighbourhood Plan, as modified, should proceed to Referendum;
 - that the Neighbourhood Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements,
- 14 If recommending that the Neighbourhood Plan should go forward to Referendum, I must then consider whether the Referendum Area should extend beyond the Fleggburgh Neighbourhood Area to which the Plan relates.
- 15 Where modifications are recommended, they are presented as bullet points and highlighted in **bold print**, with any proposed new wording in *italics*.

Neighbourhood Plan Period

- 16 A neighbourhood plan must specify the period during which it is to have effect.
- 17 The title page of the Neighbourhood Plan refers to the plan period as "2020 – 2030."
- 18 Taking this into account, the Neighbourhood Plan meets the requirement in respect of specifying the period during which it is to have effect.

Public Hearing

- 19 According to the legislation, it is a general rule that neighbourhood plan examinations should be held without a public hearing – by written representations only.
- 20 However, it is also the case that *when the Examiner considers it necessary* to ensure adequate examination of an issue, or to ensure that a person has a fair chance to put a case, then a public hearing must be held.
- 21 Further to consideration of the information submitted, I determined not to hold a public hearing as part of the examination of the Fleggburgh Neighbourhood Plan.
- 22 However, further to consideration of the submission documents, I wrote to the Qualifying Body in respect of matters where further information was sought. At the same time, in line with good practice, the Qualifying Body was provided with an opportunity to respond to representations received during the Submission consultation process.

3. Basic Conditions and Development Plan Status

Basic Conditions

- 23 It is the role of the Independent Examiner to consider whether a neighbourhood plan meets the “*basic conditions*.” These were *set out in law*² following the Localism Act 2011.
- 24 Effectively, the basic conditions provide the rock or foundation upon which neighbourhood plans are created. A neighbourhood plan meets the basic conditions if:
- 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 of the authority (or any part of that area);
 - the making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations; and
 - 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.
- 25 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 above. Of these, the following basic condition, brought into effect on 28th December 2018, applies to neighbourhood plans:
- 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.³

² Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

³ *ibid* (same as above).

- 26 In examining the Plan, I am also required, as set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act), to check 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 (under Section 61G of the Town and Country Planning Act 1990 (as amended));
 - 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 in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004.
- 27 An independent examiner must also consider whether a neighbourhood plan is compatible with the Convention rights.⁴
- 28 I note that, in line with legislative requirements, a Basic Conditions Statement was submitted alongside the Neighbourhood Plan and this sets out how, in the qualifying body's opinion, the Neighbourhood Plan meets the basic conditions.

⁴ The Convention rights has the same meaning as in the Human Rights Act 1998.

European Convention on Human Rights (ECHR) Obligations

- 29 I am satisfied, in the absence of any substantive evidence to the contrary, that the Neighbourhood Plan has regard to fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998.
- 30 In the above regard, information has been submitted to demonstrate that people were provided with a range of opportunities to engage with plan-making in different places and at different times. A Consultation Statement was submitted alongside the Neighbourhood Plan and the role of public consultation in the plan-making process is considered later in this Report.

European Union (EU) Obligations

- 31 In some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a Strategic Environmental Assessment. In this regard, national advice states:
- "Draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects."*
(Planning Practice Guidance⁵)
- 32 This process is often referred to as "screening"⁶. If likely environmental effects are identified, an environmental report must be prepared.
- 33 A Strategic Environmental Assessment Screening Opinion was produced by Great Yarmouth Borough Council. This concluded that a Strategic Environmental Assessment was not required as:
- "In accordance with the 'Strategic Environmental Assessment Directive' and the Environmental Assessment of Plans and Programmes Regulations (2004), the Borough Council is satisfied to conclude that through the information submitted by the SEA Screening Assessment...the draft Fleggburgh Neighbourhood Plan is not likely to have significant environmental effects..."*

⁵ Planning Guidance, Paragraph 027, Ref: 11-027-20150209.

⁶ The requirements for a screening assessment are set out in Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.

- 34 The statutory bodies, Historic England, Natural England and the Environment Agency were all consulted and none demurred from the conclusion above.
- 35 In addition to SEA, a Habitats Regulations Assessment identifies whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans and projects. This Assessment must determine whether significant effects on a European site can be ruled out on the basis of objective information⁷. If it is concluded that there is likely to be a significant effect on a European site, then an appropriate assessment of the implications of the plan for the site must be undertaken.
- 36 In the case *People Over Wind & Sweetman v Coillte Teoranta* ("*People over Wind*" April 2018), the Court of Justice of the European Union clarified that it is not appropriate to take account of mitigation measures when screening plans and projects for their effects on European protected habitats under the Habitats Directive. In practice this means that if a likely significant effect is identified at the screening stage of a habitats assessment, an Appropriate Assessment of those effects must be undertaken.
- 37 In response to this judgement, the government made consequential changes to relevant regulations through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, allowing neighbourhood plans and development orders in areas where there could be likely significant effects on a European protected site to be subject to an Appropriate Assessment to demonstrate how impacts will be mitigated, in the same way as would happen for a draft Local Plan or a planning application.
- 38 Great Yarmouth Borough Council produced a Habitat Regulations Screening Opinion. This recognised the presence of two relevant Natura 2000 sites in the Neighbourhood Area (The Broads Special Area of Conservation (SAC) and Broadlands Special Protection Area (SPA)) and assessed whether the policies of the Neighbourhood Plan would give rise to the potential for a likely significant effect on any of them.

⁷ Planning Guidance Paragraph 047 Reference ID: 11-047-20150209.

- 39 The Report concluded that:

"As Competent Authority and in accordance with the Conservation of Habitats and Species Regulations 2017, the Borough Council identifies no 'likely significant effects' on nearby internationally protected wildlife sites (particularly The Broads SAC and Broadlands SPA) resulting from the draft Fleggburgh Neighbourhood Plan either alone or in combination with other projects and programmes. No 'appropriate assessment' or full 'Habitats Regulations Assessment' is therefore required."

- 40 Again, each of the statutory bodies were consulted as part of the process and none disagreed with this conclusion.
- 41 Taking all of the above into account, I am mindful that national guidance establishes that the ultimate responsibility for determining whether a draft neighbourhood plan meets EU obligations lies with the local planning authority:

"It is the responsibility of the local planning authority to ensure that all the regulations appropriate to the nature and scope of a neighbourhood plan proposal submitted to it have been met in order for the proposal to progress. The local planning authority must decide whether the draft neighbourhood plan is compatible with EU regulations (including obligations under the Strategic Environmental Assessment Directive)" (Planning Practice Guidance⁸).

- 42 Having completed the work that it has, Great Yarmouth Borough Council has no outstanding concerns in respect of the Neighbourhood Plan's compatibility with EU obligations.
- 43 Taking this and the recommendations contained in this Report into account, I am satisfied that the Neighbourhood Plan is compatible with European obligations.

⁸ ibid, Paragraph 031 Reference ID: 11-031-20150209.

4. Background Documents and the Fleggburgh Neighbourhood Area

Background Documents

- 44 In completing this examination, I have considered various information in addition to the Fleggburgh Neighbourhood Plan. I also spent an unaccompanied day visiting the Fleggburgh Neighbourhood Area.
- 45 Information considered as part of this examination has included the following main documents and information:
- National Planning Policy Framework (referred to in this Report as "*the Framework*") (2021)⁹
 - Planning Practice Guidance (2014, as updated)
 - Town and Country Planning Act 1990 (as amended)
 - The Localism Act (2011)
 - The Neighbourhood Plan Regulations (2012) (as amended)
 - Great Yarmouth Local Plan Core Strategy 2013-2030 (2015) (referred to in this Report as "*Core Strategy*")
 - Great Yarmouth Local Plan Part 2 (2021)¹⁰ (referred to in this Report as "*Local Plan Part 2*")
 - The Local Plan for the Broads 2015-2036 (2019)
 - Basic Conditions Statement
 - Consultation Statement
 - Supporting Submission Documents
 - Representations received
 - SEA/HRA Screening Assessment and Opinion
- 46 As the Great Yarmouth Local Plan Part 2 was adopted during the course of the examination, the Neighbourhood Plan has been examined against its policies, as well as those of other relevant policies in the Development Plan.

⁹ The government published a revised version of the National Planning Policy Framework on the 20th July 2021, one month prior to Regulation 16 consultation on the Fleggburgh Neighbourhood Plan.

¹⁰ The Great Yarmouth Local Plan Part 2 was adopted on Thursday 9th December 2021.

Fleggburgh Neighbourhood Area

- 47 The boundary of the Fleggburgh Neighbourhood Area is identified in Figure 1 on page 3 of the Neighbourhood Plan.
- 48 The Fleggburgh Neighbourhood Area was designated by Great Yarmouth Borough Council on 4th April 2019 and by the Broads Authority on 26th April 2019.
- 49 The designation of the Neighbourhood Area satisfies a requirement in line with the purposes of preparing a Neighbourhood Development Plan under section 61G (1) of the Town and Country Planning Act 1990 (as amended).

5. Public Consultation

Introduction

- 50 As land use plans, the policies of neighbourhood plans form part of the basis for planning and development control decisions. Legislation requires the production of neighbourhood plans to be supported by public consultation.
- 51 Successful public consultation enables a neighbourhood plan to reflect the needs, views and priorities of the local community. It can create a sense of public ownership, help achieve consensus and provide the foundations for a 'Yes' vote at Referendum.

Fleggburgh Neighbourhood Plan Consultation

- 52 A Consultation Statement was submitted to Great Yarmouth Borough Council and the Broads Authority alongside the Neighbourhood Plan. The information within it sets out who was consulted and how, together with the outcome of the consultation, as required by the neighbourhood planning *Regulations*¹¹.
- 53 In March 2019, after publicising the decision to proceed with a plan following a Parish Meeting open to the public, a residents' survey was undertaken. In total, 208 surveys were completed, representing a 45% return rate.
- 54 A working group, comprising residents and Parish Councillors, was created in August 2019 and an Issues and Options consultation event was held at the village hall during the following month.
- 55 At the start of 2020, the owners of land proposed as areas of Local Green Space were contacted and the local community was consulted on historical buildings, with feedback invited on a list of identified buildings. This was advertised via notice boards, the dedicated neighbourhood planning page of the Parish website and through social media.

¹¹ Neighbourhood Planning (General) Regulations 2012.

- 56 Following initial feedback from Great Yarmouth Borough Council and the Broads Authority, the draft plan was finalised and published for an extended period of public consultation, which commenced during August 2020.
- 57 Public consultation was publicised by way of the distribution of a leaflet and survey to all households, by posters and via the website and social media. Hard and electronic copies of the plan were made available. Plan-makers received a total of 37 responses to the draft plan.
- 58 In addition to the above, public consultation was supported throughout the plan-making process by, amongst other things, regular updates via the Parish Council website, posters and notices, through the use of social media and via regular working groups.
- 59 Taking the Consultation Statement and the above into account, I am satisfied that there is considerable evidence to demonstrate that public consultation was central to the plan-making process, that there were opportunities for people to have a say and that matters raised were duly considered.
- 60 Taking this and the submitted information into account, I am satisfied that the consultation process for the Fleggburgh Neighbourhood Plan was robust and that it complied with the neighbourhood planning regulations referred to above.

6. The Neighbourhood Plan – Introductory Section

- 61 Parts of the Neighbourhood Plan have been overtaken by subsequent events, including the publication of the 2021 National Planning Policy Framework ("*the Framework*") and the very recent adoption of the Great Yarmouth Local Plan Part 2. This has led to a number of recommendations in this section, as well as in the following sections of this Report.
- 62 There are a small number of typographical/grammatical errors and again, these are addressed in this and in the following sections of this Report.
- 63 I recommend the following changes (in *italics*) to the introductory section of the Neighbourhood Plan:
- Para 3, line 1, "...around the *Grade II**..."
 - Para 3, penultimate line, "This is adjacent *to* the Broads..."
 - Para 4, line 1, "Fleggburgh village *is located close to Filby, along* the busy..."
 - Para 4, line 4, "The village is adjacent *to* Filby Broad, which is *a tourist destination, with* a number of..."
 - Para 5, line 3, "...road, the *village and* the wider parish have *a tranquil, rural* quality..."
 - Para 6, line 5, "...to allocate housing *land* in Fleggburgh..."
 - Para 6, last line, "...does not allocate housing *land* within..."
 - Para 7, line 5, "...such as *Parish Councils* statutory powers to develop a shared vision and shape how their *communities develop and change* over the years."
 - Para 8, line 5, "...*(2015). More recently, in December 2021, the Borough Council adopted its Local Plan Part 2, which contains updates...*"

- Para 9, line 1, *"The neighbourhood plan sets out planning policies for the parish which, together with..."*
- Para 10, line 1, *"The neighbourhood plan supports the delivery...Local Plan, as well as those of the Local Plan for the Broads. It cannot promote less..."*
- Para 10, line 4, *"...strategic policies, such as the amount of new development and the distribution of that development across the Borough."*
- Para 10, line 7, *"...Clippesby and notes that the indicative housing requirement for the Neighbourhood Area is zero. Additionally..."*
- Para 11, line 4, *"...Local Green Spaces, and setting out..."* (NB, Local Green Space is managed in the same way as Green Belt, which does not simply rule out development, but which, in general terms, provides for development that is not inappropriate)
- Para 12, line 3, *"...used by the Borough Council and..."*
- Figure 1, sub-title underneath Figure, *"Neighbourhood Area designated April 2019"*
- Figure 2, last point, *"GYBC and Broads Authority make the Neighbourhood Plan and its policies become part of the adopted Development Plan for the area"*
- Para 17, line 2, *"...consulted upon between August..."*

7. The Neighbourhood Plan – Neighbourhood Plan Policies

Housing

Policy 1: Housing Type and Mix

- 64 In support of the national policy objective of significantly boosting the supply of homes, amongst other things the Framework requires planning policies in rural areas to be:

"...responsive to local circumstances and support housing developments that reflect local needs."

Paragraph 78, the Framework

- 65 The Local Plan for the Broads, in Policy SP15 ("*Residential development*") requires the size and type of homes to be based on up-to-date evidence of local needs.

- 66 Similarly, Core Strategy Policy CS3 ("*Addressing the borough's housing needs*") requires housing to address local housing need:

"...by incorporating a range of different tenures, sizes and types of homes to create mixed and balanced communities."

- 67 Policy 1 seeks to ensure that all housing proposals provide a mix of housing types and sizes. However, as set out, the Policy would require all single dwelling housing proposals to be limited to one or two bedroomed dwellings. Not only would such an approach conflict with the aim of providing "*a mix of housing types and sizes*," but there is no evidence to demonstrate that such an approach would be appropriate for all single dwelling applications – having regard to Chapter 11 of the Framework "*Making effective use of land*."

- 68 Further to the above, whilst information provided in the supporting text in relation to the 2014 Strategic Housing Market Assessment for Great Yarmouth is not especially up to date, even this suggests that smaller dwellings should be limited to around half of new homes
- 69 Extrapolating this further, whilst requiring all single home applications to comprise two bedrooms or less, I note that the Table set out in Policy 1 would, at the same time, require just 30% to 33% of homes on sites for three, six or more than eight homes, to comprise smaller homes. So, as set out, the Policy would require all applications for one home to be for a one or two bed home, but only requires one in three smaller homes on developments of three, six or more than eight homes. Such an approach is unjustified by any supporting information or evidence.
- 70 In order to provide for affordable housing needs, national policy supports the provision of rural exception sites. The Local Plan for the Broads, in Policy DM34 (*"Affordable housing"*) supports the provision of rural exception sites, taking account of local character.
- 71 Core Strategy Policy CS4 (*"Delivering affordable housing"*) also supports the provision of rural exception sites in keeping with the size and scale of the related settlement.
- 72 Whilst Policy 1 supports the provision of rural exception sites, it introduces a requirement for such development not to result in *"significant encroachment into the open countryside."* By their very nature, rural exception sites tend to comprise exceptional development that encroaches into the countryside.
- 73 In the absence of any clear definition of what might be *"significant,"* it is not clear how a decision maker should react to a development proposal in this regard, having regard to Paragraph 16 of the Framework and as such, this part of the Policy appears vague, contrary to national guidance, which requires planning policies to be unambiguous¹²:

"A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared."

¹² Planning Guidance, Paragraph: 041 Reference ID: 41-042-20140306.

- 74 I note that, being adjacent to development limits, rural exception sites will generally be located such that the limited local services and facilities that exist in Fleggburgh can be accessed by walking. Setting out a requirement for future occupants to be able to access a range of local services and facilities by walking is unnecessary and ambiguous, as nowhere does the Policy specify what such a range of services and facilities might comprise.
- 75 National and local policy generally limits requirements for affordable housing provision to developments of 10 or more homes (and in the case of the Broads Authority Area, seeks developer contributions from developments of 6 to 9 homes). In the absence of any information, it is not clear how or why *“especially supporting”* development that does not meet *“the national threshold”* is a deliverable land use planning policy.
- 76 Whilst the final paragraph of the Policy attempts to ensure that housing sites are not split in order to avoid meeting affordable housing requirements, it is not clear, in the absence of any details, how this part of the Policy might be deliverable, given the lack of clear reference to timescales. However, Local Plan Part 2 Policy H2 (*“Delivering affordable housing on phased or cumulative developments”*) already sets out a much clearer and time-limited approach and with regards to the Framework, plans should avoid:
- “...unnecessary duplication of policies that apply to a particular area...”*
(Paragraph 16, the Framework)
- 77 Taking the above into account, I recommend:

- Delete the wording of Policy 1 (and Footnote 1) and replace with:

***“Housing proposals should provide a mix of housing types and sizes that reflect local housing need, taking into account the best available and proportionate evidence. Housing proposals should provide for small (one or two bedroom) homes in line with the Table below, unless evidence is provided showing that a lower number is justified or that the scheme is made unviable. The provision of dwellings comprising five bedrooms or more will not be supported, unless this would clearly and demonstrably meet a local housing need.*”**

- **INSERT TABLE HERE** – NB, change first column reference to ***“1-3 dwellings”*** to ***“2 to 3 dwellings”***

The development of affordable housing within the development limits and proposals for Rural Exception Sites adjacent to development limits will be supported."

- Para 19, line 5, change to "**...Council *has not allocated*...**"
- Para 19, line 8, change to "**...the *Borough Council*...**" Also, delete last two sentences of Para ("This situation could occur...a five-year land supply.")
- Para 25, delete from end of second sentence (noting comments above and that the Neighbourhood Plan cannot control what Local Planning Authorities may or may not do) ("Policy 1 seeks...planning policy.")
- Delete Para 26, which reads as though it is a Policy requirement, which it is not (and I note that planning application requirements are set nationally and by Local Planning Authorities)
- Delete Para 27 (which is covered by the adopted Development Plan)
- Para 28, delete last sentence, which goes beyond the scope of a Neighbourhood Plan ("Further to this...impacts.")

Policy 2: Design

- 78 National planning policy recognises 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."

(Paragraph 126, the Framework)

- 79 The Local Plan for the Broads, in Policy DM43 ("*Design*"), requires all development to be of a high design quality. Core Strategy Policy CS9 ("*Encouraging well-designed, distinctive places*") recognises the importance of creating high quality, distinctive places and promotes good design.
- 80 In general terms, Policy 2 seeks to promote good design. In this way, it has regard to the Framework and is in general conformity with the development plan.
- 81 As set out, the first paragraph of Policy 2 is negatively worded and appears to require all development to preserve, complement or enhance character and quality. There is no substantive evidence to demonstrate that it is deliverable for all development to enhance quality and character, or that it is the case, in all circumstances, that the context of any development will always be worthy of preservation or of being complemented. The recommendations below address this in a manner whilst continuing to enable the Policy to achieve its high-quality design requirements.
- 82 No indication is provided of what "*an appropriate density, height, variety, scale or layout*" comprises and I note that sustainable development provides for the balanced consideration of harm and benefits, rather than setting out to simply prevent any degree of harm. Whilst the Policy appears unclear and vague in this regard, the recommendations below recognise that Policy 2 essentially seeks to ensure that development responds positively to and appears in keeping with, local character.
- 83 Without supporting detail, the phrase "*fitting with the areas equivalence of National Park status*" appears vague and subjective. Also in respect of the first paragraph of the Policy, no indication is given of the difference, in land use planning policy terms, between "*very sympathetic*" and sympathetic, adding to the ambiguous nature of this part of the Policy.

- 84 It is not within the scope of the Neighbourhood Plan to impose Building Regulations requirements. No evidence is provided to demonstrate that it is deliverable for every new parking space to be provided with an electric car charging point; and no justification is provided for why it would comprise sustainable development for a house with say, three parking spaces on its driveway/garage, to provide three electric car charging points, when such an approach would appear to be highly inefficient.
- 85 In the absence of any detailed site information, there is nothing to demonstrate that it would be appropriate or possible, in all circumstances, for any house developed anywhere along the A1064 in Fleggburgh to have direct access to the A1064. Such a matter is more appropriately considered at the detailed planning application stage and as there is no substantive evidence to demonstrate the contrary, it is not possible to conclude that this part of the policy would contribute to the achievement of sustainable development.
- 86 I recommend:
- **Policy 2, delete “(see Policy 5).” The Development Plan should be considered as a whole and there is no need to provide cross references to other policies within it.**
 - **Policy 2, delete from line 5 to end of first para (“Design which...Park status”) and replace with: “*All development must respect local character and development within the Broads must preserve or enhance cultural heritage.*”**
 - **Policy 2, second para, change to “...must *be sympathetic* in...”**
 - **Policy 2, delete fourth, fifth, sixth and last paras (“All new...each dwelling”) and replace with: “*Development should seek to achieve high energy efficient standards and new homes or commercial developments requiring car parking should provide electric car charging points.*”**

Developments including both market and affordable housing should be designed to be tenure blind.
 - **Para 29, line 4, add “...design policies. *In this regard, the Government has recently published a National Design Code.* During consultations...”**
 - **Delete Paras 30 and 31**

Natural Environment

Policy 3: Enhancing the Natural Environment

- 87 The Framework requires planning policies to contribute to and enhance the natural environment by

"...minimising impacts on and providing net gains for biodiversity..."
(Paragraph 174, the Framework)

- 88 The first part of Policy 3 requires development to enhance the natural environment and contribute to wildlife habitats and has regard to national policy. The Policy goes on to set out requirements which, for many forms of development, for example householder proposals, would be unduly onerous – such as requiring a proposal for say, a conservatory, to deliver high quality green infrastructure and a 10% net gain in biodiversity.

- 89 The Qualifying Body has since confirmed that this part of the Policy was aimed at more significant forms of development.

- 90 The final paragraph of Policy 3 is worded in a way that appears to support development that results in habitat loss, so long as there is some form of compensation. Such an approach results in direct conflict with national policy and as pointed out by the Broads Authority, with European and national law, as well as with the Local Plan for the Broads Policy DM13 (*"Natural Environment"*) and Policy SP6 (*"Biodiversity"*), which together afford significant protection to the natural environment.

- 91 In this regard, I also note that the Framework already provides a clearer approach than that set out in Policy 3.

- 92 The Qualifying Body has clarified that the wider intention of part of the Policy was to achieve an outcome that would ultimately result in appropriate habitat replacement or enhancement and this is a matter addressed in the recommendations below.

- 93 Taking everything into account, I recommend:

- **Policy 3, delete policy text and replace with: *"All major development must enhance the natural environment and contribute to local wildlife habitats, demonstrating: a) at least a 10% net gain in biodiversity on site; and b) Delivery of green infrastructure of high environmental quality.***

Development should protect and enhance natural features, such as trees and hedgerows. In circumstances where replacement planting is found to be acceptable in accordance with statutory requirements, it must be with native species that are of an equal or greater ecological value."

- Para 36, line 4, change to "...exists. New development..."

Policy 4: Local Green Space

- 94 Local communities can identify areas of green space of particular importance to them for special protection. Paragraph 101 of the Framework states that:

“The designation of land as a Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them.”

- 95 Paragraph 103, of the Framework requires policies for the managing of development within a Local Green Space to be consistent with those for Green Belts. A Local Green Space designation therefore provides protection that is comparable to that for Green Belt land. Consequently, Local Green Space comprises a restrictive and significant policy designation.
- 96 Given the importance of the designation, Local Green Space boundaries should be clearly identifiable. Whilst Figure 4 indicates the general location of areas of Local Green Space, it is not possible to clearly determine the precise boundaries of each area. This is a matter addressed in the recommendations below.
- 97 The Local Green Space tests set out in the Framework are that the green space is in reasonably close proximity to the community it serves; that it is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and that it is local in character and is not an extensive tract of land.
- 98 The Neighbourhood Plan provides clear and detailed evidence to demonstrate why the ten areas of Local Green Space identified are demonstrably special and meet the national policy tests set out in the Framework.
- 99 National policy is explicit in respect of requiring policies for managing development within a Local Green Space to be consistent with those for Green Belts. The wording of Policy 4 introduces considerable scope for inconsistency with national Green Belt policy, as set out in Chapter 13 of the Framework, *“Protecting Green Belt land,”* and this is a matter addressed in the recommendations below.

- 100 The Policy goes on to seek to afford protection to land not designated as Local Green Space, but adjacent to it. Such an approach does not have regard to national policy and advice, which sets out how Local Green Space should be identified, designated and managed.
- 101 In the above regard and being mindful of the subjective interpretation of national policy set out in the supporting text to Policy 4, I again note the explicit requirements of national policy in respect of Local Green Space.
- 102 The final paragraph of Policy 4 refers to linkages between areas of Local Green Space but is unsupported in respect of any evidence of deliverability.
- 103 I recommend:

- **Policy 4, line 1, change to “...as shown on the plans below are designated...”**
- **Policy 4, delete all text after the list of the 10 areas of Local Green Space and replace with: “*The management of development within areas of Local Green Space will be consistent with that for development within Green Belts as set out in national policy.*”**
- **Add to or replace Figure 4 with detailed plans on an Ordnance Survey Map Base, or similar, showing the precise boundaries of each designated area of Local Green Space.**

These could be on individual or shared plans, the only requirement being that the boundary of each Local Green Space is presented so clearly as to be beyond any dispute. These plans should be provided below or instead of Figure 4

- **Delete paragraphs 45 to 52**

Policy 5: Landscape Setting

- 104 Policy 5 begins with an onerous requirement for all development to conserve and enhance the setting of the parish. Such a requirement goes well beyond national and local policy requirements even for Conservation Areas or Listed Buildings.
- 105 No substantive evidence has been provided to demonstrate that this approach is deliverable, having regard to Paragraph 16 of the Framework, which requires all plans to be deliverable.
- 106 As noted earlier in this report, sustainable development provides for the balanced consideration of harm against benefits. The fact that some harm might arise in some circumstances does not mean that development should be ruled out.
- 107 Policy 5 requires development to avoid or mitigate “*any harm*” to key views. These views cover sweeping areas across landscapes which will inevitably change over years, seasons and even days. Consequently, it is difficult to understand, in the absence of detailed information, what would comprise “*any harm*.” As set out, the Policy and its supporting information is so open to interpretation that change might be considered to comprise harm – even though, as above, the views themselves will, inevitably, not remain the same over time.
- 108 Consequently, whilst development might be required to respect important vistas, this part of Policy 5 is worded in a way that is ambiguous, subject to wide interpretation and which runs the risk of preventing the Neighbourhood Plan from contributing to the achievement of sustainable development.
- 109 The third paragraph of Policy 5 is confusingly worded. Whilst its general aim is to direct development away from the most productive agricultural land, its wording results in a Policy which is neither clear nor unambiguous and this is a matter addressed in the recommendations below.
- 110 The final paragraph of Policy 5 covers a large, sweeping area of land without any substantive evidence to demonstrate that the boundary within the Neighbourhood Area between the two Authority areas comprises hedgerows and wetland areas that can be reinforced and conserved, respectively, as per the Policy’s requirements. There is nothing to demonstrate that this part of the Policy is deliverable.

111 I note that, as presented, Policy 5 refers to Figure 7 instead of Figure 6.

112 I recommend:

- **Policy 5, delete first two sentences and replace with:**
“Development must respect the character of the landscape, including the key views identified in Figure 6.”
- **Policy 5, delete third paragraph and replace with “*Outside the Broads Authority Area (where Local Plan for the Broads Policy SP4 applies), the loss of the best and most versatile agricultural land will not be supported other than where it can be demonstrated that significant community benefits demonstrably outweigh the harm arising from such loss.*”**
- **Policy 5, delete last sentence**

Policy 6: Dark Skies

- 113 The Local Plan for the Broads Policy DM22 (*"Light pollution and dark skies"*) seeks to protect the area's dark skies in recognition of no or low levels of light pollution being an important aspect of tranquillity.
- 114 Consequently, that part of the Neighbourhood Area within the Broads Authority Area is already protected by a Dark Skies policy. It is unnecessary for it to have an additional policy, setting out a similar approach.
- 115 Evidence has been provided to demonstrate that the whole of the Neighbourhood Area falls within dark and low light categories and in general terms, in seeking to minimise light spillage, Policy 6 has regard to Chapter 12 of the Framework, *"Achieving well-designed places."*
- 116 However, many forms of lighting do not require planning permission and in attempting to replicate a Policy specifically for the Broads Authority Area (the equivalent of a National Park), Policy 6 introduces onerous requirements for the rest of the Neighbourhood Area without detailed supporting justification in respect of deliverability or regard to Paragraph 44 of the Framework, which demands that information requirements for applications be kept to the minimum needed to make decisions.
- 117 I recommend:
- **Policy 6, change first para to: *"...Fleggburgh. Development proposals should seek to minimise light spillage through good design and should not introduce lighting that results in the loss of night-time dark skies."***
 - **Policy 6, delete second para**
 - **Para 64, change to *"...developers in respect of good design related to dark skies."***

Policy 7: Surface Water Management

- 118 Policy 7 sets out a policy framework for the management of flood risk and drainage.
- 119 In this respect, the Policy has regard to Chapter 14 of the Framework, *"Meeting the challenge of climate change, flooding and coastal change,"* which, amongst other things, seeks to ensure that development addresses flooding and flood risk.
- 120 It is not clear, in the absence of information, how the Policy might *"encourage"* various works and this is a factor addressed in the recommendations below.
- 121 The second paragraph appears cumbersome and imprecise, in that it states that SuDS is a requirement, but that it need not be a requirement, subject to other factors and again, this is addressed below.
- 122 The latter part of the Policy also appears confusing in respect of the things that *"must"* happen, regardless of relevance. Such an approach fails to have regard to Paragraph 57 of the Framework, which requires planning obligations to be necessary, directly related to development and fairly and reasonably related in scale to development. This part of the Policy also goes on to seek to introduce a vague requirement without substantive evidence of deliverability.
- 123 I recommend:
- **Policy 7 change first para to: "Development proposals *should* be designed...an effective drainage scheme, *will be supported.*"**
 - **Policy 7, delete second and third paras and replace with: "The development of *Sustainable Drainage Systems (SuDS)*, including the use of permeable materials to increase infiltration capacity, the incorporation of on-site water storage, the use of swales and green roofs and the use of other SuDS methods of conveying or storing surface water will be supported."**

- Para 70, line 9, "...sources of *flooding* and..."
- Para 71, line 6, change to "...schemes, should *have regard to* the guidance..."
- Para 72, delete first and second sentences which read as though they comprise a Policy requirement, but which do not ("Small...pipes.")

Built Environment

Policy 8: Village Centre

- 124 As set out, the first part of Policy 8 requires all forms of development to demonstrate safe access by foot or by cycle, to the village centre, which is shown on Figure 7.
- 125 As such a requirement is not relevant to many forms of development, the Qualifying Body has since confirmed that this part of the Policy is aimed at new residential development.
- 126 However, Fleggburgh is not a large village and any house built within or at the edge of it would be within walking or cycling distance of the village centre. Further, there is no information at all to demonstrate that the provision of new footpaths or cycleways is deliverable for all new residential development, or that any such requirement has regard to Paragraph 57 of the Framework, in respect of planning obligations.
- 127 The second part of the Policy, as worded, simply states that new community facilities in or around the village centre would be a benefit to the community.
- 128 Notwithstanding the above, I note that, in support of the creation of a prosperous rural economy, Paragraph 84 of the Framework states that:

"Planning policies and decisions should enable the... development of accessible local services and community facilities, such as local shops, meeting places...cultural buildings, public houses and places of worship."

