

Local Development Framework

Development Management Policies DPD

Publication – Consultation Statement – Regulation 30 (1) (d)

December 2010



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Broads Authority
Local Development Framework
Development Management Policies DPD: Proposed Submission Document
Consultation Statement – December 2010

1. Introduction

- 1.1 This statement serves as a record of the public consultation undertaken by the Broads Authority in preparing its Proposed Submission version of the Development Management Policies Development Plan Document (DPD), part of the Broads Authority Local Development Framework. This DPD constitutes the Authority's final draft of the document and builds upon the Authority's adopted Core Strategy (September 2007). It includes more detailed development management policies that set out the criteria against which development in the Broads will be assessed, providing clear guidelines on the circumstances in which planning permission will be granted or refused. The policies have been formulated to ensure that development contributes to the delivery of the Core Strategy, which sets out the long-term spatial vision for the Broads. It contains Development Management policies which the Authority considers to be 'sound' and which will deliver sustainable development in the Broads. The Authority has arrived at this version of the DPD having taken account of representations received during previous stages of consultation over a number of years.
- 1.2 Upon publication and prior to the submission of this document to the Secretary of State (and for subsequent examination by an Independent Inspector), there will be a period of at least six weeks when representations can be made on its content. At this stage, representations must relate to either the legal compliance of the plan preparation process or to whether the Plan is 'sound' (whether it is justified, effective and consistent with national policy). Explanation of the tests of soundness are explained more fully in the Preface of the accompanying Proposed Submission DPD.
- 1.3 This Consultation Statement demonstrates how the Authority has complied with the requirements of its Statement of Community Involvement (SCI), adopted in 2006 and revised in 2008, and the Town and Country Planning (Local Development) (England) Regulations 2004 and the 2008 amendments to those Regulations. This Statement has been prepared alongside the Development Management Policies DPD Proposed Submission document and sets out the following:
- Which bodies and persons were invited to make representations under Regulation 25 (and Regulation 26 of the 2004 Regulations);
 - How these bodies and persons were invited to make such representations;
 - A summary of the main issues raised by those representations; and
 - How the issues have been addressed in the Development Plan Document.
- 1.4 Furthermore, this Statement (and its Appendices) are formulated in sections, indicating chronologically:
- The statutory and non-statutory consultees who were contacted and invited to make representations;
 - The inspection points, where the consultation documents were available for public viewing;
 - The public notice published in the press detailing the inspection points and any public consultation events;

- A copy of the letter sent to consultees inviting representations; and
 - A summary of the main issues raised in the representations received and how they have been addressed.
- 1.5 This statement has been prepared in accordance with Regulations 24 and 27 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008. The 2008 Regulations amend the Town and Country Planning (Local Development) (England) Regulations 2004 (“the 2004 Regulations”).
- 1.6 The preparation of the Development Management Policies DPD has been carried out under both sets of the above Regulations. This statement sets out consultation carried out in accordance with Regulations 25 (‘Issues and Options’) and 26 (‘Preferred Options’ and ‘Further Preferred Options’) of the Regulations, and a summary of the main issues raised.
- 1.7 It should be noted that the title of the DPD was originally ‘Development Control Policies DPD’.
- 1.8 A summary of the key stages in preparing and consulting on the Broads Development Management Policies DPD is illustrated below (Figure 1).

Figure 1: Development Management Policies – Stages of Preparation



2. The organisations and others we consulted

- 2.1 A Local Development Framework consultation database was established by the Authority in 2005 and is regularly monitored and updated. The database comprises 'specific consultation bodies' and 'general consultation bodies' based on membership of the Broads Forum¹; other key partners and stakeholder lists compiled as part of other consultation exercises carried out by the Authority. The database also includes individuals expressing an interest in LDF issues and related public consultations. In total, there are approximately 660 consultees on the database (as at March 2009). Lists of specific, general and other consultees, at each stage of the Plan preparation process, are shown in Appendices A (1), B (1) and C (1).
- 2.2 A Local Development Framework Steering Group was established in 2005 to help oversee the LDF preparation process and to provide advice on key strategic issues of common interest relevant to spatial planning. The Steering Group included representation from the Authority, constituent District, Borough, City and Parish Councils, major landowners, Broads-based businesses and amenity societies. Regular progress reports on the preparation of the LDF are also taken to the Authority's statutory and advisory committees, including full Broads Authority, Planning Committee and Broads Forum.
- 2.3 In 2007 the Authority established a Flood Risk Policy Working Group, comprising representation from the Authority, Environment Agency, Internal Drainage Boards, local authorities, Norfolk Association of Parish and Town Councils, landowners, marine industry, residents and amenity societies. The Group's remit was to consider the implications of PPS25 and the SFRA, and to support the drafting and revision of detailed flood risk policy in the Development Policies DPD and an SPD on Development and Flood Risk (initially prepared concurrently with the DPD).
- 2.4 Throughout the document preparation process, draft versions of the DPD, together with consultation responses and the Authority's analyses, were published on the Authority's website.
- 2.5 At all stages of the consultation process, relevant documents were available on the Broads Authority website and copies available (and consultees and the wider public advised of their availability) at the locations listed in Figure 2.

¹ The **Broads Forum** is the main non-statutory stakeholder forum consulted by the Authority, representing about 50 local interest groups. It meets quarterly to discuss conservation, navigational, recreational, cultural and built heritage and planning policy issues related to land- and water-based activities within the Broads and its wider catchment. Meetings are open to the public.

Figure 2: Locations for viewing documents during all consultation periods

<p><u>Broads Authority Head Office:</u> Dragonfly House, 2 Gilders Way, Norwich NR3 1UB (opening hours Mon-Fri; 9am-5pm) Tel: 01603 610734; website: www.broads-authority.gov.uk; email: ldf@broads-authority.gov.uk</p> <p><u>Constituent Local Council offices:</u> <u>Broadland District Council:</u> Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich NR7 ODU; tel: 01603 431133; website: www.broadland.gov.uk <u>Great Yarmouth Borough Council:</u> Town Hall, Hall Plain, Great Yarmouth, NR30 2QF; tel: 01493 856100 (website: www.great-yarmouth.gov.uk) <u>Norwich City Council:</u> City Hall, Norwich NR2 1NH; tel: 01603 212212; website: www.norwich.gov.uk <u>Norfolk County Council:</u> Martineau Lane, Norwich NR1 2DH; tel: 0844 800 8020; website: www.norfolk.gov.uk <u>North Norfolk District Council:</u> Council Offices, Holt Road, Cromer, Norfolk NR27 9EN; tel: 01263 513811; website: www.north-norfolk.gov.uk <u>South Norfolk Council:</u> South Norfolk House, Swan Lane, Long Stratton, Norfolk NR15 2XE; tel: 01508 533633; website: www.south-norfolk.gov.uk <u>Suffolk County Council:</u> Endeavour House, Russell Road, Ipswich, Suffolk IP1 2BX; tel: 01473 583000; website: www.suffolkcc.gov.uk <u>Waveney District Council:</u> The Marina Customer Service Centre, Marina, Lowestoft, NR32 1HH; tel: 01502 562111; website: www.waveney.gov.uk</p> <p><u>Public Libraries:</u> <u>Acle Library:</u> Bridewell Lane, Acle, Norfolk NR13 3RA <u>Cromer Library:</u> Prince of Wales Road, Cromer, Norfolk NR27 9HS <u>Great Yarmouth Library:</u> Tolhouse Street, Great Yarmouth, NR30 2SH <u>Norwich Millennium Library:</u> The Forum, Millennium Plain, Norwich NR2 1AW <u>Wroxham Library:</u> Norwich Road, Wroxham, Norfolk NR12 8RX <u>Beccles Library:</u> Blyburgate, Beccles, Suffolk NR34 9TB <u>Bungay Library:</u> Wharton Street, Bungay, Suffolk NR35 1EL <u>Lowestoft Library:</u> Clapham Road South, Lowestoft, Suffolk NR32 1DR <u>Oulton Broad Library:</u> Council Offices, 92 Bridge Road, Oulton Broad, Suffolk NR32 3LR</p>

3. Consultation on Issues and Options

- 3.1 Consultation on key issues to be addressed in the DPD began in 2006 with displays at public 'Fun in the Broads' events in July-August and the Authority's Annual Public Meeting in October. Information was also placed on the Authority's website and in the annual visitor magazine 'Broadcaster', which has a circulation of 110,000. A scoping leaflet/questionnaire were distributed to consultees on the LDF database, the Authority's toll payers and public venues between November 2006 and April 2007.
- 3.2 This early stage of consultation (issues identification consultation exercise) was designed to reflect and develop themes from the Core Strategy DPD (adopted September 2007), including issues of a site specific or detailed policy nature raised during that document's preparation. People were asked what they considered important to the character of the Broads and which specific areas needed protection or enhancement through policy. A total of 107 people responded to the scoping leaflet/questionnaire, with varied and often very site specific comments. Strong and sometimes conflicting opinions were received on a number of issues, including second homes, residential houseboats, navigation infrastructure, the natural and cultural environment, access to land and water, sustainable tourism and the local economy, control of development/development boundaries, and management of flood risk. A meeting was held with the Broads Forum in February 2007 to develop some of the

emerging issues and ideas. The results and resultant options were considered and approved by the Authority on 25 May 2007. (Appendix A (3))

- 3.3 Using evidence gathered from the scoping exercises (recorded at Appendix A (3)), a review of policies in the current Broads Local Plan, national policy statements and a policy workshop with Planning Committee members in May 2007, an Issues and Options report was prepared. A set of draft options for a Development and Flood Risk SPD was also prepared and incorporated with the DC Policies DPD Issues and Options report.
- 3.4 The Issues and Options report was made available for a six-week period of public consultation from 29 June to 10 August 2007. The report, and/or notification of its publication, was sent to all consultees on the LDF database and made available at a number of locations in the Broads including visitor information centres, local libraries and constituent council head offices. The report was also published on the Authority's website and on the Norfolk-wide 'Consultation Finder' website. An annual 'LDF update' leaflet, produced at the start of the consultation period, gave additional information on the overall LDF preparation process. The leaflet was sent to LDF consultees and made available at public venues including the Authority's head office and information centres, and local libraries.
- 3.5 Progress reports on the early stage preparation of the DPD were taken to Broads Forum in July and to the Broads Local Access Forum and Authority's Navigation Committee in early September, to enable further discussion on the key issues identified at this stage.
- 3.6 In total, 45 organisations or individuals submitted representations to the Issues and Options consultation, with 1240 individual comments made against the 276 options put forward. A summary report of representations was taken to the Broads Authority on 28 September 2007. (Appendix A (4))
- 3.7 In order to develop and resolve key and/or controversial issues, and provide the Authority with a preferred policy direction, a number of workshops were organised in October with planning agents, parish councils, local area liaison groups, and Authority members and staff. Some workshops included briefings on the emerging Strategic Flood Risk Assessment and its implications on planning policy and development control in the Broads. Officers from the Environment Agency attended to provide guidance on national policy and Environment Agency flood zone mapping. In July 2007, the Authority appointed an external consultant from Risk and Policy Analysts to undertake a project plan to develop a local flood risk policy, including defining the tasks and identifying key contacts and further evidence requirements. The consultant and BA officers worked with the Flood Risk Policy Working Group on reiterations of the draft Development and Flood Risk SPD.
- 3.8 A report was taken to Planning Committee on 09 November summarising the responses to the Issues and Options consultation and workshops feedback and setting out the draft policy preferred options for the DC Policies DPD. This information was also made available on the Authority's website (as is the case for agenda papers and minutes of all Authority committees and key working groups). A further report was taken to Broads Authority on 23 November gaining approval to publish for consultation the Development Control Policies DPD Preferred Options and Development and Flood Risk SPD.

3.9 A summary of the main issues raised by respondents to the Issues and Options consultation stage/s, together with the Broads Authority's response, is set out at Appendix A (5).

4. Consultation on Preferred Options

- 4.1 Formal consultation on Preferred Options for the DPD took place for a period of six weeks from 31 December 2007 to 11 February 2008. The consultation documents (including the Preferred Options Report, Proposals Maps draft Sustainability Appraisal and Appropriate Assessment) were made available on the Authority's website, at its head office, and at main local libraries and constituent county/district council head offices. A public notice was placed in the Eastern Daily Press and East Anglian Daily Times on 31 December 2007. Information was also made available on the Norfolk-wide 'Consultation Finder' website.
- 4.2 In addition, a questionnaire was sent to all parish councils in the Broads executive area, asking for their opinions on the effectiveness of inset maps and relevant associated policies in the current Broads Local Plan.
- 4.3 In January 2008, during the formal consultation period, a special meeting was held with an invited audience of local residential boaters and regional residential boat owner association representatives to discuss the issue of house boats and residential moorings. The comments made at the meeting were included in the Authority's consideration of this issue, and interested groups and individuals were invited to submit further formal representations during the Preferred Options consultation.
- 4.4 A total of 94 organisations and individuals submitted formal representations to the Preferred Options consultation ending on 11 February 2008. The representations were split into 556 individual comments against the separate Preferred Options and related descriptive text. Comments were also received from 18 organisations or individuals on the draft Proposals Maps.
- 4.5 The key issues where there were differing opinions were: development and flood risk; residential mooring; the identification of development boundaries; and wetland creation. In April 2008, progress reports were taken to Planning Committee, Broads Forum and Navigation Committee. These meetings, together with a special Planning Committee member workshop held on 11 April, provided opportunities for officers, members and stakeholders to discuss in more detail key and/or controversial issues raised during the formal Preferred Options consultation period. Feedback from these discussions was used to refine the direction and content of policies. The drafting of policy on development and flood risk was subject to targeted iterations through the Flood Risk Policy Working Group, working closely with Authority officers and the flood risk policy project plan consultant.
- 4.6 A report summarising the Preferred Options consultation representations and additional consultation feedback, and setting out officer recommendations for submission development policies, was taken to the Broads Authority meeting on 9 May 2008 (Appendix B (4)). Following the Authority's consideration of the comments on the Preferred Options, taking into account the views of the community and consultee bodies, officers redrafted the policies and prepared the pre-submission DPD for publication.

5. Addressing ongoing issues

Flood Risk and Development

- 5.1 It had been anticipated that the DPD would be taken to the Broads Authority meeting on 27 June 2008 to seek approval for submission of the DPD for examination by the Secretary of State under the 2004 Regulations and in line with the timetable set out in the Authority's Local Development Scheme. However, although officers were confident that the policies had been drafted following the tests of soundness, two areas of weakness had been identified: flood risk and residential moorings.
- 5.2 The Authority drafted a Development and Flood Risk SPD in line with the preparation of the DPD, to provide more detail to the policies of the Core Strategy and an expansion to the development policies once they were adopted. The Environment Agency, who had been closely involved in the drafting of policy, had been invited to comment on the final draft SPD and had notified the Authority that they considered the SPD to be unsound against tests 4b, 4c and 6. Although their comments applied to the SPD, it was felt unlikely that they would respond differently to a DPD where less detail was given on the application of policy.
- 5.3 As a result of representations to the preferred policy option for residential moorings and subsequent consultation with Authority members, Authority officers sought an alternative way forward which could still be justified against the Authority's key purposes. As such, the proposed submission policy on residential moorings did not follow the direction taken in the Preferred Option. There had not been an opportunity to undertake additional consultation on the new criteria-based policy, in particular with adjoining local authorities, whose growth and restraint strategies such a policy might be thought to undermine. It was considered that local authorities could theoretically challenge the Authority's submission policy under soundness test 6. Secondly, as the consultation on policy wording did not occur at the Preferred Options stage, there could be a challenge under test 2a.
- 5.4 At the Broads Authority meeting on 27 June 2008 it was reported that delaying submission of the DPD and adoption of the SPD would have a knock-on effect to the Authority's Local Development Scheme programme of at least 4 months and mean that it would be relying on the policies of the Local Plan to supplement the Core Strategy for longer than had been intended. However, a delay would provide the opportunity to submit under the new LDF regulations and undertake further, informal, consultation to give the Authority a clearer indication on whether consultees believed the plan to be sound.
- 5.5 It was concluded that, as negotiations over the flood risk policy which had taken place over the last year had not resulted in any greater level of understanding by the Environment Agency, the Authority had to decide at what point to pursue the adoption of a policy which was not supported locally by the Agency. The Authority sought advice from Government Office (GoEast) and accepted that body's offer of mediation between the Authority and the Agency in order to compile a Broads' specific protocol for the determination of applications. The Authority urged that this take place at the earliest opportunity to enable a recommended policy to be reported to the September 2008 meeting of the Broads Authority, together with any revisions to the interpretation of PPS25.
- 5.6 At the Authority meeting on 27 June 2008 it was agreed to approve the wording of the provisional development policies with amendments if necessary, and to delay submission of the DPD in order to reconsider the wording of the flood risk policy and

carry out further informal consultation on the wording of the residential moorings policy.

- 5.7 Subsequently, the wording of the policies was refined. The Authority received input from the Environment Agency on the flood risk management policy and supporting text. At that stage, the Flood Risk SPD was progressed separately, whilst various other issues relating to the DPD were reviewed and further consultation undertaken (see below).

Residential Moorings

- 5.8 A number of residential boat owners and people living on boats opposed the Preferred Options policy on new residential moorings as being too negative and preventing any reasonable options for residential occupation on the Broads. Members asked officers to research what criteria might be used to allow for residential moorings in certain limited circumstances. A draft policy was approved on 27 June 2008 with an amendment and subject to further consultation with relevant stakeholders. A topic paper was prepared for that consultation, which took place during August and September.
- 5.9 The results of that consultation were presented to members at the Broads Authority meeting on 26 September 2008. There were 29 respondents, giving a range of representations from individuals, statutory and other organisations. There was a degree of support for the outline of the policy and amendments were suggested, some of which assisted in making the policy clearer and more workable. Some residential boat owners expressed their objection that the criteria were too strict.
- 5.10 A further LDF Workshop for Authority members was held on 24 October 2008, at which detailed discussion was held about the terms of such a policy and amendments to the previous draft text. The revised policy was approved for inclusion in the DPD by the Broads Authority on 21 November 2008. (Appendix B (5))

6. Further Consultation on Preferred Options

- 6.1 The departure from the Authority of the Planning Policy Officer (September 2008) and the Director of Planning and Strategy (October 2008), together with the need for additional consultation on the preferred policy direction (see above), resulted in a delay in the planned submission of the DPD under the 2004 Regulations and as published in the Local Development Scheme. In light of these and other factors: the interim issuing of the Core Strategy Inspector's report and the need for consistency in relation thereto; the introduction of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008; changes to national and regional policy; further investigations into specific local policy issues, including flood risk and residential moorings, progress was delayed.
- 6.2 Replacement officers for the vacant posts outlined above were not in post until March 2009. A review of the work undertaken on the DPD to date was undertaken and three specific issues were identified to members in May 2009, requiring further investigation and understanding. These were flood risk, residential moorings and Developer Contributions. Further work was undertaken on these issues during Summer Autumn 2009 including negotiation with the Environment Agency on flood risk matters in order for them to come to a consistent view on flood risk in the Broads (see above). Drafting of revised policies took place in November to December 2009. In March 2010, Members reviewed the Local Development Scheme and for the first time resolved to include a site or location specific policy document in order to address some of the site

specific issues that were emerging through planning application. Members agreed at this time that the Proposals Map should accompany the site specific document (not the Development Management DPD) and agreed a revised timetable for its production.

- 6.3 The Broads Authority approved the Draft of the Development Management Policies Preferred for Further Consultation on 14 May 2010. Public consultation covered a six week period from 07 June to 16 July 2010. The consultation documents (including the Further Preferred Options DPD Report, draft Sustainability Appraisal and Appropriate Assessment) were made available on the Authority's website, at its head office, and at main local libraries and constituent county/district council head offices (Figure 2 and Appendices C (1), C (2) and C (3)). A public notice was placed in the Eastern Daily Press and East Anglian Daily Times on 27th May 2010.
- 6.4 During the six week consultation period, a total of 259 representations were received from 37 separate organisations/individuals. 185 were objecting and 74 in support.

7. Sustainability Appraisal/Appropriate Assessment

- 7.1 A scoping report on Sustainability Appraisal for the DMPDPD was published for consultation with the Environmental bodies in March 2007. The document was prepared by Consultants (Small Fish) who had undertaken work on the Core Strategy Sustainability Appraisal. Following consultation, a Sustainability Appraisal: Issues and Options Assessment was published in July 2007 to accompany the Issues and Options consultation of the DMPDPD.
- 7.2 Following the publication of a Sustainability Appraisal Scoping Report (March 2007), a draft Sustainability Appraisal report for the SA/SEA on the DC Policies DPD Preferred Options and Development and Flood Risk SPD was published for consultation in December 2007, together with a Habitat Regulations Appropriate Assessment. The reports were made available at the places indicated in Figure 2 and on the Authority's website. 15 individual comments from two respondents were received to the Appropriate Assessment and 20 comments from two respondents to the Sustainability Appraisal report.
- 7.3 A Sustainability Appraisal Report and Appropriate Assessment were prepared for the Further Consultation on Preferred Options DPD (June 2010). The reports were made available at the places indicated in Figure 2 and on the Authority's website. No comments were received to the Appropriate Assessment, and three comments from two respondents to the Sustainability Appraisal report.