- 129 Further, Paragraph 93 of the Framework goes on to require planning policies and decisions to:

"...plan positively for the provision and use of...community facilities (such as local shops, meeting places...(and) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community..."

130 Taking this and all of the above into account, I recommend:

- **Policy 8, delete text and replace with “*The development of new small scale community facilities and/or services within or adjacent to the village centre, as indicated on Figure 7, will be supported. Improvements to footpaths and/or the provision of cycle ways to the village centre will be supported.*”**

Historic Environment

Policy 9: Designated and non-designated heritage assets

131 Chapter 16 of the Framework, "*Conserving and enhancing the historic environment*," recognises that the nation's heritage assets comprise an irreplaceable resource. Paragraph 189 of the Framework requires all heritage assets to:

"...be conserved in a manner appropriate to their significance..."

132 Chapter 16 goes on to set out a detailed and carefully nuanced approach to the conservation of heritage assets.

133 In general terms, Policy 9 seeks to protect heritage assets and in this respect, it has regard to national policy. However, as presented, the wording of the Policy misinterprets national policy to the extent that it results in an approach that is in direct conflict with the Framework and consequently, Policy 9 does not meet the basic conditions.

134 National policy calls for and guides, an appropriately balanced consideration of the level of harm and the nature of benefits arising from development proposals affecting heritage assets.

135 In contrast, Policy 9 sets out a blunt and binary approach in respect of designated heritage assets, requiring preservation and no harm; and requires proposals affecting non-designated heritage assets to demonstrate no, or minimised harm and to set out public benefits. Each of these approaches fails to reflect and is contrary to, the carefully worded land use planning policy framework for national heritage, as set out in Chapter 16 of the Framework.

136 Policy 9 refers to the "*integrity*" of heritage assets. This is not a word associated with national heritage policy and its introduction provides considerable scope for subjective and wide interpretation, contrary to the requirements of national guidance, which requires planning policies to be clear and precise.

137 Planning application requirements are set nationally and by Local Planning Authorities. Notwithstanding this, the reference in Policy 9 to heritage statements sets out a requirement for the provision of information that would not, itself, necessarily support a planning application relating to a heritage asset in an appropriate manner.

138 Taking into account comments provided by the Broads Authority, I note that the reference to Rollesby Broad Complex should be to Rollesby *Broads* Complex. The Broads Authority has also raised the point that the Norfolk County Council Historic Environment Strategy and Advice Team issue archaeological advice rather than wider-ranging historic environment advice, as inferred by the supporting text.

139 Taking all of the above into account, I recommend:

- **Policy 9, delete text and replace with:**

“All heritage assets will be conserved in a manner appropriate to their significance, including the following non-designated heritage assets:

- *Burgh Mill, Fleggburgh (also known as St Margarets)*
 - *Hall Farm, Clippesby*
 - *Clippesby House (Hall), Clippesby*
 - *Rollesby Broads Complex*
 - *The Cottage, Fleggburgh Common”*
- **Para 79, change first sentence to “*The location of these non-designated assets is also shown on Figure 8. In...*”**
 - **Para 83, line 2, change to “*...Team provides archaeological advice. Other aspects of advice and consultation relating to heritage assets fall within the responsibilities of the Local Planning Authorities.*” (delete rest of para)**

Policy 10: Sustainable Transport

140 As set out, Policy 10 places onerous obligations on all forms of development, regardless of the policy tests for planning obligations set out in Paragraph 57 of the Framework. Further, there is no evidence to demonstrate that the requirements of the Policy are deliverable, having regard to Paragraph 16 of the Framework.

141 Setting the above to one side, the supporting text to Policy 10 identifies community aspirations to improve the local public rights of way network and to promote the use of public transport.

142 In Chapter 9 of the Framework, *"Promoting public transport,"* Paragraph 104 requires transport issues to be considered through plan-making so that:

"...opportunities to promote walking, cycling and public transport use are identified and pursued;"

143 Further, Paragraph 100 of the Framework states that:

"Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users..."

144 Elements of Policy 10 therefore have regard to national policy and taking this and all of the above into account, I recommend:

- **Delete wording of Policy 10 and replace with:**

"The provision of new and/or the improvement of existing public rights of way will be supported. Improvements to highway safety, notably around Main Road close to the school and playing field, will be supported. Major new development should take opportunities to promote the use of public transport."

- **Delete Para 90, which reads as though it is a policy but is not**
- **Delete Para 92, which goes into levels of detail unsupported by reference to any specific development and related contributions**

Policy 11: Traffic and Speed

- 145 In the absence of any relevant detailed information, it is not entirely clear why Policy 11, as worded, comprises a land use planning policy.
- 146 Speed limits are generally the responsibility of the Highway Authority, with input from various organisations. There is no evidence to justify a requirement for all development to reinforce a speed limit or enable safe crossing opportunities and the Policy does not meet the basic conditions, having regard to Paragraphs 16 and 57 of the Framework.
- 147 Whilst clearly improvements to highway safety comprise a community benefit that aligns with the aims of Chapter 9 of the Framework, *"Promoting sustainable transport,"* it is not the purpose of a land use planning policy to simply state this, rather than set out policy requirements.
- 148 I recommend:
- **Policy 11, delete text and replace with *"Development must not harm highway safety and improvements to highway safety, notably along the A1064, will be supported."***
 - **Change title of Policy 11 to *"Traffic and Safety"***

Policy 12: Village Shop

149 As noted earlier in this Report, Paragraphs 84 and 93 of the Framework recognise the importance of community facilities and together, specifically support the development of local shops in rural areas.

150 Policy 12 supports the provision of a small-scale local convenience store in Fleggburgh.

151 Paragraph 16 of the Framework requires plans to be deliverable and Paragraph 44 requires information requirements for applications for planning permission to be kept to the minimum for making decisions.

152 The first sentence of Policy 12 makes it clear that the Policy supports the provision of a small-scale local convenience store. In the absence of any justification, there is no need for the Policy to then go on and require any such development to be *"proportionate to meet the day-to-day needs of the local village community."*

153 This introduces additional requirements, which without clear definition appear subjective and potentially unduly onerous, as they could be interpreted in a way that may limit the commercial prospects for a local convenience store. As such, the second part of the Policy, by introducing a vague requirement open to wide interpretation, could prevent the purpose of the Policy – the development of a small shop – from being achieved and thus place a barrier in the way of the Neighbourhood Plan contributing to the achievement of sustainable development.

154 As noted earlier in this Report, the policies of the development plan should be considered together and there is no need for policy cross-referencing.

155 I recommend:

- **Policy 12, delete wording and replace with:**

"The development of a small-scale local convenience store within or adjacent to the village centre, as identified in Figure 7, will be supported."

- **Para 96, delete last sentence, which is not a policy requirement**
- **Delete Para 97, which reads as though it is a policy, but which is not**

8. The Neighbourhood Plan: Other Matters

156 The recommendations made in this Report will have a subsequent impact on Contents, including paragraph and page numbering.

157 I recommend:

- **Update the Contents, paragraph and page numbering to take into account the recommendations contained in this Report**

9. Referendum

- 158 I recommend to Great Yarmouth Borough Council and the Broads Authority that, subject to the recommended modifications, **the Fleggburgh Neighbourhood Plan should proceed to a Referendum.**

Referendum Area

- 159 I am required to consider whether the Referendum Area should be extended beyond the Fleggburgh Neighbourhood Area.
- 160 I consider the Neighbourhood Area to be appropriate and there is no substantive evidence to demonstrate that this is not the case.
- 161 Consequently, I recommend that the Plan should proceed to a Referendum based on the Fleggburgh Neighbourhood Area approved on the 4th April 2019.

Nigel McGurk, February 2022
Erimax – Land, Planning and Communities



Great Yarmouth Borough Council & Broads Authority

Decision Statement on Fleggburgh Neighbourhood Plan Examiner's Report 21st April 2022

1. Purpose of Statement

The Fleggburgh 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 July 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 August 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).

The appointed Examiner has now examined the Fleggburgh 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: ‘... that the Fleggburgh Neighbourhood Plan meets the basic conditions and I recommend to Great Yarmouth Borough Council and the Broads Authority that, subject to modifications, it should proceed to Referendum.’

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.

Great Yarmouth Borough Council produced a Habitat Regulations Screening Opinion. This recognised the presence of two relevant Natura 2000 sites in the Neighbourhood Area (The Broads Special Area of Conservation (SAC) and Broadlands Special Protection Area (SPA)) and assessed whether the policies of the Neighbourhood Plan would give rise to the potential for a likely significant effect on any of them.

The Examiner concludes that:

“Having completed the work that it has, Great Yarmouth Borough Council has no outstanding concerns in respect of the Neighbourhood Plan’s compatibility with EU obligations.

Taking this and the recommendations contained in this Report into account, I am satisfied that the Neighbourhood Plan is compatible with European obligations.”

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.

5. Recommendations

The following recommendations are ordered within the relevant sections in which the Examiner assessed the neighbourhood plan.

Vision & Objectives

- a) **Examiner’s Recommendations:**
No modifications.
- b) **Councils consideration of modification(s)**
Agree
- c) **Councils Decision**
Accept Examiner’s recommendation. No modification necessary.

Section 1: Introduction

- a) **Examiner’s Recommendations:**
 - Para 3, line 1, “...around the Grade II*...

- Para 3, penultimate line, “This is adjacent to the Broads...”
- Para 4, line 1, “Fleggburgh village is located close to Filby, along the busy...”
- Para 4, line 4, “The village is adjacent to Filby Broad, which is a tourist destination, with number of...”
- Para 5, line 3, “...road, the village and the wider parish have a tranquil, rural quality...”
- Para 6, line 5, “...to allocate housing land in Fleggburgh...”
- Para 6, last line, “...does not allocate housing land within...”

b) Councils consideration of modification(s)

Agreed all changes (no comments).

c) Councils decision

Accept Examiner’s recommended modifications.

Section 2: Neighbourhood Planning

a) Examiner’s Recommendations:

- Para 7, line 5, “...such as Parish Councils statutory powers to develop a shared vision and
- shape how their communities develop and change over the years.”
- Para 8, line 5, “...(2015). More recently, in December 2021, the Borough Council adopted its Local Plan Part 2, which contains updates...”
- Para 9, line 1, “The neighbourhood plan sets out planning policies for the parish which, together with...”
- Para 10, line 1, “The neighbourhood plan supports the delivery...Local Plan, as well as those of the Local Plan for the Broads. It cannot promote less...”
- Para 10, line 4, “...strategic policies, such as the amount of new development and the distribution of that development across the Borough.”
- Para 10, line 7, “...Clippesby and notes that the indicative housing requirement for the Neighbourhood Area is zero. Additionally...”
- Para 11, line 4, “...Local Green Spaces, and setting out...” (NB, Local Green Space is managed in the same way as Green Belt, which does not simply rule out development, but which, in general terms, provides for development that is not inappropriate)
- Para 12, line 3, “...used by the Borough Council and...”
- Figure 1, sub-title underneath Figure, “Neighbourhood Area designated April 2019”
- Figure 2, last point, “GYBC and Broads Authority make the Neighbourhood Plan and its policies become part of the adopted Development Plan for the area”

- Para 17, line 2, “...consulted upon between August...”

b) Councils consideration of modification(s)

The Councils agree with the Examiner to make these changes (no comments).

c) Councils decision

Accept Examiner’s recommended modifications.

Policy 1: Housing Type and Mix

a) Examiner’s Recommendations:

- Delete the wording of Policy 1 (and Footnote 1) and replace with:

“Housing proposals should provide a mix of housing types and sizes that reflect local housing need, taking into account the best available and proportionate evidence. Housing proposals should provide for small (one or two bedroom) homes in line with the Table below, unless evidence is provided showing that a lower number is justified or that the scheme is made unviable. The provision of dwellings comprising five bedrooms or more will not be supported, unless this would clearly and demonstrably meet a local housing need.

- INSERT TABLE HERE – NB, change first column reference to “1-3 dwellings” to “2 to 3 dwellings”

The development of affordable housing within the development limits and proposals for Rural Exception Sites adjacent to development limits will be supported.”

- Para 19, line 5, change to “...Council has not allocated...”
- Para 19, line 8, change to “...the Borough Council...” Also, delete last two sentences of Para (“This situation could occur...a five-year land supply.”)
- Para 25, delete from end of second sentence (noting comments above and that the Neighbourhood Plan cannot control what Local Planning Authorities may or may not do) (“Policy 1 seeks...planning policy.”)
- Delete Para 26, which reads as though it is a Policy requirement, which it is not (and I note that planning application requirements are set nationally and by Local Planning Authorities)
- Delete Para 27 (which is covered by the adopted Development Plan)
- Para 28, delete last sentence, which goes beyond the scope of a Neighbourhood Plan (“Further to this...impacts.”)

b) Councils consideration of modification(s)

The Councils agree with the Examiner as follows:

- the reformulation of sentences and alternative wording as stated provides clarity
- that the Neighbourhood Plan’s policy implementation will be the responsibility of the Local Planning Authorities may or may not do

- that the supporting text should not read as though it is a policy requirement
- there is no need to repeat policies from the Development Plan

c) Councils decision

Accept Examiner's recommended modifications.

Policy 2: Design

a) Examiner's Recommendations:

- Policy 2, delete "(see Policy 5)." The Development Plan should be considered as a whole and there is no need to provide cross references to other policies within it.
- Policy 2, delete from line 5 to end of first para ("Design which...Park status") and replace with: "All development must respect local character and development within the Broads must preserve or enhance cultural heritage."
- Policy 2, second para, change to "...must be sympathetic in..."
- Policy 2, delete fourth, fifth, sixth and last paras ("All new...each dwelling") and replace with: "Development should seek to achieve high energy efficient standards and new homes or commercial developments requiring car parking should provide electric car charging points."
- Developments including both market and affordable housing should be designed to be tenure blind."
- Para 29, line 4, add "...design policies. In this regard, the Government has recently published a National Design Code. During consultations..."
- Delete Paras 30 and 31

b) Councils consideration of modification(s)

- the Development Plan should be considered as a whole and there is no need to provide cross references to other policies within it
- that policy should reflect the NPPF's requirement to secure tree-lined streets
- the plan cannot include national technical standards such as energy efficiency standards as set out in a Written Ministerial Statement
- the reformulation of sentences and alternative wording as stated provides clarity
- reference to the National Design Code is welcomed

c) Councils decision

Accept Examiner's recommended modifications.

Policy 3: Enhancing the Natural Environment

a) Examiner's Recommendations:

- Policy 3, delete policy text and replace with:

“All major development must enhance the natural environment and contribute to local wildlife habitats, demonstrating: a) at least a 10% net gain in biodiversity on site; and b) Delivery of green infrastructure of high environmental quality.

Development should protect and enhance natural features, such as trees and hedgerows. In circumstances where replacement planting is found to be acceptable in accordance with statutory requirements, it must be with native species that are of an equal or greater ecological value.”

- Para 36, line 4, change to “...exists. New development...”

b) Councils consideration of modification(s)

The Councils agree with the Examiner’s changes including:

- the reformulation of sentences and alternative wording as stated
- the changes to Biodiversity Net Gain threshold of development in advance of further national legislation on the matter

c) Councils decision

Accept Examiner’s recommended modifications.

Policy 4: Local Green Space

a) Examiner’s Recommendations:

- Policy 4, line 1, change to “...as shown on the plans below are designated...”
- Policy 4, delete all text after the list of the 10 areas of Local Green Space and replace with: “The management of development within areas of Local Green Space will be consistent with that for development within Green Belts as set out in national policy.”
- Add to or replace Figure 4 with detailed plans on an Ordnance Survey Map Base, or similar, showing the precise boundaries of each designated area of Local Green Space.
- These could be on individual or shared plans, the only requirement being that the boundary of each Local Green Space is presented so clearly as to be beyond any dispute. These plans should be provided below or instead of Figure 4
- Delete paragraphs 45 to 52

b) Councils consideration of modification(s)

The Councils agree with the Examiner’s changes including:

- the policy should be worded consistently with Green Belt policy as set out in the NPPF.
- the changes to Figure 4 showing more clearly the boundaries of the Local Green Spaces

c) Councils decision

Accept Examiner's recommended modifications.

Policy 5: Landscape Setting

a) Examiner's Recommendations:

- Policy 5, delete first two sentences and replace with: "Development must respect the character of the landscape, including the key views identified in Figure 6."
- Policy 5, delete third paragraph and replace with "Outside the Broads Authority Area (where Local Plan for the Broads Policy SP4 applies), the loss of the best and most versatile agricultural land will not be supported other than where it can be demonstrated that significant community benefits demonstrably outweigh the harm arising from such loss."
- Policy 5, delete last sentence

b) Councils consideration of modification(s)

The Councils agree with the Examiner's changes including:

- the reformulation of sentences and alternative wording as stated
- the policy should be worded consistently with consideration of the landscapes and agricultural land as set out in the NPPF.

c) Councils decision

Accept Examiner's recommended modifications.

Policy 6: Dark Skies

a) Examiner's Recommendations:

- Policy 6, change first para to: "...Fleggburgh. Development proposals should seek to minimise light spillage through good design and should not introduce lighting that results in the loss of night-time dark skies."
- Policy 6, delete second para
- Para 64, change to "...developers in respect of good design related to dark skies."

b) Councils consideration of modification(s)

The Councils agree with the Examiner's changes including:

- the reformulation of sentences and alternative wording as stated
- the suggested wording is more reflective of controls that can be used within the planning system

c) Councils decision

Accept Examiner's recommended modifications.

Policy 7: Surface Water Management

a) Examiner's Recommendations:

- Policy 7 change first para to: "Development proposals should be designed...an effective drainage scheme, will be supported."
- Policy 7, delete second and third paras and replace with: "The development of Sustainable Drainage Systems (SuDS), including the use of permeable materials to increase infiltration capacity, the incorporation of on-site water storage, the use of swales and green roofs and the use of other SuDS methods of conveying or storing surface water will be supported."
- Para 70, line 9, "...sources of flooding and..."
- Para 71, line 6, change to "...schemes, should have regard to the guidance..."
- Para 72, delete first and second sentences which read as though they comprise a Policy requirement, but which do not ("Small...pipes.")

b) Councils consideration of modification(s)

The Councils agree with the Examiner's changes including:

- the reformulation of sentences and alternative wording as stated
- that the supporting text should not read as though it is a policy requirement

c) Councils decision

Accept Examiner's recommended modifications.

Policy 8: Village Centre

a) Examiner's Recommendations:

- Policy 8, delete text and replace with "The development of new small scale community facilities and/or services within or adjacent to the village centre, as indicated on Figure 7, will be supported. Improvements to footpaths and/or the provision of cycle ways to the village centre will be supported."

b) Councils consideration of modification(s)

The Councils agree with the Examiner's changes including:

- the reformulation of sentences and alternative wording as stated

c) Councils decision

Accept Examiner's recommended modification.

Policy 9: Designated and non-designated heritage assets

a) Examiner's Recommendations:

- Policy 9, delete text and replace with:

"All heritage assets will be conserved in a manner appropriate to their significance, including the following non-designated heritage assets:

- Burgh Mill, Fleggburgh (also known as St Margarets)
- Hall Farm, Clippesby
- Clippesby House (Hall), Clippesby
- Rollesby Broads Complex
- The Cottage, Fleggburgh Common"
- Para 79, change first sentence to "The location of these non-designated assets is also shown on Figure 8. In..."
- Para 83, line 2, change to "...Team provides archaeological advice. Other aspects of advice and consultation relating to heritage assets fall within the responsibilities of the Local Planning Authorities." (delete rest of para)

b) Councils consideration of modification(s)

The Councils agree with the Examiner's changes including:

- the policy should be worded consistently with consideration of the designated and non-designated heritage assets as set out in local and national planning policy
- the reformulation of sentences and alternative wording as stated

c) Councils decision

Accept Examiner's recommended modifications.

Policy 10: Sustainable Transport

a) Examiner's Recommendations:

- Delete wording of Policy 10 and replace with:

"The provision of new and/or the improvement of existing public rights of way will be supported. Improvements to highway safety, notably around Main Road close to the school and playing field, will be supported. Major new development should take opportunities to promote the use of public transport."

- Delete Para 90, which reads as though it is a policy but is not

- Delete Para 92, which goes into levels of detail unsupported by reference to any specific development and related contributions

b) Councils consideration of modification(s)

The Councils agree with the Examiner's changes including:

- the policy should be worded consistently with consideration of promoting the use of sustainable forms of transport as set out in national planning policy
- the reformulation of sentences and alternative wording as stated

c) Councils decision

Accept Examiner's recommended modifications.

Policy 11: Traffic and Speed

a) Examiner's Recommendations:

- Policy 11, delete text and replace with "Development must not harm highway safety and improvements to highway safety, notably along the A1064, will be supported."
- Change title of Policy 11 to "Traffic and Safety"

b) Councils consideration of modification(s)

The Councils agree with the Examiner's changes including:

- the policy should be worded consistently with consideration of plan making and planning obligations as set out in national planning policy
- the reformulation of sentences and alternative wording as stated

c) Councils decision

Accept Examiner's recommended modifications.

Policy 12: Village Shop

a) Examiner's Recommendations:

- Policy 12, delete wording and replace with:

"The development of a small-scale local convenience store within or adjacent to the village centre, as identified in Figure 7, will be supported."
- Para 96, delete last sentence, which is not a policy requirement
- Delete Para 97, which reads as though it is a policy, but which is not

b) Councils consideration of modification(s)

The Councils agree with the Examiner as follows:

- the reformulation of sentences and alternative wording as stated provides clarity

- that the supporting text should not read as though it is a policy requirement

c) Councils decision

Accept Examiner's recommended modifications.

Appendix 1: Local Green Spaces

a) Examiner's Recommendations:

No modifications.

b) Councils consideration of modification(s)

Agree

c) Councils Decision

Accept Examiner's recommendation. No modification necessary.

Appendix 2: Key Views

a) Examiner's Recommendations:

No modifications.

b) Councils consideration of modification(s)

Agree

c) Councils Decision

Accept Examiner's recommendation. No modification necessary.

Other matters

a) Examiner's Recommendations:

- Update the Contents, paragraph and page numbering to take into account the recommendations contained in this Report

b) Councils consideration of modification(s)

Agree, consequential amendments will be required.

c) Councils Decision

Accept Examiner's recommended modifications.

6. Next steps

This Decision Statement and the Examiner's Report into the Neighbourhood Plan will be made available at the following online locations:

<https://www.great-yarmouth.gov.uk/fleggburgh-neighbourhood-plan>

<https://www.broads-authority.gov.uk/planning/planning-policies/neighbourhood-planning>

<Fleggburgh Parish Council website>

Hard copies of this are also available for inspection at:

Great Yarmouth Borough Council, Town Hall, Hall Plain, Great Yarmouth, NR30 2QF

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.

DRAFT

URN:

Subject: Adoption of Filby Neighbourhood Plan

Report to: Full Council – 20 April 2022

Report by: Nick Fountain, Senior Strategic Planner

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

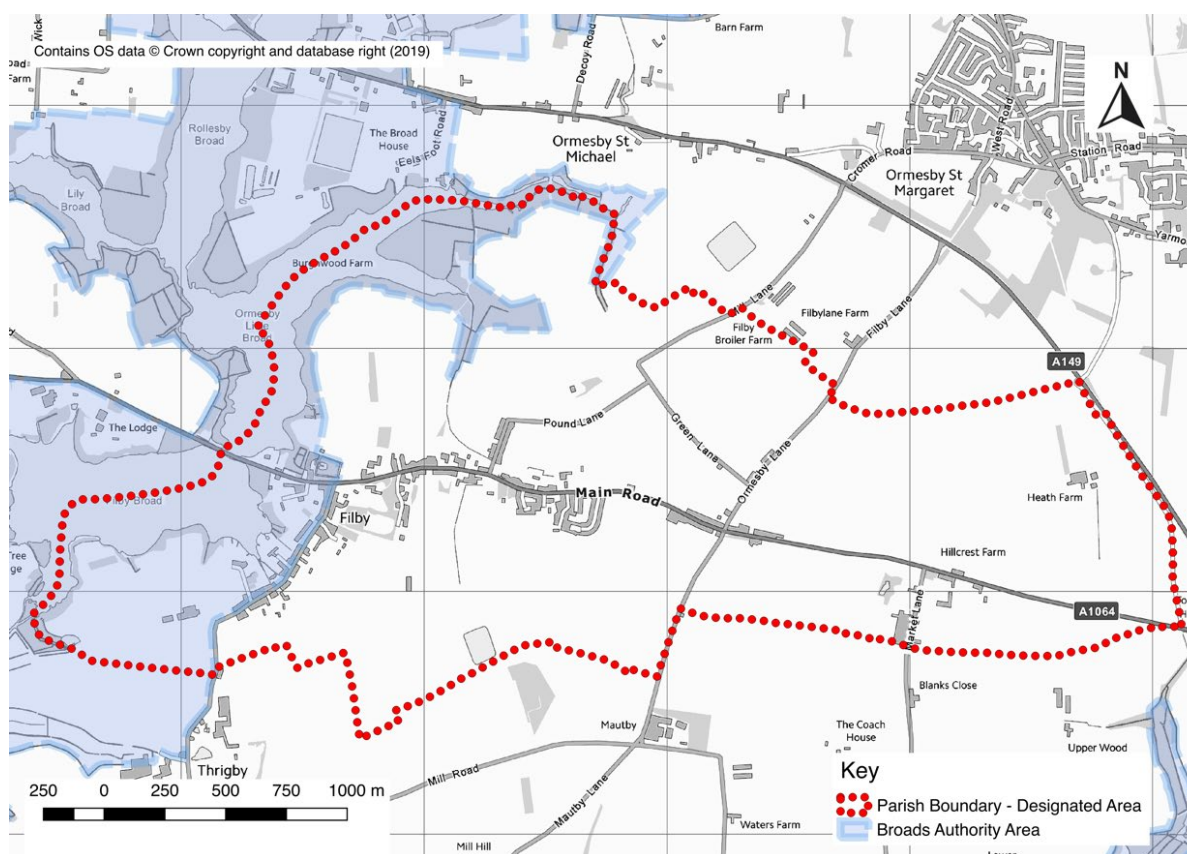
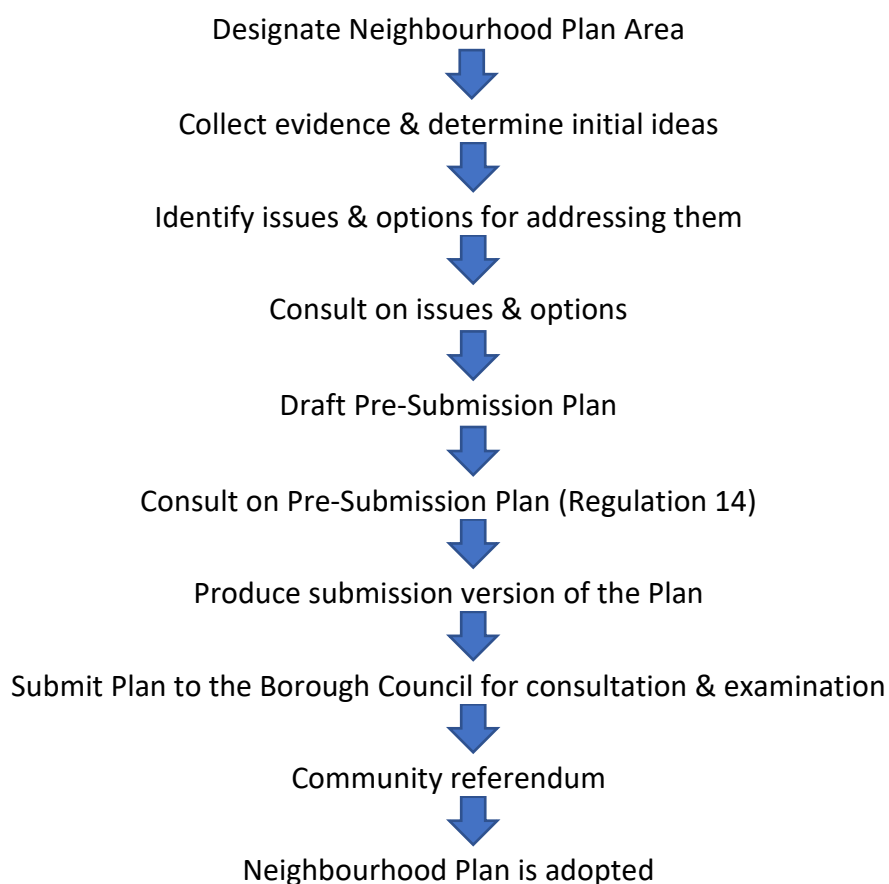


Figure 2: Neighbourhood Plan Process



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

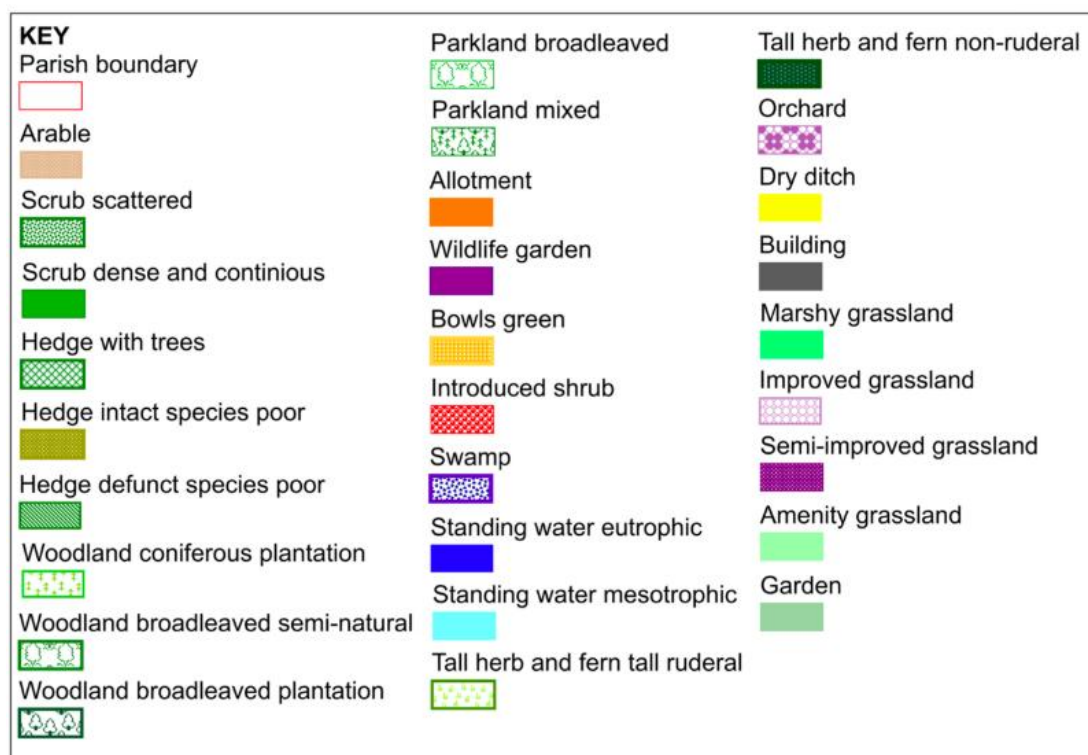
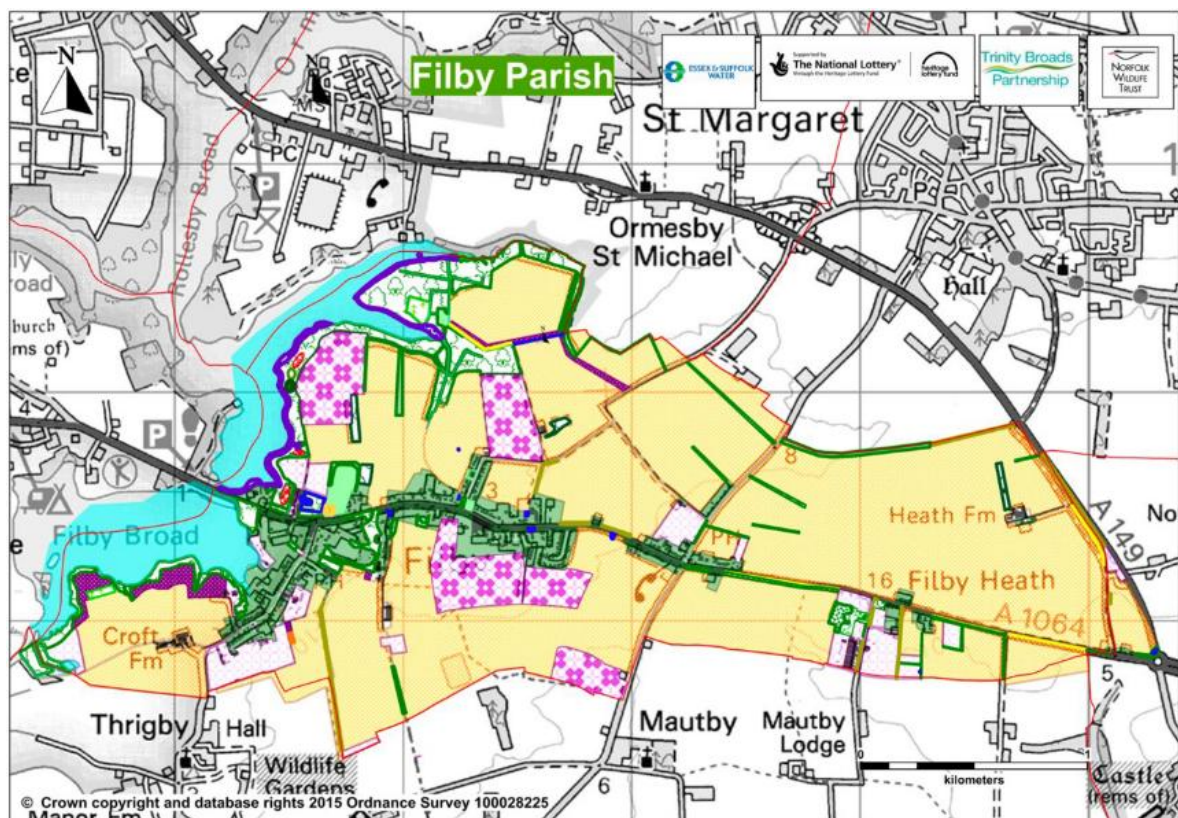
40. Filby is a parish rich in wildlife, nestling on the east side of the Trinity Broads catchment with two of the five broads within its boundaries. The open water habitat of Ormesby Little Broad stretches to the north-west of the parish and Filby Broad is to the south-west.
41. This part of the Broads 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



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**.

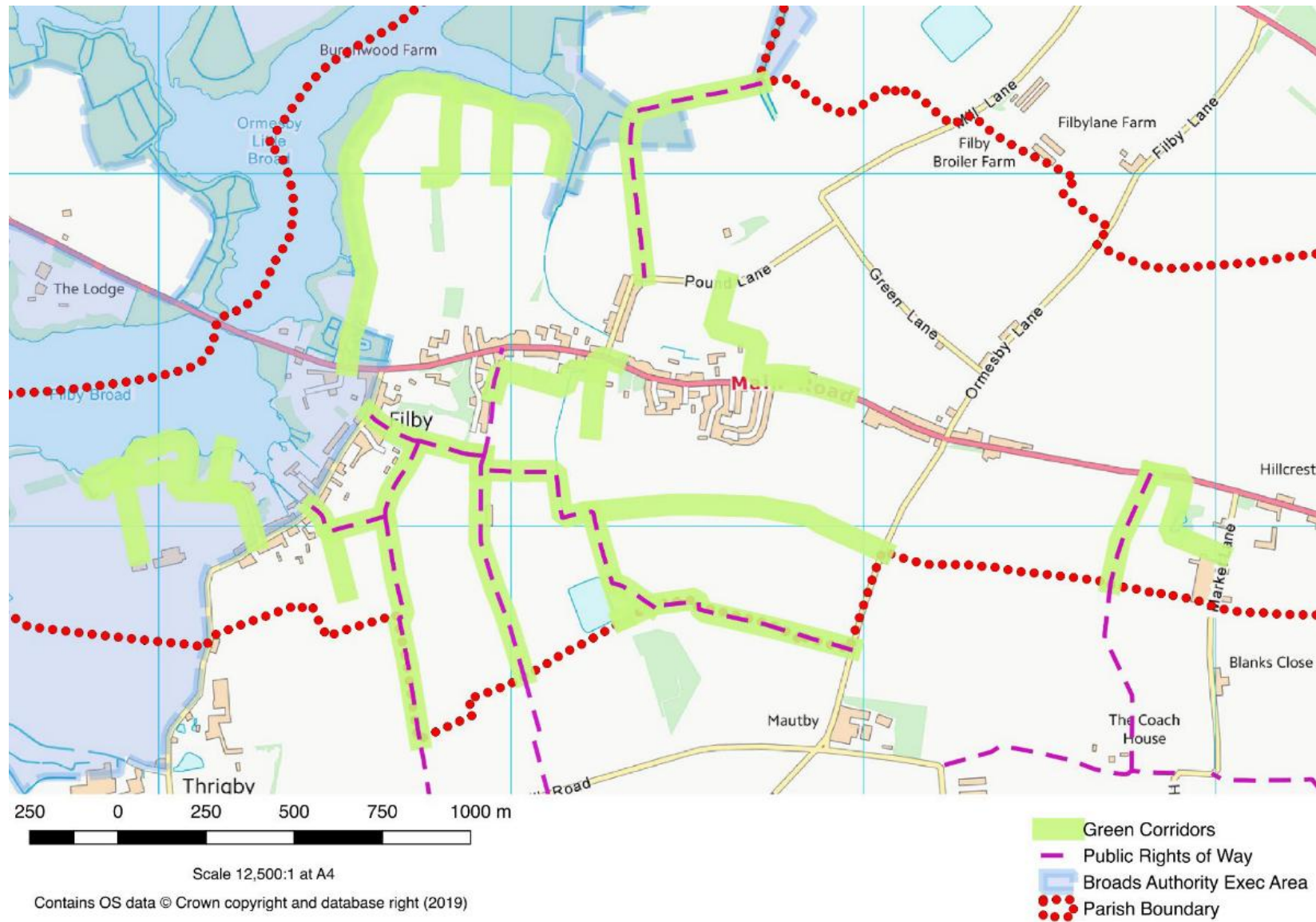
Proposals that would result in net loss of biodiversity on site will be expected to compensate for this by delivering habitat improvement to local wildlife corridors, as identified in **Figure 5**.

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

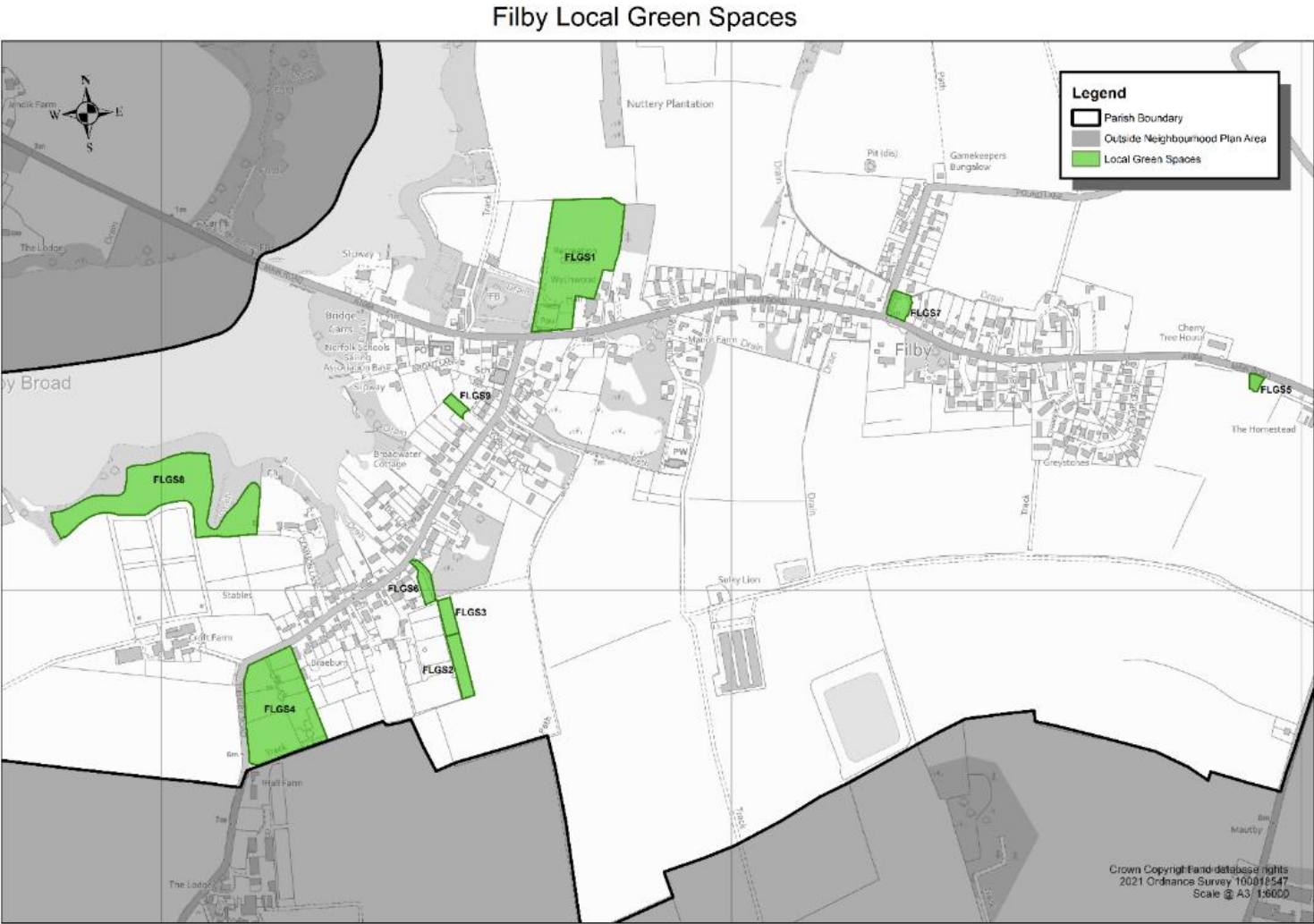
The areas shown in Figure 7 are designated as Local Green Spaces.

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.

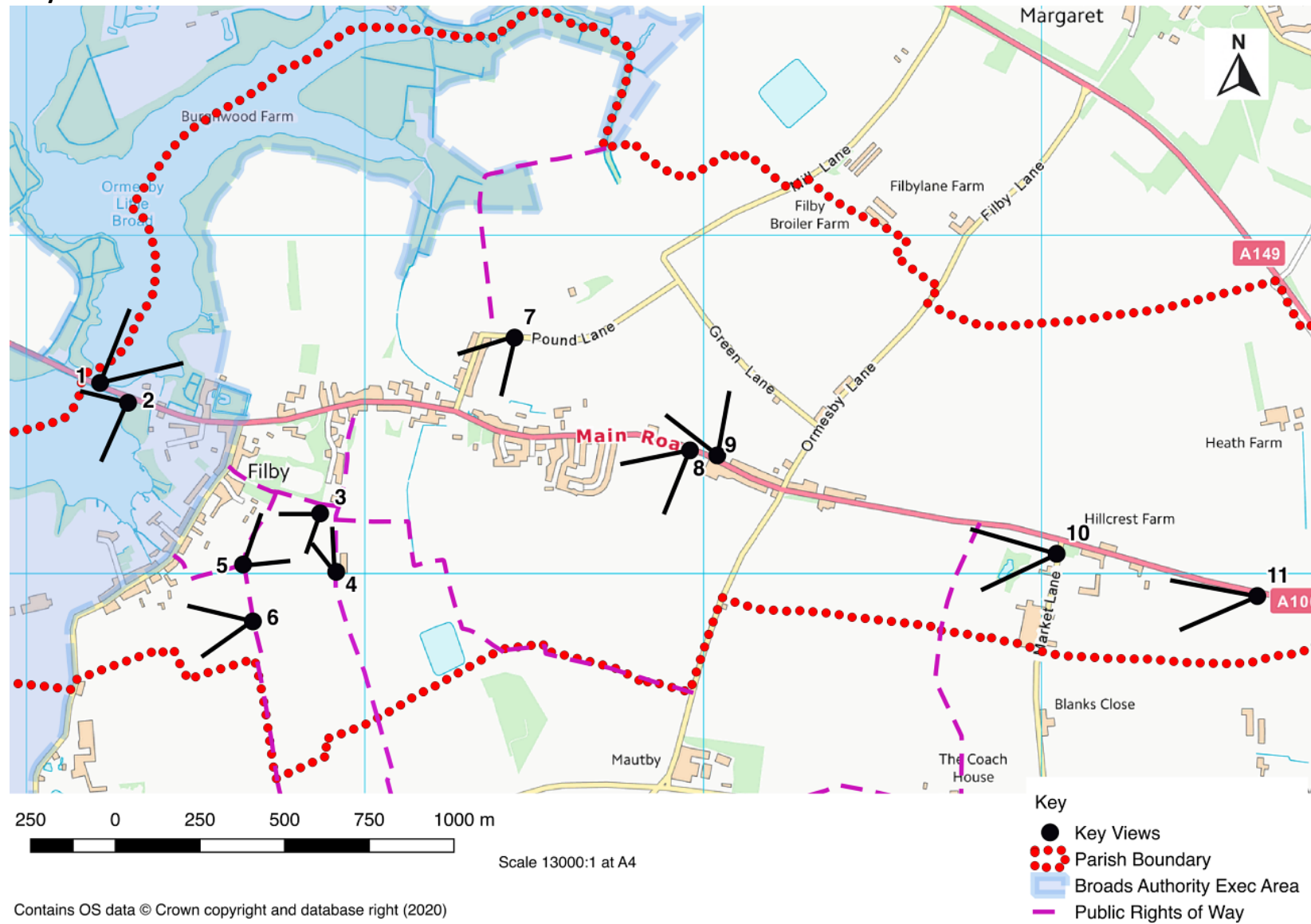
Landscape Character

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



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



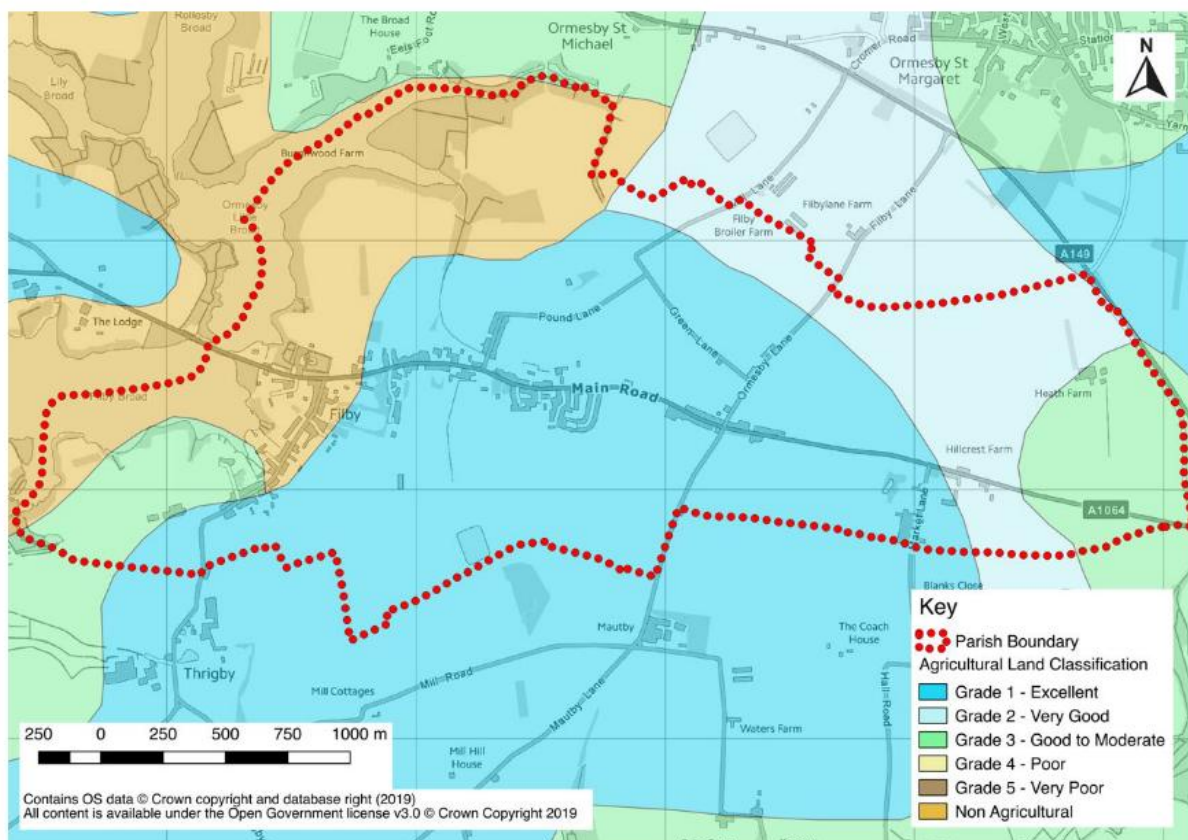
View 11: Filby Heath from Wood Farm Loke



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**):

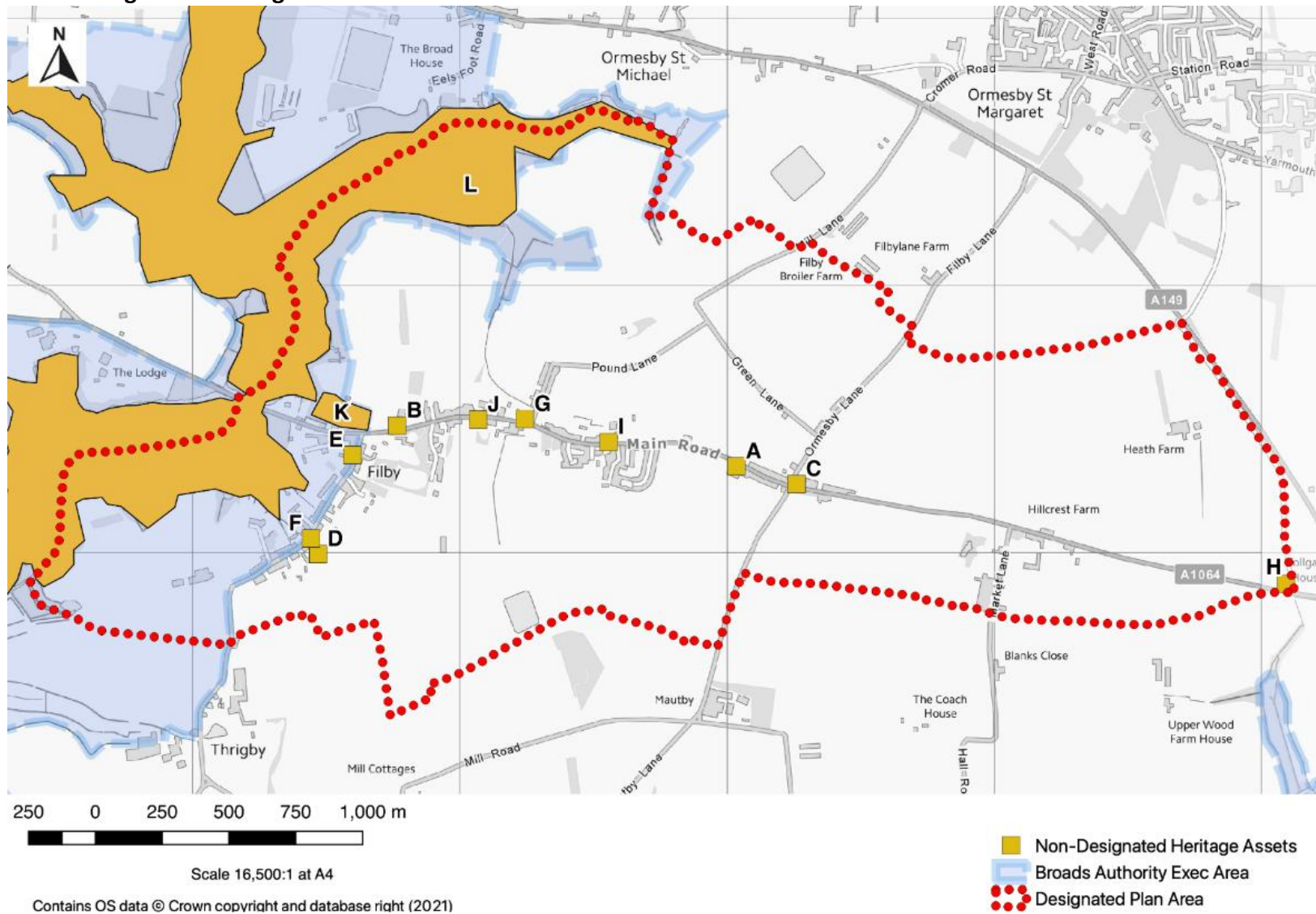
- a) For applications which directly or indirectly affect the non-designated heritage assets, a balanced judgement will be made having regard to the scale of any harm or loss and the significance of the asset;
- b) Conversions for economic or residential purposes in locations that would otherwise be 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

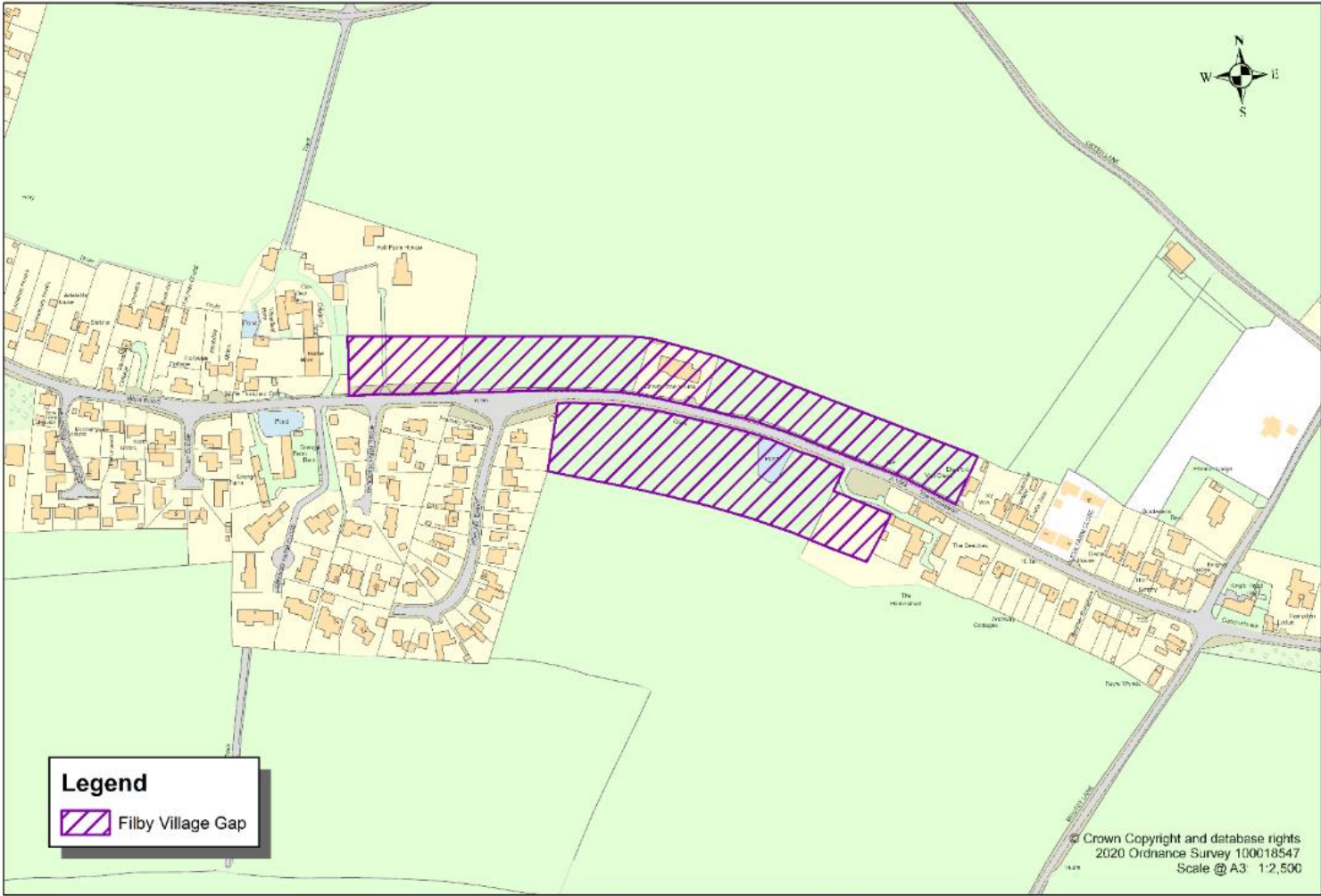
71. The emerging Great Yarmouth Local Plan Part 2 recognises there are two distinct parts of the built-up area of Filby and seeks to retain the gap between them.
72. The village gap is defined in **Figure 11**. Any development within this gap would change the rural aspect of the village and affect the 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;

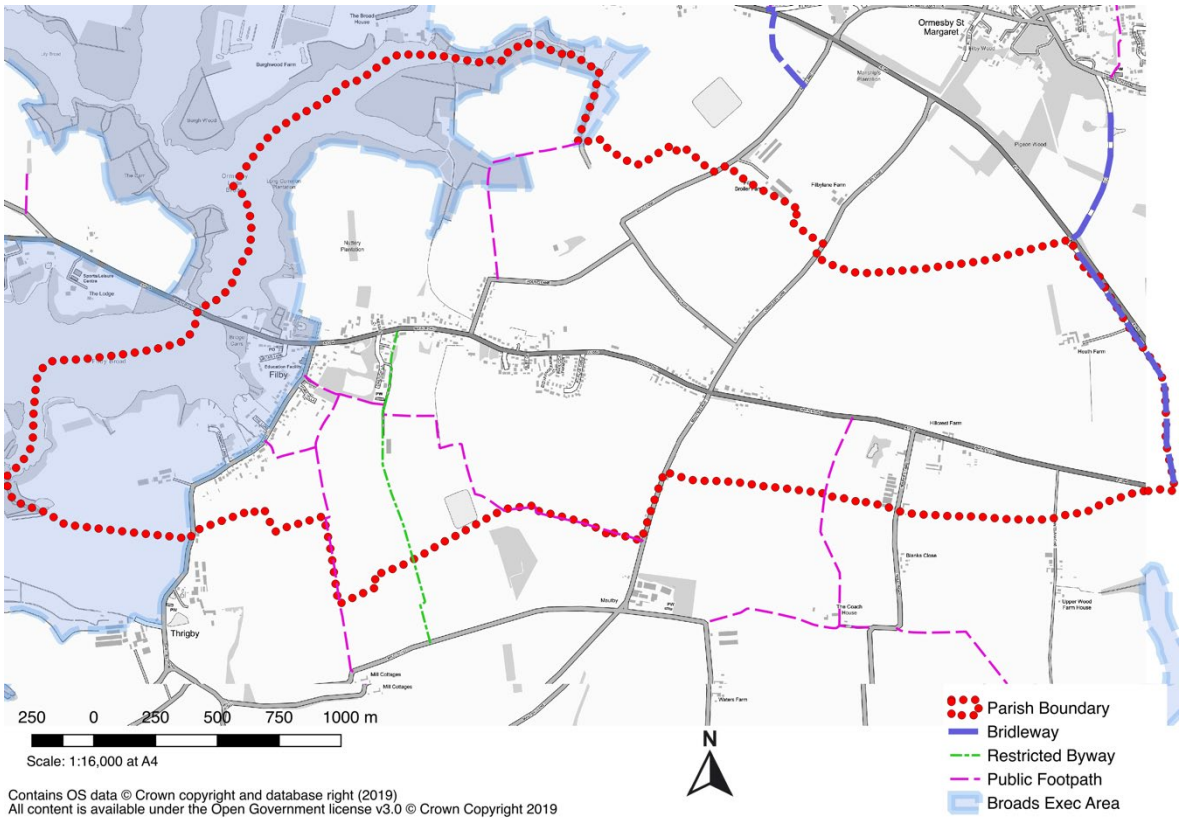
Objective I: Reduce the impact of traffic through the village, investigating ways to emphasise entrances to the village, signifying the change from rural roads to speed restricted areas.

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**.

URN:

Subject: Adoption of Rollesby Neighbourhood Plan

Report to: Full Council – 20 April 2022

Report by: Nick Fountain, Senior Strategic Planner

SUBJECT MATTER

Adoption of the Rollesby Neighbourhood Plan

RECOMMENDATION

Full Council adopt Rollesby Neighbourhood Plan

1. Introduction

- 1.1. Following the Full Council decision to accept the Examiner Recommendations for the Rollesby 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 Rollesby 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 Rollesby Neighbourhood Referendum Results:

- Total ballots 155
- Total 'Yes' votes 120
- Total 'No' votes 35
- Plan passes with **77% 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 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 Strategic Environmental Assessment and Habitat Regulations Assessment Report to satisfy requirements under the Environmental Assessment

of Plans and Programmes Regulations 2004 and the Conservation of Habitats and Species Regulations 2017.

- 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 Rollesby Neighbourhood Plan 2020-2035, having successfully passed the neighbourhood referendum.

7. Links

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

8. Appendices

Appendix 1 – Rollesby Neighbourhood Plan 2020-2035

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

Rollesby village, our future horizons our vision

Rollesby Neighbourhood Plan 2020-2035



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1 Introduction

1. Rollesby is a village in east Norfolk 7.5 miles north-west of Great Yarmouth. It has a population of around 950 and a number of local services and facilities including primary/nursery school, business park, pub/restaurant, hair salon, village hall and sports pavilion. The village also has a bus service that connects it with neighbouring communities and Great Yarmouth.
2. Historically Rollesby is a farming community, and today remains surrounded by arable farmland, much of which is tenanted. This gives the village a strong rural and open feel with panoramic views from the field and from many homes within the village. Residents also have great access into the open countryside through the network of footpaths that exist.
3. The eastern edge of the parish and village lie in the Broads, which has equivalent status to a National Park. This 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). Rollesby Broad is part of the Trinity Broads, a small network of landlocked Broads not connected with the rest of the waterways in terms of navigation. It is highly valued by both residents and visitors, as well as providing a water supply to local homes in the Great Yarmouth area.
4. The layout of the village is fairly linear, though recent development has made it more nucleated. The settlement itself is split into two separate but linked residential areas that are around 350m apart. The A149, the main route between Stalham and Great Yarmouth, runs through the centre of the village which means that traffic can be seen to dominate in some parts of the community.
5. Rollesby has a number of buildings of historical significance that are typical of centuries of local agricultural industry. The older part of the village has historic features such as farm buildings, the church and a number of Listed Buildings, and has been designated a Conservation Area. To the south of the parish there is also the Old Court House, originally built as a workhouse in 1776.
6. Rollesby is identified as a Secondary Village in the Great Yarmouth Local Plan Core Strategy. Secondary and Tertiary Villages will be providing approximately 5% of the Borough's housing growth. The Great Yarmouth Local Plan does define 'Development Limits', and development proposals will be generally supported within this area. The Local Plan for the Broads covering the Broads Authority Area does not define a development limit.