Appendices

The following Appendices are included for information and to elaborate upon the foregoing explanation of consultation undertaken in the preparation of the Development Management Policies DPD:

Appendix A – Issues and Options

- A (1) Lists of specific, general and other consultees
- A (2) Copy of letter to consultees inviting comments
- A (3) Report to Broads Authority Planning Committee: 25 May 2007
- A (4) Report to Broads Authority: 28 September 2007
- A (5) Summary of main issues raised and Broads Authority response

Appendix B – Preferred Options

- B (1) List of specific, general and other consultees
- B (2) Public notice of consultation
- B (3) Copy of letter to consultees inviting comments
- B (4) Report to Broads Authority: 09 May 2008
- B (5) Report to Broads Authority: 21 November 2008 (Consideration of Policy 33: New Residential Moorings)
- B (6) Summary of main issues and Broads Authority response

Appendix C – Further Preferred Options

- C (1) List of specific, general and other consultees
- C (2) Public notice of consultation
- C (3) Copy of letter to consultees inviting comments
- C (4) Report to Broads Authority: 19 November 2010
- C (5) Summary of main issues and Broads Authority response

Appendix A (1): Issues and Options (Regulation 25) Consultees

The following tables list the statutory bodies consulted during the Issues and Options Stage

<p><u>A: Specific consultation bodies</u></p> <ul style="list-style-type: none">• Relevant authorities any part of whose area is in or adjoins the Broads Authority area: Constituent County Councils (Norfolk County Council, Suffolk County Council); Constituent District/Borough Councils (Broadland, Great Yarmouth, North Norfolk, Norwich City, South Norfolk, Waveney); relevant Town and Parish Councils in or adjoining the Broads• East of England Development Agency• East of England Regional Assembly• Environment Agency• Government Office for the East of England• Great Yarmouth Port Authority• Highways Agency• Historic Buildings and Monuments Commission for England• Natural England• Norfolk, Suffolk and Cambridgeshire Strategic Health Authority• Relevant electricity and gas companies• Relevant sewerage and water undertakers• Relevant telecommunications operators• Network Rail <p><u>B: General/other consultees</u></p> <p>The Authority will consult, as appropriate, with groups and organisations representing a wide variety of interests. The following lists are indicative and will be subject to change over the course of the Plan preparation process.</p> <p><u>B1. Government/National Interest</u></p> <p>Government/National bodies: (e.g. Dept for Environment, Food & Rural Affairs (DEFRA), Department for Transport, Health & Safety Executive, National Park Authorities)</p> <p><u>B2. General Interest</u></p> <ul style="list-style-type: none">• Local Strategic Partnerships and Community Partnerships• Local Business and employment agencies (e.g. Business Link, Chamber of Commerce, Learning and Skills Council)	<ul style="list-style-type: none">• Charities/Trusts, amenity societies (e.g. Broads Society, How Hill Trust)• Education and young people (e.g. Easton College, schools, Norfolk Youth and Community Service)• Disability/access (e.g. Broads Access Advisory Group, Local Access Forum)• Social/other (e.g. Norfolk & Suffolk Constabulary, Norwich & Norfolk Voluntary Services, advisers on racial equality)• Transport (e.g. Sustrans, Rural Transport Partnership) <p>B3. Specialist Interest</p> <ul style="list-style-type: none">• Boating & Water Based Business/ Recreation (e.g. British Canoe Union, British Marine Federation, Inland Waterways Association, Royal Yachting Association)• Land Based Recreation (e.g. Ramblers Association, Sport England, Sustrans)• Wildlife and Conservation (e.g. BTCV, Forestry Commission, Wildlife Trusts, RSPB)• Farming and Landowners (e.g. National Farmers Union, Countryside & Landowners Association)• Housing interest groups, land agents and developers (e.g. Crown Estate Office)• Cultural Heritage/Landscape (e.g. National Trust, CPRE)• Tourism (e.g. East of England Tourist Board, Norwich Area Tourism Agency)• Fishing/Angling (e.g. Broads Angling Strategy Group) <p>C: Individuals</p> <p>The Authority will keep a list of businesses and individuals who ask to be kept informed about LDF issues and related public consultation.</p>
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Appendix A (2): Issues and Options: Copy of letter to consultees inviting comments.

The following letter was sent to consultees on 25 June 2007

25 June 2007

HL/LDF/DCi&o

Dear Consultee

Broads Authority Local Development Framework: Public Consultation

The Broads Authority is consulting the public on a number of documents currently being prepared for the Broads Local Development Framework. This letter provides information about the various documents, the stages of their preparation, and the way in which representations can be submitted.

1. Development Control Policies DPD: Issues and Options (Regulation 25) and early evidence gathering for Development and Flood Risk SPD

The **Development Control Policies DPD** (Development Plan Document) is the second document to be produced for the Broads Authority Local Development Framework, following the preparation of the Core Strategy DPD. It will set out detailed policies, primarily for the determination of planning applications.

We have already undertaken consultation to determine the issues that stakeholders and local communities feel the Development Control DPD should be addressing. This input has been taken into account in the preparation of the Issues and Options report, which is now subject to consultation from 29 June to 10 August. A copy of the report is enclosed, and your comments are invited. The policy options given are not exhaustive, so please let us know of other options you feel should be considered. The report may also be viewed on our website and at the venues listed below.

Following the close of consultation on the Issues and Options, the Authority will prepare a Preferred Options report. This report will be published and will be subject to a further period of public consultation, commencing in December 2007.

The Development Control DPD must reflect the overarching strategic policies of the **Core Strategy DPD**, which was subject to independent examination earlier this year. We expect to receive the Planning Inspector's report on the outcome of the examination in early July and hope to adopt the Core Strategy DPD in September. The report and adopted DPD will be published in due course and made available on our website and at a number of venues throughout the Broads.

The Authority is also at the early stages of evidence gathering for a Supplementary Planning Document (SPD) on Development and Flood Risk. This is an important matter to address in

the Broads. At this stage, the options for the SPD have been incorporated into the Development Control issues and options. Options presented in the Issues and Options report will ultimately evolve in more detail and become the SPD (rather than being contained within the Development Control DPD).

2. Sustainability Appraisal

A **Sustainability Appraisal** scoping report was published for consultation in March this year. The consultation to date has informed the development of the Development Control DPD and **Development Management Policies DPD: Proposed Submission – Consultation Statement**

Development and Flood Risk SPD. The draft Sustainability Appraisal scoping report is still available to view on our website.

3. Statement of Community Involvement (review): Pre-submission consultation (Reg 26)

The **Statement of Community Involvement (SCI)** was adopted in January 2006 and included in our Local Development Framework. The SCI sets out how we intend to involve local communities and other interested people in the production of other documents in our Local Development Framework. In April 2007, the Authority's development control and enforcement planning functions were taken in-house. This means that we have to revise the section in the SCI that deals with community involvement in regard to planning applications (Chapter 10 in the adopted SCI). Other minor amendments are also being proposed in order to improve the way we consult people.

Comments on the revisions are now invited, during the consultation period 29 June to 10 August. A copy of the revised text, showing where changes have been made, is enclosed. The full SCI is available to view on our website or at our head office at 18 Colegate, Norwich. Following the close of this consultation period, the revised SCI will be submitted to the Secretary of State for independent examination. At the same time, it will be made available for a further period of public consultation. This is due to take place in October 2007.

Making a representation

The Development Control Policies DPD Issues and Options report (incorporating evidence gathering for the Development and Flood Risk SPD) and the revised Statement of Community Involvement are being made available for public consultation for a period of six weeks from Friday 29 June to Friday 10 August 2007. Your views on these consultation documents are welcomed.

All representations should be submitted in writing to the Authority's head office at 18 Colegate, Norwich NR3 1BQ, or by email to: LDF@broads-authority.gov.uk, to reach us by the close of consultation at 5pm on Friday 10 August. Response forms are included with hard copies of the documents and are also available on our website.

Copies of the above documents, together with further information about the Local Development Framework, are available on our website at www.broads-authority.gov.uk. A list of venues where the documents will also be made available is enclosed with this letter.

If you have any further queries on any of the above matters, please do not hesitate to contact us.

Yours faithfully

Helen Ledger
Planning Policy Officer

Maria Conti
Broads Strategy Officer

Broads Local Development Framework: where to view consultation documents

The Development Control DPD Issues and Options Report, Development and Flood Risk SPD Sustainability Appraisal Scoping Report, and Statement of Community Involvement revisions are available to view at the Authority's head office, on its website, and at the venues listed below.

Broads Authority:

Head Office: 18 Colegate, Norwich NR3 1BQ. (opening hours Mon-Fri; 9am-5pm)
Tel: 01603 610734; website: www.broads-authority.gov.uk;
email: LDF@broads-authority.gov.uk

The documents may also be viewed at the following locations:

Constituent local council offices:

Broadland District Council: Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich NR7 ODU; tel: 01603 431133; website: www.broadland.gov.uk

Great Yarmouth Borough Council: Town Hall, Hall Plain, Great Yarmouth, NR30 2QF; tel: 01493 856100 (website: www.great-yarmouth.gov.uk)

Norwich City Council: City Hall, Norwich NR2 1NH; tel: 01603 212212; website: www.norwich.gov.uk

Norfolk County Council: Martineau Lane, Norwich NR1 2DH; tel: 0844 800 8020; website: www.norfolk.gov.uk

North Norfolk District Council: Council Offices, Holt Road, Cromer, Norfolk NR27 9EN; tel: 01263 513811; website: www.north-norfolk.gov.uk

South Norfolk Council: South Norfolk House, Swan Lane, Long Stratton, Norfolk NR15 2XE; tel: 01508 533633; website: www.south-norfolk.gov.uk

Suffolk County Council: Endeavour House, Russell Road, Ipswich, Suffolk IP1 2BX; tel: 01473 583000; website: www.suffolkcc.gov.uk

Waveney District Council: High Street, Lowestoft, Suffolk NR32 1HS; tel: 01502 562111; website: www.waveney.gov.uk

Public Libraries:

Acle Library, Bridewell Lane, Acle, Norfolk NR13 3RA

Cromer Library, Prince of Wales Road, Cromer, Norfolk NR27 9HS

Great Yarmouth Library, Tolhouse Street, Great Yarmouth, NR30 2SH

Norwich Millennium Library, The Forum, Millennium Plain, Norwich NR2 1AW

Wroxham Library, Norwich Road, Wroxham, Norfolk NR12 8RX

Beccles Library, Blyburgate, Beccles, Suffolk NR34 9TB

Bungay Library, Wharton Street, Bungay, Suffolk NR35 1EL

Lowestoft Library, Clapham Road South, Lowestoft, Suffolk NR32 1DR

Oulton Broad Library, Council Offices, 92 Bridge Road, Oulton Broad, Suffolk NR32 3LR

To receive this information in large print, please contact the Broads Authority on 01603 610734 or email: LDF@broads-authority.gov.uk

Appendix A (3): Issues and Options: Report to Broads Authority Planning Committee
- 25 May 2007

Broads Authority
Planning Committee
25 May 2007
Agenda Item No 9

Local Development Framework: Development Control DPD - Report on the Issues
Consultation and Options Discussion
Report by Planning Policy Officer

Summary: This report presents the results of the issues identification consultation exercise for the Development Control -Development Plan Document. Results of the leaflet consultation carried out from November 2006 to April 2007 are set out below under headings covering the main issues raised. Members of the Planning Committee are also being asked to help develop a range of options that can address the issues raised, which will form a facilitated discussion.

Recommendations:

- (i) That the responses of the consultation to date be noted.
- (ii) That consultation on the Issues and Options draft of the Development Control DPD in June 2007 be agreed for publication.

1 Introduction

- 1.1 The Development Control - Development Plan Document (DC DPD) is the second document to be produced in the Authority's Local Development Framework. The Core Strategy, that will set the overall tone for the whole LDF, was the subject of an independent examination by a Government appointed Inspector in April. If the Inspector finds the Strategy sound on balance against the representations received it is anticipated it could be adopted by September in line with the project plan in the Local Development Scheme (LDS). The DC DPD will provide more detail to the overarching policies in the Core Strategy specifically related to the grant or refusal of planning applications.
- 1.2 The development of DPDs, as set out in Planning Policy Statement 12 on Local Development Frameworks requires a robust evidence base to gather and develop policies. The evidence base should include sound research papers and the results of consultation using appropriate engagement techniques following the Authority's adopted Statement of Community Involvement. This information must be collected and recorded throughout the process.
- 1.3 In order firstly to identify key issues for the DC DPD to address a leaflet reflecting in themes of the Core Strategy was designed and distributed to engage people on more detailed development issues. The concept of 'front loading' requires Local Planning Authorities to involve stakeholders in the consultation process as early as possible. By distributing this leaflet to interested organisations, statutory consultees, toll payers and other individuals, stakeholders have provided feedback in the very earliest stages of the Development Control DPD, in line with the Broads Authority Statement of Community Involvement. This report summarises the main issues raised during

this early scoping stage and seeks input into the options possible to resolve the issues.

- 1.4 During the process of consultation on the Core Strategy, issues were raised of a site specific or more detailed nature; where possible these comments were noted for reference when producing the DC DPD. These comments were reported to members when considering the development of the Core Strategy and are not reflected in this report. They will however be used to flavour the direction of the DC DPD and all respondents details were added to the consultation database so they would be informed of the consultation stages of the DC document. Not included in the previous Core Strategy committee reports, however were the individual sites suggested for development, which were the subject of correspondence since the LDF began. Typically these are sites outside the development boundary in the current adopted Local Plan, which have been or would be unsuccessful in getting permission via a planning application. Respondents would clearly like to amend the development boundary to include their site. For completeness a full list of the sites so far raised is included in Appendix 1 and more details on the site are available on request. Members may want to consider the principle of development sites while considering the DC DPD issues and developing options.

2 Results of the Consultation Leaflet

2.1 Leaflet Format

The leaflet on the DC DPD was distributed to all the contact details on the LDF consultation database in November last year and also a second tranche of leaflets went out with the Toll payer's mail out in February/March this year. The results of the two consultation exercises are included in this report.

There were three questions asked on the questionnaire leaflet and an opportunity to give extra comments. These were as follows:

- What do you think is important in the Broads?
- What contributes to the character of the area?
- Which specific areas of the Broads need protection or enhancement through policy?

When analysing the responses in this report, the figures in brackets refer to the numbers of comments/responses on a given issue.

2.2 Respondents

The leaflet consultation ran from December 2006 to April 2007 and received a total of 109 responses. Those consisted of a variety of authorities, councils, private firms and residents. The detail varied in length - some very specific and some very clear and pragmatic. What frequently came up after reading the responses was the fact that answers to the first two questions on the survey were very alike and agreed in unison. The response to the third question however, was very varied and especially amongst residents, quite personal. The issues and policy ideas raised from individuals were very specific naming places and improvements needed in their opinion. There were also some interesting comments. The response from local authorities was more generalised, looking at the LDF from a wider perspective, objectively. Not all responses from organisations, authorities and businesses

answered all the questions, seemingly due to overlap of issues, or perhaps because they wished see how the detail would emerge at the later stages of the process.

2.3 General Response

The general consensus was positive for publicising the LDF and “*such briefings about the problems and opportunities to encourage us to continue participating.*” There are of course a vast number of issues that surround this LDF document and of the responses received, many were in conflict with each other. The conflicting issue of second homes and all-year-round residents is still a major issue and one that will be hard to resolve and determine the right balance for the community and the economy. The very personal views of some are directly contradictory to others, highlighting the difficulties in achieving policy that is acceptable to all. For example, one respondent used the leaflet almost entirely on their view towards houseboats on the Broads, as well as nationally. Another stated they wished for an outright ban of powerboats and water skiing.

The fact that the consultation methods are being utilised is very encouraging to gain a broader understanding of people’s issues, however personal or specific. It is through their engagement that informed policies be structured. Other directorates will be made aware of responses that relate to their area of work.

3 Detailed Results of Consultation

3.1 The Broads Landscape

A strong point, which has become clear through consultation is the value placed on landscape ‘views’ in the Broads (38). The vast skies and far reaching views were cited by a significant number of respondents as integral to the Broads. With the understanding that a large number of people value the open space and skies, policies can be shaped to ensure that this value is considered in future application which may effect this view.

The remoteness and peacefulness of the Broads was described frequently by respondents (23). It seems clear that this is a very important feature of the Broads that is also very fragile. Policy will be vital in ensuring that this aspect of the Broads is not lost or damaged in subsequent years. This issue was not directly addressed in the question regarding areas which need to be protected or enhanced by policy. This however, may be due to the fact that control of development (16); flood protection (8), management (20) and environment (8) are all more specific areas, which help to create this feeling of tranquillity in the Broads.

This section reflects policies CS1 and CS2 on Landscape Protection and Enhancement in the Core Strategy – Submission report. In the implementation section under this section in the Core Strategy the following is mentioned as being picked up by the DC DCD. This could form options to help protect what the respondents felt were important.

Potential options:

Draft and Implement DC DPD policies to include:

- Criteria against which landscape impact can be assessed,
- Criteria for removal of eyesores,
- Achievement of tranquillity especially from the water,

- Map zones of tranquillity temporally and spatially including along waterways – draw on CPRE maps of noise and night skies; should we show these on proposals maps?

3.2 The Historic Environment

Many respondents referred to importance of the traditions, culture and historic aspects of the Broads. Boatyards, traditional sailing craft, reed cutting, wind pumps and the 'laid back way of life' all received specific mention by respondents. Many respondents noted culture and traditions as important to the Broads and a key part of the areas character (28). Fewer noted specifically that these aspects should be protected and enhanced through policy (6). The strength of policy was highlighted by Norfolk County Council, suggesting '*stronger DC policies protecting industrial monuments for heritage and cultural reasons. This especially includes windmills and wind pumps.*'

The Core Strategy- submission report provides a framework for more detailed matters on cultural heritage in policies CS5 and CS6. Implementations for the Core Strategy policies, which have implications for the DC DPD, are as follows.

- Consider Area Action plans for individual Conservation Areas most of which cross LPA boundaries
- Consider preparation of Supplementary Planning Document to support appropriate development
- Identify criteria for locally listing property and means of protection in DC policies and SPD
- DC policy to provide guidance on appropriate reuse of distinctive buildings taking into account sustainability e.g. access in isolated areas, impact on local area as well as on the building itself.
- Identify criteria for assessing development proposals with archaeological value in DC policies
- Identify criteria for the protection, enhancement and preservation of areas of known archaeological value of both national and local importance through the cultural heritage strategy and DC policies.
- Agree criteria for assessing the importance of and recording of unknown archaeology and palaeo-environmental remains.

3.3 Environment and Wildlife

The environment was highlighted many times as a feature important to, and an important characteristic of the Broads (46). It is clearly an extremely important aspect of the Broads for much of the community. The international and national recognition of many sites sets precedence for the value to be placed on the Broads' unique environments. Occasional respondents highlighted specific areas of environment and wildlife that were viewed as important, such as biodiversity and the bittern.

The implications for designated nature conservation areas under this topic is covered by policy CS2 in the Core Strategy and so the potential options appear under heading 'The Broads Landscape' above. However broader implications are covered by CS7 – on environmental protection. The implementation of CS7 includes the following, which will help inform the DC policies:

- Development Control DPD policies to cover all aspects of environmental protection. (Air, water quality and quantity and waste). Should we set targets for new development on minimising waste, re-use and recycling? If so what should they be?
- Could this formally embody the sustainable design guide into planning policy?
- Do we formally try to incorporate the BFAP programme 2005 – 2021, or simply have generic supportive policies with criteria?

BA will continue to work with:

- Continuation of water quality partnership.
- EA's Catchment management plans 2007–08.
- LDFs of LPAs upstream to avoid adverse impacts on water quality and quantity and inclusion of SUDs. And work on joint studies e.g. water cycle study and SFRA 2007.
- Encourage marine industry research.
- Investment in infrastructure through AMP bids replacement of septic tanks boats to have holding tanks and boatyards to provide pump out service.
- Environmental Stewardship 2007+.

3.4 Tourism, Economy and Sustainable Communities

Tourism and the local economy were raised as a feature that contributes to the importance and character of the Broads several times (19). This highlights that respondents see this as an important aspect, and they went on to highlight these issues related to protection and enhancement through policy (15). As a traditional holiday and recreational area, the Broads is clearly appreciated as such by a significant amount of stakeholders and individuals.

Sustaining local communities was also recognised (11). Without thriving communities the facilities for the tourism industry will not be available. Tourism is clearly important in the Broads and the surrounding local communities are directly linked to this. As one respondent stated, there needs to be '*enough local facilities to maintain a viable tourist business*'. It is clear from the responses and additional comments that the issues of tourism, economy and communities are a significant and underpinning basis for policies.

There was also specific mention of boatyards, and the need to retain this relatively unique industry in Britain.