2 Neighbourhood Planning

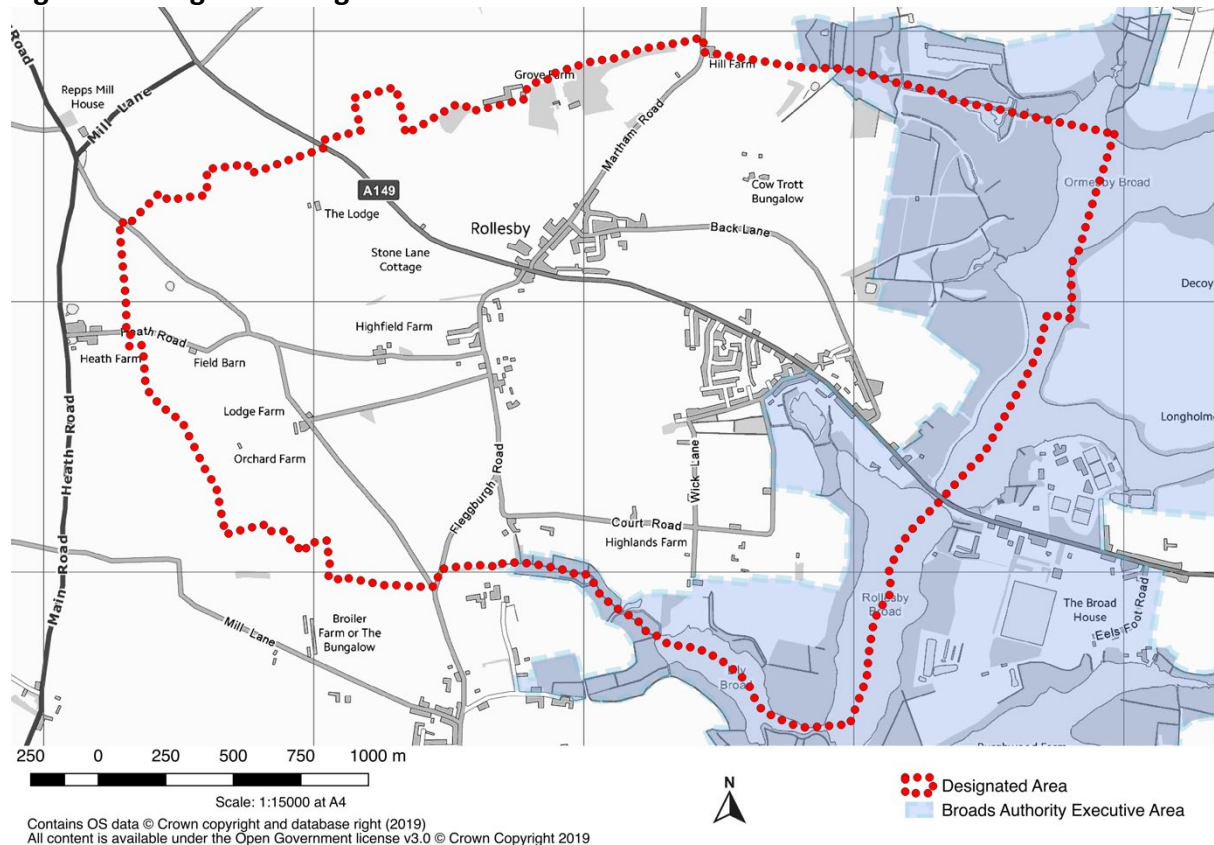
2.1 Overview of Neighbourhood Planning

7. Neighbourhood Planning was introduced in the Localism Act 2011. 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 the years.
8. The Neighbourhood Plan will be a document that sets out Local Planning policies for the Parish and these will be used to decide whether planning applications are approved or not, alongside the adopted policies of the Broads Authority and Great Yarmouth BC. It's a community document, that's written by local people who know and love the area.
9. The Neighbourhood Plan has to support the delivery of the 'strategic policies' contained in the Local Plans for the Broads and Great Yarmouth. It cannot promote less development than set out in the Local Plan for the borough. That is, the Local Plan for Great Yarmouth sets the amount of new development, such as housing numbers, and the distribution of that development across the borough. This Neighbourhood Plan is in general conformity with emerging Policy GSP2 in the Great Yarmouth Local Plan.
10. The Neighbourhood Plan can include 'non-strategic policies', such as the mix of housing needed, 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. Once a Neighbourhood Plan has been brought into force, 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 where relevant in the parish.

2.2 Process of Developing this Neighbourhood Plan

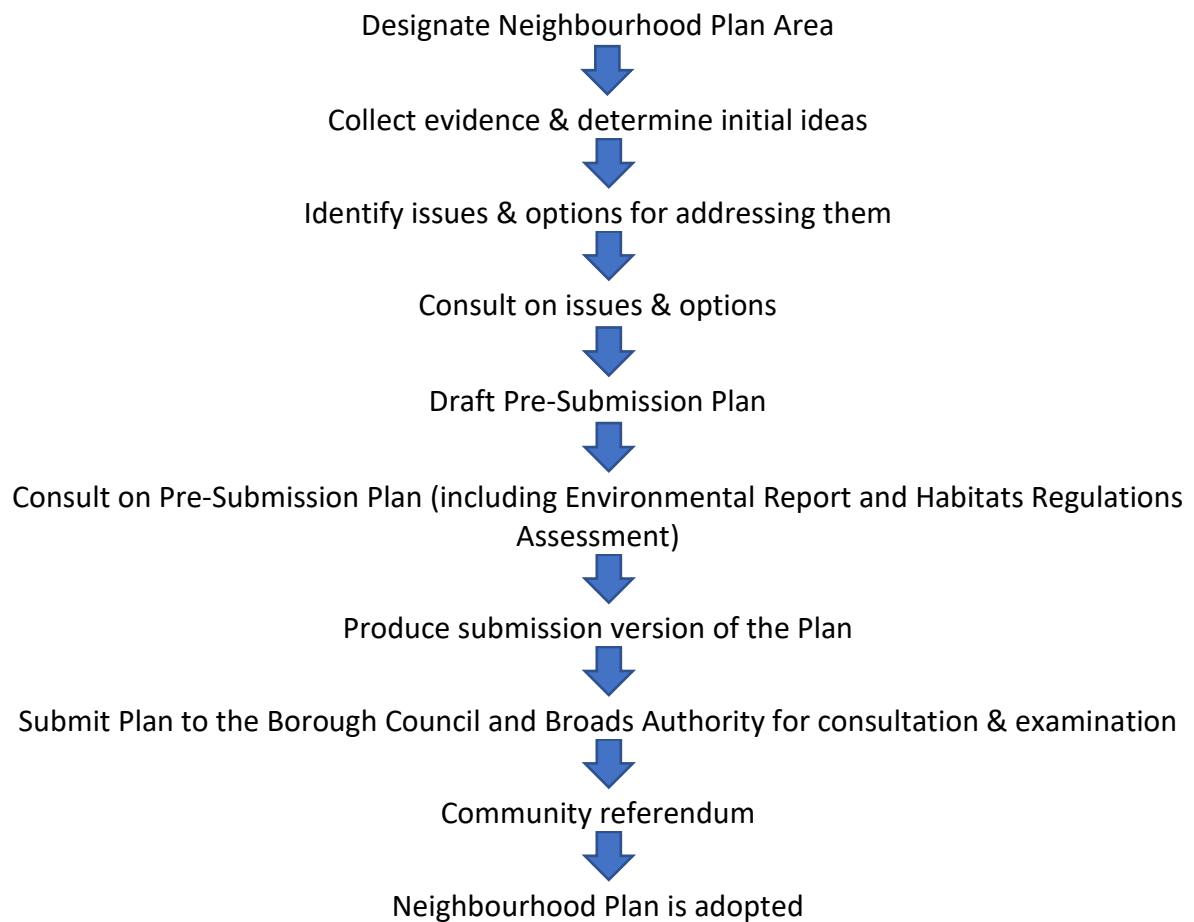
11. The parish area shown in **Figure 1** was designated as a Neighbourhood Plan Area in March 2017.

Figure 1: Designated Neighbourhood Plan Area



12. Working on behalf of the community and Parish Council, the Rollesby Neighbourhood Plan Group has prepared this plan that will shape and influence future growth across the parish.
13. A broad range of evidence has been reviewed to determine issues and develop policies for the plan that will ensure the village grows in a way that enhances cohesion and meets the needs of current and future residents.
14. The policies contained within it will influence the design, location and type of new homes being delivered in the village, as well as ensuring infrastructure improvements are delivered alongside growth so as to maximise community benefit.

Figure 2: Neighbourhood Plan process



3 Consultation with Residents

15. This Neighbourhood Plan has been developed by residents of Rollesby on behalf of the wider community. A working group, comprising a selection of residents, including representatives of the Parish Council, have overseen the process throughout on behalf of the Parish Council.
16. Engaging the wider community in development of the Neighbourhood Plan has been a key focus for the working group.
17. In the early stages of development, consultation focused on identifying key issues the plan should tackle. It also reviewed different approaches for addressing these, in particular options for creating a more cohesive community through the delivery of housing growth. Engagement took a range of forms including surveys, drop in events and simulation games to understand how the village could look with additional housing.
18. This early engagement helped the working group to formulate a pre-submission draft, which was consulted upon December 2019 – February 2020 as part of Regulation 14.
19. A full account of consultation activities, the key points and how these were considered by the working group is provided in the Consultation Statement.

4 Vision and Objectives

20. The vision for Rollesby depicts how the village will be in 15 years' time, 2035, *once the plan has been delivered.*

Vision for Rollesby

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.

21. The objectives for Rollesby are:

Objective 1: To provide the housing that current and future residents need;

Objective 2: Create a more cohesive community by joining up the two halves of the village through housing development and delivering its associated infrastructure benefits;

Objective 3: To support services and facilities that offer opportunities for enhancing the wellbeing of residents by providing for daily needs and enabling social contact;

Objective 4: To provide a safe place for people to live, work and get to school;

Objective 5: To protect and enhance the natural environment for its own sake and for the amenity value it provides for residents and visitors, and reduce the carbon footprint;

Objective 6: To improve the walkability and cyclability of the village.

5 Policies

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 pace, this Neighbourhood Plan has allocated a number of sites for development, mainly for residential development.

6 Housing

This section on **Housing** and the policies it contains aims to deliver the following Neighbourhood Plan objectives:

Objective 1: To provide the housing that current and future residents need; and

Objective 2: Create a more cohesive community by joining up the two halves of the village through housing development and delivering its associated infrastructure benefits

27. Rollesby is designated as a Secondary Village in the Great Yarmouth Local Plan Core Strategy (2015). This is a reflection of its size and the services and facilities that are available, as well as public transport accessibility. The Great Yarmouth Local Plan sets out that, “....growth should be proportionately limited in scale and well-related to the existing settlement and infrastructure. Neighbourhood Development Plans are particularly encouraged in these locations to define locally preferable, positive development.” The Neighbourhood Plan has taken up this challenge and will be allocating sites for development. The aim of the Great Yarmouth Local Plan is that at least 5% of all new dwellings in the borough should be built within the Secondary and Tertiary Villages identified in Policy CS2.
28. The Great Yarmouth Local Plan Policies map for the North West of the borough defines the development limit for the village. The main village of Rollesby runs along the A149 and is split in two with a gap of some 350m between. There are currently two development limits for Rollesby, one for each half and the gap is outside of the limits. The Neighbourhood Plan will not amend the development limits, but will leave this to future iterations of the Local Plan. This will ensure that they are consistently applied and accurately reflect changing settlement boundaries and allocations.
29. The split between the two halves of the village results, in some ways, in two separate communities and this was often seen as a weakness for the village in the consultations, with support for housing within the gap being seen as an opportunity to bring the community together.
30. In recent years, housing growth in Rollesby has been modest and mainly as a result of speculative applications due to a lack of a five-year housing supply. There is a desire to reduce speculative applications and ensure development takes place in a planned way.
31. Consultations suggest that the community is supportive of new housing within the gap between the two halves of the village conditional on it:
- Being a good mix of dwellings that meets the needs of the community;
 - Making speculative, unplanned development far less likely;
 - Providing key community benefits such as a reduced speed limit on the A149 with traffic speeds being a key community concern;

- Delivering improved transport infrastructure, such as a widened footway and crossing points along the A149;
- Retaining key views into the wider countryside to keep a rural feel that is valued by residents.

6.1 Housing need and location

32. The overall scale of new housing need in the parish is modest, proportionate to its population size, available services and facilities, and its overall role as a Secondary Village. There is strong local support for each development site to be relatively small in nature, with growth focused on the gap between the two halves of the village.
33. Looking at the housing need, the emerging Great Yarmouth Draft Local Plan Part 2 identifies that Secondary and Tertiary Villages will be providing approximately 5% of the Borough's housing growth. The Borough Council welcomes the proposed allocations made within Rollesby Neighbourhood Plan, though does not rely on these housing numbers to achieve its housing target.
34. As part of developing the Neighbourhood Plan, the working group commissioned the large consultancy firm AECOM to conduct a housing need assessment (HNA) for the parish¹. Note this is different to anything the Borough Council has produced. This calculated two different figures for housing need. Firstly, based on a Local Housing Need of 363 across Great Yarmouth, the HNA calculates that Rollesby's proportion according to population share is 4 dwellings per year, or 64 dwellings over the Neighbourhood Plan period 2019-2035. It should be noted that the emerging Local Plan for Great Yarmouth does not propose distributing future housing like this.
35. Alternatively, considering the emerging strategy for the pattern and scale of development across the borough, approximately 5% of new development across Great Yarmouth should be delivered in Secondary and Tertiary Villages, including Rollesby. 5% of 363 (the borough's annual housing need) is 18 dwellings per year, of which Rollesby's share according to its proportion of the combined population of the Secondary and Tertiary Villages is 11.9%, or 2 dwellings per year. This equates to 32 new dwellings over the Plan period.
36. By taking the average of the results of these two calculations, the HNA recommended an overall need (so a minimum) of 48 dwellings over the Plan period 2020-2035, or 3 dwellings per year. If all extant planning permissions are delivered over the Plan period (of which there are 18), there will remain a residual need for 30 dwellings, or 2 dwellings per year.
37. However, the Neighbourhood Plan is looking to allocate land for up to 65, so in line with one estimate of the housing need, with a reserve allocation for a further 25 if an

¹ Rollesby Housing Needs Assessment, AECOM, May 2019

early review of the plan shows these to be necessary. There are a number of reasons why the plan is looking at the higher end of the various estimates.

38. Although indications are that the parish population has picked up a little since 2011, the evidence suggests that it has declined over the years, being less than it was in 2001, and this might be in part due to the available housing, or lack of it. This could invite a need for more housing to reverse the population decline and enable people to stay in the village. The consultations highlighted a concern related to younger residents having to move away from the village.
39. Delivering the right mix of housing as described in the next section could also have implications for the actual number of houses being planned. There is a significant need for smaller homes of one or two bedrooms, but housing schemes comprising almost entirely of smaller homes are not likely to be very viable or attractive for developers. This might suggest a need to have a different balance so that larger homes included in a housing scheme can effectively cross-subsidise the smaller ones that are most needed.
40. A key part of the strategy is to close the gap between the two halves of the village with a view to bringing the community closer together, introducing a 30mph limit all the way through the village, improving the roadside footway to make it more attractive to walk, and introduce crossing points for people. This might require a housing number at the upper end of the estimates.
41. The Neighbourhood Plan will therefore plan to deliver at least 65 new dwellings over the plan period to 2035 through site allocations. The main housing allocations will be in the gap between the two halves of the village, and on both sides of the A149 to ensure, for example, that the speed limit can be reduced to 30mph and other benefits achieved.

Policy HO1: Scale and location of housing growth

As part of this Neighbourhood Plan, sufficient land will be allocated to deliver a minimum of 65 dwellings. These will be delivered in two phases. Phase 1 will deliver around 40 homes, and phase 2 will deliver a further 25 homes.

The housing allocations will be made within the gap between the two halves of the village, and will be on both sides of the A149. A further small allocation for mixed use east of the school will include up to five dwellings.

Consideration will be given to bringing forward an additional reserve allocation for housing during the plan period if any of the adopted allocations either do not come forward as expected or there is demonstrable evidence that additional housing is warranted. For this reason, the plan will be subject to a review by 2029, and a further allocation (Phase 3) will be held in reserve for this purpose.

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.

Proposals that result in the erection of a dwelling or dwellings on parts of large gardens attached to existing dwellings, known as backland or tandem development, within the development limits will only be supported if it can be demonstrated that acceptable vehicular and pedestrian access can be achieved and that the site can provide adequate off-road parking.

Permission for development outside of allocations or the development limits will only be supported if a specific policy in the Neighbourhood Plan or Local Plan allows for the proposed development outside of the adopted development limits or adopted allocations.

42. The allocations will be mixed in terms of size, but will be generally small comprising no more than 30 dwellings. This will help to support small to medium sized developers rather than volume housebuilders. This is a policy aim that the Government specifically encourages in the Housing White Paper, and in the NPPF. The policies for the allocations are in **Section 10** of this plan.
43. The six sites allocated for residential development and one for mixed use have been objectively assessed, firstly by AECOM to determine their suitability for allocation and secondly against 22 sustainability objectives as part of the Strategic Environmental Assessment (SEA).

44. The large consultancy company AECOM assessed twelve potential sites for development, assessing them against a range of criteria such as flood risk². Each site was assessed using the traffic light system of red, amber and green, whereby red is not acceptable and green is acceptable, whilst amber means the site could be acceptable with mitigation measures. All sites assessed as either green or amber, except one red adjacent to the conservation area.
45. The allocation sites were assessed with alternative sites through the Strategic Environmental Assessment (SEA) supporting this plan. The SEA appraised the sites against a comprehensive set of social, environmental and economic objectives that are consistent with the Great Yarmouth Local Plan. The allocation sites performed well against the criteria, with a major benefit being that the sites meet the community aspiration of joining up the two halves of the village, delivering quality of life and cohesion benefits. Full details of these assessments are included in the SEA Report.
46. The land being allocated is owned by Norfolk County Council as part of their County Farms Estate. Rollesby Parish Council has worked closely with NPS Property Consultants, on behalf of Norfolk County Council as landowner, to help address the needs of the local community and provide land for housing. Norfolk County Council has agreed not to pursue opportunities for further development on land in their ownership around the village subject to the planned phased development of allocations within this plan.

6.2 Housing Mix

47. According to the 2011 Census, the housing profile in Rollesby is dominated by bungalows, predominantly with two or three bedrooms; over half of dwellings are 3 bedroomed. 69% of Rollesby households occupy dwellings of three or more bedrooms, compared with 58% in Great Yarmouth, and 64% of dwellings in the parish are detached, compared with 29% in the borough. A quarter of homes are occupied by just one person but in contrast there are relatively few one-bed properties. Home ownership is very high (84%) and very few properties are available to rent or as social housing. There is evidence of demand for further affordable housing in Rollesby and this will not be met by the existing housing stock, which has been depleted significantly through the Right to Buy scheme.
48. Longer term the housing profile could make it difficult for families or younger people to remain or move into the village, and encourage an ongoing imbalance of population towards older residents, threatening the viability of the school. The parish already has an ageing population and higher than average proportion of retired people. Based on current trends, the parish's demographic profile in 2035 is projected to be dominated by households aged 65 and over (which make up 55% of all households). The housing profile also makes it difficult for older residents living alone to downsize whilst staying in the village, and so they won't be able to free up larger homes for families wishing to move up. The 65 and over age group generally express a strong preference for two-

² Rollesby Neighbourhood Plan. Site Options and Assessment (May 2019)

bedroom homes. Further analysis is provided in the Evidence Base which accompanies this Neighbourhood Plan.

49. Much of this evidence suggests a need for an increase in the number of smaller dwellings, but the housing stock has been changing in the direction of larger homes with more rooms and more bedrooms, at a time when the need is for smaller dwellings with fewer rooms or bedrooms. Although a mix of housing may be needed to meet the mix of community needs, there needs to be a particular focus on meeting the need for smaller homes, first-time buyers and homes suitable for older and more infirm residents. Consultations have found a broad level of support for such a mix of housing.
50. The Housing Needs Assessment (HNA) concluded the need for, “the following mix of dwelling sizes for new development over the Plan period:
- 43% one-bedroom units
 - 48% two-bedroom units
 - 4% three-bedroom units
 - 5% four-bedroom units; and
 - 0% five- or more bedroom units”
51. Assuming an outstanding need for 48 dwellings, which was the middle housing need scenario in the HNA, this would suggest around five being three or four bedroomed, and 43 being one or two bedroomed.
52. However, as discussed in the previous section, this is likely not to be viable or attractive for developers and so it has been decided, for this and other reasons, to increase the number of dwellings allocated to 65 to provide scope for additional larger dwellings whilst meeting the need for smaller dwellings. This would therefore allow for around 22 three or four bedroomed dwellings and 43 smaller dwellings.
53. Feedback from consultations tended to support the evidence, in that people want predominantly smaller homes, affordable homes, especially starter homes for young people and young families and homes that are adaptable for older, more infirm residents. There was still recognition of the need for some three or four bedroomed family homes.

Policy HO2: Housing mix

All new residential development proposals should provide a mix of housing types and sizes, especially smaller unit homes and homes suitable for younger and older residents, including single-storey dwellings. Proposals for a housing with care scheme will be supported, subject to other policies. The mix for the allocated sites is set out in the site specific policies.

Other new housing proposals, including the conversion of existing buildings to dwellings, shall provide evidence of the community need in terms of likely housing mix. As a minimum, schemes of more than 5 dwellings must, unless evidence to the contrary is provided, meet the following criteria:

- a. At least 25% of dwellings should be suitable for occupation by people who are elderly, infirm or disabled; and
- b. At least 50% of those dwellings should have two bedrooms or fewer.

This applies to all housing on an application site taken as a whole, including both open-market and affordable housing combined. This will need to be met unless a different mix is fully justified on the grounds of viability or updated evidence of local housing need.

New housing is encouraged to be designed to a high energy efficiency standard.

Separate proposals on contiguous sites that are in the same ownership and/or control, or have a planning history indicating that they have been, will be considered as single proposal.

54. This policy, and the allocations policy, should redress a housing imbalance in the village by providing additional smaller dwellings. These should be more suitable for older people living alone and wishing to downsize, and they should also be more affordable for younger people wanting to get on the housing ladder.
55. Although a mix of housing as set out in Policy HO2 will be expected, it is recognised that with building conversions it might not be possible to meet the size requirements as it could be constrained by the existing building fabric.
56. 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.
57. There are currently no Housing Association properties in Rollesby, therefore any affordable housing units are those provided by the Council, of which there are just 16. The evidence suggests that there is a significant demand for affordable housing, especially smaller units of one or two bedrooms, that exceeds supply. No additional

affordable homes have been included in recent planning applications, including the recent 10 dwelling permission.

58. A current definition of affordable housing is provided in the National Planning Policy Framework³. This has recently introduced the concept of Entry-level Housing Exception Sites. These are affordable homes suitable for first time buyers and so discounted from the open market value (or those looking to rent their first home), and outside of the development limits. However, in many cases and despite the discount, many people would still be unable to afford the cost.
59. **Policy HO2** 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.
60. Affordable housing is very much needed in the parish. The allocation of sites as part of the Neighbourhood Plan will help to deliver some affordable housing. Any proposal for less than the requirements in the prevailing Local Plans will need to be fully justified by a comprehensive viability assessment. The Local Planning authorities will ensure that any planning permission granted for affordable housing is subject to appropriate conditions and/or planning obligations to secure its affordability in perpetuity (for the life of the property) where possible, although this of course does not override the Right to Buy scheme.
61. The process used in the allocation of affordable homes will need to have due regard to the sequential preference criteria used by the Borough Council. This means that although people on the waiting list with a Rollesby connection could get priority, ultimately the housing could be allocated to people in housing need across the borough. This Neighbourhood Plan would support the Borough Council in favouring applications made by service personnel and their families, so that applicants in housing need who have served in the Armed Forces are given greater priority over those who have not. This would be in line with the terms of the Government's Armed Forces Covenant published in May 2011. Through the Military Covenant, the Government has made clear its responsibility to support our Armed Forces in return for the important contribution they make to the country.

6.3 Design

62. The older part of the village, along Fleggburgh Road, has historical features such as farm buildings, the church and a spattering of Listed Buildings, which are characteristic of the village's local vernacular. This area of the village is designated a Conservation Area by Great Yarmouth Borough Council in recognition of its heritage value, see **figure 3**. To the south of the parish is The Old Court House, originally built as a workhouse in 1776 to accommodate 400 inmates. There are 60 sites of archaeological

³ <https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary>

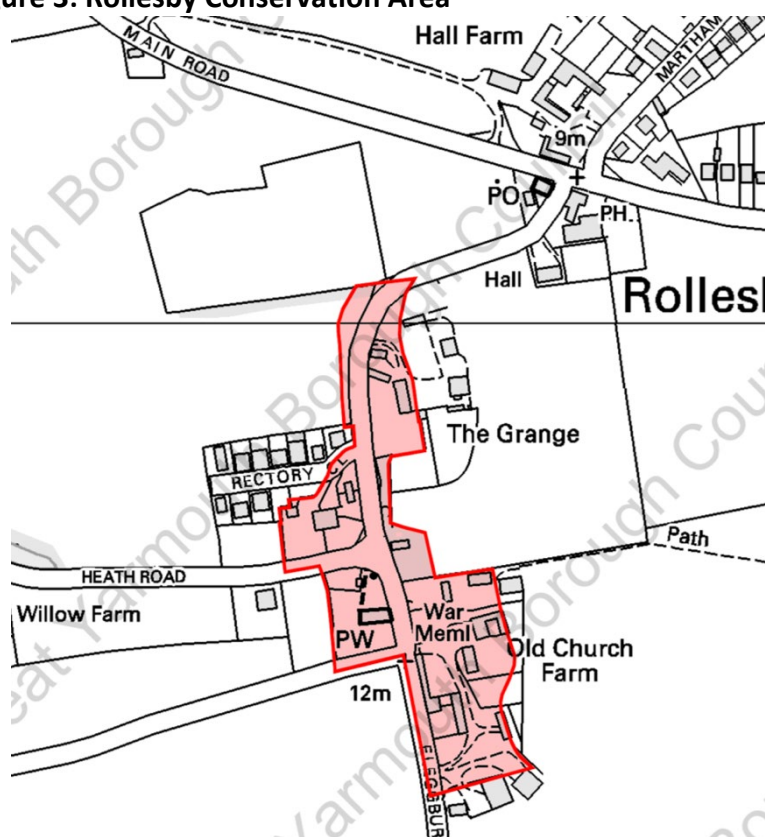
interest in the parish currently on the Norfolk Historic Environment Record, and there could be many more sites of interest as yet unknown. The Broads area also has potential for exceptional waterlogged heritage.

63. Outside the Conservation Area, the character appraisal carried out for the Neighbourhood Plan identifies a broad mix of housing that is of relatively low density, with most homes having front and back gardens. Although there is some estate development, homes are not uniform in their character but rather mixed. Key themes from the community consultation on design features of existing homes included:

- Eclectic mix of homes
- Bungalows / single storey
- Traditional brick with Norfolk pantiles
- Combination of traditional and contemporary

64. At consultation 65% of people supported more modern/contemporary designs or sustainable eco-homes.

Figure 3: Rollesby Conservation Area



65. During the consultations there was support for housing densities on new development reflecting the rural open nature of the area, so not being too dense and urban, accompanied by soft landscaping comprising of vegetation and natural features such as trees and hedgerows.

Policy HO3: Design

All new development within Rollesby must demonstrate high-quality design. This means responding to and integrating with local surroundings and the open landscape context. In particular:

- a. Housing schemes should not exceed a density of more than 25 dwellings per hectare, unless compelling evidence can be presented which demonstrates that a higher density will be in keeping the immediate character and appearance of the area, or it is delivering a critical housing need;
- b. 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;
- c. Contemporary and innovative design will be supported, especially if also making use of traditional materials evident in the village;
- d. The character, integrity and appearance of heritage assets will be protected and where possible enhanced. Alterations or extensions to buildings of heritage value, designated or non-designated, or in the Conservation Area should use traditional materials and designs for roofs, chimneys, porches, elevations, windows and doors;
- e. The overall external appearance of affordable dwellings shall be indistinguishable in terms of the materials used and architectural detail from the open market housing on site;
- f. New development must be in keeping with that of a rural village in a rural open setting and be well integrated into the landscape. Good soft landscaping that makes use of existing natural features will be expected, as will be the retention of views into the open countryside to avoid an enclosed and urbanised streetscene;
- g. All development should be designed to incorporate biodiversity enhancements, as per **Policy E1**.
- h. Development will be designed so as to provide distinct character across housing proposals so as to avoid homogeneity;
- i. Proposals for new residential development comprising mainly bungalows, terraced or semi-detached dwellings will be considered favourably, depending on the immediate context and the need to visually integrate;
- j. Housing proposals will need to be well integrated functionally with the rest of the village and with any neighbouring proposals, including connecting footways and public space. The design of major residential development

should incorporate public open space in a way that creates an attractive and interesting community focus; and

- k. Development directly fronting the A149 should be provided with suitable off road parking to prevent the streetscene becoming overly dominated by vehicles.
- l. 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.

In all cases, an exceptional standard of design will weigh significantly in favour of proposals.

66. It is of critical importance that new development relates well to the landscape setting and character of the existing settlement. Analysis of current housing density in Rollesby (provided in the Evidence Base which accompanies this Neighbourhood Plan) indicates an average density of around 20 dwellings per hectare throughout the parish currently. Many new housing developments, even in rural communities, have higher densities than this. Given the required housing mix with a high proportion of smaller dwellings and the fact that all available land in the parish is of high agricultural value, it is appropriate for the Neighbourhood Plan to require a maximum density of 25 dwellings per hectare. This will allow dwellings to be comfortably accommodated to create good townscape and significant landscape appropriate to their scale and setting. An important exception is where development will meet a critical housing need, such as the provision of affordable housing.

67. The Character Appraisal identifies key aspects of the built-environment which make it unique or of interest, these should be preserved or enhanced. New development must have due regard to this, although this should not stifle innovation, which is welcomed. This policy applies to new residential development as well as other types of development, including extensions.

7 Environment

This section on the **Environment** and the policies it contains aims to deliver the following Neighbourhood Plan objectives:

Objective 3: To support services and facilities that offer opportunities for enhancing the wellbeing of residents by providing for daily needs and enabling social contact; and

Objective 5: To protect and enhance the natural environment for its own sake and for the amenity value it provides for residents and visitors, and reduce the carbon footprint.

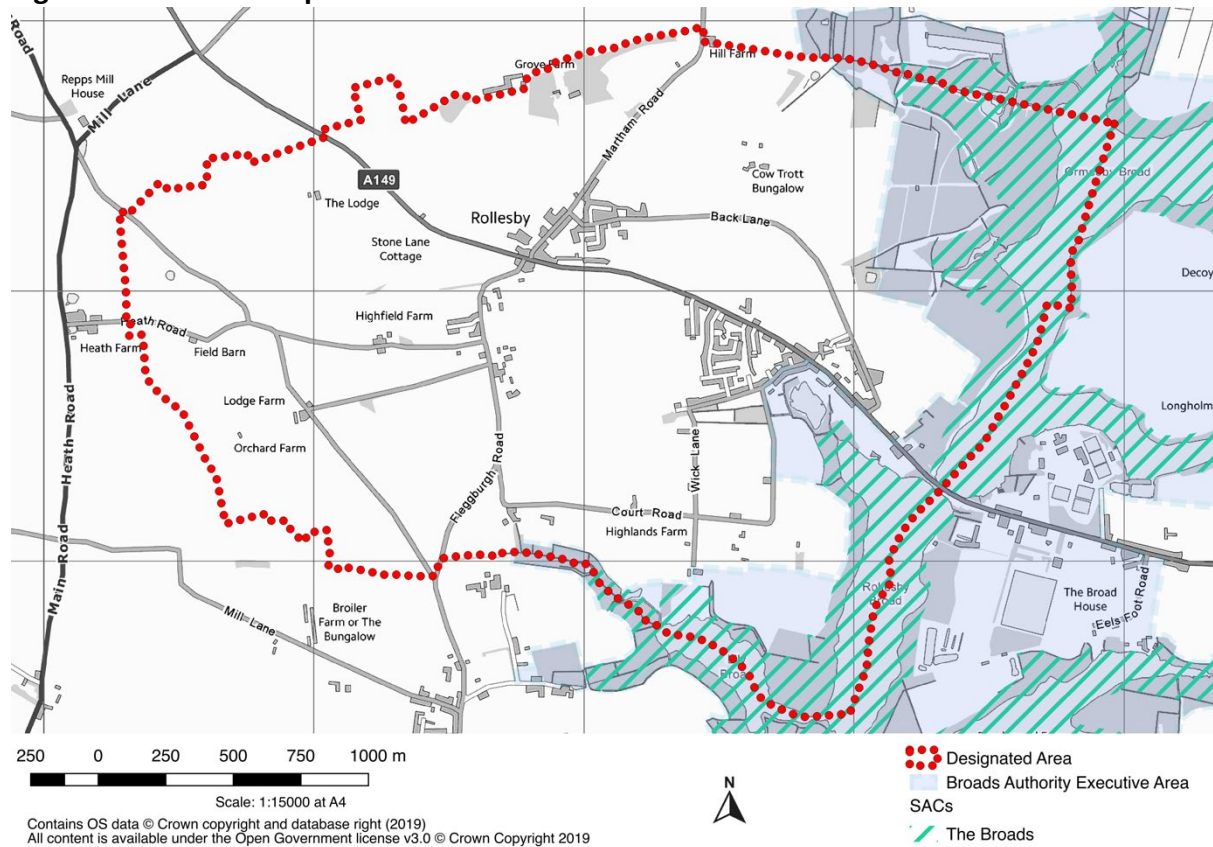
7.1 Natural Environment

68. Rollesby is a rural parish with high environmental and landscape value. This Neighbourhood Plan aims to achieve greener developments with access to local natural spaces, creating more pleasant places to live and establishing habitats for wildlife through biodiversity net gain. In addition to supporting habitats that provide home for a diverse range of species, this will help to build resilience to climate change.

69. The Neighbourhood Plan encompasses an area of the Norfolk and Suffolk Broads, see **Figure 4**⁴. This area is designated as the Broads Special Area of Conservation (SAC) and the Trinity Broads Special Site of Scientific Interest (SSSI). The Trinity Broads are a tranquil and beautiful part of the Broadland landscape, known as a hidden gem isolated from the main Broads river system, being landlocked. The five broads of Ormesby Broad, Rollesby Broad, Ormesby Little, Lily Broad and Filby Broad are much quieter than other broads in the Rivers Bure and Ant. There are no motorised boats to protect drinking water, though sailing and fishing is popular. A boardwalk at Rollesby Bridge was created to allow easier access to the water, though currently there are no Public Rights of Way that connect the village settlement directly with Rollesby Broad and it is not possible to walk around the Broad.

⁴ It should be noted that exact boundaries for the SSSI and SAC can change, which is the responsibility of Natural England. [Magic Map](#) is regularly updated.

Figure 4: The Broads Special Area of Conservation



70. The Trinity Broads 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 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.

71. Trinity Broads make up 14% of the open water within the Broads Area. 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. Water extraction is dealt with in the Habitat Regulations Assessment supporting this and the emerging Local Plan. The Environment Agency is content with the current Water Management Plan and the potential effects arising from extraction.

72. Close proximity to the Broadland landscape results in a transitional edge to the built-up settlement area, with the fringes characterised by wetland that contrasts the arable fields of farmland which surround much of the village. **Figure 4** highlights the area of Rollesby settlement that this particularly effects. Some areas on the

settlement fringe with Broads contain green corridors for wildlife to move, and it will be important to conserve and enhance this.

73. Rollesby residents value the tranquillity and naturalness of the Trinity Broads and are keen to protect and enhance this as the village settlement grows. The Broads Local Plan has a policy for the Trinity Broads – SSTRI. During community engagement exercises to develop this Neighbourhood Plan some residents indicated that the Broads reflected what is special about the village, and one of the reasons they moved here. They are a place where people go to enjoy peace and quiet and abundant wildlife, both on the water by boat and from land using viewing areas and walkways. Recreational pressure could increase with new housing development in Rollesby and this will need to be managed, with alternative opportunities for accessing the countryside provided as part of development proposals.

Figure 5: The beautiful Rollesby Broad



74. It is recognised that existing planning policy and legislation already protects our network of internationally and nationally designated sites, including the Broads. This Neighbourhood Plan aims to conserve and enhance the natural beauty, wildlife and cultural heritage of Rollesby, with new development delivering net biodiversity gain and with the allocations being focused away from the Broads, although some is within the impact risk zone for the SSSI.

Policy E1: Protecting and Enhancing the Environment

Opportunities to incorporate biodiversity into new developments will be encouraged. All development proposals will be expected to deliver a net gain of at least 10% in biodiversity.

Development proposals will be permitted where they:

- a. Protect, enhance, restore and implement appropriate conservation management of biodiversity rich areas or green areas which are of value in terms of landscape, wildlife or quiet enjoyment;
- b. Use native species and soft landscaping to provide new habitats for local wildlife and make use of appropriate rural treatments such as tree planting, hedgerows, low walls, fences and grassed verges as boundaries for properties or open spaces;
- c. Minimise environmental fragmentation and maximise opportunities for the restoration, enhancement and connectivity of natural habitats or green spaces (including links to habitats outside of Rollesby parish);
- d. Deliver the required net biodiversity gain for the natural environment within the development site or nearby within the parish;
- e. Ensure that any impacts on water demand and quality are assessed to safeguard the Trinity Broads; and
- f. 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.

Greater weight will be given to proposals that would result in *significant* net gain in biodiversity.

Any development proposals within or near to 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.

To mitigate recreational pressure effects on Norfolk's protected sites, a Habitats Monitoring and Mitigation Strategy (HMMS) has been put in place by Great Yarmouth Borough Council. This provides for mitigation measures in the Broadland SPA / Ramsar, The Broads SAC, the Breydon Water SPA / Ramsar, the North Denes SPA and the Winterton-Horsey Dunes SAC. Rollesby parish lies within the impact zone identified in the HMMS and therefore appropriate financial contributions will be required by residential developments allocated in the Rollesby Neighbourhood Plan in line with tariffs detailed in the strategy. Furthermore, residential developments will have to be accompanied by a project-level Habitats Regulations Assessment to ensure that such developments will not result in recreational impacts that are individually significant.

75. Achieving a biodiversity net gain is expected to be passed into national legislation in the near future. 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. A 10% net gain will be applied unless a higher standard is required by the Environment Bill.
76. 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.

7.2 Character and Appearance of the Parish

77. Rollesby is historically a linear settlement, though increasingly nucleated due to more recent development.
78. The village is surrounded by arable farmland, the majority of which is part of Norfolk County Council's County Farms Estate. These farms, which are tenanted, form part of the Rollesby and Repps Estate which extends some 203 hectares. The entire area is classified as the best and most versatile farmland, or Grade 1 according to the Agricultural Land Classification map. This farmland and the wide panoramic views it provides is a key feature of the landscape character of Rollesby, which the community would like to preserve as much as reasonably possible.
79. Rollesby is fortunate to have a network of Public Rights of Way, enabling residents and visitors to the village to access the wider countryside and enjoy views out across the farming landscape. These can help to reduce recreational use of the more sensitive environment around the Broads, although not all rights of way are very accessible due to their surface or width.
80. There are particular long views that the community find special and would like to preserve. This includes views across the fields from behind King George V Playing Field / Rollesby School, which is accessed via a Public Right of Way and views from Back Lane, as illustrated in **Figure 6 & 7**.

Figure 6: Important Viewpoints



Figure 7: Views from behind the school and King George V Playing Field



Figure 8: Views from Back Lane



81. The Great Yarmouth Borough Local Character Assessment identifies that Rollesby lies within the West Flegg Settled Farmland character area. The primary landscape planning guidelines of this area include conserving its function as part of the landscape setting of the Broads. In particular, views into the Broadland landscape should be conserved. There is recognition however that the main A149 road is a key landscape feature that detracts from this landscape setting. Focusing housing development along the A149 should therefore minimise any adverse impacts on the wider landscape setting.
82. The Broads Landscape Character Assessment for this area, Muck Fleet Valley: The Trinity Broads, identifies that care needs to be taken when landscape change occurs, to ensure that the positive characteristics that contribute to the areas unique sense of place are conserved and enhanced. Where new development opportunities are being pursued care needs to be taken to ensure that proposals do not adversely affect the key landscape characteristics of the area.
83. As in many farming communities, hedgerows are an important feature of the landscape, supporting a high proportion of woodland birds, mammals and butterflies, creating important green corridors. Generally, the older and more timely managed the hedgerow, the more species rich it will be and therefore better for wildlife. The current farming landscape is predominantly open in Rollesby with large fields, some hedging and trees existing mainly along key boundaries. Extension of hedgerows could enhance the biodiversity, water quality and landscapes in some areas.

Policy E2: Landscape Character and Appearance

All development will be expected to respect and where possible enhance the distinctive landscape character of Rollesby and the Broads.

Key views (identified in **Figure 6**) will be safeguarded to ensure future enjoyment of the community. Development proposals which result in the obstruction or restriction of such key views without appropriate mitigation will be refused.

Development on productive agricultural land should avoid isolating/segmenting adjacent smaller parcels of land that cannot be viably farmed.

All new development should incorporate and enhance existing hedgerows where feasible and create soft boundaries through planting of hedgerows and trees to reinforce the landscape structure and enhance connectivity. Additional planting should be of native species.

New development will be expected to take opportunities to enhance and improve accessibility, particularly in relation to the local Public Rights of Way network.

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.

84. Much of the undeveloped land in Rollesby is classified as Grade 1, the highest quality, and is in active farming use. Where possible this should be retained and **Policy E2** seeks to ensure that any development does not inadvertently isolate or cut-off land from future farming use.
85. 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.

7.3 Dark night skies

86. As a village with little street lighting Rollesby is a good place to enjoy the night sky. Consultation on the Neighbourhood Plan has indicated that residents value the dark skies and wish to keep them, 93% of individuals who responded to the Issues and Options Consultation during 2019 would like to encourage lighting that is Dark Sky friendly. The Broads Authority survey shows Rollesby Broad area to be in one of the darkest categories, and parts of the village are in the Campaign to Protect Rural England's second darkest category for light pollution, with the main settled parts of the village being lighter on the scale. The plan supports retention of dark skies at these levels.
87. The Local Plan for the Broads has a policy which seeks to protect the dark night sky. **Policy E3** of this Neighbourhood Plan applies outside of this area, protecting the rest of the parish.

Policy E3: Protecting Dark Night Skies

Development proposals outside of the Broads Authority Executive Area should include provision for conserving dark night skies by avoiding the introduction of street lighting as part of new development. Any permitted lighting should be limited to specific operating hours and it must be designed so as to minimize adverse impact on dark skies, local amenity and wildlife.

Other lighting proposed as part of development proposals, such as security lighting, will only be supported where it is shown to be necessary and to minimise adverse impacts such as on dark skies.

7.4 Flood Risk and Drainage

88. An area of the parish adjacent to the Broads Area falls within Flood Zone 3, with this representing the functional flood plain. This area would be precluded from any new development and constrains further growth of the residential area to the south of the village.

89. There is medium and high risk from surface water flooding in several parts of the village, south of Low Road near to the Broads Area and along Back Lane. Parts of the older residential area off Martham Road have low risk of surface water flooding. The Lead Local Flood Authority has two records of external flooding in the parish dating from 2014 to the present day and recommend the importance of considering surface water flooding. There is a need to ensure that infrastructure and drainage is adequate to ensure any new development does not pose an increased risk to surface water flooding.
90. The plan area lies over a Principal Aquifer and a drinking water protection zone. It is essential that any surface water run-off that is released should be properly managed to ensure that it does not result in pollution of groundwater.

Policy E4: Flooding and Drainage

All development proposals coming forward within the areas of high and medium risk from surface water flooding, as identified by the Environment Agency or Strategic Flood Risk Assessment, will need to be accompanied by a Surface Water Drainage Strategy, proportionate to the scale of the development. This should demonstrate that the proposal will not result in any increase in the risk of surface water or groundwater flooding on site or elsewhere off-site. The Surface Water Drainage Strategy, including any necessary flood risk mitigation measures, should be agreed as a condition of the development before any work commences on site.

The following will apply to all planning proposals:

- a. Planning applications that improve surface water drainage in the Neighbourhood Plan area will be supported;
- b. Sustainable Drainage Systems must be considered for all planning applications and where applicable should be multifunctional and incorporated into the landscaping and ecology scheme, delivering biodiversity improvements where at all possible; and
- c. Appropriate on-site water storage shall be incorporated into drainage schemes to intercept, attenuate or store long term surface water run-off.

All new development must be served by mains sewerage of sufficient capacity and function to reduce the risk of surface run-off and ground water contamination in the Broads Special Area of Conservation (SAC). Evidence shall be provided by applicants to demonstrate that capacity is available or will be made available within the foul sewerage network in time to serve the development. If mains sewerage is not possible, a project-level assessment will have to confirm that there will be no additional phosphate release into the SAC and an effective and sustainable private sewerage system plan shall be agreed with the Local Planning Authority in advance of development commencing. Such a plan must be implemented prior to the occupation of the first dwelling.

8 Community Assets

This section on **Community Assets** and the policies it contains aims to deliver the following Neighbourhood Plan objectives:

Objective 1: To provide the housing that current and future residents need;

Objective 2: Create a more cohesive community by joining up the two halves of the village through housing development and delivering its associated infrastructure benefits;

Objective 3: To support services and facilities that offer opportunities for enhancing the wellbeing of residents by providing for daily needs and enabling social contact;

Objective 5: To protect and enhance the natural environment for its own sake and for the amenity value it provides for residents and visitors, and reduce the carbon footprint.

91. Rollesby is identified as a Secondary Village in the Great Yarmouth Borough Council Local Plan Core Strategy. It has a range of local amenities spread throughout the village including:

- Primary and Nursery School
- Cricket and bowling green, with changing facilities
- King George V Playing Field and children's play area
- Sports Pavillion
- Community hall
- Church
- Hairdressers
- Farm shop
- A mix of commercial and industrial activity including Hall Farm Business Park
- The Horse & Groom Pub
- The Waterside café and activities on the Broads
- Allotments

92. The Great Yarmouth Open Space Study 2013 identifies that the recreation ground, cricket club and bowls club are all accessible and well connected to the settlement with a good quality pitch and changing facilities. The allotments are recognised to be of high quality and value.

93. These facilities attract people into the village. The primary and nursery school, currently Ofsted Rated Good, has a wide catchment with a significant proportion of children coming from neighbouring villages. These facilities are also important amenities for residents. CS15 in the Great Yarmouth Local Plan seeks to resist the loss

of important community facilities such as these. Additionally, the Neighbourhood Plan through **Policy CA1** seeks to support new facilities within the village.

Policy CA1: Community Facilities

Proposals for new shopping or other community facilities, especially a convenience store, will be supported where they are of an appropriate scale to meet the daily needs of the local community.

Any new facilities located within the Broads will need to be fully justified.

94. There was strong feedback from residents during the Issues and Options Consultation that additional services including a shop and a more regular bus service for accessing higher order services like the doctors in Martham or Fleggburgh, would significantly benefit the community. Residents are keen to encourage this through the Neighbourhood Plan by allocating a site for mixed use development within the village, see **Policy SSA05** at **Section 10**.
95. The community understand the importance of economic growth and support the development of small local business including offices or a shop, subject to it being in keeping with the local character of Rollesby.

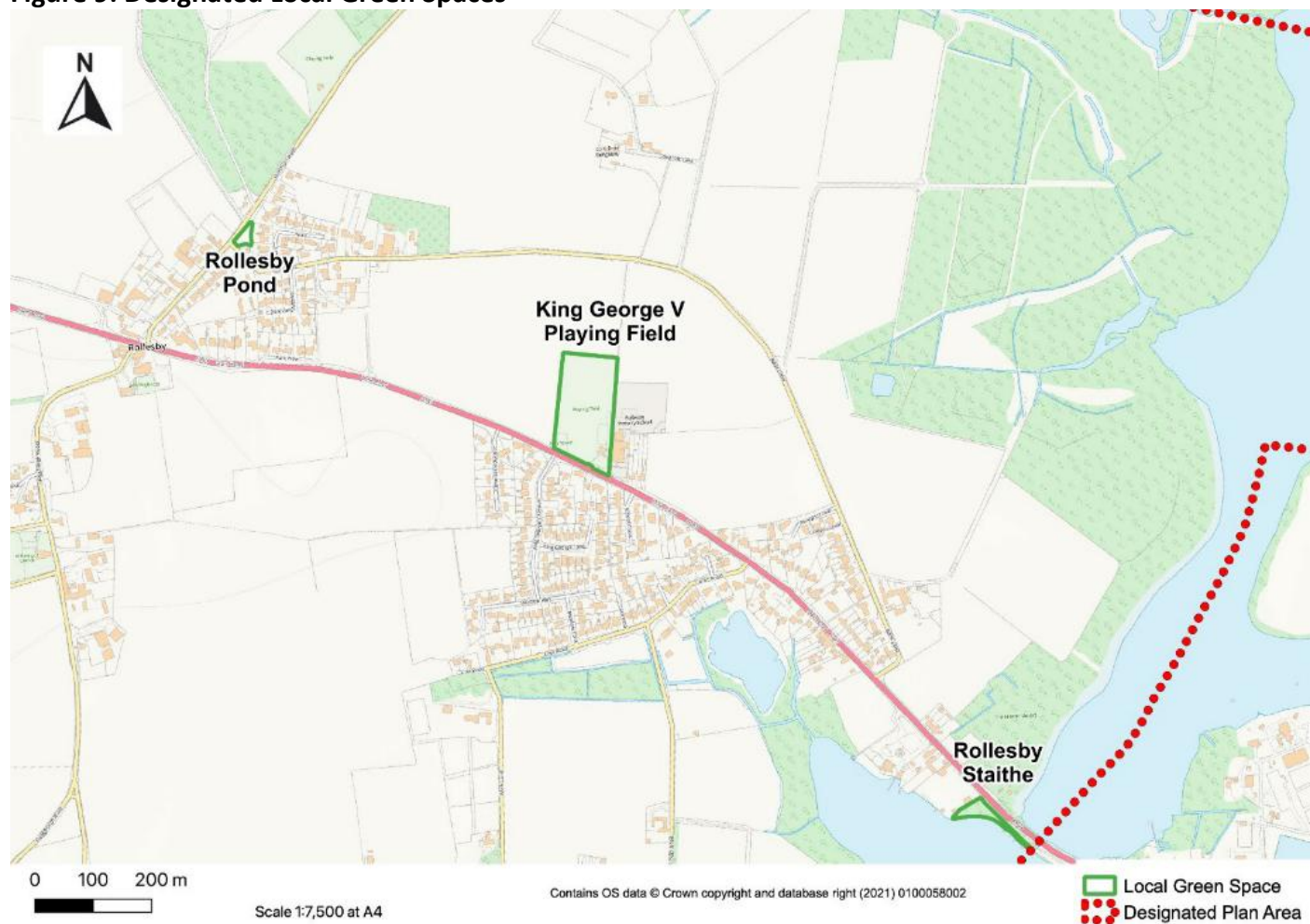
8.1 Local Green Space

96. The Neighbourhood Plan recognises that some open spaces are especially important to the local community. For example, they can provide a valuable formal and informal recreational facility for both children and adults, or they can add character and interest to a community. People who have good access to open space, parks and other recreational areas have the opportunity to lead more active and healthy lives.
97. The Character Appraisal and consultation with residents has identified some open green spaces that positively contribute to the overall character and enjoyment of the part of the settlement in which they are located.
98. Rollesby would like to designate four Local Green Spaces in the Neighbourhood Plan, see **Figure 9**. The designation of land as Local Green Space through Neighbourhood Plans allows communities to identify and protect green areas of particular importance to them. The designation should only be used where the land is not extensive, is local in character and reasonably close to the community and where it is demonstrably special, for example because of its beauty, historic significance, recreational value, tranquillity or richness in wildlife. Designation of Local Green Spaces affords the same level of protection as Green Belt. The national policy for Green Belt refers to protecting against inappropriate development, essentially the construction of new buildings, except in very special circumstances, these are set out in paragraphs 147-

151 of the National Planning Policy Framework. The policy still allows for development in very special circumstances. All of the Local Green Spaces identified here are within easy walking distance of people living in the community and considered special in some way.

99. The potential for designating the community greenspace gifted to the parish through the allocation as Local Green Space, will be considered at the planned review, as per **Policy PR1**.

Figure 9: Designated Local Green Spaces



Policy CA2: Designated Local Green Spaces

The following existing open spaces will be designated as Local Green Space, as per **Figure 9**:

- 1) Rollesby Staithe - common land adjacent to the Trinity Broads, by virtue of its ecological and recreational value;
- 2) The King George V Playing Field and children's play area, for its recreational value; and
- 3) The pond at the Back Lane/ Martham Road junction, by virtue of its ecological value.

8.2 Investment in Open Space

100. Open space within a community can take many forms, from the Local Green Spaces identified in this plan to more general open areas or linear corridors within the settlement or beyond. They provide health and recreation benefits, enable people to move easily between different parts of the village, have ecological value and contribute to green infrastructure, as well as being an important part of the landscape and setting of built environments. Any new development must make provision for new open space. This Neighbourhood Plan aims to enhance existing open spaces within the parish. This is reflected in **Policy CA3**.

Figure 10: Children's play area on King George V Field



101. As set out in **Policy SSA03**, phase 2 of the residential development being planned through the allocations will release a 0.96ha parcel of land adjacent to the King George V Playing Field for additional recreational open space, introduce a new public footpath linking with the recreation ground and school and provide additional community green space adjacent phase 2 of development. Phase 1 will also deliver 0.18ha additional community green space (see **Policy SSA02**).

Policy CA3: Investment in Open Space and Public Rights of Way

All 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.

Any contributions towards off-site provision will be prioritised for:

- a. Maintaining, improving and extending the recreational ground and children's play facilities on King George V playing field;
- b. Maintenance and improvement of other areas identified as Local Green Space; and
- c. The improvement of Public Rights of Way in consultation with the parish council.

9 Traffic and Transport

This section on **Traffic and Transport** and the policies it contains aims to deliver the following Neighbourhood Plan objectives:

Objective 2: Create a more cohesive community by joining up the two halves of the village through housing development and delivering its associated infrastructure benefits;

Objective 4: To provide a safe place for people to live, work and get to school; and

Objective 6: To improve the walkability and cyclability of the village.

102. Rollesby lies on the A149. This is considered to be a Principal Road in the County Council's route hierarchy. The village has a reasonably good footway provision on the main road, including connecting the two halves of the village, although this is only available on the northern side of the A149. Off the main road footway provision is patchy and could need some improvement, with feedback suggesting residents want to see better footways. There are no obvious cycle facilities, either on-road or off-road. Although a 30mph limit is in place in parts, there is a 40mph limit in place too, including between the two built-up-areas, and this might deter cycling, especially given the heavy traffic on the A149. It also results in an unpleasant walking environment, with traffic in the gap between the two halves clearly dominating as a result of its speed, noise and volume, and indeed the speed and volume of traffic is seen as an issue, with people supporting a lower speed limit. The openness of the gap probably invites higher traffic speeds.

103. Access by public transport is fairly poor with an infrequent service and some bus stops not comprising shelters, and feedback suggests that improvements are supported. Bus waiting facilities could be improved, as supported by three quarters of residents, which will help those dependent on public transport and may also attract additional users, but it will remain the case that car ownership, already high, will continue to be seen as necessary. This can result in some on-street parking by residents with not enough off-street parking spaces.

104. There is reasonable access into the countryside and green open space using Public Rights of Way, and although this is valued it is not without concerns about the poor condition of some of the footpaths. New development will need to avoid adversely impacting on both countryside access and key views from public footpaths, and improve access where possible.

9.1 Traffic management

105. Given the strength of community feeling about traffic speeds and its impacts on quality of life and the walking environment, especially on the A149 outside the school and in the gap between the two halves of the village, the Neighbourhood Plan will aim to deliver lower traffic speeds. **Policy SSA02** will deliver a maximum speed limit of 30mph throughout the village. Measures will be implemented that will make this self-enforcing, but with a view also to achieving lower speeds of 20mph in the vicinity of the primary and nursery school.
106. Additionally, the Parish Council, on behalf of the community, will seek to deliver a number of measures to reduce the impact of speeding. This community aspiration is set out below, note that this is not a planning policy but a community action.

Community Action 1: Traffic management

The parish council will deliver a programme of measures, including speed watch, with a view to monitoring traffic speeds through the village, encouraging lower speeds, and providing information to the highway authority and police.

9.2 Parking

107. It is now widely recognised that restricting the off-road space to park vehicles at home does not restrict car ownership, but instead leads to indiscriminate on-street parking.
108. Given the high levels of car ownership, off-street parking will be important in new developments. The National Planning Policy Framework and Planning Practice Guidance now discourage the use of maximum parking standards unless clearly justified. The County Council's 2007 Parking Standards for Norfolk are therefore now out-of-date as guidance as they refer to maximum standards. In light of the relatively high car ownership levels in the Parish, the modest public transport provision, and limited availability of local services and facilities, the use of minimum parking standards, where possible and reasonable, in this Neighbourhood Plan is fully justified. The Neighbourhood Plan therefore supports the use of the county council's standards, but as a minimum rather than a maximum. This was supported by the community during consultation.

Policy TR1: Residential Car Parking Standards

As a starting point, new development will be expected to have regard to the most recent parking standards adopted by Norfolk County Council. The standards for car parking will be treated as a minimum number to be provided rather than a maximum. However, each site must be considered on its own merits bearing in mind its location, access to services and existing highway and parking problems. The level of provision should be such that indiscriminate parking and the obstruction of footways and carriageways is avoided and this must be determined on a site by site basis, subject to the above.

The standards may be relaxed if:

- a. Strict adherence is incompatible with the local character; or
- b. The type of housing being proposed (such as terraced) makes it physically impossible.

In these circumstances, formalised on-street provision nearby may be acceptable depending on the location. Additionally, in recognition that on-street parking could still occur even where standards are being met, streets should be designed to safely accommodate modest unallocated on-street parking, such as for visitors.

109. These car parking standards were strongly supported, by 83% of respondents to a consultation on issues and options for the Neighbourhood Plan. However, it is recognised that meeting these standards may not always be possible or desirable. Flexibility can therefore be shown to take into account the circumstances.

110. In development of the Neighbourhood Plan, parking issues around the school were identified as a key concern by residents. Although this is not a planning issue, there would be widespread support for proposals to address parking issues at the school. Additionally, **Policy TR1** will be stringently applied around the school, in recognition of existing parking issues.

9.3 Sustainable transport

111. Walking and cycling improves both physical and mental well-being and health. It also reduces the need to use the car which has environmental benefits.

112. A feature of the village is the patchy provision of footways, or indeed footways that are narrow or poorly maintained. 90% of people felt that there should be a policy encouraging new development to link with existing footways and enhance the current network, and so improving the walking experience. However, the absence of footways is a key part of the character in places such as Back Lane or in the Conservation Area.

113. Developments will be expected to take all reasonable and appropriate opportunities to provide for safe and convenient pedestrians and cycle access. This

could include providing new or enhanced facilities as well as improving the physical condition of existing facilities.

Policy TR2: Sustainable Transport

New developments will be expected to encourage and enhance sustainable travel choices to village services and facilities, especially the school, and to the bus stops.

To promote safe and convenient walking within the parish, new developments in or adjacent to the development limit will be expected to improve and/or extend footpaths and footways where this is compatible with the prevailing character of the immediate area. Footways must be sufficiently wide so as to provide safe, convenient and equitable access.

Shared footway/cycleway should be provided where this is necessary, appropriate and viable.

New development will also be expected to contribute to improved bus waiting facilities where this is reasonably related to the development.

The allocated residential development in the gap between the two halves of the village will be expected to provide improvements to sustainable transport infrastructure as set out in **Policies SSA01 and SSA02**.

114. The National Planning Policy Framework and the Local Plans support the promotion of sustainable transport and highway safety.
115. To promote sustainable access, applications within or next to the development limits should, 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. This might require the provision of entirely new footways, or the improvement, such as the widening, of existing ones. The footways width should ideally be sufficient for two parents pushing a child's buggy to walk side by side.
116. It may not always be appropriate to provide new or widened footways in the parts of the village that host narrow and quiet rural lanes, such as in the Conservation Area. Fortunately, traffic tends to be going slower on these rural lanes within the village due to the narrowness, and so the roads are effectively operating as shared spaces. There have been no obvious road safety issues.

10 Strategy for delivering growth

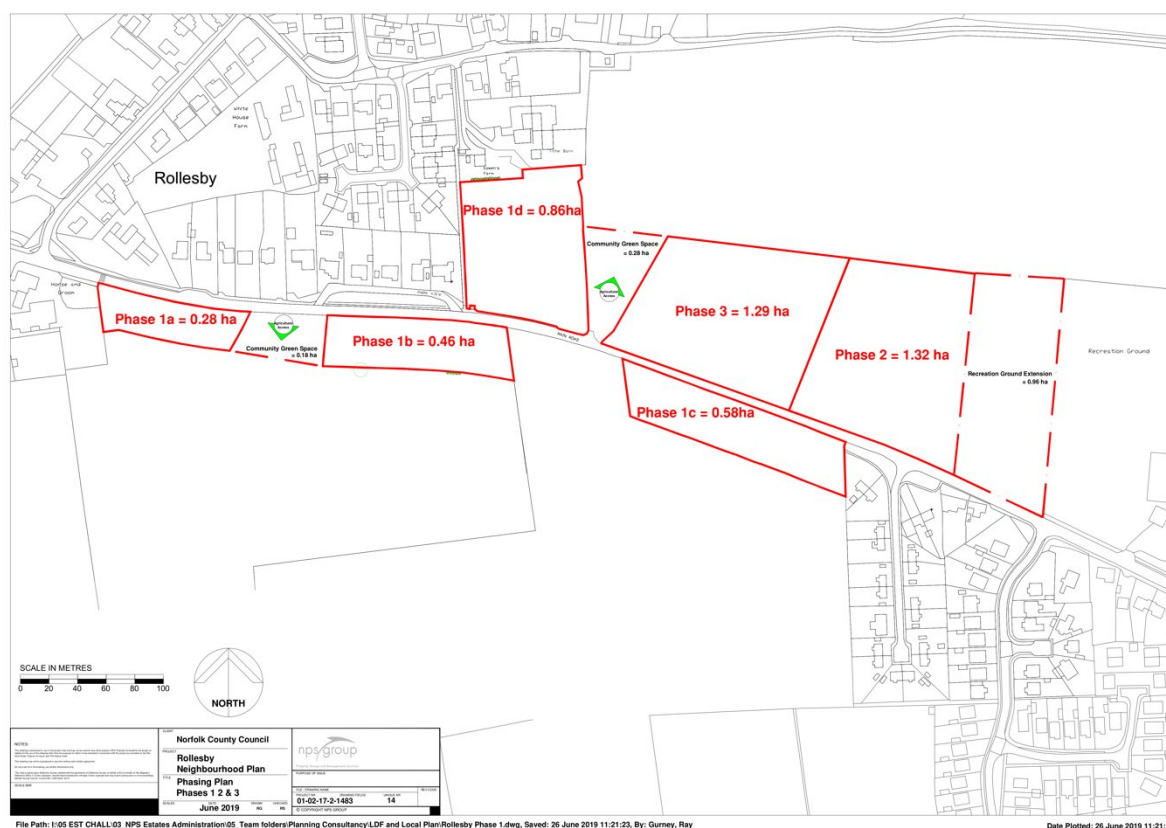
117. To deliver and support the growth plans outlined within this section the following new and improved infrastructure will be required.

Figure 11: Infrastructure requirements

Transport	<ul style="list-style-type: none">• Measures to help reduce vehicle speeds through the village and delivery of village gateway improvements and school part-time 20mph signs;• A continuous footway along the frontage of the site on the southern side of A149, linking with existing provision and providing appropriate crossing facilities;• Improvements to the existing footway on the northern side of A149, between the site to key local services e.g the village school;• Improvements where necessary to adjacent Public Rights of Way; and• Improved bus waiting facilities.
Community facilities	<ul style="list-style-type: none">• New shop or other community facilities; and• Improvement to children's play facilities on the King George V Playing Field.
Green infrastructure	<ul style="list-style-type: none">• Extension of King George V Playing Field;• Other community greenspaces; and• New habitat to achieve a net gain in biodiversity.

10.1 Site Allocations for residential development

Figure 12: Residential site allocations



118. The planned phased development along the A149 aims to connect the two halves of the village. Currently, walking on the footway adjacent to the main road is unpleasant, dominated as it is by the road and the traffic, which is often travelling in excess of the 40mph speed limit. Indeed, the feeling is one of walking besides a busy road rather than walking in a rural village. Advice from the Highway Authority, Norfolk County Council is that to justify a reduction in the speed limit, development will need to be on both sides of the A149. The phased development will have good access to the highway, and vehicle access should be onto the A149 which will also help to slow traffic. There will be good sustainable access to community facilities and services such as the primary school, village hall, and the church, and this will be aided by improved infrastructure such as footways.

119. The allocated sites are currently in agricultural use, owned by Norfolk County Council as part of their County Farms Estate. They are all identified as Grade 1 agricultural land, which means they have some of the best and most fertile soils according to the agricultural land classification scale. The fact that development will remove high quality land from farming use is a negative, however, all available land in Rollesby is of this grade, and further growth taking this land is anticipated regardless of the Neighbourhood Plan whilst Great Yarmouth does not have a 5-Year housing land supply.