Tourism and marine industries are obviously key sectors in the Broads economy and also make the Broads what it is today. Understandably these topics have a significant place in the Core Strategy, the strategy of tourism uses being set out in policies CS 9 –12 inclusive. This section related closely to the Broads Tourism Strategy, so the DC DPD policies could add a spatial and geographical location to the various improvements set out there.

- Actions from Tourism Strategy include:
Develop canoe and cycle hire network across Broads.
Implement priorities for angling and slipway strategy with interest groups
Develop interpretation masterplan 2007.
Carry out detailed work on 10 sites (to be identified through the masterplan)
building on visitor hubs 2008+.

- DC policies giving guidance on facilities required and or encourage regeneration/ enhancement projects initiatives in the Broads and adjoining communities: should locations for tourism uses or marine industry be identified or be set out in more general supportive generic policies?
- Develop valley approach to integrated management land and water incl signposts to villages, rangers working with communities – phased approach Ant Valley 2006+, Yare valley 2008+ How should this be reflected in the DC DPD?

3.5 Facilities and Recreation

The most prominent concern seemed to be navigation, which includes increasing the area of navigable water. Boating and navigation were mentioned significantly with regard to character and features of importance of the Broads (39). This steer towards boating and navigation as a priority may be explained due to the fact that many leaflet responses came from toll payers, therefore boaters. By mailing out leaflets alongside the tolls renewal forms, many more responses were received to the consultation, but this may have favoured one stakeholder group over others.

Facilities such as those for local communities and visitors were stated as important to the Broads (8). Moorings were seen as key to accessing quiet and busy areas alike. They were also raised as a safety issue, providing a safe area to stop when needing to break. The recognition of the need for facilities and recreation features links into both the need for tourism and good access in the Broads. One respondent stated that *'we need more cycling, walking routes that are safe from car traffic and perhaps more opportunities for people to learn to sail, row and canoe.'*

The overarching strategy for recreation and facilities is set out in policies CS4 on new resources:

Policy on design and sustainability, should it include the following and any other issues?

- Update of materials source list (include in DC DPD, future SPD or design guide?).
- Specialist advice for Broads Area, should there be particular considerations?
- Valley approach to management.
- Advice on crime reduction on planning applications.

Are there opportunities in the following?

- Broadland Catchment Flood Management Plan.
- BFAP.
- Environmental stewardship.
- BAPs and maps to identify potential links between fragmented areas of nature conservation interest / habitat corridors which can be achieved through planning decisions within and outside BA LPA area.
- Implementation of ecological network.

Policies CS13 to CS15 inclusive set out the Strategy for water space management, including: site management briefs for key broads, provision of additional moorings to be encouraged and adequate water depths to be maintained with links to the Authority's sediment management strategy.

Options arising:

- DC policies for bank protection: should we ask for developer contributions to maintain and upgrade the existing provision?
- Set out acceptable forms of dredging re-use? (If possible).

- DC policies in support of provision identified in Moorings strategy: Implement moorings action plan 2006+ depending on resources and opportunities
Working with BFAP and parish councils as opportunities arise through the programme
- It is intended to show the aims for new or upgraded moorings on the Core Strategy key diagram – should the proposal maps to accompany the DC DPD go into more detail?
- Valley and site management plans for large scale integration of functions and long term adaptation of people and wildlife to climate change 2006 – 2021. Are there opportunities here and planning considerations needed that could inform policy?

3.6 Access and Management

A major concern, which was highlighted through the consultation, was access (28). It was also raised as an area that should be enhanced or protected through policy (15). This incorporates footpaths, access to local facilities from waterways and moorings. The use of the Broads as a tranquil, recreational area could be increased through greater access such as the boardwalk at Barton Broad. It is features such as these, which allow everyone to access and enjoy an area of carr woodland and vistas of the Broad, which they may not regularly be able to do.

Management of the navigation and access routes was also a prominent concern for respondents (15). The key areas mentioned specifically were dredging and tree clearance. Some respondents stated that current work was good but it needs to be maintained and enhanced through policy (20). The maintenance of trees/scrub by the waterways was related to both boating and views, highlighting it's overarching role.

Access and Transportation is covered in the Core Strategy by policies CS16 and CS17. The options for implementation are as follows:

- On major schemes set requirements for travel plans – should a threshold apply here, if so how big or small? E.g. 10 houses or more, 1000 sq m of recreation use? Guidance from local highway authorities / Local Transport Plans, Broads Area Transportation Strategy (LTP) and PRow Improvement Plans?
- Should the DC policies reflect geographically the slipway strategy and/or angling strategy?

3.7 Controlling Development

The consultation responses supported a firm level of control over development in the Broads, particularly housing, water front and larger scale developments (16). This issue was picked up mainly in the question regarding the need for protection or enhancement in the Broads through policy. Throughout the other questions, the value of sensitive and limited development was commented upon 10 more times. It was also noted that development is needed, but appropriately so. One respondent

commented that *'residential development needs to be carefully considered without making the area a museum piece only for tourist, second homes and holiday.'* It may be possible through policy to be *'encouraging local industries to contribute a responsible attitude to development'* as one respondent suggested. The concept of sustainable development was only picked up specifically 3 times.

This is a real issue for the Broads, what place has residential development got in the Broads? The Core Strategy tries to be clear in limiting open market residential development only to within settlements, with the exception of affordable housing and homes for agricultural workers etc. Never the less the Broads area will still come under pressure for residential development.

- Should the Authority continue to draw a line around established settlements in the form of a development boundary?
- Have generic policies across the whole Broads Area, but define exactly what a settlement is and what would constitute 'within a settlement'?

- How does the Authority secure developer contributions in terms of S106 agreements, without a housing function? What kind of mechanism for housing contributions can be written into policy?
- Can the Authority use the Housing needs assessments from adjoining districts to form an evidence base for setting a percentage for affordable housing contributions?
- Should there be an identification of locations for provision of housing and community facilities in district areas?
- Are there existing community facilities to be protected, or new opportunities arising that need to be recognised in the DC DPD?
- Parish Plans – should the Authority seek to adopt them as Supplementary Planning Documents, bearing in mind requirements for SA/SEA and AA? Or could they be adopted as informal guidance?

3.8 Flood Alleviation, Sea Level Rise and Climate Change

The issue of flooding was suggested as an area, which could be addressed through policy (8). Some specific ideas to prevent flooding and salinisation were provided, such as a Yare barrier in Great Yarmouth to protect from large tides. This suggestion was also suggested as a feature of the subsequent Development Control DPD. Flooding and sea defences were only raised four times.

The Authority takes this topic very seriously and flooding was the subject of an in depth discussion at the recent Core Strategy examination sessions. The Authority has set up a working group to deal with policies for development in flood risk areas, including BA members, officers, representatives from the Environment Agency, IDBs, adjoining council officers, Broads Society, Insurance Industry and Norfolk Association of Parish and Town Councils. This is to tackle the nature of flood risk and consider this against the context of the Broads as a whole. It is intended that this will form a Supplementary Planning Document (SPD) to add detail to the Core Strategy policy CS20, and before the DC DPD is adopted in 2009.

The evidence base will be the analysis of Strategic Flood Risk Assessment alongside the Sustainability Appraisal of the DC policies. From this the Authority needs to provide advice to developers on flood risk, bearing in mind the economy of the Broads.

At the recent inception meeting of the working group, the group were given the following as initial questions and concerns. These have been raised so far through the LDF process. Members of the group were asked to give these thought and respond to meet the deadline for publishing the Issues and Options this June. These questions and the response will form the basis for the detailed issues and options.

- How to allow re-development of appropriate areas in river valleys, for essential facilities like boat maintenance, winter storage and repair and desirable facilities such as restaurants/leisure/moorings/waterside shops.
- What is a tolerable level/frequency of flooding within a building given adequate means of warning and escape?
- Are boats an adequate means of escape in times of flood?
- The Barrier - is it on the agenda and what is the timescale? Do we take the view that it will happen, but not sure when, or do we assume it will never happen and thus we should assume uncontrolled water rise in the system, exacerbated by higher, stronger banks downstream.
- Do we assume that washlands/water storage areas, sacrificial marshland will be made available in due course, or is the accuracy and reliance on the computer model/BESL's bank heights such that this is not necessary?
- What data is available on the economic significance of waterside sites?
- Where can development be built with higher floor levels without detrimental landscape impact?
- What technological or innovative techniques can be encouraged whilst retaining planning control e.g. floating development, quality of resilience?
- Increase level of awareness by the public of the issues so they can make informed decisions.
- Capacity of emergency services within the districts

Although sustainable design was only raised by a few respondents it is an issue that has come through the development of the Core Strategy and the Broads response climate change is set out in policy CS8 in the Core Strategy. The DC DPD should set out how the Authority will expect developers to react to this threat and moderate impact on the environment through sustainable design (links to environment and wildlife response here and sustainable design guide). For instance how should commercial renewable energy schemes such as wind farms or the growing of energy crops be viewed?

The implementation section under policy CS8 – climate change includes the following:

- Advice and guidance to developers needed on visitor travel policy and practice.
- Guidance on Sustainable Design.
- DC policies covering travel plans, energy, design, materials, low carbon footprint.
- Research on future scenarios for the Broads and an adaptive strategy.

Potential options for the DC DPD could be?

- What criteria should be considered for commercial energy schemes?
- Should the Authority set a percentage for renewable energy contributions from new developments? What percentage is appropriate in the Broads?

4 Next Steps

The potential options for the DC DPD are included in boxed outlines above and should form the basis for the facilitated discussion of this item. Planning Committee is being asked under its remit of developing planning policy to help produce the options for DC DPD. It is the aim that the Issues and Options paper can be published in June for a period of consultation. The results will feed into the Preferred Options version by the end of this year with the aim of adopting the DPD in line with the LDS in August 2009.

Background papers: Planning Policy Statement 12 - Local Development Framework
Broads Authority Core Strategy – Submission Report, September 2006. (Spare copies will be available for new members at the meeting).

Author: Helen Ledger
Date of Report: 10 May 2007

Appendix 1: Sites raised through the LDF so far

	Address
Reference	
LDF 01	Land @ Mancroft Towers, Oulton Broad
LDF 02	Land @ Girlings Place, Thorpe St Andrew
LDF 03	Redevelopment at Humpty Dumpty Brewery, Reedham
LDF 04	Land @ Bridge Lane, Filby
LDF 05	Land @ Bridge Lane, Filby
LDF 06	Land @ Smea Lane, Hickling
LDF 07	The Staithe, Dilham
LDF 08	Site off Staithe Road, Hickling
LDF 09	Land @ Geldeston Lane, Ellingham
LDF 10*	Shoreline Management Plan Potential long term realignment options - policy 13B3
LDF 11**	Shoreline Management Plan Maximum long term realignment options - policy 13B4
LDF 12	Land @ The Street, Claxton
LDF 13	Land @ south east of Chedgrave
LDF 14	Land @ The Street, Geldeston
LDF 15	Land adjacent to Heath Road, Geldeston
LDF 16	Land adjacent to Big Row, Geldeston
LDF 17	Ropes Hill, Dykes Road, Horning
LDF 18	Land @ Girlings Lane, Thorpe St Andrew
LDF 19	Reedham Ferry Caravan Site, Reedham
LDF 20	Land off Mill Road, Stokesby
LDF 21	Manor Farm, Tunstall Rd, Halvergate
LDF 22	Site off Yarmouth Road, Girlings Lane, Thorpe St Andrew. (Frostbite sailing club car park)

Notes: * & ** These are not sites themselves but the mapped implications of the longer term undefended coastline set out in the Shoreline Management Plan.

Appendix A (4): Issues and Options: Report to the Broads Authority (and accompanying enclosure) – 28 September 2007

Broads Authority
28 September 2007
Agenda Item No 16(ii)

Local Development Framework:

- (a) **Development Control Policies DPD and SPD on Development and Flood Risk – report back after consultation**
- (b) **Statement of Community Involvement (First Revision) – Submission**
Report by Planning Policy Officer

Summary: This report summarises the latest stage of consultation in developing the Development Control Policies Development Plan Document (DPD) and the Supplementary Planning Document (SPD) on Development and Flood Risk. The Issues and Options stage for the Development Control Policies was consulted upon over a six-week period. Given the early stage of production, the consultation was combined with evidence gathering for more detailed policy on development and flood risk.

At the same time, consultation was carried out on proposed revisions to the adopted Statement of Community Involvement. The revisions set out proposed publicity and consultation procedures in regard to planning applications.

Recommendations:

- (i) To invite discussion on the key issues raised through consultation on Development Control DPD issues and options and evidence gathering for SPD on development and flood risk.
- (ii) That Standing Orders Relating to Contracts be waived in order that Risk and Policy Analysts be appointed to project manage the drafting of development control policies on development and flood risk.
- (iii) To agree to the submission of the Statement of Community Involvement (first revision) to the Secretary of State for Communities and Local Government.

1 Introduction

- 1.1 The Development Control Policies DPD will ultimately contain the detailed policies to deal with planning applications through the control of development. It should reflect the overarching themes in the Core Strategy DPD and not conflict with this approach. At this stage of DPD production, the Authority has consulted on the *options* for future policies, and not the finalised policies themselves.
- 1.2 It is proposed in the Local Development Scheme that the Development Control DPD be supported by a Supplementary Planning Document on development and flood risk, which will set out more detailed policy. At this early stage in the production of these two documents work has been combined and so the issues and options for both were presented in one document.

- 1.3 The Authority is proposing revisions to its adopted Statement of Community Involvement. Two stages of consultation have taken place and the revised SCI will be submitted for independent examination to the Secretary of State in October 2007,

2 Developing a Development Plan Document (DPD)

- 2.1 Following a broad issues raising exercise, consultation is carried out on the potential 'options' for the DPD to remedy or support the issues raised. From this, preferred options are developed and consulted on during a formal six-week period of consultation. Following consultation on the preferred policy direction, final policies are prepared and submitted to the Secretary of State for independent examination.

3 Developing an Supplementary Planning Document (SPD)

- 3.1 The preparation of an SPD follows a less formal procedure than for a DPD and does not involve independent examination. The Local Development Scheme timetables the adoption of the Development and Flood Risk SPD in early 2008, supplementing policy CS20 in the Core Strategy. This is in advance of the Development Control DPD in order to begin shaping planning decisions as soon as possible on this important issue.

4 Statement of Community Involvement – First Revision

- 4.1 The Statement of Community Involvement, which was adopted in January 2006, sets out how the Authority plans to involve people in the production of LDF documents. The Authority is now consulting on revisions to the SCI. The main revision has been made to take into account the fact that the Authority's development control and enforcement planning functions have been taken 'in house'. The proposed revision to Chapter 10 in the adopted SCI includes details on how the Authority plans to consult people in regard to planning applications, including significant development control decisions. Other minor revisions to the adopted SCI are also proposed.
- 4.2 Any amendments to an adopted SCI are required to undergo the same process of consultation as that carried out during the preparation of the first SCI. The SCI revisions have been through two stages of consultation to date and in total, comments have been received from 12 respondents, principally referring to minor points of clarification. Some respondents suggested alternative or additional consultation and publicity methods to those listed. All comments were noted and taken into account in the preparation of the revised draft text, which will be submitted for examination to the Secretary of State in October 2007. At the same time, it will be subject to a further six-week period of public consultation.

5 Development Control DPD and Development and Flood Risk SPD - Results of Consultation

- 5.1 The purpose of the consultation on the Development Control DPD and Development and Flood Risk SPD during June-August was to consult on the 'options' proposed to resolve the issues arising, including those raised through earlier consultation with key partners and other stakeholders. A further period of more detailed consultation on the 'Preferred Options' is timetabled to take place in December 2007.
- 5.2 45 organisations or individuals submitted comments in response to the consultation on the Development Control Policies Issues and Options (incorporating the SPD on development and flood risk). This has been broken down to 1,240 individual

comments against the 276 options put forward. A summary of the comments received can be found in an enclosure bound separately from these agenda papers.

6 Issues Arising

6.1 Adopted Local Plan to LDF

- 6.1.1 The current local plan policies are set out under the riparian District Councils, which would have seemed sensible format given the process of dealing with applications in at that time. However this process has changed now planning is in house. It seems sensible now perhaps to reflect the valley management approach and to set out the proposal maps by river valley, and where detail is possible in the preferred options.
- 6.1.2 The steer from Government is that development control policies should be generic in nature and any site specific proposals dealt with in a separate DPD. The current local plan does have a site specific approach, identifying areas where policies apply in detail on the proposals map. There will be a limit to how far the Authority can have this same approach through the LDF, without having to do another DPD with the cost and time associated with that. So as the options are refined and developed into the preferred policy direction it maybe that having a criteria based approach will mean a simpler and more concise DPD will evolve.

6.2 Development and Flood Risk

- 6.2.1 National policy requires planning authorities to do a Strategic Flood Risk Assessment (SFRA) to inform the sustainability appraisal of development plans; this would disaggregate zones of higher risk (zone 3a) and areas in the functional flood plain (zone 3b), the latter being areas where only water compatible development or essential infrastructure is permissible. The full outcome of the SFRA on the Broads area is not yet known; however, much of the area is within zone 3, so some difficult choices will need to be made when the full implications are known. The options proposed are a balance between restrictions on all development in areas with a significant risk, and an approach of adaptive design. The Environment Agency, together with officers and members of the Authority and other interest groups such as the Association of IDBs and adjoining local authorities, are stakeholders in a steering group to address future flood risk policy in the Broads and take forward these options.
- 6.2.2 SFRAs provide an assessment of *all types of flood risk* to inform land use planning decisions. The SFRA will enable the LPA to: apply the Sequential Test; allocate appropriate sites for development; and identify opportunities for reducing flood risk. SFRAs should carefully consider the implications of climate change. Sustainability appraisals land allocations and development control policies should all be informed by a SFRA carried out in liaison with the Environment Agency.

6.3 The Issue

- 6.3.1 The Broads is a highly vulnerable area at risk of flooding and indeed is already an area in which flooding is a normal pattern of life close to the rivers. Since the publication of PPS25 and the strict classification of which land uses should be allowed in areas at risk of flooding, investment in new and replacement development has declined.

- 6.3.2 Adaptive measures must be identified to ensure no further decline in the tourism and leisure economy that relies on its waterside location. It is undesirable for brownfield riverside sites to become neglected through a lack of investment in the area with tired facilities reaching the end of their life. Should property in flood zone 3 not be protected and re-development/re-building not permitted, subsequent neglect would result in insufficient economic values to justify future flood protection measures on cost benefit analysis basis.
- 6.3.3 The aim is for thriving commercial and leisure use compatible with its location within, and inter-reliance on, visually sensitive areas, with awareness of risks, adequate warnings, mitigation measures and assurance that long-term solutions will happen in due course.

6.4 The Project

- 6.4.1 This issue is of importance beyond the Broads executive area. It affects the livelihoods of local people and businesses servicing Broads businesses. It will result in environmental degradation, impacting on the high quality environment enjoyed by residents and the tourism industry. Jobs are at risk for those employed directly in Broads industries and indirectly in supporting businesses.
- 6.4.2 In response to updated national policies for development in areas at risk of flooding, up to date policies are needed to guide local development.
- 6.4.3 The Broads Authority has established a working group to help draft policies for Development in Areas of Flood Risk. A range of stakeholders attend the group including the Environment Agency, district councils, Norfolk County Council, the marine industry, landowners, residents and amenity societies. The Association of British Insurers has a watching brief.

(i) Phase 1

A Strategic Flood Risk Assessment has been jointly commissioned by Broadland, North Norfolk, South Norfolk and Norwich City councils with the Broads Authority. This has proved problematic to model for communities in the vicinity of the Broads floodplain because of the unique nature of the river and tidal systems. The SFRA should be complete by early October. It will show the probability of flooding being more serious over the next 100 years, including climate change, but does not convey the nature of the flooding.

(ii) Phase 2

Consultation has been undertaken on the Issues and Options for development control policies for the Local Development Framework. The EA agrees that PPS25 was not written for the landscape of the Broads and suggests approaches be made to DCLG to clarify how PPS25 might be interpreted in the Broads.

The Broads Authority has commissioned a Project Manager to work with the working group to define the tasks, identify key contacts and suggest what evidence is required.

(iii) Phase 3

The project plan is to be presented by the project manager to the working group in September. This will identify specific tasks / further studies and evidence needed. The Authority is committed to drafting development control policies for consultation in December alongside a supplementary (more detailed) planning document to give guidance to developers. Detailed discussion will be needed with the Department of Communities and Local Government to make the case for the Broads.

(iv) **Resources**

It has become clear that the implications of PPS25 reach far beyond the Broads boundary and that this is a highly technical subject. The Authority does not have the expertise in-house, nor the resources to manage this project.

In order to keep momentum, an initial request for funding to employ the project manager is being requested as well as a longer-term commitment to support the LEADER bid and share the full cost of the project. The project manager has been commissioned to draw up a project plan for the meeting of the working group on 24 September. The Authority has also made a bid to LEADER to fund the next stage of the project.

7 Employment of a Project Manager

- 7.1 The Authority sought advice from the working group as to how momentum might be established on this issue alongside the other work required for the Preferred Options for DC policies. Subsequently, the Authority invited John Ash of Risk and Policy Analysts Ltd to undertake the project manager role. He has undertaken similar project management roles for the Authority previously and is a particular expert in this specialist field.
- 7.2 The Authority's Standing Orders Relating to Contracts require that three written quotations be obtained where the estimated value of a contract is in excess of £5,000. In this instance – in view of the need to proceed with this project quickly and the company's known expertise and knowledge of the work of the Authority – it is proposed that Standing Orders be waived in order to enable the contract to be let to Risk and Policy Analysts Ltd.
- 7.3 The project will be carried out under the guidance of the Director of Planning and Strategy, working alongside the working group to undertake project management and specialist tasks.

8 Financial Implications

- 8.1 The Authority has been awarded Planning Delivery Grant, which is being used for studies relating to the Local Development Framework. The budget covers the SFRA (£9-12K), running costs of the working group, and initial costs of the project manager up to a workshop on 3 October (£2.1K).
- 8.2 However, without significant external funding, the Authority has no further budget to employ a project manager or undertake specific studies in order to meet CLG.

9 Conclusions

- 9.1 Minutes will be used to inform the future stages of plan production as the issues in turn are debated. Development and flood risk is such a major issue the Authority cannot miss an opportunity to build consensus with a properly resourced and led working group.

Background papers: Town and Country Planning (Local Development) (England) Regulations, 2004. Planning Policy Statement 12 – Local Development Frameworks
LDF Statement of Community Involvement

Author: Helen Ledger
Date of report: 29 August 2007

Appendices: APPENDIX 1 - Paper on further member consultation on refining the Issues and Options of the Development Control policies and SPG on Development and Flood Risk.

APPENDIX 2 - Organisations or individuals submitted comments to the Issues and Options Development Control Policies DPD and Flood Risk SPD

Enclosures: Summary of responses to consultation on Development Control DPD and SPD on development and flood risk - issues and options.

APPENDIX 1

Further Member Consultation

- A1 A report to the September meeting of the Navigation Committee on the latest stage of consultation on LDF Development Control policies was unfortunately unable to be discussed due to a large agenda and time constraints on the length of the meeting. Given this circumstance, Officers proposed that a further, informal meeting could be held to discuss the policies options so as not to disenfranchise any members of the Navigation Committee from contributing to emerging policy.
- A2 It was proposed that Officers from the Planning and Strategy Department could hold a workshop session on the afternoon of Tuesday 9 October, commencing at 2pm. This would mean there was still an opportunity to contribute to refining the Issues and Options of the Development Control policies and SPG on Development and Flood Risk.
- A3 It was originally intended that this meeting could be solely for members of Navigation Committee. If however, members of Broads Authority would also find attending such a session helpful, particularly if the discussion of this item at Full Authority is also constrained, then the invitation can, of course be extended to them also. Further more there is also the possibility to extend the invitation to other Forums the Authority holds. However the Development Control policies have already been discussed at Broads Forum (July meeting) and the Broads Local Access meeting (September meeting); in which case there may be no need to extend the invitation further.

A4 Anyone which to attend a workshop on 9 October is asked to please get in touch with the Planning Policy Officer or the Broads Strategy Officer as soon as possible.

Enclosure to Agenda Item 16(ii): Broads Authority, 28 September 2007

Development Control Issues & Options: Summary of consultation responses

The following is a summary of the responses raised through consultation on the Development Control Policies DPD and SPD on Development and Flood Risk: Issues and Options over six weeks between June and August 2007. The summaries are set out under the section headings used in the consultation document against which comments were made.

Respecting the Environment and Cultural Assets

1. Landscape Protection and Enhancement

There was a lot of support for the approach to protect and enhance landscape character and consideration of cumulative impacts. Support was also shown also for identifying landscape character areas on the proposals maps where possible; however there were concerns over whether the approach was too rigid and whether it would be enforceable. Others thought the approach should be streamlined and simplified. There was further support for protecting watercourses, but that drainage, pollution and erosion should also be included in any assessments.

The Option to use Article 4 directions to withdraw 'permitted development' rights was supported by some, where necessary to protect the landscape, but others thought the measure too 'draconian'. When it came to actually defining areas for 'special protection', comments were supportive in principle. It was noted that it would depend on the areas proposed, but with some support for continued protection of the coastal zone.

Support was expressed in seeking landscape enhancement schemes on sites subject to planning proposals, and that failure to do so should be grounds for refusal. However, there was some concern about new trees and wind implications in any scheme; others were concerned that care should be taken to ensure landscaping is appropriate for native species. It was also noted that a restrictive approach could contradict later support of renewable energy.

Other alternative options:

- Promoting traditional materials would minimise landscape impact
- Protect high value trees/woodland but not restrict removal of recent growth where there are other benefits from removal.

Biodiversity and Earth Heritage non-designated sites are mentioned in option L29, but it was noted that specific mention should be given to County Wildlife Sites, which are included within the RSS, PPS9 and DEFRA Local Sites Guidance. Option L26 focuses more on protected species, but comments made suggested protection and enhancement of relevant habitats and species listed within UK, and that Suffolk/Norfolk Biodiversity Action Plans should be worked into policies.

2. Navigation

There was general support for option N4 to use waterways for freight traffic, although some felt this should be used selectively, with encouragement for joint working with neighbouring authorities. One respondent was concerned about this option.

Categorical support was given to option N6 for safeguarding access to the water (links to section in Access and Transportation on protecting slipways and staites) There was support for a cautious approach to new bridges, and for extending water space generally, with two groups concerned that this should not be at the exception of nature conservation.

There was general support for criteria in option N11 setting out a sensitive approach to development at the water's edge. N12 was generally opposed, as development not relying on waterside location could, if located there, still have an impact on navigation, or should be located outside the flood plain. The more general policy in option NR13, on protection and enhancement of the navigation, was supported.

2. Creation of New Resources

There was support in option N1 for the creation of new landscapes. Reservations were voiced from the wildlife groups that any new landscapes should not be at a cost to nature conservation – this was covered by option N2 and also supported by these bodies. However, there was a divergence of opinion over N2, one group suggesting that this approach was unworkable. Responses on option NR3, to limit creation of new landscapes where areas are already considered to have appropriate landscape character, were similarly polarised between those with nature conservation interests and navigation interests. Options concerning landscaping schemes and new approaches to flood risk and alleviation were more widely appreciated and supported, although some considered landscaping schemes unnecessary for commercial development. The alternative option suggested for consideration was a policy on ecological networks/green infrastructure, with possible implications for bio-fuel crops.

The suggested options for maintaining and improving the quality of the built environment, including aspects of sustainable design, were generally supported in their entirety. However, as the responses to the section on flood risk and development prove, there are differing opinions on development in areas prone to flooding and on the way forward. Indeed any suggestion of a blanket approach to design in flood zone areas, limiting development, was opposed. The suggested approach to promote good quality contemporary design where appropriate was also largely supported, and it was suggested this section should be incorporated with the options on sustainable design. The approach to sustainable design was mostly supported; however, more detail will need to be added at the preferred options stage.

The options on conserving and enhancing biodiversity were supported on the whole, but views differed on the approach to brown field sites, some suggesting it is too simplistic an approach in the Broads and that brown field sites can have biodiversity value too. There was also support for identifying, on the proposals map, areas that could contribute to the priority habitats and BAP targets, as well as ecological networks if possible.

3. Historic and Cultural Environment

Some respondents noted the degree of overlap with the landscape options and those proposed on the quality of the built environment and sustainable design. It was suggested that these could be combined. Indeed, mention of site management plans being used to inform policy was also made. There was, on the whole, support for the range of options

suggested, some commenting that they were unsure whether these really represented alternatives; if more detail were added in the further reiterations of the document it may be clear that all the alternatives had been considered. The following specific comments were made:

- There is a need to define ‘key buildings and structures’
- Don’t rule out re-use for residential – although another respondent agreed with this restriction.
- Terms: ‘significant adverse effects’ and ‘rural’ also need definition
- Flood risk implications should be considered with the interpretation of these options
- Re-use of structures will require a sustainability test
- Options here are not flexible enough
- The Preferred Options should include the need to minimize the threat of crime, the need for security, physical safety and accessibility for all
- Consider integration of species conservation with preservation of the cultural landscape
- Pre 20th Century local vernacular should take precedence over sustainability

Archaeology is a complex area, and in how much detail the Authority can seek to protect that which is undiscovered has meant that responses were polarised on this matter. Suffolk Archaeology, in a late response, supported much of this section. English Heritage also submitted late comments (one calendar month after the close of the consultation) and it has not been possible at the time of writing to include these in the figures presented in paragraph 5.2 in the covering report. EH found much to support in Options H1 to H24, and thought the suggestion in paragraph 4.10 that conservation area status could be extended to the whole of the National Park was interesting, though advised some caution would be needed.

4. Environmental Protection

Paragraph 5.5 of this section, which sets out the concern that the implications for water quality in the Broads system goes beyond the Authority boundary, identifies a 5-10km consultation zone around the Broads. This distance received some criticism in the consultation, and comments that it was not clear how this distance had been chosen.

The approach outlined in the options on water quality was largely supported, with some exceptions. Option EP6 suggests a threshold of more than 25 berth marinas to provide pump-out facilities; this was considered acceptable by some, with other views opposed. One respondent stated that all marinas should provide these facilities, others suggesting as high as a 100-berth threshold.

Air pollution options EP12 and EP14 were preferred to option EP13 on water quality, with one exception. The approach to waste management was also largely supported, although concern was raised over what the term ‘appropriate’ meant in respect to option EP17 and whether this would affect the exemption of agricultural land under the existing waste management licensing regulations. The latter would not be an issue, as these policies can only be used where a planning application is required and this would give rise to an application.

5. Response to Climate Change

This section created a number of quite detailed responses, some welcoming the Authority’s positive approach to renewable energy.

The responses to the options on small-scale renewable energy were mixed, several favouring a strong approach in seeking as high a contribution as possible from on site

renewables. A 10% minimum contribution was supported, but many suggested a higher target of 25-30%, in line with the draft London Plan. Others voiced concerns whether this was viable economically in the Broads. A similar divergence of opinion appears on the use of energy and resource conservation, with the majority of responses encouraging a strong policy stance, seeking a Code of Sustainable Homes 3-star rating on new homes, and making links with the Sustainability Design Guide. It is possible that options CC6 and CC7 can be combined at the Preferred Options stage to ensure this.

One respondent stated that large-scale renewable energy should be defined and others stated that separate policies should be developed for the different types of schemes - wind technologies may have different impacts than bio-fuels, for instance. Most thought the approach in CC10 was preferable, though CC11 was supported in some instances. CC12 was noted as not acceptable in the light of Government policy.

The Use and Enjoyment of Water and Land

6. Sustainable Tourism

There was general support for options ST1–7 which set out considerations for the location of holiday and recreation development. One respondent preferred a criteria-based approach rather than any blanket restrictions, and criteria to protect designated sites and open landscapes were included as an alternative.

Core Strategy policies CS18 and C19 require all new development to be accessible by a range of transport modes and developed sustainably. Comments received against ST9 could be resolved in this context.

Options ST10–15 on the protection of existing tourism and leisure facilities were broadly supported; however, it was highlighted that this would still need to be flexible to allow appropriate diversification.

There was support for option ST17 on the Authority continuing to restrict holiday homes so they remain as such in perpetuity. This is not straightforward to do in planning terms, as there is no distinction between second homes and permanent residential in national policy, and it is currently done by planning condition. One respondent noted that Inland Revenue has separate definition for a 'holiday lettings property' and it may be possible to use this as a criterion in policy.

7. Water space Management

There was support for options WM1 and WM2 in combination, and WM3. WM4 was considered too restrictive and that as long as development is appropriate it should be acceptable. The alternative would be adding a criterion to have no adverse effect on flood alleviation measures.

There was support for option WN6 on criteria for new mooring basins. WN7 was considered by some as too restrictive an approach for permanent moorings for private boats, although one response of support was made. This raises the question on whether a needs test would be acceptable in this context. There was support for WM8, which seeks to ensure that there is a supply of short-term visitor moorings, although it was questioned as to whether this is enforceable and whether there should be clear policy on dimensions of moorings. Support was shown for WM9 on increasing moorings in relation to the Mooring Strategy conclusions, with one note of concern with regards to the impact on wildlife when developing 'wild' sites.

General support was expressed for approaches to sediment management in options WM12

& 13, with suggestions on the emphasis to ask developers to take all reasonable measures to avoid increasing sediment input. All respondents opposed option WM14 whereby there would be no disposal of dredgings within the Broads area.

On the whole, there was agreement among respondents as to which options they preferred, with issues raised concerning the impact on wildlife sites and the implications of expansion of mooring basins and short term moorings, and the conflict between soft engineering works and navigators' historic mooring rights.

8. Access and Transportation

Support was expressed for option AT1, that green travel plans should accompany applications seeking leisure/tourism proposals and would include walking, cycling and car park management. However, there would need to be a definition of terms used, and one respondent suggested the thresholds used in guidance by the Dept of Transport. Further comments were that all developments should submit green travel plan, and advocating a threshold approach. A similar range of responses was submitted regarding option AT2, which identifies a range of criteria for locating development, including existing infrastructure. Option AT3 – the 'do nothing' option - was categorically opposed by all.

Four organisations expressed support for notation of staithes and slipways on the future proposal maps (Options AT5). The principle for seeking improvements to staithes and slipways was also supported, as were all the criteria listed in options AT7-9. Access by foot was also suggested.

AT11, on safeguarding the rights of way network, was supported with the following addition that, with reference to the Rights of Way Improvement Plan, safeguarding should be widened to 'extend' consultation with landowners. Support was also expressed for option AT12 on seeking opportunities to expand access where appropriate, and option AT13 where seeking to identify new routes through development proposals. However, more work will need to be done to identify how the delivery of the last option is going to be possible.

Alternative options suggested:

- Overflow car park suggested at Potter Heigham.
- Develop alternative access points, e.g. footpaths, cycle ways, which BA should publish and encourage use of.
- All rivers should have one or more footpaths for 90% of their length

Fostering Communities

9. Rural Sustainability

This section deals with the principles of controlling development in rural areas and that the Broads has to recognise the approaches, often differing, of adjoining district authorities.

During the consultation, respondents also raised their own sites for development. Two such sites were recorded from this recent consultation exercise:

- a) Site at West Somerton, accessed by the Horsey Road (B1159). A dwelling previously demolished approximately 38 years ago; the respondent seeks an extension to the current development boundary to include this site. Grid reference: 646900 319903.

- b) Site suggested for large 'leisure park' on farm land adjoining Burgh Rd/Market Rd and Breydon Water by Bradwell Parish Council. (No map or grid references included in the representation).

The control of development generally will mean either the drawing of development boundaries or robust sets of criteria to determine proposals. There was no clear steer from the consultation on this matter and responses fell on both sides. Equally, representations were split over whether the Authority should seek developer contributions using the standards of adjoining districts or develop its own, with the cost and time implications of doing so. Some were concerned about the inconsistency that could arise, whereas others noted that other inconsistencies could occur when sites adjoin or straddle authority boundaries. Either way, there will need to be some sort of evidence base in place to justify developer contributions, whether this is the evidence of adjoining Local Planning Authorities or evidence gathered by the Broads Authority. Finally, one response stated that it would be unreasonable of the Authority to seek contributions to affordable housing given there is no strategic housing numbers requirement to meet in the Broads area.

10. Economy

Support for appropriate diversification to maintain viable businesses could be contrasted with the Authority's objectives and any flood risk vulnerability. A mix of uses should be supported where viable. There was a slight disparity on whether residential use is economic diversification (national policy does not generally include this). Some suggested there ought to be separate policy on farm diversification and the employment and other uses favourable in historic buildings.

Waterside sites and boatyards were again asked for consideration in line with PPS25 by the Environment Agency, although it was noted that boat building may not actually require a waterside location.

Other considerations were raised such as biodiversity and habitats, and criteria policies were again suggested. There was support for design briefs on all redevelopment proposals, but also support for option E18 that key employment sites should be protected.

11. Residential Development and the Local Community

Although the Core Strategy makes it clear that only under limited circumstances will residential development be acceptable in the Broads, there are still some potential policies to be finalised to prevent too much of a vague approach. Naturally development and flood risk policies would also need to be considered in this context.

The shortage of affordable housing is an issue highlighted by options RD4, 5 and 6. Responses are similar to those received under the Fostering Communities section, in terms of having an appropriate evidence base and seeking contributions to affordable housing where there is no strategic housing numbers requirement. Views are mixed as to which option is preferable, one respondent stating that any contribution is unreasonable and amounts to a development tax. Flexible policies on agricultural workers homes were supported, but there remains a dispute over the detail.

Views on development in settlements were mixed and arguments were split over how to define this. Options RD8 and RD10 seemed to get positive feedback on what would constitute 'within' a settlement, whereas the responses on the criteria to be used to define when residential development can occur outside a development boundary seemed to suggest that a combination of options RD12 – 16 would be acceptable.

The issue on maintaining community facilities proved slightly polarised around those who considered that planning policies should ensure that businesses remain viable, and those that felt that policies should be able to refuse change of use to maintain facilities. All options proposed to deal with proposals for new facilities were supported in some way and perhaps all could be used as future policy criteria.

Alternative options suggested:

- There should be a policy on replacement dwellings
- The Authority needs to take a different approach to residential craft
- There should be no new sites for travellers

12. Development and Flood risk

There is a marked difference between the responses of local stakeholders with local knowledge, and the Environment Agency, who uphold the national position. The basis of this difference appears to be the understanding of the nature of flooding, in the past, currently and taking into account climate change, compared to the national model of river valleys and fluvial flooding events. The strict application of a matrix of land uses against areas of different probabilities of flooding is seen not to work in the Broads. There is a strong concern that sustainable development cannot be promoted if PPS25 is applied.

It is disappointing that tourism and marine industries are not represented in the responses as they have direct experience of operating in flood zones 3a and 3b.

The SFRA shows that flood zone 3 will become more extensive; climate change scenarios indicate flooding will be more frequent. What many stakeholders think is “appropriate” sustainable development differs from the uses listed in PPS25. It is noted that key stakeholders should seek a meeting with Government (CLG) to discuss development control policies, which will take into account:

- flood risk to people and property
- mitigation measures
- innovative design solutions
- resilience
- economic development and regeneration
- redevelopment of previously developed land
- conversions of buildings for holiday accommodation
- allowing a wider range of uses in flood zones 3a and 3b subject to mitigation and safety consideration
- restricting new residential development in line with PPS25
- allowing replacement dwellings
- consideration of touring campsites
- consideration of defining/allocating sites for development
- consideration of an alternative approach of defining uses with a shorter life span against a matrix of flood severity

General Comments

Several respondents submitted general comments that could not be categorised under the section headings above. These are as follows.

- Reducing the weight limit on old Potter Bridge to 2 tons (i.e. cars only) would greatly reduce the wear and tear on this wonderful old bridge - a major feature of the character of this part of Broadland.
- In general, we consider that the document has taken a comprehensive view of the issues that should form the Development Control document. Most of the topic headings are appropriate, although there seems to be some repetition of concepts that could be addressed by the merger of certain topics.
- In particular, there is a lack of clarity about the setting of the options. Some of the options are the drafted policies, whilst others are more like issues and questions, and others are just statement.
- The Broads Reed and Sedge Cutters Association appreciate the considerable support and effort being made by the Broads Authority for the local reed and sedge cutting industry.
- Location of Holiday and Recreational Development - It is impossible to comment on these options in this document. They need further consultation and a definitive redraft.
- The policies are too vague and in places repetitive. Overall the document is extremely hard to read and needs to be more concise.
- Policy Omission: Seems to be no options relating to telecommunications development. Suggest criteria and policy/supporting text wording, should be in appropriate LDD or SPD.
- Concerned that this Issues and Options document has been produced ahead of the reporting of the Stage 2 Strategic Flood Risk Assessment.
- The Strategic Road Network within the Broads Authority area includes the A47 'Acle Straight', Options for widening or dualling this road have been considered by the Highways Agency however, there are major environmental effects associated with widening the highway corridor through this sensitive area of marshland.
- A further concern, which the consultation document does not appear to address, is the relationship of the Broads area to the surrounding District Council areas and any relevant or overlapping policies.
- The document makes no mention of the role of the East of England Plan.
- Local businesses need to be encouraged to address the available markets and visitors need to feel welcome and be encouraged to return. That welcome is evidenced as much by the provision of adequate facilities as by public relations initiatives.
- The river inspectors should by way of protocol on the general day to day duties, pick up all litter which they come into contact visually on/in the water. (Forwarded to Waterways Dept)
- The BA, along with local councils should consider raising further funding for the long-term maintenance of the broads by way of council tax, (Forwarded to Collector of Tolls and Head of Corporate Services)
- The Broads Authority needs to take a different tack in the way they regard residential craft. Accept their existence and promote the life style.