120. To the south of the allocations the landform gently rises, limiting long views, at least at the eastern end of the gap. Towards the western end of the gap, views to the south open up, offering views of the church. North of the main road, the land slopes down gently, affording long views across the fields towards Back Lane and beyond towards the church at Martham, and this therefore has a more open feel. Key views will need to be retained into the open countryside behind the proposed developments. The fields, being in agricultural use, have few natural features such as trees, although some have mature hedgerow boundaries to the front adjacent the road. The developments should not extend too far into the landscape, but rather they should wrap around the main road, where the landscape character is already adversely affected by the road. The phased development will not extend Rollesby's built-up pattern further into open countryside. Instead they fill a gap between the two parts of the village.
121. The large consultancy AECOM were commissioned independently to assess a range of potential sites for allocation. This included sites that came forward as part of the Great Yarmouth Call for Sites and others identified through development of the Neighbourhood Plan with local landowners. Some of the sites were identified in the Strategic Housing Land Availability Assessment and assessed in the GYBC Local Plan Sustainability Appraisal, whilst others are new to the process. A number of these were excluded from the appraisal at an early stage because they had already received planning permission. The purpose of AECOM's site appraisal was to produce a clear assessment as to whether the identified sites are appropriate for allocation in RNP, in particular whether they comply with the National Planning Policy Framework and other strategic policies in the adopted development plan. The full report is available as part of the evidence base for this Neighbourhood Plan and seeks to ensure that the Basic Conditions are met, as well as any potential legal challenges by developers and other interested parties.
122. Further to this, each potential site was assessed against 22 Sustainability Objectives as part of the Strategic Environmental Assessment and an assessment of alternatives. This assessment is reported in the Environmental Report which accompanies this Neighbourhood Plan.
123. All of the sites are in reasonably close proximity to the Broads and associated nature conservation designations. The impact of the Neighbourhood Plan and its allocations on the Broads and other European Sites is considered in the accompanying Habitats Regulations Assessment. An important mitigating measure against increased recreational pressure on these sites is the inclusion of greenspace that is proportionate to the scale of the development. This will minimise predicted increases in recreational pressure by containing the majority of recreation within and around the developed site. Green infrastructure design should seek to achieve the Natural England Accessible Natural Greenspace Standards, detailed in Nature Nearby.
124. The three phases comprise the following sites, as set out in **Figure 13**.

Figure 13: Sites in Phases 1, 2 and 3

Site Ref.	Site name	Phase	Site area (Ha)	Indicative dwellings
RNP01a	Land east of Horse and Groom pub	1	0.28	8
RNP01b	Land to the south of Park View	1	0.46	8
RNP01c	Land west of Coronation Avenue	1	0.58	9
RNP01d	Land to the North of Main Road	1	0.86	15
Community Green Space	Land between RNP1a & RNP1b	1	0.18	-
RNP02	Land north of Coronation Avenue (east)	2	1.32	25
Recreation ground extension	Land west of the existing recreation ground	2	0.96	-
RNP03	Land north of A149	3	1.29	25
Community Green Space	Land west of Phase 3	3	0.28	-
				Total = 90

Policy SSA01: Residential Development – Masterplanning

A detailed masterplan, informed by engagement with the community, will be prepared and submitted as part of any full or outline planning application. The masterplan will need to include all three phases of residential development, including the reserve site, as defined in **Figure 12**.

The masterplan will need to include:

- a. Evidence that the development allocations will not result in the loss of habitat that is functionally linked to the Broadland Special Protection Area (SPA) / Ramsar, to meet the requirements of the Conservation of Habitats and Species Regulations 2017 (amended). This will require non-breeding bird surveys between October and March to determine if the allocation itself or adjacent land constitute a significant area of supporting habitat. If the site is found to be functionally linked to the SPA/Ramsar, mitigation and/or avoidance measures will be required, and the planning application will need to be supported by a bespoke Habitats Regulations Assessment to ensure that the development does not result in adverse effects on integrity.
- b. The retention of views into the wider countryside both sides of the A149 so as to ensure an on-going rural character;
- c. The retention of accesses to farms;
- d. Development at a density of no more than 25 dwellings per ha, unless a higher density would enable delivery of affordable housing;
- e. Multiple vehicle access points from the A149;

- f. Housing that is clearly visible from the road and part of the streetscene;
- g. Open greenspace provision of 1.42ha including a 0.96ha extension to the recreation ground, and a connecting footpath for pedestrians through or alongside all the development north of the A149 to allow access to the recreation ground extension;
- h. 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;
- i. An overall foul and surface water drainage strategy, incorporating sustainable drainage principles;
- j. An appropriate housing mix across the allocations as a whole, comprising of approximately fifty percent smaller one or two bedroomed homes, and fifty percent larger three or four bedroomed homes;
- k. Identification of the location of affordable housing;
- l. A delivery strategy that will set out how the scheme will provide opportunities for small to medium sized local builders/developers; and
- m. A statement detailing how it addresses the requirements of the Norfolk Minerals and Waste Core Strategy Policy CS16: Safeguarding (or any successor policy) regarding site investigation, assessment and potential for prior mineral extraction, to the satisfaction of the Mineral Planning Authority.

The masterplan will need to be developed in consultation with the local community and agreed by the Borough Council.

125. The Habitats Regulations Assessment which accompanies this Neighbourhood Plan recommends that a more detailed ornithological evidence base is established for East Norfolk by undertaking bespoke bird surveys. To assess potential for visual and noise disturbance in functionally linked habitat, such surveys should be extended to cover land that lies adjacent to the allocated sites. It is noted that such bird surveys typically lie within the remit of the Local Planning Authority. However, in this instance bespoke surveys for the site allocations (and land beyond) in the Neighbourhood Plan area are recommended, because the allocations are additional to growth allocated within Great Yarmouth Local Plan Part 2.

126. To minimise the effect of visual and noise disturbance on functionally linked habitat, the Habitats Regulations Assessment recommended that any construction

work within 200m of the Broads Special Protection Area / Ramsar site supporting habitats is undertaken during late spring, summer and early autumn (April – September) when few qualifying birds will be present in the SPA/Ramsar. This particularly applies to construction processes associated with high noise levels (eg impact piling). If construction cannot be timed to avoid the winter and passage periods then an impact assessment will need to be undertaken to confirm that noise levels will remain below 70dB at the bird, and that there will be no visual disturbance. Mitigation may be required to achieve this, including the provision of screens, selection of less noisy equipment or techniques, damping and noise shielding of equipment or avoidance of lighting in sensitive locations.

127. It is intended that the community greenspace identified in **Figure 12** will be gifted to the Parish Council, the design of which should achieve the Natural England Accessible Natural Greenspace Standards, detailed in Nature Nearby. As a minimum this should include:

- High quality, informal, semi-natural areas;
- Circular dog walking routes of 2.7km² within the site and/or links to surrounding Public Rights of Way;
- Dedicated ‘dogs-off-lead’ areas;
- Signage / information leaflets to householders to promote these areas for recreation; and
- Dog waste bins.

These measures will need to be secured through a Section 106 Agreement. Agricultural access will need to be maintained across the greenspace.

128. Requirement (h) in Policy SSA01 aligns with emerging national requirements on biodiversity net gain. 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. The 10% requirement set out in this Neighbourhood Plan will be in place unless a higher standard is required by the Environment Bill.

129. In relation to requirement (m) of Policy SSA01, the site allocations are partially underlain by a safeguarded mineral resource (sand and gravel). Therefore, future development will need to address the requirements of the Minerals and Waste Core Strategy to ensure conformity with the Development Plan for Norfolk and the National Planning Policy Framework.

Policy SSA02: Residential Development Phase 1

Phase 1 of the residential development will comprise of sites RNP01a (0.28ha), RNP01b (0.46ha), RNP01c (0.58ha) and RNP01d (0.86ha), as defined in **Figure 12**. This phase of around 40 dwellings will aim to be started by the end of 2022.

Phase 1 will be delivered in accordance with the masterplan and requirements set out in Policy SSA01. The following will also need to be incorporated into any planning permission:

- a. Proposed improvements to the children's play facilities on the recreation ground;
- b. Detailed information on provision of community green space situated between RNP01a and RNP01b;
- c. A heritage assessment to ensure specific impacts on the Conservation Area are determined to inform development; and
- d. A project level Habitats Regulations Assessment.

Phase 1 will need to deliver the following transport management measures and infrastructure:

- e. Measures to help reduce vehicle speeds through the village and delivery of village gateway improvements and school part-time 20mph signs;
- f. A continuous footway along the frontage of the site on the southern side of A149, linking with existing provision and providing appropriate crossing facilities;
- g. Improvements to the existing footway on the northern side of A149, between the site to key local services e.g the primary school;
- h. Improvements where necessary to adjacent Public Rights of Way; and
- i. Improved bus waiting facilities.

130. In relation to point (f) in **Policy SSA02** the Highway Authority has supported a reduction in the speed limit to 30mph throughout the village. Subject to appropriate process, including consultation, it is expected that this will be delivered.

Policy SSA03: Residential Development Phase 2

Phase 2 of the residential development will comprise of site RNP02 (1.32ha), as defined at **Figure 12**. This phase of at least 25 dwellings will not start until Phase 1 is at least substantially completed or alternatively the end of 2025, whichever is the later.

Phase 2 will be delivered in accordance with the masterplan and requirements set out in Policy SSA01. The following will also need to be incorporated into any planning permission:

- a. Detail of the extension to the recreation ground, 0.96ha; and
- b. A project level Habitats Regulation Assessment.

Policy SSA04: Residential Development Phase 3

Phase 3 of the residential development will comprise of site RNP03 (1.29ha), as defined in **Figure 12**. This phase of 25 dwellings should be started by the end of 2032.

Phase 3 will be delivered in accordance with the masterplan and requirements set out in Policy SSA01. The following will also need to be incorporated into any planning permission:

- a. Detail of new a Public Right of Way that provides connectivity from the existing footpath alongside Park View, along the back of Phases 2 and 3 of development to the recreation ground;
- b. Detail of additional community green space on land adjacent Phases 2 and 3 of development; and
- c. A project level Habitats Regulations Assessment.

A review of the Neighbourhood Plan, to be completed by 2029, will consider ongoing housing need in Rollesby and proposals for Phase 3 of delivery, as detailed in **Policy PR1**.

10.2 Site allocation for mixed use development

131. The Neighbourhood Plan is very progressive in allocating land for housing development. The community consultations identified that although this is supported, it should go hand in hand with improvements to infrastructure and community facilities. A key social infrastructure deficit is a shop, and this was prioritised during the feedback.

Policy SSA05: Allocation for Mixed Use Development

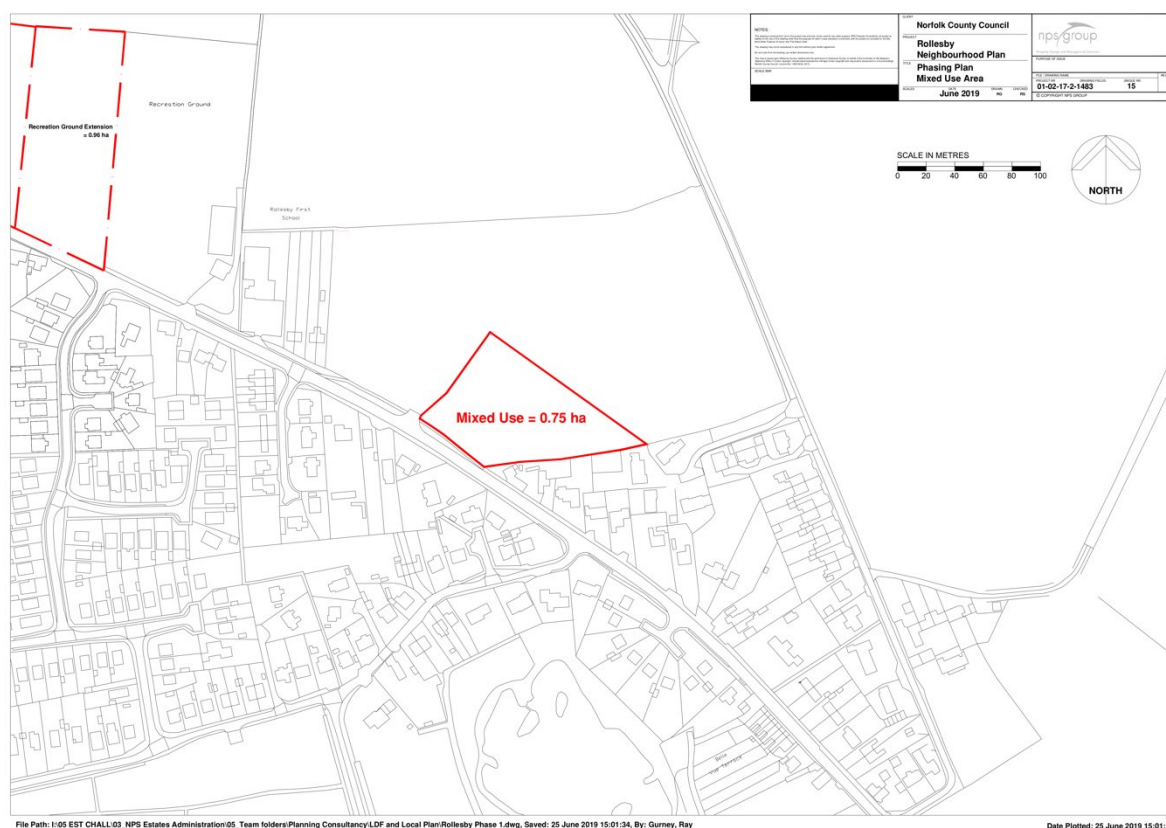
A site of 0.75 hectares off the A149 to the east of the school site and adjacent to an existing retail business, as defined in **Figure 14**, is allocated for small-scale mixed-use development for retail (use class A1 and A2), offices (B1), and up to five dwellings. Residential development will be conditional on the delivery of non-residential uses.

Development of the site must:

- a. Create a new access off the A149 that allows for vehicles to turn on-site;
- b. Provide adequate parking on-site that is fitting with the nature of development to ensure that visitor parking is not displaced onto the A149 or surrounding residential streets;
- c. Deliver at least a 10% net gain in biodiversity on-site;
- d. A detailed landscape strategy which demonstrates how the development is integrated into the landscape through the design of the buildings and use of landscaping. This should include a new tree and hedgerow screening using native species on the field boundary to ensure that key views from Back Lane are protected (see **Figure 6**);
- e. A detailed foul and surface water drainage strategy incorporating sustainable drainage principles; and
- f. A project level Habitats Regulations Assessment.

A review of the Neighbourhood Plan, to be completed by 2029, will consider the level of interest in this site for mixed use development, and may re-allocate accordingly. This requirement is detailed in **Policy PR1**.

Figure 14: Site plan for mixed use development



132. This small site is located off the A149 to the east of the primary school and adjacent to an existing business – currently the hairdressers. The land is owned by Norfolk County Council as part of their County Farms estate. It has previously been put forward as part of a larger site by the Council’s agent NPS Property Consultants for inclusion in the Great Yarmouth Local Plan as an allocation for housing development, and the Borough Council has suggested that at least part of this site could be allocated for residential development if the emerging Local Plan were to take on the role of allocating sites. The Borough Council has removed this allocation from the emerging Local Plan to support the Parish Council in preparing its own allocations.

11 Neighbourhood Plan Review

133. The current Great Yarmouth Borough Council Local Plan runs to 2030 whilst that for the Broads Area runs to 2036. Whilst the Neighbourhood Plan runs to 2035, a planned review will be undertaken by 2029 to evaluate any significant changes in Rollesby, including delivery of the Masterplan for growth and ongoing housing need within the community.

Policy PR1: Planned Review

A review of Rollesby Neighbourhood Plan will be undertaken by 2029. This will evaluate significant changes within the community and on-going housing need, including delivery of the Masterplan for growth and prevailing housing need requirements.

URN:

Subject: Adoption of Winterton-on-Sea Neighbourhood Plan

Report to: Full Council – 20 April 2022

Report by: Nick Fountain, Senior Strategic Planner

SUBJECT MATTER

Adoption of the Winterton-on-Sea Neighbourhood Plan

RECOMMENDATION

Full Council adopt Winterton-on-Sea Neighbourhood Plan

1. Introduction

- 1.1. Following the Full Council decision to accept the Examiner Recommendations for the Winterton-on-Sea 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 Winterton-on-Sea 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 Winterton-on-Sea Neighbourhood Referendum Results:

- Total ballots 217
- Total 'Yes' votes 164
- Total 'No' votes 53
- Plan passes with **76% 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 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 April 2019, 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 Winterton-on-Sea Neighbourhood Plan 2020-2035, having successfully passed the neighbourhood referendum.

7. Links

- [Result Notice – Winterton-on-Sea Neighbourhood Plan](#)

8. Appendices

Appendix 1 – Winterton-on-Sea Neighbourhood Plan 2020-30

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

Winterton-on-Sea Neighbourhood Plan 2020-30



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Introduction

1. This Neighbourhood Plan builds on and sits alongside the existing Winterton-on-Sea Parish Plan 2004 which contains a series of community actions. The Parish Plan, like this Neighbourhood Plan, was developed following significant community input and consultation. However, although the Parish Plan has been and continues to be an extremely useful report, the Neighbourhood Plan, being a statutory document that will become part of the Borough Council and Broads Authority's development plan, has more far reaching implications. It will be used, for example, to help the Borough Council and the Broads Authority determine planning applications in the parish.
2. The Neighbourhood Plan aims to build on the strengths of the parish and its community, protecting what is good. It also aims to address concerns and manage in the right way any change and development.
3. As background, Winterton-on-Sea is a small village on the east coast of Norfolk. Until the 20th Century the village was mainly a fishing and farming community. Now, it is loved by both residents and visitors who flock year-round to the dunes and beach. It is a very pretty village and considerable effort is put in by residents to retain the village's attractive appearance. This includes annual participation in Winterton in Bloom and caring for green spaces within the village.
4. Winterton-on-Sea has a gently sloping topography down towards the sea and general nucleated layout, bounded by fields and the coast. The older village centre which lies closest to the beach is dense with narrow and quiet lanes, with limited off street parking and footways. Homes here are diverse in terms of their style. Newer estate development emanates out from the village centre.
5. The village has a number of buildings of historic significance. The Holy Trinity and All Saints church dates back to the early 13th Century and is Grade I Listed. Its 130-foot-high tower is the second highest in Norfolk and originally used as a navigation aid for shipping prior to the lighthouse being built. The historic Octagon Lighthouse and Fisherman's Return public house, built of brick and flint dating back over 300 years, are also of local significance.
6. Winterton-on-Sea has a resident population of around 1,300, though its numbers swell to many more particularly in the holiday season. It has a number of local services, including a primary school, village pub, shop and post office, tea rooms, chip shop and a number of seasonal shops.
7. The coast is recognised nationally and internationally as an important site for wildlife with the Winterton-Horsey Dunes Special Area of Conservation, Site of Special Scientific Interest and National Nature Reserve. The landscape here is wild and windswept, which contrasts markedly with other coastlines within the borough, which display a strong resort influence. Coastal erosion here is a serious concern of residents. A colony of seals lives just north up the coast, with many coming onto the beach and dunes during breeding

season. The beach is also home to the largest UK colony of breeding Little Terns. Due to its environmental importance the village is considered to be very sensitive to development and change.

8. Its proximity to the Broads, which has the equivalent status of a national park, also helps to make Winterton-on-Sea special for both residents and visitors to the area. The Broads have a number of national and international wildlife designations, including the Broads Special Area of Conservation, Broadland Special Protection Area and Ramsar Site, and Upper Thurne Broads and Marshes Site of Special Scientific Interest.

Neighbourhood Planning

Overview of Neighbourhood Planning

8. Neighbourhood Planning was introduced in the Localism Act 2011. 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 the years.
9. The parish is in Great Yarmouth 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, and covered by the Broads Authority and its own recently adopted local plan.
10. 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 is a community document, written by local people who know and love the area.
11. 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.
12. The Neighbourhood Plan can include 'non-strategic policies', such as the mix of housing needed, 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.
13. 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

14. The parish area shown in **Figure 1** was designated as a Neighbourhood Plan Area in August 2017.
15. A broad range of evidence has been reviewed to determine issues and develop policies for the plan that will ensure the village remains vibrant and sustainable, meeting the needs of both residents and visitors. This evidence is summarised throughout the

Neighbourhood Plan to support the policies it contains. A full account of the evidence is provided in the Evidence Base which accompanies the Neighbourhood Plan.

Figure 1: Designated Neighbourhood Plan Area

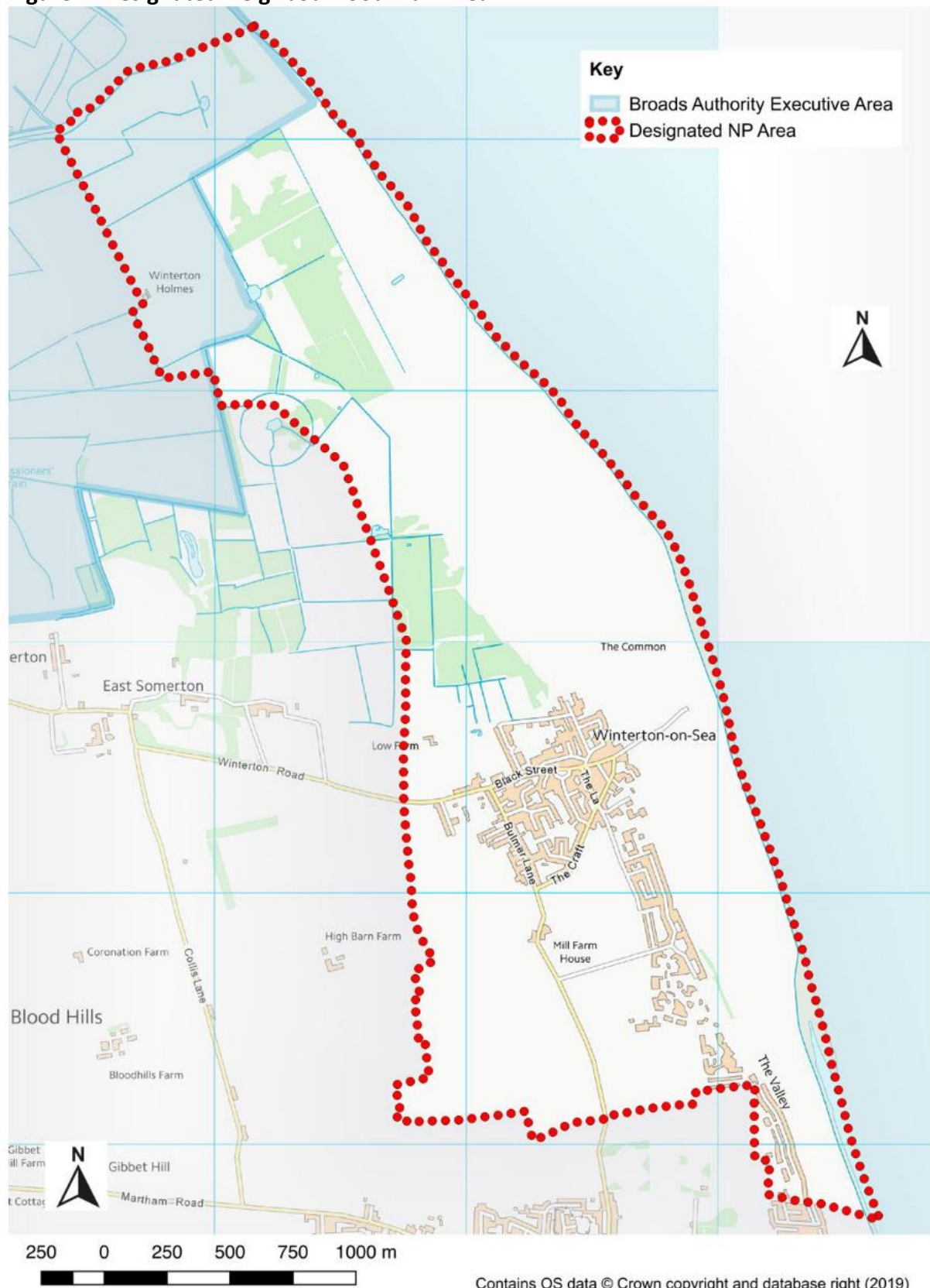
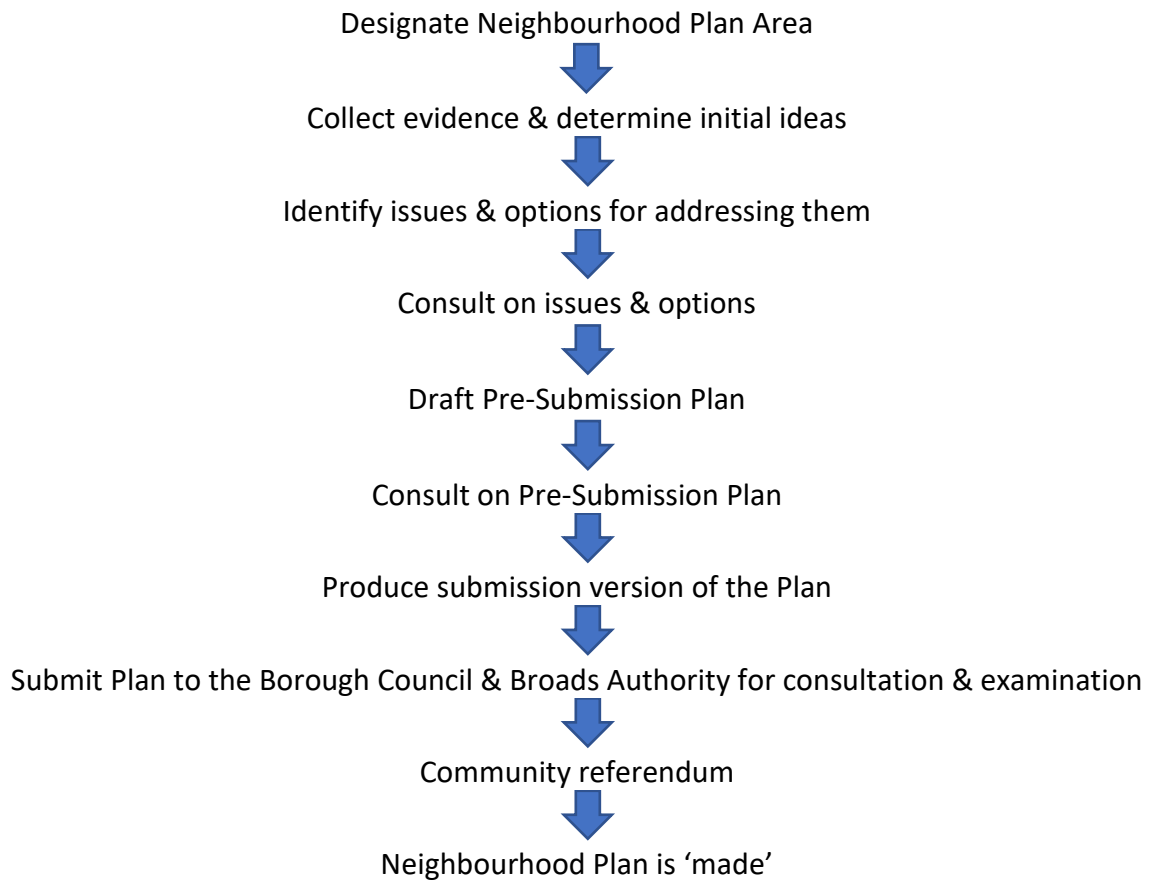


Figure 2: Neighbourhood Plan process



Consultation with Residents

16. Winterton-on-Sea 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 councilors, have 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.
17. In late 2018 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 60 people who live in the village. This enabled residents to provide their views on a wide range of issues as well as comment on draft policies for the plan.
18. The early engagement helped the working group to formulate a pre-submission draft, which was consulted upon March – July 2020.
19. 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

20. Winterton-on-Sea is a very special place, being surrounded by countryside and bordering the sea with areas of natural beauty including the beach and dunes. It is important that any change in the parish makes a positive difference to the lives of local people as well as protecting the sensitive environment.
21. The vision for Winterton-on-Sea depicts how the village will be in 10 years' time, once the plan has been delivered.

Vision for Winterton-on-Sea

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.

22. The objectives for Winterton-on-Sea are:
- Objective 1:** To support the provision of affordable housing so that Winterton-on-Sea is a place where people of all ages can live.
 - Objective 2:** To support services, clubs and facilities that offer opportunities for enhancing the wellbeing of residents and encourages visitors to spend locally.
 - Objective 3:** To provide the right infrastructure to ensure that visitors to the village do not place additional pressure on environmentally sensitive areas.
 - Objective 4:** To improve the walkability of the village and connections to the wider countryside and surrounding communities such as Hemsby.
 - Objective 5:** Seek opportunities to reduce the impact of vehicular traffic and parking in the village centre.
 - Objective 6:** To protect, promote and enhance the sensitive landscape and habitats of the dunes and beach so that they are prioritised over future development.
 - Objective 7:** Respond to climate change, promoting sustainable development and energy efficiency.
23. 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

Development Limits and Residential Development

24. The adopted Great Yarmouth Local Plan and the emerging Local Plan Part 2 both designate Winterton-on-Sea as a Primary Village with a development limit which is defined in the Policies Map for Winterton-on-Sea. The emerging Policy GSP1 of Local Plan Part 2 sets out the Borough Council's approach to development limits. In general terms, there is support for appropriate housing development within the limits, whilst outside of the limits it is seen as not acceptable.
25. The village does not have a housing allocation within the emerging Great Yarmouth Local Plan or within the adopted Local Plan for the Broads. The identified housing requirement is therefore zero. Winterton-on-Sea has significant environmental constraints, such as the dunes, and had few sites put forward for development in the consultation on the emerging local plan. Winterton-on-Sea's current population is also less than 40% of the average size of the other primary villages in the borough. So it is smaller and has significant protected habitats and landscape constraints. For these reasons the Borough Council and Broads Authority determined not to propose any housing allocations in Winterton-on-Sea.
26. The Neighbourhood Plan does not allocate land for residential development, but is supportive of small-scale and appropriate development that accords with the policy framework. It is recognised that this may result in the housing requirement (of zero) being exceeded over the plan period.
27. There could be circumstances where applications for new housing outside of the development limits can be granted permission because of Paragraph 11(d) of the National Planning Policy Framework being triggered. This happens, for example, if the Borough Council (or Broads Authority) cannot demonstrate a sufficient supply of housing land, or because it is unable to deliver a sufficient number of new homes. In such circumstances, policies such as the development limits are given very limited weight because they are considered to be out-of-date, and so residential development can happen beyond the development limits in this event.

Housing Type

28. Winterton-on-Sea's housing profile is dominated by detached homes, and a fairly high proportion are quite large, with at least three bedrooms. In contrast, homes in the village centre are much smaller, terrace properties, many of which are second or holiday homes. Home ownership is high, and in particular the proportion of people who own their homes outright rather than with a mortgage. This might make it difficult for people with lower incomes, or the younger generation, to stay in the village as there are fewer homes to rent.
29. There is a very low proportion of one-bed homes, only 19 dwellings, or 3%. In contrast, almost a third of households are single occupancy, suggesting there may be unmet need

for smaller unit housing. Furthermore only 34% of homes (so around 1 in 3) are one or two bedroomed, whereas in the borough as a whole it is 43%. Some older people living alone will find it difficult to downsize whilst remaining in the village, so are unable to free up larger homes for families moving up the housing ladder.

30. Thirty-six percent of residents are aged 65 or over (2016 estimate), an increase of 20% in numbers of older people since the 2011 Census. Winterton-on-Sea has a population that's ageing faster than surrounding communities, suggesting that older people are choosing to move into the community and given the slow population growth overall – that younger people are moving out. And of course, existing residents are getting older. Responses to the issues and options consultation in 2018 indicate that Winterton-on-Sea has become a popular retirement village.
31. This could have an impact on the school's viability if continued. It could also be an indication of the right homes not being available for younger people. There could be a need to provide a mix of housing that can attract younger people or enable them to stay in the parish, and that also provides for the ageing population, especially providing opportunities for them to downsize if they wish or buy homes that are suitable for their needs as they get older. As a minimum, the Neighbourhood Plan will need to ensure that the proportion of homes that are one or two bedroomed does not decline over the plan period, and ideally increases so that a higher proportion of homes at the end of the plan period are smaller.
32. According to Great Yarmouth Borough Council there are 68 affordable homes in Winterton-on-Sea, representing around 10% of total housing stock. This seems fairly high, but demand for affordable homes (as measured by the number of people on the Housing Register) currently outstrips supply – particularly for smaller unit homes. No new affordable homes have been built over the last five years. Affordable housing comprises:
 - Affordable housing to rent from a registered provider
 - Starter homes
 - Discounted market sales housing
 - Other affordable routes to home ownership – such as rent to buy/ shared ownership
33. The National Planning Policy Framework has recently introduced the concept of Entry-level Housing Exception Sites. These are affordable homes suitable for first time buyers (or those looking to rent their first home). Feedback from consultations tended to support the evidence, in that people want more smaller homes of 1 or 2 bedrooms, and affordable homes, and especially starter homes and homes that are adaptable for older residents. There was, however, still recognition of the need for 3 or 4 bedroom family homes.