- The BA needs to change its wording on the website when referring to residential craft, misinterpreted can be quite offensive. (Forwarded to Head of Development and Regeneration)
- The Authority along with local councils needs to identify and develop sites suitable for residential boat owners and their craft.
- It would be helpful if the introduction to this Local Development Document (LDD) set out the relationship between the various Broads Authority functions and Plan documents.
- As the Broads are located in both Norfolk and Suffolk the SFRA needs to cover as wide an area to comprehensively inform the Sustainability Appraisal.

BA report 28 September 2007

Appendix A (5): Issues and Options (Regulation 25): Summary of main issues raised and Broads Authority response

Broads Authority Local Development Framework Development Control Policies DPD and Development and Flood Risk SPD – Consultation 29 June – 10 August 2007 Issues and Options Responses - Summary and Recommendations		
Landscape protection and enhancement		
Option	Analysis of representations	Broads Authority Recommendations
L1	There is general support for this approach, with reservations about resolving adverse impacts, especially when the impact is the destruction of an irreplaceable aspect of the landscape. NSBA are concerned that complicated procedures would increase the BA costs.	Draft a policy which assesses the impact of a proposal and how adverse impacts can be awarded or mitigated. Relate assessment to the Landscape Character Assessment.
L2	There is overall support for protecting current values, with concern that this does not allow for change. Sustainability should be included, and there is scope for combining issues into one policy.	Draft policy which protects current values, supports sustainability and which takes a positive approach to changing circumstances such as climate change.
L3	It is felt this option is stronger and receives support in combination with previous options.	Policy should reflect option to strengthen protection of landscape character. Issues should be combined in one policy.
L4	Option supported in combination with other issues.	Include as a criteria in policy.
L5	There is no clear opinion on the option to have detailed landscape character policies in the DPD. A map would be useful, but there is no consensus for it forming part of the proposals map. There is agreement that the Broads Area clearly contains a diversity of landscape and planning policies should properly reflect this diversity rather than apply what would be a crude single approach.	Draft a generic policy with a robust set of criteria against which development proposals can be assessed in the particular context of the particular character area.
L6	There is support for a policy specifically for the waterside because of the additional environmental impacts. Such a policy needs to provide clear guidance to developers.	Consider whether waterside development requires a separate policy or is specifically mentioned, e.g. in the general approach.
L7	There is a range of opinions from support through to the use of article 4 directions on specific landscape types being too draconian. Their use in some areas may treat those areas as	Article 4 directions should be considered on a case by case basis rather than a blanket approach on specific landscape types.

	more important than others and this is not supported.	
L8	There was a lack of understanding as to what and where this policy applied.	This is current local plan policy which should be carried forward into the Preferred Options.
L9	There is support for protection of Broads from housing and effects of development and for management of woodlands of high value and habitat creation where of lower value.	Include reference to LCA, CAs, BAP as source documents.
L10	Concern that trees are not always in the right place, e.g. may be damaging habitats or sailing. Trees may be planted as a crop.	Policy should also include hedgerows and link to ecological networks and BAP habitats.
L11	Concern is raised over the use of protection powers and policies since there may be overriding interests such as quality of sailing and ecological enhancement schemes.	Policy to be clearer on purpose of protecting trees.
L12	The Forestry Commission point out it is government policy that development which would have a significant adverse effect on any trees or woodland should not be permitted unless there are overriding public benefits.	The policy on trees should aim to draw together these points.
L13	Concern that some areas will be treated differently from others when all the area is special. Criteria promoted by RSPB differs from the methodology developed by CPRE.	Noted.
L14	Greater support for this option which applies across the area and includes using LCA.	This option is the preferred policy option as it can draw on a variety of sources of information and because it applies across the area. Policy should also look for reduction. Criteria to include safety.
L15	There is a lack of overall support for this restricted option.	Policy to apply across the Broads.
L16	Identified sensitivity of water uses to vehicles on the land; and street lighting in rural areas.	Additional factors will be considered when implementing policy.
L17	This approach is considered weak and the definition of poor design is questioned.	Noted.
L18	Some support plus concern at weakness of option.	Consider including advertisements in general design policy.
L19	Option put forward for a presumption against advertising.	Include criteria on advertisements in general design policy.
L20	The RSPB outline why this policy option should be considered in local policies and local amenity groups seem to support this.	There is specific national planning policy for both these types of development. Through national planning policy for development

	Other respondents refer to national policy for the use of these developments rather than considering the visual impact on the landscape of the Broads.	within national parks and the drafting of the Core Strategy, it is clear that these two types of development, due to their potential visual impact in the context of the open and flat Broads landscape, should be assessed primarily and initially on their landscape impact and only after passing that, should other considerations apply. Policies for climate change are in another section.
L21	There is support for Option 21 for detailed guidance to be given to applicants.	Follow up approach for detailed guidance.
L22	Option L22 suggests policy which refers to the impacts and covers renewable energy schemes. This approach has strong support.	Draft policy based on Option L22 and criteria listed by respondents.
L23	Option L23 is for a separate policy on telecommunications. This is either supported or thought to be too weak.	Take Option L23 into policy and consider further the impacts to be avoided.
L24	Alternative responses raised:	These points are considered under Climate Change section as they do not relate to landscape impacts.
L25	There is support for option L25. RSPB outlines concerns with compensation.	Include a policy that encourages developers to increase biodiversity.
L26	This option is stronger and more prescriptive than option L25 and is also supported. SWT wish the policy to focus on habitats as well as species.	Include the submission of an informal environmental statement and consider if this would apply to all development. Ensure species and habitats are covered.
L27	There is some support for DC policies to implement BAPs. NE thinks it would be difficult, RSPB suggest a map be prepared to identify opportunities.	A map could be prepared to show the wetland enhancement areas (this would be under creation of new resources). The Norfolk biodiversity partnership is not in favour of a detailed map as the networks radiate out from the Broads.
L28	There is support for highlighting the impact adjacent development could have on SSSIs.	Investigate whether a buffer is practical or whether each SSSI needs individual consideration depending on the nature of the application.
L29	This option extends protection to non-designated sites but NE do not think it is strong enough and prefer L25 and EA think options 28 and 29 should be considered. NWT highlights the omission of country wildlife sites.	Policy to be drafted to look at all impacts of development on all biodiversity values. Include explanation of Earth heritage.

L30	Brownfield sites should be considered. Climate change needs to be recognised.	Include Brownfield sites in new resources section. Policy should not list specific species as this will change over time.
L31	There is support for taking a more holistic view.	Refer to historic and cultural L/S.
L32	Support is given to protecting and enhancing the landscape as a whole and also individual features.	The stronger option L32 is supported to include listed buildings.
L33	There is support for enhancement.	Include enhancement of features which may not be officially recognised (listed).
L34	NE raises the difficult issue of climate change and how hard decisions will need to be made in the future. Additional criteria are suggested to include in a policy.	Policy to cover views and settings and specific criteria materials, (re)use.

Navigation

Option	Analysis of representations	Broads Authority Recommendations
N1	There is support for Option N1.	A strong line should be taken against development which would result in any hazards relating to the use of the waterways. This could include inappropriate siting of lights.
N2	There is also support for Option N2 for waterside development to resolve any safety issues.	Combine Options N1 and N2 to ensure all aspects of safety are resolved.
N3	Alternative options.	Protection of waterside facilities is covered in later policies.
N4	There is support for the future use of the waterways for water-borne freight in principle. There is concern that roads have been discounted as sustainable.	Draft policy with ref to text in para 2.9. The emphasis of policy should be the waterways. Add a preference to sites with rail interchange as these avoid increasing freight on roads through Broads. Without prejudice to other favourable sites which may be available. Option N4 is consistent with Regional Planning Policy.
N5	Whilst one respondent supported there being no further freight wharves, others thought this too restrictive, but reserve judgement on where potential wharves might be located.	Option not to be pursued.
N6	There is strong support for Option N6 which protects access to the water and for a policy to encourage public access.	Retain Option 6 and expand to cover encouragement as well as protection.
N7	There is a request for staithes to be specifically covered by policy. Also for new access points to the water (see N6).	Ensure staithes are specifically covered by policy. (Check possible duplication in "use and enjoyment").

N8	Option N8 for a policy to cover design of bridges is supported.	Carry N8 forward into policy.
N9	Option N9 which would not require bridges to allow for future use of a waterway for navigation is not supported.	Option N9 not to be covered by policy.
N10	There is support in principle to extending navigable waterspace subject to protection and enhancement of the natural environment and other landscape policies. Other comments refer to new waterspace but which is not part of the formal navigation.	Carry Option N10 forward into policy. All proposals will be subject to landscape and biodiversity.
N11	There is support for waterside development to support the use of the navigation.	Take N11 forward into policy.
N12	Option N12 is not supported. Waterside development should only be allowed if it needs a waterside location.	Option N12 not to be taken forward.
N13	Option N13 is supported, although policies which are more specific and give more guidance received more supportive responses.	N13 is an approach to decision-making which could be incorporated into the new text.
N14	Alternative options	Dredging is covered under waterspace management.
Creation of new resources		
Option	Analysis of representations	Broads Authority Recommendations
NR1	There is cautious support for Option NR1. Responses question whether DC policy alone is an appropriate mechanism for creating new landscape. There is an overlap with waterspace management policies. There is a call for detailed criteria and realism over what can be achieved on any one scheme.	Develop a policy which can be used to give guidance to applicants which is realistic in what may be achievable on any one site. Avoid duplication with other sections.
NR2	Concern is expressed that Option NR2 could be misinterpreted as being contrary to appropriate built development, or could be unworkable. There is also support for avoiding planned dereliction and for preventing "new landscapes" through detrimental land raising flood risk.	Clarify this does not conflict with socio economic policies where previously developed land takes preference over greenfield development.

NR3	There is a lack of support for Option NR3 for new landscapes only being appropriate on degraded land.	Revisit option without the restriction.
NR4	Support Option NR4 for use of comprehensive landscaping schemes but not if it is to allow inappropriate development.	Carry forward into policy.
NR5	Option NR5 is for the creation of new landscapes such as washlands. This is supported and the proposals brought forward by the Wetland Task Group are referred to. Schemes should be "appropriate" and justifiable on environmental, social and economic terms.	Carry forward into policy with a map showing proposed wetlands.
NR6	This suggestion highlights where needs/opportunities might be identified.	Consider how to link policy to implementation.
NR7	There is a strong level of support for development which incorporates mitigation and adaptation into its design to meet specific Broads issues.	Take Option NR7 forward into policy.
NR8	Option NR8 highlights the design issues which could increasingly arise from building in areas at risk of flooding and restricts such building on landscape grounds. This option is not supported as it does not face up to climate change impacts, is too restrictive, avoids seeking innovative design solutions, and does not meet other Broads objectives.	Do not pursue Option NR8, look at text in para 3.10 for criteria to guide design of development.
NR9	Option NR9 does not receive full support other than by the police who put it forward and seek its strengthening.	Include as a criteria for consideration in design and access statements.
NR10	Option NR10 sought a workable approach to crime prevention, bearing in mind the type of applications dealt with. The Norfolk Police seem to want involvement in all applications.	Give further consideration to operational policies, but not include in DC policies DPD.
NR11	There is support for Option NR11 for a high standard of design for all development and for this to be laid out in policy.	Take Option NR11 forward into policy.
NR12	Option NR12 is supported in addition to NR11 rather than as an alternative so there are generic policies as well as design briefs for key sites, including urban fringe sites.	Carry forward site/area based proactive approach within strong design policies covering the whole area.
NR13	There is less support for Option NR13 for a set of policies for specific types of buildings or locations as site by site variations	Continue with SPD or publication of informal designs and management guidance for types of buildings or locations.

	would still need assessment.	
NR14	Option NR14 for the promotion of contemporary design is supported.	Promote good contemporary design to contribute to the future.
NR15	Option NR15 which is the opposite to NR14 and gives traditional design procedure is only supported to some limited extent depending on the local character. Overall, innovation and contemporary design is preferred.	Policy that maintains traditional designs whilst allowing exemplars of innovative designs where they enhance the environment or make a positive contemporary statement about the Broads is preferable.
NR16	Alternative options	Noted
NR17	Option NR17 introduces the concept of sustainability. This is supported and it is suggested it could be strengthened with reference to the Sustainability Guide.	Carry forward into policy.
NR18	Option NR18 tests the option for innovation and sustainability and is mostly supported, in combination with NR17.	There is scope for combining these subjects into one policy, need to ensure a workable and realistic approach to encouraging the right kind of development.
NR19	Option NR19 is approached with interest by most respondents.	The concept of a Sustainability Statement and how it can be used should be considered in greater detail.
NR20	Option NR20 is viewed as too negative and /or too complicated.	Consider how to use sustainability as a criteria in determining applications.
NR21	Option NR21 applies to the sustainability of building in the flood plain. There is some interest in how this option could be developed. Also a suggestion it should apply throughout.	Consider how the design of a building in the flood plain might make it acceptable in the context of adaptation to the effects of climate change.
NR22	The EA suggest the concept of "betterment" criteria may aid decision-making.	Follow-up EA's suggestion for policy re re-build/replacement.
NR23	Option NR23 provides a link between planning decisions within Broads to those being made beyond. Its specific objective to serve the new communities was questioned as existing communities should also be beneficiaries of green space networks. The only objectors were the NFU even though they already participate in such schemes. However, policy is only activated through planning applications so is unlikely to affect their operations.	Take forward green space networks into policy to new and existing communities.
NR24	The principle of protecting greenfield land and only building on	Take option into policy and look at including Broads-specific

	previously developed land in Option NR24 is supported. Dissent comes from concern that development should take place outside the Broads in any case, that this repeats national policy, that this may not result in the most appropriate location and that brownfield sites also have biodiversity value.	criteria to promote sustainable patterns of development. Consider provision for agricultural business expansion plans.
NR25	Option NR25 seeks to incorporate previously developed land into the Broads open spaces. Respondents recognise the need for green infrastructure leading into the urban areas, and biodiversity values of sites. However, there is a feeling this can be achieved through the design of development. It would only be in exceptional circumstances that its open space value would be greater.	Policy to ensure green infrastructure and biodiversity is designed into new development. Consider circumstances where open space value would be higher in terms of meeting statutory purposes.
NR26	There is overall support for Option NR26 for biodiversity to be included in all development with an emphasis on priority species and habitats.	Carry NR26 forward into policy to encourage new opportunities for biodiversity enhancement and, in particular, priority species and habitats.
NR27	Option NR27 asked whether proposals should be shown on the proposals map. This was supported although sites were not suggested. Links to the Greater Norwich Green Infrastructure Study were recommended. The Norfolk biodiversity partnership has not subdivided the Broads into different habitats as it has treated the whole as a core area.	Aim to link proposals to biodiversity action plans and valley management plans with accompanying maps where available. A diagrammatic proposal notation may be possible.
NR28	There is strong support for the ecological network in Option NR28. This should be shown on a proposals map as it may constrain development.	Link to BAPs, Norfolk's ecological network, GNDP Green Infrastructure Study and visioning projects. Consider extent of functional flood plain shown over 100 year scenario in SFRA.

Appendix B (1): Preferred Options (Regulation 26) Consultees

The following tables list the statutory bodies consulted during the Preferred Options Stage

<p>Statutory Consultees</p> <p><u>County Councils - Statutory</u></p> <ul style="list-style-type: none">• Norfolk County Council• Suffolk County Council <p><u>District Councils - Statutory</u></p> <ul style="list-style-type: none">• Broadland District Council• Great Yarmouth Borough Council• North Norfolk District Council• Norwich City Council• South Norfolk Council• Waveney District Council <p><u>Government – Statutory</u></p> <ul style="list-style-type: none">• Broadland Environmental Services Ltd• Countryside Agency• East of England Development Agency (EEDA)• East of England Regional Assembly (EERA)• Environment Agency• Environment Agency - BFAP• Government Office for the East of England (GO-East)• Natural England <p><u>Electricity and gas companies - Statutory</u></p> <ul style="list-style-type: none">• British Gas Properties• British Pipeline Agency Ltd• EDF Energy• EON UK (Powergen)• National Grid• NPower Renewables• Scottish Power• The Coal Authority <p><u>Transport – Statutory</u></p> <ul style="list-style-type: none">• Great Yarmouth Port Authority• Secretary of State for Transport <p><u>Sewerage and water undertakers - Statutory</u></p> <ul style="list-style-type: none">• Anglian Water Services• Association of Inland Drainage Authorities – Broads*• Association of Drainage Board Authorities - Waveney, Yare & Lothingland*• Essex & Suffolk Water• Water Management Alliance <p><u>Social - Statutory</u></p> <ul style="list-style-type: none">• NHS Great Yarmouth & Waveney PCT• NHS Norfolk PCT• Norfolk Police Authority• Suffolk Police Authority	<p><u>Telecommunications operators - Statutory</u></p> <ul style="list-style-type: none">• Atkins OSM (Cable and Wireless)• British Telecommunications plc• LTE Network Communications Ltd• Mobile Operators Association• National Transcommunications Ltd <p><u>Cultural Heritage/Landscape - Statutory</u></p> <ul style="list-style-type: none">• English Heritage <p><u>Parish and Town Councils - Statutory</u></p> <ul style="list-style-type: none">• Within in the Broads Executive Area (92)• Adjacent to the Broads Executive Area (39) <p>General Consultees</p> <p><u>Government</u></p> <ul style="list-style-type: none">• Department for Environment, Food and Rural Affairs (DEFRA): Sponsorship, Landscape & Recreation Division• Department for Transport (DfT) <p><u>Members of Parliament</u></p> <ul style="list-style-type: none">• Great Yarmouth• Mid Norfolk• North Norfolk• Norwich South• Norwich North• South Norfolk• Waveney• UK MEPs - Eastern Region <p><u>Ward councillors</u></p> <ul style="list-style-type: none">• Ward councillors within Broads Executive Area (66) <p><u>Local Strategic Partnerships</u></p> <ul style="list-style-type: none">• Broadland Community Partnership• Chet Valley Development Partnership• Gt Yarmouth 2020 Forum• Norfolk County Strategic Partnership• North Norfolk Community Partnership• Norwich Local Strategic Partnership• South Norfolk Alliance• Stalham w/Happisburgh Partnership• Suffolk Strategic Partnership• Waveney Local Strategic Partnership <p><u>Business and employment</u></p> <ul style="list-style-type: none">• Business Link in the East of England• CBI East of England• Learning and Skills Council• Norfolk Chamber of Commerce & Industry
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General consultees cont.

- May Gurney Ltd
- Suffolk Chamber of Commerce Industry

Boating & Water Based Business/ Recreation

- Amateur Rowing Association*
- Association of Inland Navigation Authorities
- British Canoe Union*
- British Marine Federation*
- British Water Ski Federation*
- British Waterways
- Broads Hire Boat Federation*
- Broom Boats Ltd
- Canoe Committee of Suffolk Water Sports Association*
- Cruising Association
- East Anglian Waterways Association*
- East of England Development Agency
- Eastern Rivers Ski Club*
- Eastern Rowing Council*

- Ellis-Frost Marine Ltd
- Ferry Marina
- Hoseasons Holidays Ltd
- Inland Waterways Association*
- Kingfisher Boatyard
- Moonfleet Marine Ltd
- Norfolk Broads Direct Ltd
- Norfolk Broads Direct Ltd
- Norfolk & Suffolk Pleasure Boat Owners Association*
- Norfolk & Suffolk Boating Association*
- Norwich Frostbite Sailing Club
- Oulton Broad Users Association*
- Performance Plus (East Anglia) Ltd
- Royal Yachting Association*
- Silverline Marine
- South Quays Marina
- Topsail
- Waterways Trust
- Yare Users Association*
- Windboats Marine Ltd

Land Based Recreation

- British Association for Shooting and Conservation*
- British Horse Society*
- East Anglian Cycling Club
- East Anglian Trail Riders Association*
- Norwich & District Wildfowling Association
- Ramblers Association*
- Sport England (Eastern Region)*

Wildlife and Conservation

- Aurum Ecology
- British Trust for Ornithology
- BTCV*
- Butterfly Conservation
- Forestry Commission East of England Conservancy
- Friends of the Earth*
- Norfolk Coast Partnership AONB
- Norfolk Farming & Wildlife Advisory Group
- Norfolk Geodiversity Partnership
- Norfolk & Norwich Naturalists' Society
- Norfolk Wildlife Trust*
- Norwich Fringe Project
- Reed & Sedge Cutters Association
- RSPB*
- Suffolk Coast and Heaths AONB
- Suffolk Geodiversity Partnership
- Suffolk Wildlife Trust*

Fishing/Angling

- Anglers Consultative Association for Norfolk & Suffolk*
- Broads Angling Strategy Group* (*separate label list*)

Farming and Landowners

- Attree Estates Ltd
- British Reed Growers' Association
- Broads Reed & Sedge Cutters Association
- Country Land & Business Association*
- Hall Farm
- National Farmers Union*
- Waters Farm Ltd

Housing, land agents and developers

- Aldreds Chartered Surveyors
- Arnolds
- ART-TECH Design Services Ltd
- FPD Savills
- Barry J Bridgewood Building Designs
- Bidwells/Carpenters Planning Consultants
- Brown & Co
- Brundall Riverside Estates Association
- C & M Architects Ltd
- Crown Estate
- DevPlan UK
- Dunsheath, B
- Durrants
- Engineering Support Practice Ltd
- Gibb, H
- Goodliffe, B J
- Gt Yarmouth BC Architectural Service
- Hale-Sutton, R
- Hogg, G E

<p>General consultees cont.</p> <ul style="list-style-type: none"> • Home Builders Federation • John Ellis Architectural Design • Kitewood Estates • KLH Architects Ltd • Knight Benjamin • Land agents (<i>separate label list</i>) • Les Brown Associates • LPC (Trull) Ltd • M & S Lynch Consultancy • McCarthy & Stone (Developments) Ltd • NPS Property Consultants Ltd • O W L Partnership: Architects • P H Design and Planning Ltd • Palmer, R • Putman, J • Richard C Anderson-Dungar • Ross Powlesland Associates • Ropes Hill Dyke Residents Association • The Barton Willmore Planning Partnership • Utton, J • Vaughan Keal Associates <p><u>Cultural Heritage/Landscape</u></p> <ul style="list-style-type: none"> • CPRE Norfolk • CPRE North Norfolk • CPRE Suffolk Preservation Society* • National Trust* • Norfolk Archaeological Trust* • Norfolk Archaeological Unit* • Norfolk Landscape Archaeology • Norfolk Wherry Trust* • Norfolk Windmills Trust* • Norwich Rivers Heritage Group • Suffolk Archaeology Service • Wherry Yacht Charter Charitable Trust* <p><u>Tourism</u></p> <ul style="list-style-type: none"> • A T Bent Properties Ltd • Archdeacon of Norfolk • Broadland District Council • Broads Tourism Forum • East of England Tourist Board* • Ivy House Country Hotel • King Line Cruisers • Norfolk Tourism Management Partnership* • Oulton Parish Council • Reedham Ferry Inn • Visit Norwich Ltd* • Waveney District Council 	<p><u>Education/Charities/Trusts</u></p> <ul style="list-style-type: none"> • Broads Society* • Easton College* • Hertfordshire Schools Sailing Base* • How Hill Trust* • Nancy Oldfield Trust* • Norfolk Heritage Fleet Trust* • Norfolk Schools Sailing Association* • Norwich City College* • Renewables East • Rural Action East • Ted Ellis Trust & Wheatfen Partnership • The Horstead Centre • University of East Anglia • Whitlingham Charitable Trust <p><u>Disability/access</u></p> <ul style="list-style-type: none"> • Broads Access Advisory Group (<i>separate label list</i>) <p><u>Social</u></p> <ul style="list-style-type: none"> • Arts Council England (East) • Broads Local Access Forum ⇨ (<i>separate label list</i>) • Health and Safety Executive • MENTER • Norfolk Youth and Community Service • The Gypsy Council • Voluntary Norfolk • Waveney DC Leisure Services <p><u>Waste and recycling</u></p> <ul style="list-style-type: none"> • Broadland Environmental Services Ltd • Norfolk Environmental Waste Services (NEWS) <p><u>Transport</u></p> <ul style="list-style-type: none"> • Highways Agency Network Ops East • Norfolk and Norwich Transport Action Group • SUSTRANS* <p><u>National Parks</u></p> <ul style="list-style-type: none"> • Association of National Park Authorities (ANPA) • Campaign for National Parks <p><u>Broads Authority Members</u></p> <ul style="list-style-type: none"> • Broads Authority Members (22) <p><u>Individuals</u></p> <ul style="list-style-type: none"> • Individuals (162) <p><i>Organisations/interests represented on the Broads Forum marked with (*)</i></p>
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Appendix B (2): Preferred Options: Public Notice of Consultation.

The following public notice was published in the Eastern Daily Press and the East Anglian Daily Times on 31 December 2007

BROADS AUTHORITY

Planning and Compulsory Purchase Act 2004
Regulations 26 and 17: Pre-Submission Public Participation
**Development Control Policies Development Plan Document (DPD) Preferred Options
and Draft Supplementary Planning Document (SPD) on Development and Flood Risk**

Following consultation on Issues and Options for the Development Control Policies DPD, the Broads Authority has prepared a Development Control Policies DPD Preferred Options Report. This provides the policies from which planning applications will be determined for the next 15 years. A draft Development and Flood Risk SPD has also been prepared and is included in the above report.

Copies of the Preferred Options Report and associated documents are available for inspection at the Authority's head office at 18 Colegate, Norwich NR3 1BQ (Mon-Fri, 9am-5pm); on its website at www.broads-authority.gov.uk; at its constituent council head offices (Norfolk, Suffolk, Broadland, Great Yarmouth, North Norfolk, Norwich, South Norfolk and Waveney); and at main libraries within the Broads area (see website for details). Representations in respect of this consultation may be made during the period 31 December 2007-11 February 2008 and should be sent in writing to the above address, or by email to: LDF@broads-authority.gov.uk, by 5.00pm on 11 February 2008.

Representations may be accompanied by a request to be notified, at a specific address, that the DPD has been submitted to the Secretary of State for independent examination under section 20, and of the adoption of the DPD.

For further information please contact the Planning Policy Officer on 01603 610734.

Dr J Packman
Chief Executive
Broads Authority

Appendix B (3): Preferred Options: Copy of letter to consultees inviting comments.

The following letter was sent to consultees on 25 June 2007

To: Statutory Consultees and Previous Respondents.
(Excluding Parish Councils)

Date as postmark

HL/LDF/DC PO

Dear Consultee,

Broads Authority Local Development Framework: Public Consultation on the Development Control Policies DPD – Preferred Options and draft Supplementary Planning Document on Development and Flood Risk

The Broads Authority is consulting on the Preferred Options for development control policies and more detailed draft supplementary policy on development and flood risk. It is proposed that these emerging policies once adopted be used to determine planning applications, while reflecting the overarching policies in the adopted Core Strategy. This consultation builds on the previous two consultation exercises on the general issues in autumn/winter 2006/07 and the issues and options report consulted upon June to August 2007.

The Preferred Options for development control policies are drafted as the 'preferred direction of travel' and not the final policies themselves, therefore it is not the detailed wording that you are being asked to consider but the general intent behind the policy option. It would be appreciated if you consider this when making comments.

How and when to make representations

The Authority invites representations in writing on these documents for a period of six weeks under regulations 26 and 17 of the Town and Country Planning (Local Development) (England) Regulations 2004. The Consultation will begin on **Monday 31 December 2007** ending on **Monday 11 February 2008 at 5pm**. Given the possible seasonal postal delays the Authority has decided to give advanced notice of this consultation, however under the above regulations any representations received in advance, before 31 December cannot be accepted. Please make sure all representations are received during the six week consultation period as late representations will not be accepted. Representations must be made in writing and can be emailed, faxed or sent though the post.

Sustainability Appraisal and Appropriate Assessment

Accompanying the Development Control Policies DPD – Preferred Options and draft Supplementary Planning Document on Development and Flood Risk are the Sustainability Appraisal of the Preferred Options, this appraises the potential social, economic and environmental impacts of the preferred options and the Appropriate Assessment, which assesses the potential impacts on European designated nature conservation sites. These reports helped analyse the options and informed this latest consultation draft. They are required under two separate European Directives and related domestic regulations. Comments may also be submitted on these comments during the same consultation period. Both the Sustainability Appraisal and the Appropriate Assessment will be available on our website, www.broads-authority.gov.uk.

Development Management Policies DPD: Proposed Submission – Consultation Statement

Please find enclosed copies of the above documents and necessary supporting material. Locations where further copies can be viewed are set out at the end of this letter.

If you have any further queries please do not hesitate to contact me using the details above.

Yours faithfully



Helen Ledger
Planning Policy Officer

Broads Local Development Framework: where to view consultation documents

Broads Authority:

Head Office: 18 Colegate, Norwich NR3 1BQ. (opening hours Mon-Fri; 9am-5pm) Tel: 01603 610734; website: www.broads-authority.gov.uk; email: LDF@broads-authority.gov.uk

The documents may also be viewed at the following locations:

Constituent local council offices:

Broadland District Council: Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich NR7 0DU; tel: 01603 431133; website: www.broadland.gov.uk

Great Yarmouth Borough Council: Town Hall, Hall Plain, Great Yarmouth, NR30 2QF; tel: 01493 856100 (website: www.great-yarmouth.gov.uk)

Norwich City Council: City Hall, Norwich NR2 1NH; tel: 01603 212212; website: www.norwich.gov.uk

Norfolk County Council: Martineau Lane, Norwich NR1 2DH; tel: 0844 800 8020; website: www.norfolk.gov.uk

North Norfolk District Council: Council Offices, Holt Road, Cromer, Norfolk NR27 9EN; tel: 01263 513811; website: www.north-norfolk.gov.uk

South Norfolk Council: South Norfolk House, Swan Lane, Long Stratton, Norfolk NR15 2XE; tel: 01508 533633; website: www.south-norfolk.gov.uk

Suffolk County Council: Endeavour House, Russell Road, Ipswich, Suffolk IP1 2BX; tel: 01473 583000; website: www.suffolkcc.gov.uk

Waveney District Council: High Street, Lowestoft, Suffolk NR32 1HS; tel: 01502 562111; website: www.waveney.gov.uk

Public Libraries:

Acle Library, Bridewell Lane, Acle, Norfolk NR13 3RA

Cromer Library, Prince of Wales Road, Cromer, Norfolk NR27 9HS

Great Yarmouth Library, Tolhouse Street, Great Yarmouth, NR30 2SH

Norwich Millennium Library, The Forum, Millennium Plain, Norwich NR2 1AW

Wroxham Library, Norwich Road, Wroxham, Norfolk NR12 8RX

Beccles Library, Blyburgate, Beccles, Suffolk NR34 9TB

Bungay Library, Wharton Street, Bungay, Suffolk NR35 1EL

Lowestoft Library, Clapham Road South, Lowestoft, Suffolk NR32 1DR

Oulton Broad Library, Council Offices, 92 Bridge Road, Oulton Broad, Suffolk NR32 3LR

To receive this information in large print, please contact the Broads Authority on 01603 610734 or email: LDF@broads-authority.gov.uk

Broads Authority
9 May 2008
Agenda Item No 10

**Local Development Framework:
Analysis of Development Control Policies after
Preferred Options Consultation**
Report by Planning Policy Officer

Summary: This report summarises the latest stage of consultation in developing the Development Control Policies Development Plan Document. The Preferred Options stage for the Development Control Policies was published for consulted over a six-week period between 31 December 2007 and 11 February 2008.

Recommendations:

- (i) To endorse the proposals made by Planning Committee members at the Planning Policy workshop on 11 April with amendments if necessary.
- (ii) To agree the response to the Preferred Options as set out in the appendices, with amendments if necessary.

1 Introduction

- 1.1 The Development Control Policies Development Plan Document (DPD) will ultimately contain the detailed policies to deal with planning applications. It should reflect the overarching themes in the adopted Core Strategy DPD and not conflict with this approach. At this stage of DPD production, the Authority has consulted on the *preferred options* for future policies. Although not the finalised policies themselves the wording was drafted to be close to finalised policies.
- 1.2 The outcome of the Supplementary Planning Document on Development and Flood Risk will be the subject of a separate report to the June Broads Authority meeting.
- 1.3 Members may find it helpful to refer to their copy of the Preferred Options for Development Control Policies while discussing this item.

2 Developing a Development Plan Document (DPD)

- 2.1 Building on the Issues and Options consultation carried out in Summer 2007, the preferred options were developed and consulted on and agreed, after delegation from Broads Authority, by the Chairman and Chairman of Planning Committee in consultation with the Chief Executive. The regulations on this consultation required that it could be for no more than six weeks. The consultation ran from 31 December 2007 until 11 February 2008.
- 2.2 Following consultation on the preferred policy direction, finalised policies need to be prepared for submission to the Secretary of State for independent examination. This step also triggers a final six week consultation and any representations received suggesting the document is unsound have the right to be heard by an independent Planning Inspector at an examination.

3 Feedback from consultation Development Control DPD

- 3.1 The purpose of the consultation on the Development Control Policies DPD was to consult on the 'preferred options' proposed to resolve the issues arising, including those raised through earlier consultation with key partners and other stakeholders. In the new principle of front loading all outstanding issues should be dealt with before the document is submitted and consultees are asked to raise issues at the earliest opportunity.
- 3.2 Comments were received from 94 organisations or individuals in response to the consultation on the Development Control Preferred Options. This has been split into 556 individual comments against the separate Preferred Options and related descriptive text. Comments were also received from 18 individuals or organisations on the draft proposal maps. A full set of the consultation responses to the preferred options are available on the Broads Authority website: <http://www.broads-authority.gov.uk/planning/planning-policy/local-development-framework.html>.
- 3.3 Four responses were received after the close of the deadline. The rules in respect of late representations are strict in the 2004 regulations, in that at the formal stages of LDF production, representations must be made within six weeks of the publication of the Development Plan Document. The Authority has no discretion under the new regulations to accept late responses.

4 Issues arising

- 4.1 The preliminary analysis of the key issues raised during the consultation exercise was reported to Planning Committee on 4 April. At this meeting it was proposed and agreed that the four main issues should be explored in more detail at a planning policy workshop held for planning committee members on 11 April, to which two officers from the Environment Agency were also invited. The workshop was very successful and members in attendance informally agreed the approaches below to the key issues arising out of the consultation responses. Section five below sets out the issues discussed at the workshop and the conclusions reached.
- 4.2 Appendix 1 outlines the officer recommendations for redrafting all the preferred options into submission policies following analysis of the consultation responses received.

5 House Boats/ Live-Aboards and residential moorings – PO31

- 5.1 This was the first issue discussed at the planning members' workshop and picked up the issue from the public meeting which was held for live-aboards from Thorpe Island in January. The invited audience meeting was chaired by the Authority's Vice-Chairman and this facilitated an initial response to PO31, in terms of their views which were written up as notes of the meeting. Several individuals also submitted their own responses to the consultation. The residential boaters opposed the draft Preferred Option and the meeting itself offered an insight into their reasoning and views.
- 5.2 The consensus reached by members at the workshop was that officers should research a criteria-based policy for permanent residential moorings and consider combining policies PO30 and PO31.

Development and Flood Risk – PO10

- 5.3 PO10 on Development and Flood Risk received a great deal of responses. The spread of responses to the consultation fell distinctly in two camps. Firstly those opposed to the Authority's local interpretation of National Flood Risk Policy, notably voiced by the Environment Agency. Secondly are those who have businesses reliant on a Broads locality or those who live or have businesses in the Broads, who largely supported the approach of PO10.
- 5.4 Taking forward PO10, with DPD status, will need careful attention. While many businesses supported this approach, some felt that the restriction over redevelopment only to the exiting building's footprint was unfeasible given the pressure to improve the quality of the tourism offer. The Environment Agency's concern really focused on their interpretation that the approach was incompatible with PPS25. Helpful advice was offered in discussion with one adjoining LPA, that if the policy was clearer that it was not seeking to challenge national policy but merely setting out the relevant material considerations to any planning application, the final policy wording may not be so elusive. Indeed following discussion with members and EA officers at the workshop on 11 April minor changes were proposed and seemed to reach agreement. Following this PO10 has been redrafted and circulated to the EA for a response. An extract of this redraft to PO10 is in Appendix 2.

Residential development, affordable housing and local needs – PO43 and PO25

- 5.5 The approach to restrict residential development only within established settlements (PO43) proved not as controversial to consultees as anticipated. One respondent questioned it in respect that development would be allowed under the policy in inappropriate areas. Some also questioned the approach and particularly whether this worked with PO25 which seeks contributions to affordable housing. PO43 allows new build residential development in established settlements in small groups (typically defined as 5 units or less). Whereas contributions to affordable housing would only be sought on sites of five or more dwellings, under PO25.
- 5.6 At the workshop, members discussed how well PO1 – Character, in conjunction with PO25 would work with regard to two potential development sites. At issue here is whether the policy judgements that can be made on landscape grounds are drawn in the form of the development boundary at the plan making stage or whether it is robust enough to make those judgements on a site by site basis at the planning application stage. No overall consensus was reached and officers propose that the approach in PO25 (not to have boundaries) is kept at this stage and consideration is given to producing Area Action Plan/site allocations in the future if deemed necessary.

Proposed wetland opportunities

- 5.7 The draft proposal maps help to illustrate the Preferred Options and more detailed elements of the Core Strategy and its associated Key Diagram. The Core Strategy policy CS4 along with PO14 – New Landscapes seek to offer a supportive policy context for the creation of new landscapes that meet Broads purposes. This general policy context would in principle support the proposed wetland opportunities shown on the draft proposal maps. These areas are those identified by the Wetland Task Group made up of representatives from Natural England (then English Nature), the Environment Agency, Broadland Environmental Services Ltd, RSPB, Norfolk Wildlife Trust as well as officers from the Broads Authority, specifically to deal with water quality issues. Implementation of such a scheme could have benefits for habitat creation and recreation as well as meeting the vision in the Broads Plan.

- 5.8 Identifying these areas proved controversial with landowners, several of whom responded to the consultation exercise stating they were against the loss of their land in this way without any compensation identified and that it was anomalous when efforts had recently been made by BESL to protect the land. One Parish Council also found the proposals unacceptable, and one respondent pointed out that as the wetland enhancement areas were not solely deliverable by the Broads LDF they should not be allocated as such on the proposal maps.
- 5.9 Given that these sites are only at the early stages of development and are to be considered in more detail as part of the flood alleviation scheme, it is perhaps more appropriate to have a general supporting policy rather than identifying them in detail on any future proposal maps. At the workshop this issue was briefly discussed and given the detail offered in the Core Strategy policy and the reasoning not to identify the specific areas, it was considered that PO14 should be deleted and decisions would be reliant on the strategic policy CS4. For reference, policy CS4 is set out in Appendix 3.

6 Next steps

- 6.1 If agreement is reached over the way forward, officers will draft the submission policies to be considered by members for final agreement at the June meeting. This timetable will ensure the document can be submitted to the Secretary of State this July in accordance with the current Local Development Scheme.
- 6.2 The Authority is still working to an ambitious timetable to carry out outstanding research, to redraft the policies and supporting text, to undertake Sustainability Appraisal/Strategic Environmental Assessment, to commission an Appropriate Assessment and prepare the documentation for publication by July. A suitable consultant will be commissioned to support the in-house team in researching and redrafting policies. As the contract will be below £5,000 member approval is not required.

7 Financial Implications

- 7.1 Provision has been made in the LDF budget for the Sustainability Appraisal/Strategic Environmental Assessment and the Appropriate Assessment. Any addition costs could be covered from the remaining Planning Delivery Grant fund.

Background papers:

1. Consultation responses to Development Control Preferred Options
2. Town and Country Planning (Local Development) (England) Regulations, 2004. Planning Policy Statement 12 – Local Development Frameworks
3. LDF Statement of Community Involvement

Author: Helen Ledger
Date of report: 15 April 2008

Appendices:

APPENDIX 1: Development Control Policies DPD – Preferred Options Responses Analysis Table and Recommendations
APPENDIX 2: Recommendations for changes to PO10 – Development and Flood Risk
APPENDIX 3: Adopted policy CS4 – creation of new resources, extracted from the Core Strategy (Adopted September 2007).

Enclosure to Agenda Item 10: Broads Authority, 9 May 2008

Analysis of Development Control Policies after Preferred Options Consultation

1 Introduction

- 1.1 The Development Control Policies Development Plan Document (DPD) will ultimately contain the detailed policies to deal with planning applications. It should reflect the overarching themes in the adopted Core Strategy DPD and not conflict with this approach. At this stage of DPD production, the Authority has consulted on the *preferred options* for future policies. Although not the finalised policies themselves the wording was drafted to be close to finalised policies.
- 1.2 The outcome of the Supplementary Planning Document on Development and Flood Risk will be the subject of a separate report to the June Broads Authority meeting.
- 1.3 Members may find it helpful to refer to their copy of the Preferred Options for Development Control Policies while discussing this item.

2 Developing a Development Plan Document (DPD)

- 2.1 Building on the Issues and Options consultation carried out in Summer 2007, the preferred options were developed and consulted on and agreed, after delegation from Broads Authority, by the Chairman and Chairman of Planning Committee in consultation with the Chief Executive. The regulations on this consultation required that it could be for no more than six weeks. The consultation ran from 31 December 2007 until 11 February 2008.
- 2.2 Following consultation on the preferred policy direction, finalised policies need to be prepared for submission to the Secretary of State for independent examination. This step also triggers a final six week consultation and any representations received suggesting the document is unsound have the right to be heard by an independent Planning Inspector at an examination.