Policy HO1: Housing Mix

Proposals should provide a mix of housing types, especially smaller unit homes and homes suitable for younger and older residents.

Housing developments, including the conversion of existing buildings to dwellings, should provide evidence of the community need in terms of likely housing mix and as a minimum must, unless clear evidence for an alternative mix is provided, meet the following criteria:

- On schemes of more than five dwellings, at least 33% of those dwellings should have two bedrooms or fewer, with no other rooms that can easily be put to use as a bedroom once the dwelling has been completed.

These standards might be relaxed if a scheme can be shown to be unviable otherwise.

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.

34. This policy should provide additional smaller dwellings. These should be more suitable for older people living alone and wishing to downsize, and they should also be more affordable for younger people wanting to get on the housing ladder. It is recommended that the Local Planning Authority removes permitted development rights on new homes that are two or three bedrooms to prevent much needed smaller housing from being extended without appropriate consideration of the impacts.
35. Although a mix of housing as set out in **Policy HO1** will be expected, it is recognised that with building conversions it might not be possible to meet the size requirements as it could be constrained by the existing building fabric.
36. Just for clarity, the policy is not concerned with householder applications (such as extensions) but new housing. Furthermore, it cannot apply to permitted development, such as the conversion of agricultural buildings to dwellings.

Affordable Housing

37. There is a need to provide more affordable housing to local people. Seventy percent of respondents to a survey about housing need stated that there was a requirement for affordable housing in the village. Affordable housing was considered to encourage a more sustainable community, that attracts younger people and families, which are much needed to support year-round village services such as the Primary School. Some people knew others who had moved away, with the village unable to meet their housing needs. Over the last five years there have been no new affordable homes built in the village and evidence from the Great Yarmouth Borough Council allocations pool indicates that demand significantly outstrips the current supply of affordable homes. To help meet the affordable housing need, especially for those trying to get on the housing ladder, it is

proposed that rural exception sites and/ or entry-level exception sites outside of the development limits are encouraged.

38. There is a risk that exception sites for affordable housing will be located such that future occupiers will be dependent on a car or more than one car to access services, thereby further stretching their finances as well as adding to the traffic and parking issues in the village centre. For this reason, there will be an expectation that exception site proposals will demonstrate that future occupiers can reasonably access local services by means of walking, cycling or public transport. Such schemes also need to be close to the village to minimise encroachment into the open countryside and be small-scale, in proportion to the size of the village.
39. **Policy HO2** supports sites that are reasonably adjacent to the development limits. The word adjacent is not defined in the Planning Act, the dictionary definition is *very near, next to or touching*. The policy therefore allows for sites to be detached, or to have some separation from the development limits defined in the Great Yarmouth Local Plan Policies Map for Winterton-on-Sea. It is not necessary for sites to be adjoining or abutting, though they do need to be reasonably related to the settlement. This has regard to national policy, which requires entry-level exception sites to be adjacent to existing settlements. The policy takes a reasoned departure on the basis that affordable housing is much needed in Winterton-on-Sea, by adding the word 'reasonably' before adjacent.
40. The Borough Council will need to ensure that any planning permission granted for affordable housing schemes and entry-level exception sites is subject to appropriate conditions and/or planning obligations to secure its affordability in perpetuity (for the life of the property) where this is possible.

Policy HO2: Affordable housing

The inclusion of affordable housing or contributions as part of proposals that would not normally be required to make such provision will be seen as delivering a significant community benefit.

Small-scale rural exception sites or entry-level exception site proposals for affordable housing that are outside of the development limits as shown in the adopted Great Yarmouth Local Plan will be supported where:

- The site is reasonably adjacent the development limits;
- The proposal will enable future occupants to have reasonable and safe access to local services and facilities using sustainable means of transport; and
- The affordable/entry-level housing provided is made available to people in local housing need at an affordable cost for the life of the property (in perpetuity), in accordance with the prevailing sequential approach used by the borough council for allocating affordable housing.

It should be noted that national policy does not permit entry-level exception sites within the Broads Authority area.

Design

41. Winterton-on-Sea has a gently sloping topography towards the sea and a general nucleated layout, with newer development emanating out from the village centre. The centre is dense with narrow and quiet lanes that have limited off street parking or footways. Many of the houses in the village centre are historic and are diverse in terms of their architectural style and the materials used, which is characteristic of the village's built environment. Some of the newer development reflects this to a degree, but more commonly is more generic and less dense. The Character Appraisal in which is part of the supporting evidence for the Neighbourhood Plan provides more detail, see Appendix 1.

Policy HO3: Design

Design which fails to have regard to local context and does not preserve, complement or preferably enhance the character and quality of its immediate area and the wider parish will not be acceptable. Proposals should therefore be of an appropriate density, appearance, height, variety, scale and layout, and be of a high quality design. Proposals should be well integrated, both visually and functionally, with the immediate surroundings. It is expected that affordable homes will be included in the unifying theme for all new developments, and must not be of a noticeably lower quality.

Proposals in the Village Centre, see **Figure 4**, will be supported if it contributes to the variety of design whilst reflecting and contributing towards the historic and eclectic architectural character of the village centre, building on its local distinctiveness.

Proposals outside of the Village Centre that are of an innovative design with high environmental standards will be supported subject to other policies of the development plan. Proposals on the edge of or adjacent to the village will be expected to be of a density, height and layout that reflects a transition into the open countryside, with views into the countryside retained.

Proposals for new residential development comprising mainly terraced or semi-detached dwellings will be considered favourably, depending on the immediate context and the need to visually integrate.

Alterations or extensions to buildings of heritage value, whether in the Village Centre or not, should use traditional materials and designs for roofs, chimneys, porches, elevations, windows and doors etc.

To promote sustainable access, all applications within or adjacent the development limits should 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.

Electric car charging points will be expected to be provided as part of all new development, one per formal parking space.

In all cases, an exceptional standard of design will weigh significantly in favour of proposals.

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.

42. The Character Appraisal (see Appendix 1) summarises aspects of the built-environment that are characteristic of the parish and which, individually or in combination, are considered to be essential in order to maintain the character and appearance of the parish. New development must have due regard to this, although this should not stifle innovation, which is welcomed. This policy applies to new residential development as well as other types of development, including extensions.

Principal Residence Housing

43. The prevalence and impact of second and holiday homes in Winterton-on-Sea is explored in some detail in the supplementary evidence that accompanies this Neighbourhood Plan. Overall, census data shows that the percentage of households with no usual residents in the plan area is markedly greater than across the borough or county as a whole. Local research indicates that the highest concentrations of second or holiday homes is in the village centre, on The Lane, King Street and Beach Road, where they outnumber dwellings occupied by permanent residents.
44. The socio-economic effects of second and holiday homes are being felt by the local community. The increase in second home owners has, it is widely reported by residents, resulted in rising property prices, which has put homes in the parish beyond the reach of young families and local people wishing to join the property ladder for the first time. This threatens the long-term viability and vitality of the village as a sustainable year-round community. In 2018 the village almost lost its local primary school due to the gradual decline in numbers of children on roll. This is in part due to the decline in families with young children living in the community. Other reported impacts include some residents feeling isolated as they have few permanent neighbours, especially in the winter months, and that this can harm community cohesion. This perhaps is mostly related to second home ownership rather than holiday lets as the tourist economy in Winterton increasingly operates year-round. Other impacts are reported, such as less maintenance, including gardening, being carried out on second homes occupied only intermittently, and this can harm the street-scene and overall character.
45. Balanced against this, residents also recognise the positive contribution that tourists make to the local economy and sustainability of valued services within the community, including the local shop and pub. Visitors are also seen to make the village more vibrant. On balance, the community are supportive of presence of holiday accommodation and the clear benefits this brings to the local economy. However, there is less support for second homes, with many of these sitting empty for a great proportion of the year.

46. A policy intervention is considered necessary to manage the number of new dwellings which are built as, or become, second homes, particularly bearing in mind the sensitive environment and the need to provide homes for local people. The plan supports the development of housing that will be permanently occupied, defined in the plan as Principal Residence housing. The effect of this policy intervention is to support an increase in the number of year-round residents in the village, thus creating a more sustainable community.

Policy HO4: Principal Residence Housing

Proposals for all new housing, including new single dwellings, conversions and replacement dwellings, will only be supported where first and future occupation is restricted in perpetuity to ensure that each new dwelling is occupied only as a Principal Residence. Sufficient guarantee must be provided of such occupancy restriction through the imposition of a planning condition or legal agreement.

Occupiers of homes with a Principle Residence condition or obligation will be required to keep proof that they are satisfying the requirements as set out in this policy and will be obliged to provide this proof if/when Great Yarmouth Borough Council requests it. Proof of Principal Residence is via verifiable evidence which could include, for example (but not limited to) residents being registered on the local electoral register and being registered for and attending local services (such as healthcare, schools etc).

47. Principal Residence housing is that which is occupied as the sole or main home of the occupants. The condition or obligation on new open market homes will require that they are occupied only as the primary (principal) residence of those persons entitled to occupy them. **Policy HO4** does not restrict proposals specifically for tourism accommodation, which is recognised to bring economic benefits to the village.
48. A good mixture of tourist and visitor accommodation is essential to supporting visits and tourism and the local economy. This is particularly the case where proposals enable existing buildings to come back into use. Ideally such accommodation should be within the development limits as this is more sustainable, especially in terms of access to services. **Policy HO5** also supports tourism proposals outside of the development limits, especially for the conversion of existing buildings, including farm buildings. It will not be possible to meet the need for all new tourist and visitor facilities within the village, and other types of accommodation may be needed outside to meet new visitor expectations.
49. Where new accommodation is permitted appropriate planning conditions will be applied to ensure the facility is genuinely available for holiday lettings, and to help manage any adverse impacts on the environment and the character and appearance of the countryside. Typically, these will take the form of a requirement for the removal of temporary structures at appropriate intervals, and holiday occupancy conditions placed on un-serviced holiday accommodation or sites.

50. **Policy H05** specifically applies outside of the Broads Authority Executive Area, as the Local Plan for the Broads has various policies relating to tourism development in close proximity to the Broads.

Policy H05: Tourist Accommodation

Proposals for new tourist accommodation located outside of the Broads Authority Executive Area will generally be permitted in accordance with the following criteria:

- Proposals for new built permanent or semi-permanent tourist and holiday accommodation will be required, unless specific justification is provided, to locate within the development limits or on sites that are well related to the village, and at a scale appropriate to the village;
- Outside of the development limits, proposals for the conversion of existing buildings, including farm buildings, for tourist accommodation will be supported provided they demonstrate a creative use of the existing structures;
- It will be for short stay occupation on a rented basis for a substantial period of the year, not occupied on a continuous basis by the same people, and not used as a second home or for the main residence of the occupiers.

Any tourist accommodation must be of similar quality to residential dwellings and adhere to **Policy H03**.

Environment

Natural Environment

51. The dunes, dune grassland, dune heath and beach at Winterton-on-Sea give the settlement a wild and windswept character, which is almost unique to this part of the coastline. The open and exposed aspect allows some views to the sea and glimpses of the sand dunes from the village centre. This is treasured by those who live in the community and priority should be on retaining such views and character.
52. The dunes are under high recreational pressure, used extensively by residents and visitors, mostly on foot. The dunes are designated a Site of Special Scientific Interest (SSSI), Area of Outstanding Natural Beauty (AONB), Special Area of Conservation (SAC) and National Nature Reserve (NNR), which affords them protection and there are active plans in place to support their conservation. However, recent monitoring shows that a proportion are in an unfavourable condition and high visitor numbers has caused some erosion, particularly on key paths between the car parking and beach. The beach and dunes are also under threat due to a changing coastline, which is exacerbated by sea level rises due to climate change.



Winterton beach and dunes

53. There are three County Wildlife Sites in Winterton-on-Sea. The settlement edge to the north includes Decoy Wood and South Wood County Wildlife Site, which forms part of the buffer to the Winterton Dunes. It comprises a varied range of habitats including broadleaf semi natural woodland alongside grassland and scrub. Directly north of this is North Wood County Wildlife Site, an enclosed area of wet heathland and acidic grassland grazed by sheep, then furthest north a block of young broadleaved woodland. The third site,

situated behind the church and known as Parish Council Land consists of dense scrub and woodland. This site is divided by several drainage ditches supporting a range of species.

54. The parish's proximity to the Broads, which has a status equivalent to a national park, and a number of important wildlife designations, is also part of what makes Winterton-on-Sea special.
55. Although these high value areas of ecology and biodiversity are afforded protection already, a policy is included within this Neighbourhood Plan to provide clarity on what this means for local development or related planning changes.
56. Biodiversity net gain can be assessed and measured using DEFRA's biodiversity metric. The Neighbourhood Plan felt it important to specify a percentage gain as a minimum to avoid proposals seeking to exploit the aim of the policy by providing negligible net gains of, for example 0.1%. Ten percent has been chosen as reasonable as this was the minimum net gain proposed by the Government in its consultation on the matter by DEFRA in December 2018 and this is likely to be carried forward in legislation. A 10% net gain will be applied unless a higher standard is required by the Environment Bill. The provision of habitat, whether on-site or through off-site arrangements or contributions, can be part of a multi-functional scheme that, for example, also delivers landscaping or open space. Successful implementation of biodiversity net gain would restore and create high-quality habitats that can provide a home for a diverse range of species and build resilience to climate change.
57. The requirement for development to achieve a net gain for biodiversity should be applied other than for very minor changes such as extensions to houses and brownfield development.

Policy E1: Protecting and Enhancing the Environment

Development coming forward within the Neighbourhood Plan area is expected to result in a demonstrable biodiversity net gain of at least 10% with natural features incorporated into site proposals.

Development proposals which incorporate significant and demonstrable conservation and/or habitat enhancement to improve biodiversity within the following areas may be supported:

- Decoy Wood and South Wood County Wildlife Site
- North Wood County Wildlife Site
- Winterton PCC Land County Wildlife Site
- Winterton-Horsey Dunes

Proposals likely to have a negative effect on notified interests of the Winterton-Horsey Dunes Special Area of Conservation or Site of Special Scientific Interest will not be permitted. Allowance for development should only be permitted where a proposal will specifically aid the conservation of the site.

Flood Risk and Drainage

58. Flood risk from surface water affects many parts of the village, including the centre, with high risk areas concentrated around Black Street and The Lane. The Lead Local Flood Authority have 4 records of external flooding dating from 2012 and 1 record of internal flooding from 2014. Residents have concerns about the impact of new homes or alterations on drainage and surface water. Flooding could be exacerbated through housing development if surface water run-off is not managed appropriately.
59. The community are keen to ensure that any future development is able to demonstrate there is no increased risk of flooding and that mitigation measures are implemented to address surface water arising from it.

Policy E2: Surface Water Flooding and Drainage

All development proposals coming forward within the areas of high and medium risk from surface water flooding, as identified by the Environment Agency or Strategic Flood Risk Assessment, and for other development in line with national policy requirements, will need to be accompanied by a Surface Water Drainage Strategy that is proportionate to the risk and size of the development.

- This must demonstrate that the proposal will not result in any increase in the risk of surface water or groundwater flooding on site or elsewhere off-site;
- The Surface Water Drainage Strategy, including any necessary flood risk mitigation measures, should be agreed as a condition of the development before any work commences on site;
- Planning applications that improve surface water drainage in the Neighbourhood Plan area will be supported;
- Sustainable Drainage Systems must be incorporated first and foremost for all planning applications and designed in from the start; and
- Appropriate on-site water storage shall be incorporated into drainage schemes to intercept, attenuate or store long term surface water run-off.

All new development will be expected to connect to the public foul sewerage network in accordance with the requirements of Anglian Water unless evidence is produced that it is not feasible to do so. Evidence shall be provided by applicants to demonstrate that capacity is available within the foul sewerage network or can be made available in time to serve the development. If mains sewerage is not feasible then an effective and sustainable private sewerage system plan shall be agreed with the Local Planning Authority in advance of development commencing. Such a plan must be implemented prior to the occupation of the first dwelling.

60. The Neighbourhood Plan seeks to contribute towards strategic multi-agency efforts to reduce the risk of flooding from all sources. It recommends developers adhere to Norfolk County Council (NCC) – Lead Local Flood Authority (LLFA) Statutory Consultee for

Planning: Guidance Document regarding surface water risk and drainage for any proposed development¹.

Agricultural Land

61. The village is surrounded by agricultural land and paddocks. There are long views out over these fields from a number of locations within the village, which adds to its character and is valued by residents. Some of the agricultural land is high grade – Grade 1 or 2, as determined by the Agricultural Land Classification of England and Wales, see **Figure 3**.
62. The economic and other benefits of this high-quality agricultural land should be recognised. It should be noted that the Local Plan for the Broads contains a policy to protect the best and most versatile agricultural land, which also includes Grade 3a. This policy is effective in the Broads Authority Executive Area, with the Neighbourhood Plan **Policy E3** effective elsewhere in the parish.

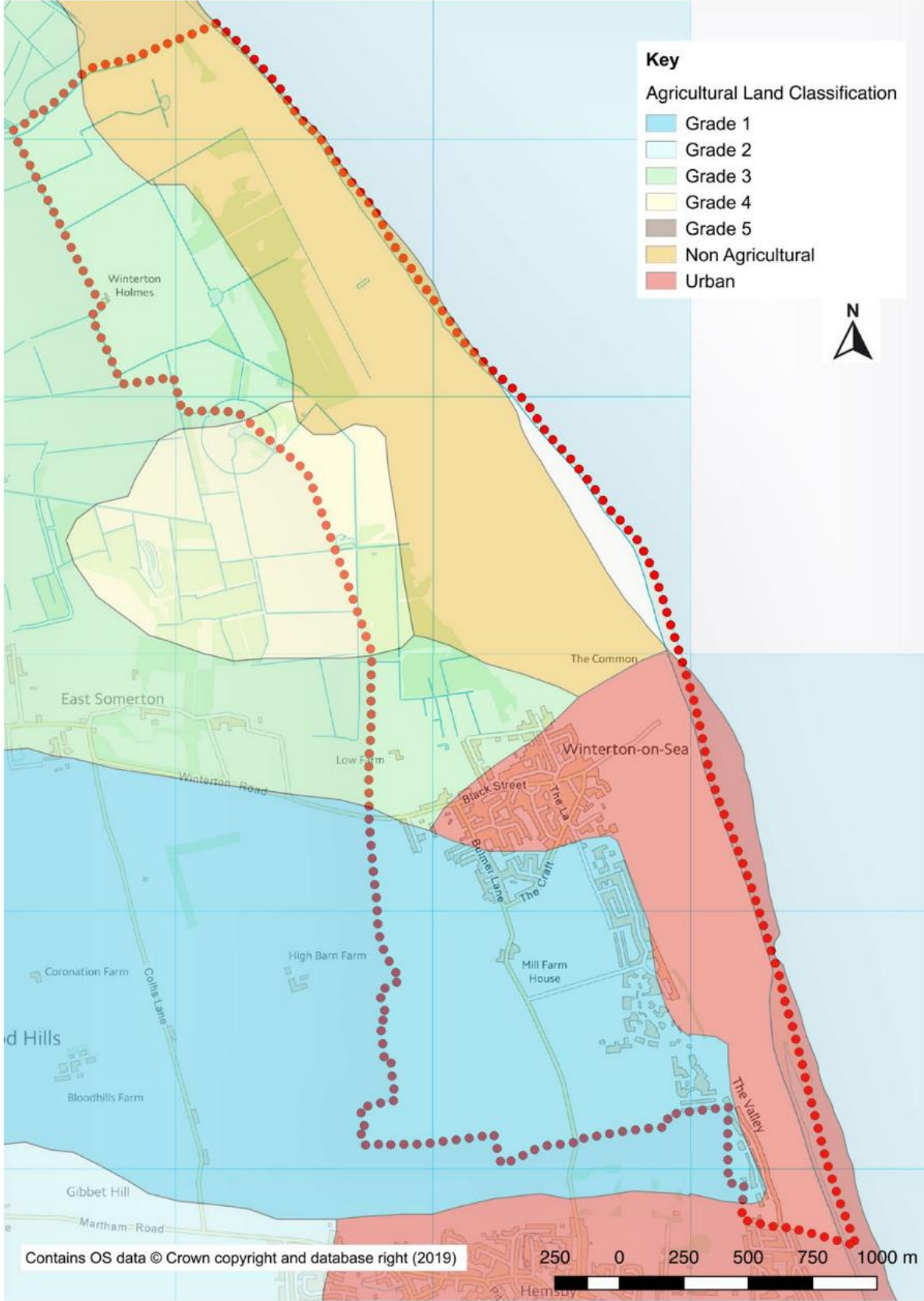
Policy E3: High Grade Agricultural Land

Development on Grade 1 or 2 agricultural land that is viable arable land will only be supported where the following exceptional circumstances can be demonstrated;

- There is a demonstrable need for the development in the proposed location and alternative sites on poorer quality land are not available; and
- Development on the site is demonstrated as the most sustainable option; and
- There is overriding community benefit.

¹ <https://www.norfolk.gov.uk/rubbish-recycling-and-planning/floodand-water-management/information-for-developers>

Figure 3: Agricultural Land Classification



Historic Character and Appearance



63. Winterton-on-Sea has a distinct character and appearance that reflects its past as a small fishing community. The settlement core is centred on a historic village green and displays a range of materials and building styles, with red brick and flint, clay pantile, thatch and colour washed render all evident. There are closely packed terrace cottages, small gardens, narrow streets and limited parking. The tall flint and stone church tower is also a prominent feature of the historic landscape and focus for the settlement.
64. This part of the village, which leads to the beach, is under pressure from visitor parking and vehicular traffic. As you move away from the centre the village becomes more spread out and uniform in its character, bungalows are prominent and homes are set back from the road with larger gardens and off-street parking. Expansion of the settlement edge to cater for the visitor/tourism industry has created an increasing coalescence with Hemsby.
65. Winterton-on-Sea has a Conservation Area, which is defined as an ‘area of special architectural and historic interest’, the character or appearance of which is desirable to preserve or enhance. The area is split in two and includes both the village centre and area stretching over the dunes, as well as the area around the church along Somerton Road (see **Figure 4**). The beautiful Trinity and All Saints church is a significant landmark, originally built to guide ships at sea, it is over 40 metres high and can be seen from miles around. It is a Grade I listed building, one of only 2.5% of buildings listed nationally, and two Memorials in its vicinity are Grade II.
66. Residents recognise the importance of individual components of character and distinctness seen throughout the village, and would like to protect this and safeguard the natural setting. They are concerned that some recent development in the village has not been of high quality or in keeping, this includes estate development and uniform red-brick homes within the centre. The older village centre has been identified as a specific character area that the community would like to protect and enhance. See **Figure 4** which outlines the area of Winterton-on-Sea which the Neighbourhood Plan would like to designate as the Village Centre. This includes part of the Conservation Area which

stretches along the dunes, but also encompasses the east side of Wilmer Avenue and the village green. A supplementary appraisal document has been produced by the community to support implementation of **Policy E4**, which sets out key characteristics of the Village Centre. This, or an updated version, should be used as a guide for developers.

67. The village does not have a housing allocation within the emerging Local Plan, however it is recognised that small-scale development may come forward in the future to meet demonstrated local housing needs or as windfall applications, and this Neighbourhood Plan allows for sensitive, appropriate and well-designed proposals that fit with the character of the village. See **Policy HO4** on Design.

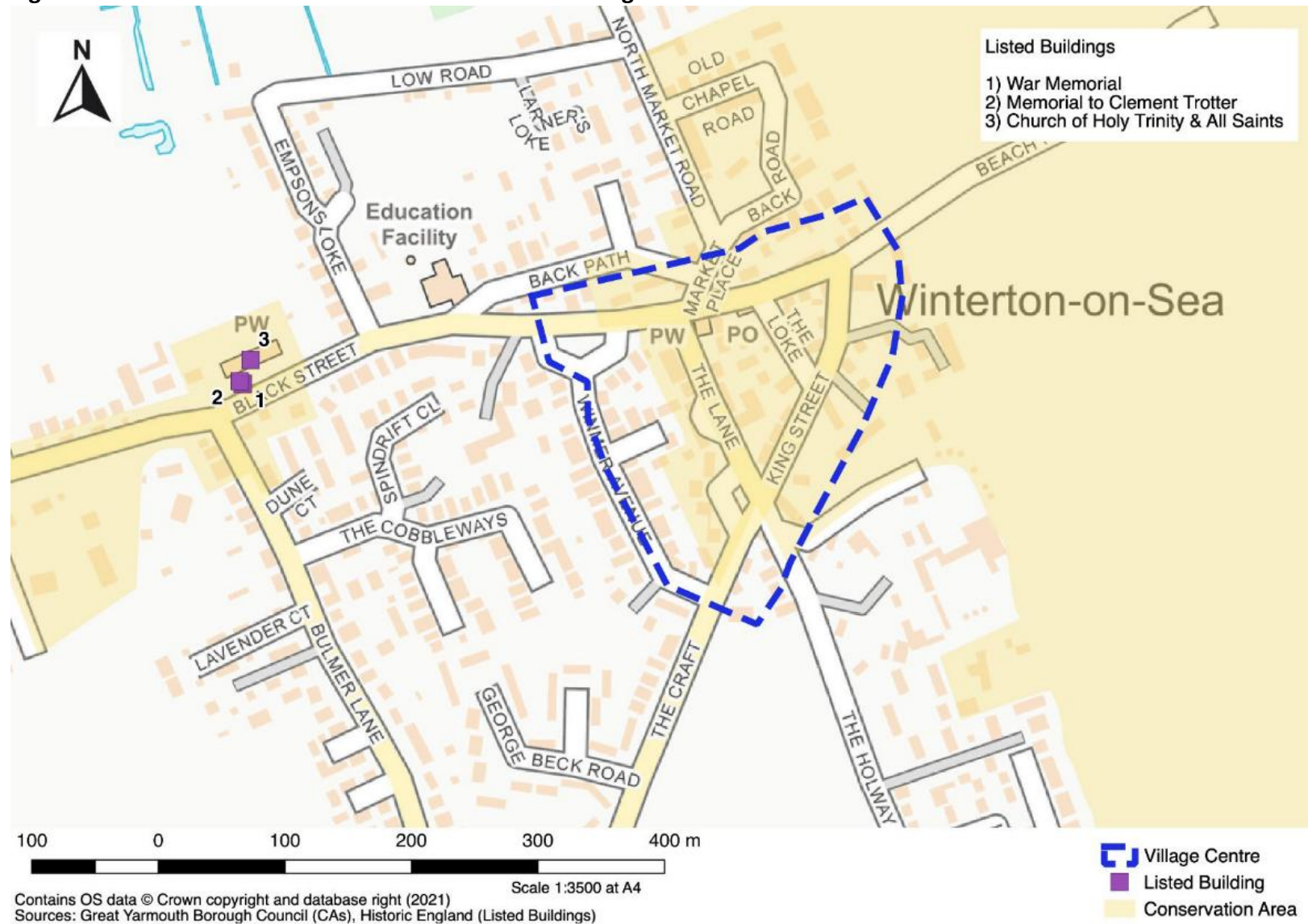
Policy E4: Protecting Winterton-on-Sea's Heritage and its Village Centre

A Village Centre is designated and is shown on Figure 4. New development proposed within Winterton-on-Sea must take full account of the historic character of the village, which is defined particularly by the designated Conservation Areas and Village Centre.

Any development should take account of the landscape setting, open spaces, heritage assets, 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.



Figure 4: Winterton-on-Sea's Conservation Area and Village Centre



Community Assets

68. Winterton-on-Sea has a range of local amenities that are mainly located in the village centre:

- Primary and Nursery School
- Village shop
- Post Office
- Chip shop
- Village Hall
- Fisherman's Return Pub
- Church
- Hermanus Holiday Park
- Café at the beach
- Allotments

69. The closest GP surgery is Hemsby Medical Practice, around 1.5 miles away, and is accessible by bus hourly throughout the day from the centre of the village. Currently a safe off-road walking route between the two villages does not exist.

70. As required by national and local policy, it is expected that housing and other development will contribute towards improving local services and infrastructure through the payment of a Community Infrastructure Levy (CIL); planning obligations; or the use of planning conditions. At this point in time neither of the Local Planning Authorities have CIL.

71. The primary school has a recent Ofsted judgement of Requires Improvement (2018) and is facing challenges around sustainability with too few pupils. In 2018 Norfolk County Council consulted on a school closure, proposing that children attend Hemsby primary school instead. This did not go ahead and instead the primary school joined Consortium Multi-Academy Trust who are now considering options to enhance the school's sustainability, including the opening of a Field Study Centre alongside the existing school operation. Ongoing provision of a primary school impacts upon the village's attractiveness to families and is important to the community.

Policy CA1: Winterton-on-Sea Primary School

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. A travel plan that encourages sustainable travel and considers parking management will be required to support any proposal.

72. A quarter of residents work in Winterton-on-Sea, which means they are more likely to make use of local services, along with visitors to the community. In addition, 1 in 6 households do not have a car and so are heavily reliant on local service provision.

73. Local residents understand the importance of supporting small-scale local economic growth, such as shops or a café, that is sensitive to the nature and character of the village. This includes a recognition that the village centre, where there are no footways and people need to walk in the road, is already under pressure from traffic and parking, particularly during summer months. 82% of respondents to the issues and options consultation agreed there should be a policy to encourage economic development within the Neighbourhood Plan.

Policy CA2: Economic Development within the Development Limits

Economic development within the development limits that comprises small business will be encouraged and supported in principle.

Any proposal will need to demonstrate that:

- It can accommodate all related parking off-road, including for visitors; or
- It does not generate a material increase in traffic in the Village Centre (as defined in **Figure 4**). A material increase will be seen as a severe impact given existing parking, highway and traffic constraints within this area.

Any new proposal would need to be accompanied by a travel plan which sets out how sustainable modes of travel would be encouraged and any parking requirements managed effectively.

74. The National Planning Policy Framework suggests that, *“Development should only be prevented or refused on highways grounds if.....the residual cumulative impacts on the road network would be severe.”* The policy does not indicate what would be considered severe, and indeed this will vary enormously. What might be considered as not severe in London would be seen as highly severe in rural villages. **Policy CA2** therefore defines a severe impact as a material increase in traffic as defined by Norfolk County Council’s Safe, Sustainable Development document (November 2015), or any successor document. This should be a reasonable measure bearing in mind:

- The narrowness of the roads in the Village Centre;
- The lack of footway provision;
- The haphazard on-street parking;
- The prevailing high volumes of traffic related to tourism and visitors.

Local Green Space

75. The Neighbourhood Plan recognises that some open spaces are especially important to the local community. For example, they can provide a valuable formal and informal recreational facility for both children and adults, or they can add character and interest to a community. People who have good access to open space, parks and other recreation areas have the opportunity to lead more active and healthy lives. These green spaces also provide important wildlife habitat, supporting diverse species and helping to build resilience to climate change.