3 Feedback from consultation Development Control DPD

- 3.1 The purpose of the consultation on the Development Control Policies DPD was to consult on the 'preferred options' proposed to resolve the issues arising, including those raised through earlier consultation with key partners and other stakeholders. In the new principle of front loading all outstanding issues should be dealt with before the document is submitted and consultees are asked to raise issues at the earliest opportunity.
- 3.2 Comments were received from 94 organisations or individuals in response to the consultation on the Development Control Preferred Options. This has been split into 556 individual comments against the separate Preferred Options and related descriptive text. Comments were also received from 18 individuals or organisations on the draft proposal maps. A full set of the consultation responses to the preferred options are available on the Broads Authority website: <http://www.broads-authority.gov.uk/planning/planning-policy/local-development-framework.html>.
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4 Issues arising

- 4.1 The preliminary analysis of the key issues raised during the consultation exercise was reported to Planning Committee on 4 April. At this meeting it was proposed and agreed that the four main issues should be explored in more detail at a planning policy workshop held for

planning committee members on 11 April, to which two officers from the Environment Agency were also invited. The workshop was very successful and members in attendance informally agreed the approaches below to the key issues arising out of the consultation responses. Section five below sets out the issues discussed at the workshop and the conclusions reached.

- 4.2 Appendix 1 outlines the officer recommendations for redrafting all the preferred options into submission policies following analysis of the consultation responses received.

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- 5.6 At the workshop, members discussed how well PO1 – Character, in conjunction with PO25 would work with regard to two potential development sites. At issue here is whether the policy judgements that can be made on landscape grounds are drawn in the form of the development boundary at the plan making stage or whether it is robust enough to make those judgements on a site by site basis at the planning application stage. No overall consensus

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- 5.9 Given that these sites are only at the early stages of development and are to be considered in more detail as part of the flood alleviation scheme, it is perhaps more appropriate to have a general supporting policy rather than identifying them in detail on any future proposal maps. At the workshop this issue was briefly discussed and given the detail offered in the Core Strategy policy and the reasoning not to identify the specific areas, it was considered that PO14 should be deleted and decisions would be reliant on the strategic policy CS4. For reference, policy CS4 is set out in Appendix 3.

6 Next steps

- 6.1 If agreement is reached over the way forward, officers will draft the submission policies to be considered by members for final agreement at the June meeting. This timetable will ensure the document can be submitted to the Secretary of State this July in accordance with the current Local Development Scheme.
- 6.2 The Authority is still working to an ambitious timetable to carry out outstanding research, to redraft the policies and supporting text, to undertake Sustainability Appraisal/Strategic Environmental Assessment, to commission an Appropriate Assessment and prepare the documentation for publication by July. A suitable consultant will be commissioned to support the in-house team in researching and redrafting policies. As the contract will be below £5,000 member approval is not required.

7 Financial Implications

- 7.1 Provision has been made in the LDF budget for the Sustainability Appraisal/Strategic Environmental Assessment and the Appropriate Assessment. Any addition costs could be covered from the remaining Planning Delivery Grant fund.

Appendices 1-3 to BA report:

Appendix 1 - Development Control Policies DPD – Preferred Options Responses Analysis Table and Recommendations

Preferred Option	Preferred Option Title	Analysis and Recommendation
PO 1	Character	Insert last line of Policy PO10 which is Local Plan Policy C19

		carried forward and relates more to landscape than flood risk.
PO 2	Biodiversity and Geodiversity	Change ecology to biodiversity in first point; minor edit to last point, for clarification, to <i>require</i> surveys/assessments where there is potential ecological or <i>geodiversity</i> impact.
PO 3	Trees and Hedgerows	Insert <i>public safety</i> after navigation
PO 4	Landscaping schemes	After “enhances” include “its surroundings and the wider”; minor edit to 1 st point to clarify trees to be retained to be protected; minor edit to 2 nd & 3 rd points to reword as policy; insert criteria on land-raising and disposal of excavated material.
PO 5	Design	Minor editing to turn the points into criteria; delete last sentence; consider restructuring PO5 – 8 as a group
PO 6	Sustainable Design	Revise in line with current government policy; consider restructuring PO5 – 8 as a group
PO 7	Climate change and energy efficiency	Revise in line with current government policy.
PO 8	Amenity	Consider amalgamation with PO5, 6 and 7 for clarity; no major change.
PO 9	Water Resources	No change
PO 10	Development and Flood Risk	Amend and move last line to PO1 (See appendix 2)
PO 11	Location	Reconsider reference to agricultural land (e) Take forward alongside PO1 & 2. Consider broadening the range of proposals travel plans would apply to. Define major development, as PS2 definition.
PO 12	Access and Highways	Add reference to protect corridors of movement and requirement for parking standards.
PO 13	Rights of way	Consider further criterion seeking provision under CROW access land in line RoW Improvement Plan.
PO 14	Creation of new landscapes	Policy repeats CS4 delete PO14 and washland opportunities on the proposal maps. Overall landscape policies apply.
PO15	Waterways and Navigation	Minor editing to layout; insert criteria on hydrological impact.
PO16	Increased sediment input	Support welcomed. Add reference to having no adverse hydrological impact.
PO 17	Reuse & disposal of dredgings	Support welcomed - no change
PO 18	Listed Buildings	No change
PO 19	Historic and Cultural assets	No change
PO 20	Conservation areas	No change
PO 21	Sensitive areas	Minor edit to expand Policy CS10; consider merging with PO1 and identifying gateways and entrances on proposals map.
PO 22	Open space	No change; consider merging with PO1
PO 23	Archaeology	Insert “overriding” in second para, second sentence between “no” and “case”; consider extending to cover geodiversity
PO 24	Protection of existing facilities and Services	Support welcomed. Consider changing ‘or’ in ‘...local needs or network of facilities..’ to ‘and’ Might help economic viability concerns. Add ‘community or visitor’ before facilities in last line.
PO25	Affordable Housing	Consider relationship with PO43. Make reference to site viability and availability to reflect PPS3. Noted that RSS target of 35% is the total of all completions, local needs and targets maybe higher in LPAs within the region. Reconsider using riparian local authority standards. Add reference to exception sites and the needs of potential occupants to live locally. In Criterion a) change ‘low rent’ to ‘affordable rent’.
PO26	Standards Planning Obligations and Community	Note new implications of the Government’s new Community Infrastructure Levy and likely standard transport charge. Note Suffolk CC threshold for such county contributions is 15 units.

	Infrastructure	Consider better phrasing to a policy format. Note no references to contributions to sports, highway, Rights of Way and adult social services.
PO 27	The General Location of Sustainable Tourism and Recreation Development	Add minor change to ensure that countryside locations are fully justified. Note Natural England's comments on the difficulties of new fishing or flight ponds in the floodplain and the potential implications in times of flood but suggest that this is covered in a generic way CS1 and CS2 in the Core Strategy and in the emerging PO2 on Biodiversity and Geodiversity.
PO 28	New Community Facilities	No change
PO 29	Holiday Dwellings	Minor editing to affirm the control possible through the precise controls possible through the planning system using the comments made during the consultation.
PO 30	New Permanent Moorings	Develop holistically with PO31 and PO32, by editing into one policy to deal with all types of mooring applications. Delete criterion a) as covered by criterion g).
PO 31	New Residential Moorings	Develop into a criteria based policy allowing this use in certain circumstances with strict controls. Develop holistically with PO30 and PO32, by editing into one policy to deal with all types of mooring applications – as above.
PO 32	New Visitor Moorings	Develop holistically with PO30 and PO31, by editing into one policy to deal with all types of mooring applications – as above.
PO 33	Mooring Plots	Support welcomed, minor editing required.
PO 34	Waterside Sites in Commercial Use and Boat Yards	Support noted. Add reference to retaining yards under a unified management unit where possible.
PO 35	Access to the water	Support welcomed. Minor editing with regard to slipway differences. Note omission of staithes on the draft proposal maps and the proposed caveat that the map notation cannot be used to refute the existence staithes or staithe rights.
PO 36	Bank Protection, Pilling and Quay heading	Comments noted. Minor editing of second paragraph required to define soft engineering and rephrase third paragraph for clarity.
PO 37	Protecting General Employment	Support noted. No change.
PO 38	Employment diversification	Support noted. Expand to cover farm diversification in response to comments made under PO40.
PO 39	Reuse of historic buildings	Minor editing to clarify application to scheduled and unscheduled structures; delete reference to "preferred option".
PO 40	Buildings in the Countryside without historic or architectural merit.	Minor editing and redrafting to paragraph 1. Add note that this policy would apply to buildings only and not areas of hard standing. Make reference to functional/industrial type development that may not be suitable to conversion to other uses and that should be taken down at the end of its useful life. Make it clear that the sustainability argument is not the only reason for employment reuse of buildings.
PO 41	Telecommunications and Renewable energy developments	Strengthen policy and reconsider whether policy should be subdivided and take into consideration more recent government changes to planning policy.
PO 42	Winter water storage	Minor editing to ensure decisions consider that such water storage can contribute to the traditional Broads landscape.
PO45	Dwellings for Staff at Boatyards or other Tourist Accommodation	Add reference to 'sustainable economic viability' as PO47. Emphasise the strict tests required by national policy and that the business or tourism use must be acceptable in planning terms in the first instance. (Annex1 to PPS7)
PO 46	New Agricultural and Forestry Dwellings	Add reference mention 'sustainable economic viability' as PO47 Emphasise the strict needs tests required by national

		policy and that the use must be acceptable in planning terms in the first instance. (Annex1 to PPS7) Include reference that this policy would apply to employees in reed and sedge industry.
PO 47	Temporary Mobile Homes	No change.
PO 48	Advertisements	Extend to cover signage

Draft Proposals Maps

PO 14	Creation of new landscapes	Delete washland opportunities on the proposal maps.
PO 21	Sensitive areas	Consider identifying gateways to Broads and entrances at settlements on proposals map. Advise against detailed identification of sensitive sites on proposals map as it is unlikely to be comprehensive and would leave unidentified sites vulnerable.
PO 35	Access to the water	Note omission of staithe on the draft proposal maps and the proposed caveat that the map notation cannot be used to refute the existence staithe or staithe rights.

<u>Appendix 2 - Recommended revisions to PO10 – Development and Flood Risk</u>	<u>PO 10 - Development and Flood Risk Policy</u>
<p>Development will only be acceptable when it is compatible with the principles of national policy and when the sequential test and the exception test, where applicable, are applied. Where it is demonstrated that a sequentially preferable site is not available without causing significant harm to the Broads, the following criteria must be met:</p> <ul style="list-style-type: none"> • The proposed development will make a significant contribution to the achievement of the Broads strategic objectives; • It will not increase flood risk elsewhere; • The development will avoid compromising future flood alleviation or flood defence schemes; and, in addition • It will be designed not to detract from the locality, and to be compatible with the nature of flooding in the Broads taking into account climate change. <p>In Zone 3a and Zone 3b development will be permitted subject to the findings of a site specific Flood Risk Assessment where</p> <ul style="list-style-type: none"> • A use classified as more vulnerable or less vulnerable development is on previously developed land or is the reuse of an existing building; and • it incorporates resilience to flooding, demonstrates that the risk of flooding (on and off-site) is decreased and that it is safe; and • the replacement of a residential property is on a like for like basis with no increase in the number of bedrooms on the same sized footprint potentially being relocated in a less vulnerable part of the site. <p>The relocation of existing development out of Flood Zone 3b to an undeveloped site with a lower probability of flooding may be permitted where the vacated site is reinstated as naturally functioning flood plain, and where the benefits to flood-risk outweigh the benefits of leaving the new site undeveloped.</p>	

Appendix 3

Adopted policy CS4 – Creation of new resources, as extracted from adopted Core Strategy (Sept 2007).

Policy

CS4 The Broads landscape is partly man-made and is constantly changing. There will continue to be opportunities to create new environmental and cultural assets on any scale of development and these will be sought where they:

- (i) Create new high quality land and water-based landscapes which reflect the essential Broads characteristics, offering biodiversity gains through habitat creation and opportunities to improve facilities for navigation and recreation;
- (ii) Improve the quality of the built environment;
- (iii) Involve, for all new developments, good quality design, the use of sustainable construction methods and the use of locally sourced materials;
- (iv) Incorporate crime reduction measures in line with “Secured by Design”;
- (v) Protect, maintain and enhance the nature conservation value of the Broads, paying attention to habitats and species;
- (vi) Contribute to ecological networks and create habitat corridors, especially linking fragmented habitats of high wildlife value; and
- (vii) Encourage and facilitate the development of alternative and more sustainable solutions to flood risk and alleviation, taking into account the likely changes as a consequence of climate change.

BA report 9 May 2008

Appendix B (5): Report to Broads Authority – 21 November 2008 (Consideration of Policy 33: New Residential Moorings)

Broads Authority
21 November 2008
Agenda Item No 15

**Local Development Framework:
Development Policies Development Plan Document
Policy 33 New Residential Moorings
Report by Chief Executive**

Summary:	This report outlines the suggested revised draft of Policy 33 in the draft submission version of the Development Policies Development Plan Document (DPD). It is proposed that this be included in the document the remainder of which was approved at the Authority's September meeting.
Recommendation:	That the revised wording of Policy 33 be approved for inclusion in the Development Policies DPD to be published and submitted in accordance with the decision made by the Authority in September 2008.

1 Introduction

- 1.1 Following the departure of the Director of Planning and Strategy and the Planning Policy Officer, it was necessary to obtain cover for certain aspects of the work of the Planning team, in order to deal with outstanding policy issues and any that arise in the interim period before the vacant posts are filled. This report has therefore been prepared by a consultant (Steve Osborn Planning Consultancy) appointed to undertake this work on a fixed term contract, although much of the information has been provided by Broads Authority staff and through meetings involving members and other stakeholders.
- 1.2 The substantive policies for the Development Policies DPD were approved by the Broads Authority on 26 September 2008, with the exception of policy 33 in the document, which deals with new residential moorings. This was referred back for consideration at a member workshop, in order to review the specific consultation that had taken place on the issues raised. It was resolved at the September meeting that the final document approval be delegated to the Chief Executive in consultation with the Chairman of the Planning Committee.
- 1.3 The member workshop has now taken place and a revised residential moorings policy is put forward for inclusion in the document.
- 1.4 At the same time, the resignation of the former Director of Planning and Strategy has meant that the timetable for publication of the submission document has been reconsidered. A revised timetable for that process is included in the Annual Monitoring Report (also on this agenda), which recognises that a delay is necessary to allow new members of staff to prepare themselves to undertake the vital stage of publication of the draft submission version (the next stage for the Development Policies DPD).
- 1.5 The same consultant has reviewed the soundness of the DPD documents and found them basically sound with a few suggested minor adjustments to improve their response to the criteria published by the Planning Inspectorate. These changes do not involve any change to the policies themselves.

2 Consultation on Residential Moorings Policy

- 2.1 The issue of residential moorings has been a controversial one throughout the consultation on the Development Policies DPD. A meeting to discuss the residential moorings policy was held, with a number of residential boat owners from Thorpe Island in January 2008. This was picked up as one of the first items by members at the Workshop on 11 April. Several

individuals also submitted written responses to the consultation on the Preferred Options policies (in which version the relevant policy was no.31), which took place from December 2007 to February 2008.

- 2.2 The residential boat owners and people living on boats opposed the Preferred Options policy, as being too negative and preventing any reasonable options for residential occupation on the Broads. Members reached a consensus at the workshop that officers should research what criteria might be used to allow for residential moorings in certain limited circumstances.
- 2.3 A draft policy was printed in the Authority's papers for the 27 June meeting and was approved with an amendment, but subject to further consultation with the relevant stakeholders. A topic paper was prepared for that consultation, which then took place during August and September.
- 2.4 The results of that consultation were presented to members at the Broads Authority meeting on 26 September.
- 2.5 There were 29 respondents, giving a range of representations from individuals, statutory and other organisations, including the Broads Hire Boat Federation (BHBF) and the Residential Boat Owners Association (RBOA). There was a degree of support for the outline of the policy and amendments were suggested, some of which assisted in making the policy clearer and more workable. Some residential boat owners expressed their objection that the criteria were too strict.
- 2.6 A further LDF Workshop for members of the Authority was held on 24 October 2008, at which detailed discussion was held about the terms of such a policy and amendments to the previous draft text.

3 Revised Policy 33

- 3.1 The revised policy reflects those discussions at the member workshop and is attached as Appendix 1. The policy is now considerably lengthened with a lengthy text explanation. This is necessary to explain the particular circumstances that arise in the Broads, the history of the policy's development and the reasons for the various elements of it.
- 3.2 A final decision on this policy will clarify the Authority's policy stance on such development and ensure that the Broads does not become a location for substantial permanent occupation by residential boats, whilst allowing certain specific circumstances in which such occupation will not cause damage to the Broads strategic objectives or to the local environment. The aim of the policy is to be compatible with the spatial vision for the Broads and also with the spatial planning framework of the adjoining local authorities, in deciding which settlements can cater for residential occupants.
- 3.3 As stated in the accompanying text, the policy will provide a basis for deciding on enforcement action in certain cases, where its objectives are not complied with. This is necessary to ensure that the policy is adequately enforced and equitably applied. Members should, however, be aware that some residential moorings are established legally by virtue of continuous occupation over the last ten years and therefore the policy will not 'bite' in all existing circumstances.

4 Financial Implications

- 4.1 The cost of publication and submission of the document is included in the LDF budget for 2008/9, although it is likely that some of this will now be incurred in 2009/10 financial year.

Background papers:

- (i) DCLG (2008) PPS12 Local Spatial Planning
- (ii) Town and Country Planning (Local Development (England))(Amendment) Regulations 2008
- (iii) Notes of LDF Members' Workshop, 24 October 2008
- (iv) Residential Moorings – Informal Consultation – Report, Sept

2008
Author: Steve Osborn
Date of report: 10 November 2008
Appendices: APPENDIX 1 - Draft Revised wording for Policy 33 – New Residential Moorings

Appendix B (6): Preferred Options (Regulation 26): Summary of main issues raised and Broads Authority response

<p align="center">Broads Authority Local Development Framework Development Control Policies DPD – Consultation 31 December 2007 – 11 February 2008 Preferred Options Responses - Summary and Recommendations</p>		
Policy	Summary of representations	Broads Authority Recommendations
PO1	<ul style="list-style-type: none"> • There were 11 responses to the policy and 19 to the text. • A concern was raised over the policy status of the landscape character assessment, whereas three responses positively supported the reference. A planning consultant asked who determines which proposals have an impact on the Broads and it would be helpful to know when a landscape impact assessment was needed. There was a suggestion to rename the policy 'landscape' character. • Four responses positively supported the policy. • A recognised dilemma is how much detail to put in the policy and how much should be in the explanatory text e.g. para 5.11, 5.15, 5.17. • A planning consultant raised concerns over the definition of tranquillity and its application in determining applications, Natural England thought the whole area should be protected from noisy developments, concerned that policy might be developed to relaxing restrictions on noise outside the most tranquil areas. • The paragraph on tipping raised 6 comments, some for and some against, in the context of flood defence. 	<ul style="list-style-type: none"> • Insert last line of Policy PO10 which is Local Plan Policy C19 carried forward and relates more to landscape than flood risk. • Supporting text to clarify status of supporting documents including LCA and definition of landscape character equals ecology, geomorphology, cultural heritage, visual, perceptual, auditory. • Increase the accessibility of LCA.
PO2	<ul style="list-style-type: none"> • Out of the 9 responses, 5 were supportive. It was suggested the term biodiversity be used, that the policy be made more locally specific by referring to the Norfolk Biodiversity Action Plan or the Water Framework Directive. Norfolk Wildlife Trust thought the policy should be to maintain and enhance biodiversity. • It was also suggested that there be more detail on conserving geodiversity such as in PO23 policy. • Two respondents made the recommendations to edit the third paragraph to re-word as policy. • Several comments on the supporting text covered geodiversity. It was 	<ul style="list-style-type: none"> • Change ecology to biodiversity in first point; minor edit to last point, for clarification, to <i>require</i> surveys/assessments where there is potential ecological impact. • Move geodiversity to PO23 Archaeology and note reference to supporting text in that policy. Include text on BAPs and WFD. • Consider editing text re County Wildlife Sites and RIGs.