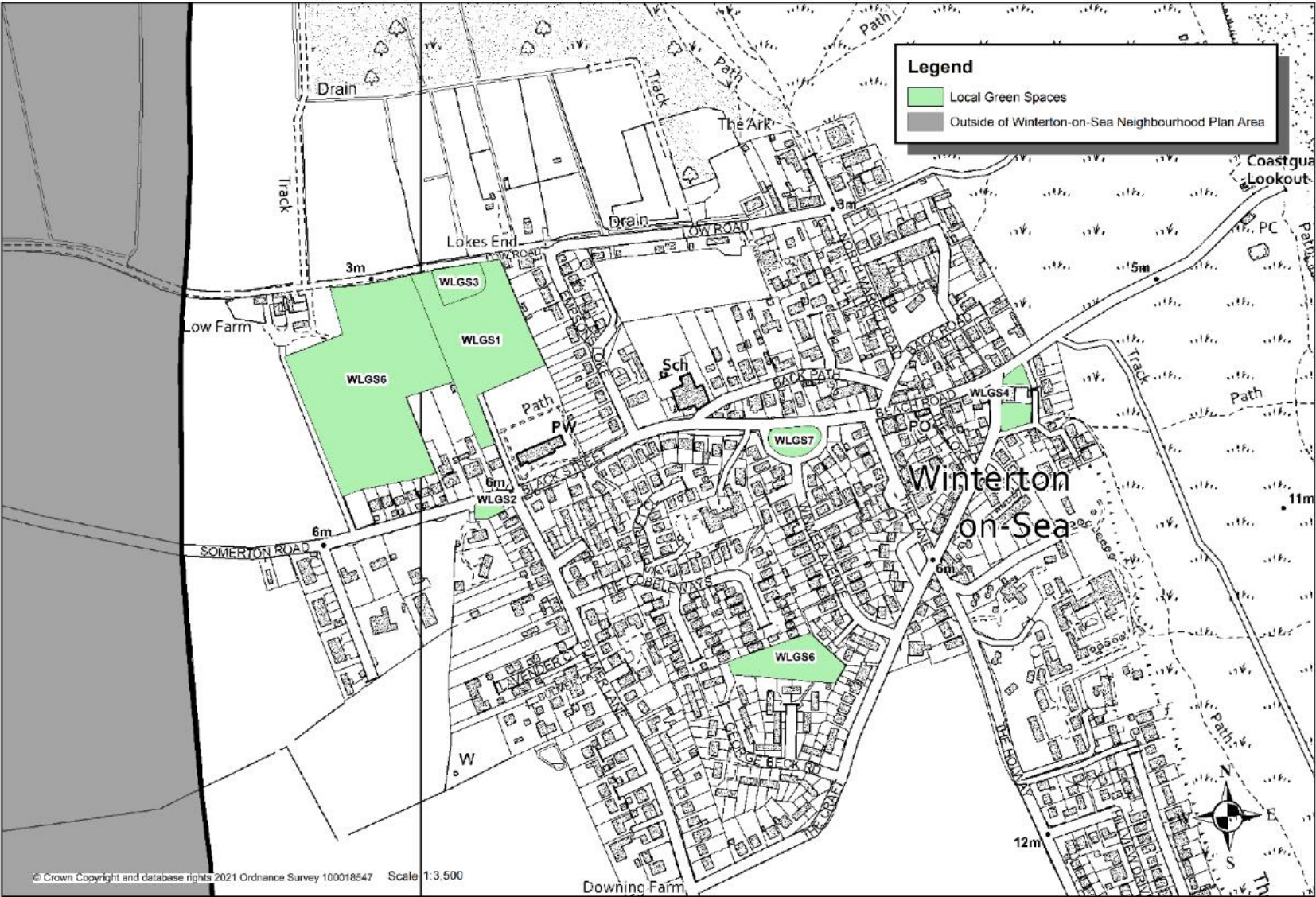
76. The Character Appraisal and consultation with residents has identified some open green spaces that positively contribute to the overall character and enjoyment of the part of the settlement in which they are located. Winterton-on-Sea would like to designate seven Local Green Spaces in the Neighbourhood Plan. The designation of land as Local Green Space through local and Neighbourhood Plans allows communities to identify and protect green areas of particular importance to them. The designation should only be used where the land is not extensive, is local in character and reasonably close to the community and where it is demonstrably special, for example because of its beauty, historic significance, recreational value, tranquillity or richness in wildlife. All Local Green Spaces identified here are within easy walking distance of people living in the community and considered special in some way. They are also identified as Local Amenity Space within the Great Yarmouth Local Plan.
77. Designation of Local Green Spaces affords the same level of protection as Green Belt and policies should be broadly consistent with national policy for Green Belt. Two of the green spaces, Bulmer Pit and Duffles Pond are part of existing Sustainable Drainage features, both acting as soakaways. Development that would have a negative impact on their current drainage contributions will not be permitted.

Policy CA3: Local Green Space

The following existing open spaces, identified in **Figure 5**, will be designated as Local Green Space:

- The Allotments (WLGS1)
- Bulmer Pit (WLGS2)
- Duffles Pond (WLGS3)
- Green space adjacent to the village hall (WLGS4)
- The Playing Field (WLGS5)
- The Children's Playground (WLGS6)
- The Village Green (WLGS7)

Figure 5: Local Green Space



The Allotments (WLGS1)

78. Winterton-on-Sea allotments are directly adjacent to the Church and graveyard, on land owned by the Church. There is a long-standing agreement between the Church and Parish Council for use of the land as allotments, though it is recognised that there may come a time in the future when the land is required to extend the graveyard. This is not anticipated to be during the plan period.

79. The allotments are well utilised and kept by residents to grow local food. Having an allotment is a rewarding activity, encourages people to undertake gentle exercise and is known to build community cohesion among allotment holders. During consultation with the community, the allotments were identified as important for protection as Local Green Space.

Bulmer Pit (WLGS2)

80. Bulmer Pit is a small wildlife pond adjacent to one of the main routes into the village. At certain times of the year the pit floods and acts as a soakaway for surface water in the vicinity. The pond is important as the habitat for ducks, moorhens and Natterjack toads.

Duffles Pond (WLGS3)

81. This community wildlife area, located behind the allotments, provides an important habitat for wildlife. It is one of the few ponds accessible to the community within the village. It has facilities like seating and walkways to encourage people to enjoy it and is maintained by the Parish Council. Many people in the community recognised its value during public consultation in November 2018. It also has historic importance, as it used to grow withe (strong flexible willow stem) which were used for wicker basket making. Duffles Pond is also an existing soakaway, part of a Sustainable Drainage feature.



Duffles Pond

Green Spaces adjacent the Village Hall (WLGS4)

82. The village hall is a regular focal point for community activity within Winterton-on-Sea and the green spaces adjacent it add to its amenity value and creates an attractive setting. They are used annually as the site of the village fete and regularly used in the summer by people enjoying the sunshine or for a picnic.
83. There have been proposals that this green space should be converted to additional parking serving the village centre and houses off The Loke, but there is strong feeling within the community as a whole that it should be retained as green space.
84. These green spaces are designated Common Land within the village.

The Playing Field (WLGS5)

85. This is a playing field for sport and exercise. It provides a flexible, open space and is used by many residents for informal sporting activities and dog walking. There is a full-size football pitch and cricket pitch. By supporting sport and recreation the playing field contributes to the health and wellbeing of the local community. It was identified as special by many residents as part of community engagement.

The Playground (WLGS6)

86. The playground, accessed off Winmer Avenue or through residential roads, is widely used by children and families, encouraging physical activity and play. It was recently updated following a community campaign to raise funding. It is well maintained. The Neighbourhood Plan seeks to protect this key recreational facility from future growth or development.



The Village Green (WLGS7)

87. The village green has significant recreational and historic value within the community, providing an attractive setting. It is well kept and during summer months is adorned with flowering planters. The village has won a number of awards including 'Anglia in Bloom' and 'Village Green' competitions. There is seating around the green which is much used by residents and visitors alike. The land is owned by Great Yarmouth Borough Council.



The Village Green: WLGS8

Investment in Open Space

88. Open space within a community can take many forms, from the Local Green Spaces identified in this plan to more general open areas or linear corridors within the settlement. They provide health and recreation benefits, enable people to move easily between different parts of the village, have ecological value and contribute to green infrastructure, as well as being an important part of the landscape and setting of built environments. Any new development must make provision for new open space. The emerging Great Yarmouth Local Plan 2 sets out detailed open space requirements. Depending on the scale of the development and functionality of open space, it will be negotiated on a site by site basis as to whether open space is provided onsite or a contribution is made for off-site provision.

Policy CA4: Investment in Open Space

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. Contributions for off-site open space provision will be prioritised to improve local facilities where these are well related to the development. These include:

- Designated Local Green Space;

- Existing Public Rights of Ways, with focus on those linking with nearby settlements such as Hemsby, and those that have the potential to take recreational pressure off the dunes.

Traffic and Transport

89. The main road connecting villages along the coast runs along the western edge of the village's built-up area. Overall the village can be fairly quiet in terms of traffic and the narrowness of streets and poor visibility at some junctions in the centre encourages low traffic speeds. There is concern however about speeding along Black Street, and about the volume of traffic through the village centre at peak visitor times. Although there is ample parking for visitors in formal car parks, many visitors are inclined to park on street in the village centre so as to avoid parking charges with visitors often blocking junctions and private drives. There is considerable local concern about this practice.
90. The village is connected by public transport to Great Yarmouth, with an hourly bus service, which also goes to the James Paget Hospital. In addition, there is a direct bus service once a week to Norwich. This is not sufficient to attract many people away from their cars and just 8% of people travel to work by public transport, with 86% driving.
91. The level of public transport available is also unlikely to encourage many holiday makers out of their cars whilst visiting. Public transport could therefore be developed and improved to benefit both residents and visitors to Winterton-on-Sea.
92. Footways are limited in the village centre, and this is part of the character. Footways are more consistently available along the main roads and elsewhere in the village, but these are rarely on both sides of the road. There are no dedicated cycle paths.
93. The parish is well served generally by the availability of Public Rights of Way, providing access to natural open space, such as the surrounding countryside, dunes and beach. These are used by many residents and visitors. There is a risk that this footfall increases pressure on ecologically sensitive areas of the dunes. There are also concerns about the condition or maintenance of some of the footpaths, and the loss of a footpath between Winterton-on-Sea and Hemsby is keenly felt by many residents.

Parking



Parking/traffic issues outside the church in the village centre

94. Parking is constrained within Winterton-on-Sea village centre. Some homes do not have designated parking and additional pressure is placed on common parking areas by high numbers of day visitors to the beach, particularly during summer months.
95. These additional pressures impact upon the amenity value of the village for residents. As it is often congested with parked cars, residents can find it difficult to park near their homes and footway accessibility is also affected. In addition, the main existing car park at the beach could be impacted by coastal erosion during the plan period as it is within the Local Plan Core Strategy Coastal Change zone. Indeed, part of the car park has already been lost to the sea, reducing the number of spaces available.

Policy TR1: Public car parking

Proposals for the change of use and development of existing public car parking sites will be supported as long as equivalent and accessible parking facilities are to be provided as a replacement or there is an over-riding public or environmental benefit to the proposal.

Proposals for additional public car parking outside of the village centre will be supported in principle where:

- This will not increase traffic through the centre of the village; and
- It is well located to provide a reasonable alternative to on-street parking.

Policy TR2: Residential Car Parking Standards

New residential development will need to provide off-road vehicle parking at each dwelling as per the following standards:

Number of bedrooms	Minimum number of off-road spaces
One	One
Two	Two
Three +	Three

These standards may be relaxed if:

- Strict adherence is incompatible with the local character.
- The type of housing being proposed (such as terraced) makes it physically impossible.

In these circumstances, new off-street or formalised on-street provision nearby may be acceptable. Additionally, in recognition that on-street parking could still occur, streets should be designed to safely accommodate unallocated on-street parking.

The level of provision should be such that indiscriminate parking and the obstruction of footways and carriageways is avoided and this should be determined on a site by site basis.

Community Aspiration: Parking

The parish will in principle support actions by others, and carry out its own actions, to reduce on-street parking in the village through parking management solutions. This may include taking advantage of opportunities for creating additional off-street parking provision at peak visitor times.

96. The car remains the dominant mode of transport for the majority of people living in Winterton-on-Sea. Car ownership is high among residents with only 16% of households not owning a car at the time of the 2011 Census. Indeed, 38% of households have two or more cars and there is high reliance upon them to get to work with 86% of individuals travelling to work by car or van. In part this is because public transport options are very limited and not flexible enough to meet the needs of most people.
97. The car parking standards set out in **Policy TR2** were strongly supported, by 90% of respondents to a consultation on issues and options for the Neighbourhood Plan. However, it is recognised that meeting these standards may not always be possible or desirable. Flexibility can therefore be shown to reflect the circumstances.

Walking

98. Walking improves both physical and mental wellbeing and health. It also reduces the need to use the car which has environmental benefits and it is crucial that development should be planned to reduce emissions, helping to mitigate climate change. For Winterton village specifically, greater opportunities for walking can also moderate the traffic and parking problems in the village centre.
99. A feature of the parish is the frequent absence of footways (as identified in the **Character Appraisal**), or indeed footways that are narrow or poorly maintained. There was strong support in the consultations for improving footways (and footpaths) and so improving the walking experience. Better footways, in terms of condition, width and the need for ones where none exist, would therefore be an appropriate policy response to the prevailing provision and to consultation feedback. However, the absence of footways is a key part of the character in places such as parts of the village centre.

Policy TR3: Walking

To promote safe and convenient walking within the Parish, new developments in or adjacent to the development limits that generate new trips will be expected to improve and/or extend footpaths and footways. Footways must be sufficiently wide, at least 1.5m width where possible, so as to provide safe, convenient and equitable access.

New or improved footways should be provided in the village centre unless this would be contrary to the prevailing character of the immediate area and provided that highway safety will remain acceptable.

100. As per **Policy HO3**, to promote sustainable access, all applications within or adjacent to the development limits should 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 footways, or the improvement, such as the widening, of existing ones. The footway width should be sufficient for two parents pushing a child's buggy to walk side by side, a minimum width of 1.5m. It is acknowledged that the actual width will be determined through an application, determined by site use, the nature of the adjacent highway and location. It might at times be necessary to provide wider footways, such as near the school or other places where pedestrian flows are likely to be high or where people gather and linger.

101. It may not always be appropriate to provide new or widened footways in the more village centre. Fortunately, traffic tends to be going slower in the centre due to the narrowness of many of the lanes, and so the roads are effectively operating as shared spaces.

Community Aspiration: Footpath between Winterton-on-Sea and Hemsby

The parish will investigate the re-opening of the public footpath between Winterton-on-Sea and Hemsby which would provide benefits in terms of creating a safe walking route and encouraging recreation.

102. Improvements to footpaths as part of the Public Rights of Way network is also covered in **Policy CA4** on Open spaces.

Appendix 1: Character Appraisal

Summary

Winterton has a gently sloping topography towards the sea and a general nucleated layout, bounded by fields and by coast, with newer development emanating out from the village centre. The older village centre is denser with narrow and very quiet lanes, limited off street parking and limited footways, and with the houses being very diverse in terms of styles, heights and materials. This diversity and randomness is a key feature of the historic character. There is evidence of newer development reflecting some of the more historic character, but more commonly the newer development is more generic, less dense and with a more open streetscene, with functional advantages such as footways and off-street parking. The nucleated layout limits views and openness, although there are important views of key landmarks such as the church and the lighthouse. Apart from the community services and facilities such as the church, village hall, pub and shops, the overall use is residential in the village with surrounding farmland, although its location has resulted in many houses being holiday lets.

Land Uses

- Mainly residential in the village, surrounded by open farmland or coastline, including dunes, to the east - although views of the coast from the village are more limited
- The village is an important tourist destination, with holiday lets apparent particularly in the village centre, including a holiday complex 'Hermanus'
- There are community facilities such as village hall, church, pub, school, playground, post office, convenience shop and fish and chip shop.

Layout

Winterton has a nucleated settlement pattern that clusters out to the West from the village centre which is closest to the beach. Historically it was a fishing village and the village centre retains characteristics of such with buildings grouped closely together along narrow streets without car parking. The settlement is quite dense in places, especially nearer the village centre.

There are a few green spaces, including the village green, but also at the junction of King Street/ The Craft and The Holway in the centre - which does make it feel more open despite a high density of buildings. The settlement becomes more open as you travel away from the centre with residential density lower, verges and some footways such as along the main road. There are no footways in the village centre. The children's playing field is more enclosed, accessible through walkways, where there is 'new estate' feel and design to the layout.

Winterton has a range of village amenities including a Shop, Post Office, Chip Shop, Village Hall, Pub, Primary and Nursery School and Church. There is a bus shelter on the Village

Green with hourly bus services to neighbouring settlements along the coast, including Great Yarmouth, and beyond.

The village layout is not uniform, especially in the centre, but it becomes more so as it spreads out. In the centre, the non-uniform layout appears to be a key aspect of the character.

Roads, Streets & Routes

The main road connecting villages along the coast Bulmer Lane/Hemsby Road runs along the western edge of the village's built up area. Black Street, the main road through the village, links the church near the top of the settlement, the primary school and village centre, turning into Beach Road which connects the beach. Black Street narrows significantly as you travel towards the centre. Other residential roads and estates within the settlement connect out from either Bulmer Lane or Black Street.

Within the village the roads are quiet in terms of traffic. Those within the village centre are narrow and there is poor visibility at some junctions. This encourages low traffic speeds. Faster speeds can be observed along the main roads – and speeding is a concern to residents along Black Street and The Craft. The settlement predominantly has a 30mph limit, with 20mph advisory outside the primary school.

Parking is constrained within the village centre where there is a higher density of homes and some without private parking. This includes a row of houses down The Loke, with residents relying on communal parking on street or outside the village hall. Additional pressure is placed on parking availability with Winterton-on-Sea being a visitor destination. As a result parked cars are a significant part of the streetscape within the settlement, particularly in the village centre.

The more modern estate development has off-street parking and footways. Although functionally welcome, these features change the character and feel of these areas.

Bulmer Lane / Hemsby Road is the only one to have a dashed centre line. This has a footway on just one side.

There are no dedicated cycle paths.

Topography

The settlement has a slight natural sloping gradient down towards the sea. The land put forward for new development as part of the Local Plan has a more significant gradient that could result in drainage management issues.

Because of the clustered nature of the village it is not generally an open aspect apart from at the village edges.

Streetscape

The streets are narrow in the village centre, with buildings directly fronting the road, some without front gardens and no verges. Here the street scene is dominated by houses – rather than the road which is the case in the more recently developed areas. As you move away from the centre properties become more set back, and in residential estates properties have front gardens, driveway and garages in the main.

Bulmer Lane is dominated by the highway – which has a centre line and footway on the east side. There are some railings and street furniture fronting properties here also. Railings are not evident elsewhere in the village.

There is street lighting along the main roads, the side roads are not always lit.

Green open spaces are attractive and well cared for. There are some trees and hedging, but the settlement is not dominated by vegetation.

Building features

The settlement is extremely mixed. The village centre has smaller, older, denser and more individualistic housing that is built close to the road. Some social housing is evident. There is estate housing off the village green. There are some more recent eco-housing and the village has lots of holiday lets, some purpose built.

Properties are predominantly detached, but there are also some semi-detached and terraced dwellings. They are mostly two storey and single storey, but some are one and a half with dormer windows, and even some two and a half storey, though these tend to be the exception.

Most properties have red pantile roofs, but there is also thatch and some grey slate. Thatched roofs are a particular feature in the village centre. This includes round thatched buildings as part of the Hermanus holiday park (originally designed to emulate South African round huts), a row of thatched cottages along The Lane that were built during the 1950s/60s, as well as more historic thatched buildings dotted around the centre.

Properties are mostly red brick, but some are timber clad and some use flint in the village centre. This includes the Fisherman's Return pub, dating back 400 years, which has a flint wall to one aspect.

There is a small pocket of red brick new-builds sandwiched in to the east of the village centre, accessed down a narrow lane by the Village Hall. This style of estate and design of buildings is considered to be out of character with the rest of the village.

Along the main road through the village, Black Street, homes are more set back and there are some larger Victorian style properties.

As you move away from the village centre there are several estate developments – dating back to the 1960s/70s and perhaps later. This includes an estate of 2-bed bungalows off Bulmer Lane, as well as more mixed provision of bungalows and detached houses running off from the village green. The character and feel of these estates is very different from the rest of the village settlement. The homes have garages, front gardens with walls to the front. Here properties and styles are more generic when compared to those in the centre.

Views

Views are limited within the village because of the non-linear, nucleated pattern.

There are views of the church from several streets, such as Black Street and Bulmer Lane, and views are evident toward the dunes from along Black Street

Homes that run along the edges of the village have views over fields – with some homes built during the 1990s along The Craft known in relation to their field views. These same homes also have views of the former Lighthouse, now an upmarket holiday let. Views for these homes will be affected should development come forward in the location proposed.

Landmarks

Key landmarks in the village include:

- The Church
- Village green, with new artistic sign
- The Fisherman's Return – the pub in the village centre
- Hermanus the holiday village, with its distinct style of round building with thatch roofs
- The lighthouse, now holiday let

URN: 21-182

Subject: Sustainable Warmth and Decarbonisation

Report to: ELT 2 March 2022
Housing and Neighbourhoods Committee 10 March 2022
Council 21 April 2022

Report by: Nicola Turner, Housing Director

SUBJECT MATTER/RECOMMENDATIONS

This report provides information on the Council's approach to improving the energy efficiency of the worst performing homes of all tenures and the approach being developed to decarbonise the Council's housing stock.

Recommendations:

That Housing and Neighbourhoods Committee note the report and recommend to Full Council:

1. Acceptance of the Homes Upgrade Grant (HUG) and Social Housing Decarbonisation Fund (SHDF) grant monies
2. Note the prior completion of the Memorandum of Understanding to secure the SHDF grant monies and completion of the Memorandum of Understanding for the HUG grant award
3. Delegation of all decisions on the use of and spend of the Homes Upgrade Grant and Social Housing Decarbonisation Fund monies in accordance with the requirements of the applicable Memorandum of Understanding to the Head of Property and Asset Management/Director of Housing Assets
4. Updating the General Fund and Housing Revenue Account 2022/23 capital programmes to reflect the HUG and SHDF spend.

1. Introduction

- 1.1 This report provides information on the £5,870,456 of Department for Business, Energy and Industrial Strategy (BEIS) grant money secured by the Council to improve the energy efficiency of homes, relating to successful bids from three separate funding streams. This funding will result in 408 homes across the borough benefiting from the installation of energy efficiency measures of which 321 will be owner occupied or privately rented homes and 87 council homes. It also provides information on the approach to decarbonising the Council's housing stock.
- 1.2 On 30 November 2021, Policy and Resources Committee considered a report providing an update on the Council's bid to the Sustainable Warmth Competition – a bid which had two parts:
- Local Authority Delivery 3 (LAD3) – to deliver works to improve the energy efficiency of the least efficient homes which are on the gas grid network occupied by low-income households. The report confirmed that the Council's bid for £1,654,670 was successful, providing works to 153 homes, although some homes will receive more than one type of energy improvement work.
 - Home Upgrade Grant (HUG) – to deliver works to improve the energy efficiency of the least efficient homes which are off the gas grid occupied by low-income households. The Council's bid for £2,576,621 was unsuccessful.

The report provided information on how the LAD3 programme would be delivered and managed, identifying the financial and other risks. The report also noted that a separate report to this committee would be provided on work to address the energy efficiency of homes across the borough including the outcome of the Council's bid to the Social Housing Decarbonisation Fund.

2. Current position

- 2.1 Following the unsuccessful bid to the Sustainable Warmth Competition the Council has considered other funding streams to fund works to homes which are off the gas grid and working collaboratively with E.ON Energy Solutions made a bid to the Warm Homes Fund for funding to install 100 first time central heating systems, the outcome of this bid is awaited.
- 2.2 Following the release of additional monies for the HUG programme, the prior bid for HUG monies of £2,576,621 of grant was awarded in full, with a revised start time of April 2022. The grant award will fund works to 170 homes, although as with LAD3, some properties will benefit from more than one type of energy efficiency improvement.
- 2.3 HUG funding will be targeted at owner occupiers or tenants who are on low incomes living in the worst performing homes – a focus on homes which have an EPC rating of E,F or G, although in some circumstances properties with a rating of D will be included. For tenanted properties a landlord contribution of a third of the cost of works is required. Social housing can be included as part of an area approach to delivery but is only able to form only a small part of delivery. The HUG monies will be targeted at homes in the following wards, this reflects evidence on EPC rating for homes and deprivation data:
- East Flegg
 - West Flegg
 - Fleggburgh

- Ormesby
- Lothingland
- Nelson
- Central and Northgate

2.4 On 15 October 2021, the Council submitted a bid to BEIS for £1,639,165 of funding from Wave 1 of the Social Housing Decarbonisation Fund (SHDF) which was confirmed as successful on 7 February 2022. The grant monies will be used to install External Wall Insulation (EWI) as an effective way to improve the energy efficiency of homes, especially those which have solid walls. Whilst this programme will result in 74 Council owned homes being improved, a further 11 private properties which adjoin Council homes in the programme will also be able to benefit from the installation of EWI. Including the private homes will improve the overall appearance of the street and will improve the thermal efficiency of all homes. The Council's bid was a partnership one and part of the funding will be used by two other Registered Providers to deliver EWI works to their least efficient homes elsewhere in Norfolk and Suffolk. (Note: Only Local Authorities were able to bid to Wave 1 of the Social Housing Decarbonisation Fund).

2.5 The SHDF will be used to improve homes in the following wards:

- East Flegg
- Fleggburgh
- Ormesby
- West Flegg
- Caister South

2.6 Like the LAD3 funding, the HUG and SHDF monies are secured via a Memorandum of Understanding between the Council and BEIS. BEIS required an early completion of the Memorandum of Understanding for the SHDF, this will be completed by early March. Work is now underway to complete the required Memorandum of Understanding to drawdown the HUG monies.

2.7 As identified in the report to Policy and Resources Committee on 30 November 2021, the BEIS funding requires specific high standards of installation which the energy efficiency works funded by the programmes must meet. To meet these requirements and provide certainty of the availability of installers and quality of materials for both the HUG and SHDF programmes, the Council will be appointing E.ON Energy Solutions Ltd as delivery agent with E.ON Energy Solutions Ltd providing both project management and ensuring delivery using their own accredited suppliers. The Council will use a framework to directly appoint E.ON Energy Solutions.

2.8 Reflecting the level of grant funding now obtained for energy efficiency works, the Council will be appointing a full-time project manager to provide oversight of delivery and assurance of quality as well as ensuring the monthly performance reports are submitted to BEIS across all three funding streams. Oversight of the delivery of the LAD3, HUG and SHDF programmes will be provided by Mark Graham, Housing Asset Manager. Completion of delivery and spend is required for all three programmes by 31 March 2023.

3. Decarbonisation of the Council's Housing Stock

- 3.1 To support social housing landlords to ensure all affordable housing is net zero carbon by 2050, the Government through BEIS has launched the Social Housing Decarbonisation Fund with the 2019 Conservative Manifesto including a proposal that £3.8bn will be available through the fund over a 10-year period. The focus is on improving homes which do not currently achieve a minimum EPC rating of C. To date, a demonstrator programme and Wave 1 programme have been allocated funding through a competitive bidding process. As stated above, through Wave 1, the Council has been awarded £1,639,165 of funding. Whilst like HUG and LAD3, the Council as landlord, must contribute towards the costs of installing energy efficiency measures, there is no income limit for the tenants. The bidding process for Wave 2, is expected to open in the next financial year and all Registered Providers will be able to directly apply.
- 3.2 The Council is developing a new Asset Management Strategy which will set out its approach to achieving decarbonisation, with the approach being to focus on two areas:
- **Fabric First**
Improving the energy performance of the structure of homes – through increasing or improving insulation or replacing windows/doors with more energy efficient windows/doors. These works deliver immediate benefits to tenants and as a result the capital programme will focus initially on these works.
 - **Clean Heat**
Replacing existing fossil fuel heating systems (gas and oil boilers) with clean heating systems such as heat pumps.
- 3.3 The Council will look to bid to Wave 2 and future Waves of the SHDF to support and speed up the decarbonisation of the Council's homes. The Council is also, through its new housing delivery considering the decarbonisation agenda, with the new homes at Beach Coach Station required to meet EPC B, using an electric heating system. This will future proof these new homes, reducing future expenditure to achieve the decarbonisation agenda. In addition, the Council is exploring the cost of regenerating the Middlegate estate, so all homes are Net Zero Carbon.

4. Sustainable Warmth

- 4.1 The LAD3 and HUG programmes will enable low-income occupiers of the least energy efficient homes to benefit from works which will increase the energy efficiency of their home. The BEIS funding used to deliver these programmes reflects the Government's commitment to ensuring all homes are net zero carbon by 2050. The forthcoming bans on the installation of first-time gas boilers from 2025 and installation of gas boilers to replace existing gas boilers from 2035 combined with recent increases in gas prices has highlighted the need to ensure householders are aware of the alternative ways they can meet their heating and hot water needs in an affordable and sustainable way.
- 4.2 The Council will continue to bid for monies which allow grants to be provided to homeowners and landlords to improve the energy efficiency of their homes with a focus on addressing fuel poverty by targeting the worst performing homes and taking a fabric first approach. Overall,

works must ensure homes are warm and are affordable to heat whilst also reducing carbon emissions. The impact on wellbeing of living in an affordable and well heated home cannot be underestimated.

- 4.3 A new Sustainability Strategy has been developed which Environment Committee will consider on 16 March 2022 along with a number of recommendations to Full Council to allow the Council to achieve the outcomes of the new strategy. Whilst the strategy is wider than sustainable warmth, the Council's approach to sustainable warmth set out in this report is integral to the actions and approach set out in the new Sustainability Strategy including setting a target by which to achieve Net Zero.

5. Financial Implications

- 5.1 In total, the Council has received funding of £5,870,456 of grant funding to deliver energy efficiency works:

- Local Authority Delivery 3: £1,654,670
- Home Upgrade Grant £2,576,621
- Social Housing Decarbonisation Fund: £1,639,165

- 5.2 There will be no cost to the Council of delivering the LAD3, HUG and SHDF programmes reflecting the funding provided by BEIS. The Council's General Fund and Housing Revenue Account capital budgets will be updated to reflect the spend within 2022/23, funds will be fully spent in accordance with the approved bids.

- 5.3 The admin and ancillary costs allowance within the LAD3, HUG and SHDF grants, will fund a dedicated full time project manager and additional staff resource to support them who will be responsible for providing assurance of programme delivery and outcomes for the Council across all three programmes.

- 5.4 The SHDF monies do not fund the full cost of the EWI works with part of the cost to be met by the Council via the Housing Revenue Account 2022/23 capital programme. The Council's contribution of £637,678 is within the approved budget. Decarbonisation works undertaken to the Council's housing stock will be funded through the HRA capital programme.

6. Risk Implications

- 6.1 The report to Policy and Resources Committee set out the risks associated with the Council's delivery of the LAD3 funding and these risks equally relate to the HUG and SHDF programmes. The same mitigating actions for LAD3 will be used for the HUG and SHDF programme delivery to mitigate the identified risks. The use of one contractor, who has confirmed their ability to deliver the required outcomes of delivery further mitigates the risk.
- 6.2 The Memorandum of Understanding used for HUG also allows the Council to seek an extension of the funding period beyond 31 March 2023 which would provide more time for all measures to be delivered and full spend on works to be achieved. Any such request is at the discretion of the Secretary of State, requests will only be considered if made by 31 December 2022. A similar right to request an extension, at the discretion of the Secretary of State applies to the SHDF.

7. Legal Implications

- 7.1 The Council is required via the Memorandums of Understanding for the HUG and SHDF to ensure that the use of the grant complies with subsidy control requirements. To support this the Council will use a direct appointment framework to appoint E.ON Energy Solutions Ltd to deliver these programmes.

7. Conclusion

This report provides information on the Council's approach to decarbonisation and ensuring delivery of improvements in the energy efficiency of homes across the borough, focusing on the worst performing homes and those occupied by low-income households who are in or at risk of fuel poverty. It provides information on successful bids for BEIS funding totalling £5,870,456 to deliver energy efficiency improvement which will mean 408 homes across the borough are improved by March 2023.

8. Background Papers

Sustainable Warmth Competition Update – Policy and Resources Committee, 30 November 2021

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:	Via ELT
Section 151 Officer Consultation:	Via ELT
Existing Council Policies:	Corporate Plan
Financial Implications (including VAT and tax):	Discussed in report
Legal Implications (including human rights):	Discussed in report
Risk Implications:	Discussed in report
Equality Issues/EQIA assessment:	The HUG funding will be targeted at low-income household living in the most inefficient homes. Many of these households will have protected characteristics and the works will improve their health and wellbeing by providing a more energy efficient home.
Crime & Disorder:	Not applicable
Every Child Matters:	Not applicable