	suggested that County Wildlife Sites and regionally important geological sites be referred to.	
PO3	<ul style="list-style-type: none"> • There were 5 responses on PO3, three of support and one objection. • It was noted that PO2 refers to an effect and PO3 to a significant effect and suggest the difference be clarified. • The policy omits reference to road safety as a reason for removing trees. • A consultee asks for benefits to navigation to be removed as it would not justify removal of a tree with a bat roost. 	<ul style="list-style-type: none"> • Insert <i>public safety</i> after navigation • Amend 5.36. • Clarify the rule for a tree with a bat roost in text. • The navigation reference was about safety and sailing, see para 5.37, 5.38. • Refer to tree and scrub strategy in text.
PO4	<ul style="list-style-type: none"> • Three respondents support the policy, five make suggestions for improvement. • Request for inclusion of geomorphology. • Under PO2 a consultee asked for the policy to clarify where a landscape scheme would be required. 	<ul style="list-style-type: none"> • After “enhances” include “its surroundings and the wider”; minor edit to 1st point to clarify trees to be retained to be protected; minor edit to 2nd & 3rd points to reword as policy; insert criteria on land-raising and disposal of excavated material. • Insert second sentence 5.40 as policy. • Clarify where landscape scheme is required.
PO5	<ul style="list-style-type: none"> • Does the policy impose unnecessary additional costs on development? • Does the policy overlap with other policies or could it be combined to give clearer, more effective interpretation overall? • Does the policy provide for necessary consideration of impacts on designated sites? 	<ul style="list-style-type: none"> • Minor editing to turn the points into criteria; delete last sentence; consider restructuring PO5 – 8 as a group • Revise the policy to combine it with PO6 and PO7. Revised wording is at PO7 with aspects re justification and a response to objectors.
PO6	<ul style="list-style-type: none"> • Norfolk CC, Cator and Co, Somerton PC, D Grimmer & Reed and Sedge Cutters Ass raised issues of viability. - Does the policy impose unnecessary additional costs on development? • Norfolk CC, Broadland DC & Home Builders Fed referred to the control of Building Regulations • Does this policy overlap with other policies or could it be combined to give clearer, more effective interpretation overall? • Are there aspects of sustainable design that are omitted (e.g. transport aspects)? 	<ul style="list-style-type: none"> • Revise policy to combine it with PO5 and PO7. Revised wording is at PO7

	<ul style="list-style-type: none"> • Can the policy be implemented effectively through planning decisions (or other spatial measures) or can it be improved in this respect? • Are there elements in the policy that are unclear and can additional detail be given (here or in SPD)? • Is the policy consistent with modern construction methods and materials? • Does the policy provide for necessary consideration of impacts on designated sites? 	
PO7	<ul style="list-style-type: none"> • One individual, Natural England & Nfk Wildlife Trust support policy. NWT are unclear how it can achieve the higher standards referred to in text. • Home Builders Fed responded at length. Authorities should not vary the standards agreed at national level for achieving energy savings over the next 6 years. Also opinion of Winterton PC • Does the policy impose unnecessary additional costs on development? • Does the policy overlap with other policies or could it be combined to give clearer, more effective interpretation overall? • Adoption of local standards as against the national standards being advanced to mandatory status through the Building Regs (Part L) • Specification of local energy efficiency standards in relation to progressive advance of national standards. • Renewable energy on site – should this achieve a higher standard than set in RSS as an ‘interim measure’? • Is it worth setting policy for dealing (in the Broads) with a very small number of developments above the thresholds which apply? • Relationship of small scale renewable energy to the character of the Broads landscape. • Can innovative design using modern methods and materials be covered? 	<ul style="list-style-type: none"> • Revise policy to combine it with PO5/ PO6 to cover design guidance generally, to clarify policy in relation to policy PO1 and in relation to other matters considered in analysis of those two policies.
PO8	<ul style="list-style-type: none"> • Three comments in support of this preferred option. • One representation suggested that POs 6, 7, 8 as well as 5 be combined for a clearer approach or have one parent policy on good design and other subsidiary policies covering specific elements. A further representation suggested that peoples’ ability to pay should be considered 	<ul style="list-style-type: none"> • Redraft as holistic design policy with or without subset of more detailed specific policies. • No change to content of policy PO8

	<p>so that such requirements do not affect affordability</p> <ul style="list-style-type: none"> • Other comments made were generally about sustainable design and not to be picked up here. <ul style="list-style-type: none"> - Broadland DC - Structure of policies confusing – Combine with PO5/6/7? - Reed and Sedge Cutters Ass - Can only hope that ‘ability to pay’ is taken into account for homes in the area. 	
PO9	<ul style="list-style-type: none"> • Support welcomed & noted. • Comments noted from Anglian Water regarding that with emerging competition they may not be the future wastewater provider. • Comments noted on ensuring to upgrades in existing infrastructure. Development will not be permitted unless there is capacity in existing infrastructure to meet the additional requirements arising out of the development, as stated in NNDC submission Core Strategy and Development Control Policies (Policy CT2). • Comments also noted on continuing to ensure mainstream hydrological integrity particularly while sea level is likely to rise also noted. 	<ul style="list-style-type: none"> • No change – consequential change to ensure that the lag time while a development is being built does not compromise the water quality or resource it would be worth adding reference here or in the emerging Planning Obligations policy that in any development should have mitigation measures in place before it is completed. • Note: recommendation under PO42 is that PO42 is adequately covered by the generic policy on water resources and the stand alone policy PO42 on Winter Water Storage deleted.
PO10	<ul style="list-style-type: none"> • There was considerable support for the policy mainly from tourism and marine businesses and their associations and also from Loddon and Hoveton Parish Councils. It was pointed out that flooding was part of the tradition and culture of the area. “We cannot get flood insurance, so we build and replace with flooding in mind, we live and work next to the water and respect it”. • Consequences of not having a policy which was appropriate for the character of the Broads were listed as a decline in quality of facilities, dilapidation, businesses unable to remain viable in changing conditions, lack of responsiveness to changes in the leisure market, unemployment, stifling redevelopment and growth. Pubs and shops have already suffered from a decline in the hire boat trade and now they will suffer from a loss of holiday chalets. In addition, employment premises must be kept up to date to be safe and efficient. 	<ul style="list-style-type: none"> • Amend PO 10 in line with advice from EA. • Move policy on coastal area (current local plan policy C19)

	<ul style="list-style-type: none"> • Individual home owners want to continue to enjoy their riverside locations and protect their property values. Part of the enjoyment of holiday makers is the view of riverside gardens and houses which will become an eyesore if they fall into disrepair. • A case was made for a larger replacement footprint to be allowed to meet higher standards of accommodation, to avoid adverse landscape impacts from building higher, to meet accessibility standards for people with disabilities. • Concern was raised that the policy contradicted PPS25; that the possible outcomes of flooding in the 50/100 year scenario cannot be anticipated. • There was further concern that the non-functional floodplain would be defined too generously and should only cover the actual footprint. No new development should be allowed, flooding will become an increasing problem. A stronger view was expressed that development should not compromise future initiatives such as managed retreat and there should be no new development. • There was recognition that there were landscape grounds for not allowing new development. • Caravan/camping sites would not be welcomed by Winterton Parish Council. 	
PO11	<ul style="list-style-type: none"> • Seven comments made with one note of support. • Concerned raised over whether criterion (e) is appropriate given the natural environment. • Policy should cross refer to PO1 & PO2. • Why green travel plans only for tourism and leisure development? • What is major development under the remit of this policy? 	<ul style="list-style-type: none"> • Add 'where possible' to agricultural land criterion (e). • Take forward alongside PO1 & 2. Broadening the range of proposals travel plans would apply to by deleting 'for leisure and tourism proposals' from the first paragraph after the criteria list. • Define major development, as PS2 definition in the glossary or supporting text.
PO12	<ul style="list-style-type: none"> • Five comments submitted of which two bodies supported the PO approach. • Need a specific policy on 'corridors of movement' and protection for strategic highway routes outside urban areas. 	<ul style="list-style-type: none"> • Add reference to protect corridors of movement and revisit text on inclusive access in criterion a).

	<ul style="list-style-type: none"> • There should be exceptions for redevelopment of existing sites with long standing poor access. • What is meant by 'equality of access' is this really a planning issue? 	
PO13	<ul style="list-style-type: none"> • Support welcomed. • Informal networks, is this justifiable in seeking contributions from planning policy? • Add additional criterion to identify new routes to CROW access land in line with BA's RoW improvement plan. • North Walsham & Dilham canal hopefully will be opened up for public access, walking, cycling etc in future. • Public transport needs extending in the Broads outside the main centres e.g.: Wroxham • Where is the quality of the environment being damaged by car traffic? • Green infrastructure link to RoW contributions from developers where possible. • Climate change implications of diverting RoW schemes need to be taken into account • Site specific policies required to deal with sites issues such as Potter Heigham Car Park and land at Ellingham rd, Geldeston. 	<ul style="list-style-type: none"> • To consider further criterion seeking provision under CROW access land in line RoW Improvement Plan.
PO14	<ul style="list-style-type: none"> • There were 16 responses to this policy, six of which were supportive. • Many of the responses related to the section on flood alleviation and objected to specific sites being identified as potential washlands or wanted more information on how washlands would be implemented. • Other issues raised were the need for more detailed criteria for judging proposals (repeating criteria in PO1), a strategy for the disposal of excavated material should be included, consideration of all impacts including ancillary development for recreation, the loss of geological deposits, that not all benefits may be achieved on the same scheme. 	<ul style="list-style-type: none"> • Policy repeats CS4 delete PO14 and washland opportunities on the proposal maps. Overall landscape policies apply. • Cover excavated material in PO1 (see PO para 5.15). • Green infrastructure and ecological corridors are covered in CS4. • Comments on gateways to be covered in PO14.
PO15	<ul style="list-style-type: none"> • There is general support for this policy. • There was the suggestion that hydrological impact be an additional criteria and that the impact of development on adjoining waterways should be 	<ul style="list-style-type: none"> • Minor editing to layout; insert criteria on hydrological impact. • Insert new criteria on overall impact on adjacent

	<p>considered in decision making.</p> <ul style="list-style-type: none"> Another issue raised was the opportunity to extend navigable waters to implement CS13 through development control with a more positive proposal. 	<p>and adjoining waterways.</p> <ul style="list-style-type: none"> Address issues raised in the appropriate assessment.
PO16	<ul style="list-style-type: none"> Support welcomed. Unsure how the funds will be ring fenced. Policy should include reference to having no hydrological impact. 	<ul style="list-style-type: none"> Support welcomed. Add reference to having no adverse hydrological impact.
PO17	<ul style="list-style-type: none"> Five comments received and three notes of support. It would be inappropriate for the Authority to impose greater restrictions than the Waste Management Regulations 1994. Should be investigated through AA to assess whether it is significant or not. 	Support welcomed - no change.
PO18	<ul style="list-style-type: none"> There were two responses in support. One additionally welcome support for non listed buildings by cross reference to PO39. 	<ul style="list-style-type: none"> Edit to strengthen.
PO19	<ul style="list-style-type: none"> The three responses were in principle in support. It was suggested historic landscapes should be mentioned. Natural England think the policy is inconsistent with likely climate change impacts. 	<ul style="list-style-type: none"> Delete "significant".
PO20	<ul style="list-style-type: none"> The response called for site specific proposals or more detailed policies for sites which detract from CAs. 	<ul style="list-style-type: none"> Include reference to CA appraisals and management plans.
PO21	<ul style="list-style-type: none"> The three respondents questioned how sensitive areas are defined, whether they should be identified on the proposals map and how they are different to the whole of the Broads which is a sensitive area. Does the policy add anything to PO1? 	<ul style="list-style-type: none"> Minor edit to expand Policy CS10; consider merging with PO1 and identifying gateways and entrances on proposals map. Mention waterside locations. Include restriction of permitted development

		rights (see para 6.51).
PO22	<ul style="list-style-type: none"> • One response was in support and one requested the relevant sites be identified on the proposals map. 	<ul style="list-style-type: none"> • No change; consider merging with PO1.
PO23	<ul style="list-style-type: none"> • Two comments were made on this policy. One suggested the insertion of no 'overriding' case as justification for protection can always be made. The other did not relate to archaeology but to geodiversity. • It was suggested the policy was equally applicable to geodiversity. 	<ul style="list-style-type: none"> • Insert "overriding" in second para, second sentence between "no" and "case"; consider extending to cover geodiversity • Change 'remains' to 'features'.
PO24	<ul style="list-style-type: none"> • Eight responses received against this policy, four in support. • We welcome this tough stance in protecting facilities such as pubs and shops, where higher profits tempt developers to apply for change of use to residential. • Communities within the Broads should be seen as part of a wider system of linkages with surrounding towns and villages including social, family and work etc. and crossing a number of Local Authority boundaries. The Authority recognises this overlap in its treatment of affordable housing which crosses administrative boundaries. The DPD should take account of emerging Community Plans, which will be done jointly with neighbouring Councils. • As worded, the policy is likely to prevent any change of use of a shop / facility, as they are all likely to contribute (at least in some small way) to local need and the network of facilities. It is doubtful if such a restrictive approach is justified. • We object to this policy on the grounds that it fails to recognise economic realities. No planning policy can insist that a business remains in place if it uneconomic to do so. Further it militates against the ability that has long existed in planning legislation to seek permission for a legitimate alternative use for a site/premises. • Whilst sympathetic to PO24, denying a 'change of use' to an unsustainable business does not in itself provide any support to that business. 	<ul style="list-style-type: none"> • Support welcomed. Consider changing 'or' in '...local needs or network of facilities..' to 'and' Might help economic viability concerns. Add 'community or visitor' before facilities in last line. • It would perhaps be appropriate to add a requirement to demonstrate that the current use is no longer economically unviable.

<p>PO25</p>	<ul style="list-style-type: none"> • Many of the proposals appear to be a wish list with no explanation offered as to how the would be achieved and will not amount to anything in smaller villages This questioned the approach and particularly whether this worked with PO25 which seeks contributions to affordable housing. PO43 allows new build residential development in established settlements in small groups (typically defined as 5 units or less). Whereas contributions to affordable housing would only be sought on sites of five or more dwellings, under PO25. This will not be possible outside established settlements anyway. • Support but noted that preferential treatment should be given to derelict sites, which could be actively promoted for 50% contributions. This would be in line with Govt policy and not effect the Authority's functions. • Norfolk County Council generally support this approach in restricting housing outside settlements unless it is affordable housing, however a cross reference to PO43 is needed. • Support expressed in working with adjoining authorities and using the regional figures in the emerging RSS. However it was questioned whether there was the evidence base to do so, and whether the trigger of 5 or more dwellings is justifiable. Another pointed out however that the RSS target is one for the region as a whole on all permissions and local needs & targets maybe higher than this, it is suggested that an approach as PO26 in terms of applying riparian authority standards would be better. Or the percentage sought would need to be higher with a threshold of 5 units or above. • References to local needs at the head of the policy need to be amended as these only apply to exception sites. • References to: 'The need for affordable housing demonstrated that the need cannot be met within the boundaries of adjoining local authorities or elsewhere with established settlements in the Broads' Will not help young people living with parents. • Policy needs to be reworked to link contributions to site viability and availability of grant funding to adhere to PPS3. • Key worker housing should be included in this policy definition of affordable housing. 	<ul style="list-style-type: none"> • Consider relationship with PO43. Make reference to site viability and availability to reflect PPS3. Noted that RSS target of 35% is the total of all completions, local needs and targets maybe higher in LPAs within the region. Reconsider using riparian local authority standards after consultation response. Add reference to exception sites and the needs of potential occupants to live locally. In Criterion a) change 'low rent' to 'affordable rent'. • A range of responses was received on this emerging policy along with seven notes of general support. Clearly how much can be achieved by this policy will depend on a range on the evidence base, compliance with national policy and also just what is achievable in the Broads area in terms of the economics of site provision. It is noted that using the RSS target (set out in Policy H2 of the finalised RSS) of 35% of overall delivery may not be appropriate given this should apply to overall housing delivery and not therefore with a threshold will not be achieved. • Agree this policy should be developed in conjunction with PO43 and both approaches need to be combatable with each other. • Agree - references to local needs at the head of the policy need to be amended as these only apply to exception sites. • References to: 'The need for affordable housing demonstrated that the need cannot be met within the boundaries of adjoining local authorities or elsewhere with established settlements in the Broads' Will not help young people living with parents. This is noted,
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	<ul style="list-style-type: none"> • CPRE support this approach and 35%. • On-site contributions are best and financial contributions only used in exceptional circumstances. Rephrase 'low rent' (para 6.71) as 'affordable rent'. 	<p>however hidden households such as this should to be taken into account in local housing needs surveys and where justified provision made in the adjoining district side of the settlement and where no other sites available in the Broads area.</p> <ul style="list-style-type: none"> • It is noted and agreed that the final policy needs to be reworked to link contributions to site viability and availability of grant funding to adhere to PPS3. • The Govt defines Key worker housing in PPS3 – Housing, as those groups eligible for the Housing Corporation funded Key Worker Living programme and others employed within the public sector (i.e. outside of this programme) identified by the Regional Housing Board for assistance. It goes on to say: A sufficient supply of intermediate affordable housing can help address the needs of key workers. A footnote in the final policy should ensure that a PPS3 definitions are used without having to repeat national policy. • Agree that on-site contributions are best and financial contributions only used in exceptional circumstances and that a rephrase 'low rent' (para 6.71) as 'affordable rent' is sensible.
PO26	<p>Objections Received:</p> <ul style="list-style-type: none"> • Home Builders Fed - Points out that contributions need to meet the criteria of Circular 5/05. However, strongly questions evidential base for including such a policy, given the low rate of housing development. Some schools with existing capacity can accept additional numbers without any further contribution being necessary. 	<ul style="list-style-type: none"> • Note new implications of the Government's new Community Infrastructure Levy and likely standard transport charge. Note Suffolk CC threshold for such county contributions is 15 units. Consider better phrasing to a policy format. Note no references to contributions to

	<ul style="list-style-type: none"> • Suffolk CC - Small amounts of development likely to be in Suffolk and standards therefore need to be harmonised with both County Councils. • Broadland DC - This is not a policy but an administrative procedure, as written. Should set out the BA's requirements for community infrastructure. • Norfolk CC -No mention of contributions towards transport infrastructure, public rights of way, adult social services provision, which are included in Norfolk's standards. Government policy has advanced in respect of Community Infrastructure Levy (CIL) – should be referred to as being in development. • Royal Yachting Ass - Policy deals with situations where infrastructure would be put under strain by development. Redevelopment of recreational sites should therefore be exempted. • Sport England - Opportunity to enhance provision through development should be taken through a structured approach towards the objective of new and enhanced places for sport. 	<p>sports, highway, Rights of Way and adult social services.</p> <ul style="list-style-type: none"> • Reword policy to incorporate a listing of the types of infrastructure for which obligations will be sought, but state that negotiation will be based on the relevant County/ District standards as approved. • Include specific identification of provision for maintenance payments from planning obligations. • Add reference to those matters where the Broads Authority itself will seek contributions towards future recreational etc provision. Refer to the proposed CIL in this context and reaching agreement with the relevant charging authorities to determine how such charges will be structured in future.
PO27	<ul style="list-style-type: none"> • Support welcomed. All comments noted. • Various comments made by 14 individuals or organisations, however some outside the limits of enforceable land-use planning controls, i.e. control of power sports and use of the waterways. It is noted that the land forms in the Broads are an important sport resource however it is felt that this is adequately covered by the term 'recreation.' This approach reflects that set out in the adopted Core Strategy. 	<ul style="list-style-type: none"> • Add minor change to ensure that countryside locations are fully justified. Delete the opening sentence of the second list of criteria and add the following wording to the: 'Recreational facilities in the open countryside will only be permitted where there is a clear and demonstrable requirement that they need to be situated in the open countryside and only where:' • No other changes.
PO28	<ul style="list-style-type: none"> • There should not be a requirement for community facilities to be "compatible" with "Broads Authority purposes". Community uses may have nothing to do with Broads Authority purposes (e.g. it is not a purpose of the Broads Authority to provide village halls or play areas). • New community facilities in this context should be extended to include 	<ul style="list-style-type: none"> • No change other than minor text change 'do not conflict with Broads Authority purposes...'

	public toilets and car parks. The Authority must cater for its shore-based visitors and accommodate them discreetly as has been done at South Walsham and Loddon.	
PO29	<ul style="list-style-type: none"> • Eighteen responses submitted, six notes of support. The main issues raised were as follows • Dispute the approach to limit non-letting holiday homes. There are important contributions made by regular visitors. If all the community were short stay lettings there would be no social fabric. There is not the demand for new holiday accommodation. • Recommend reference to flood risk. • As worded it is difficult for the policy to control second homes as this is not a planning issue given they are all classed as residential use. It is not clear whether the policy seeks to prevent a property changing to a second home or the opposite. • Guest houses were permanent dwellings once, the economics of provision is a factor that should be taken into account. • The wording of this policy is not strong enough – ‘resist’ and ‘seek’ • The supporting text does not match the policy, it is mainly about boat yards. • Holiday dwellings are essential to the economy and to the Broads Authority if they are to maintain the area for people to visit and enjoy. • Broadlands need to be sustained as a tourism area, therefore allowing development has to be a must. • All these policies are supported as they will ensure the future socially and economically of Broadland. • Add at the end of the first paragraph: “...or currently no occupancy condition.” We support the protection of holiday letting accommodation from change to second home use, thus supporting the tourism industry. • A clear definition of holiday letting dwellings (using the Inland Revenue definition) is welcomed to distinguish them from second homes. 	<ul style="list-style-type: none"> • Minor editing to affirm the control possible through the precise controls possible through the planning system using the comments made during the consultation. • Delete references in the supporting text to boat yards as irrelevant to this topic.
PO30	<ul style="list-style-type: none"> • There needs to be a modest increase in private moorings to accommodate the ex-hire craft now privately owned. 	<ul style="list-style-type: none"> • Develop holistically with PO31 and PO32, by editing into one policy to deal with all types of

<ul style="list-style-type: none"> • There needs to be recognition that new moorings may have an impact on natural heritage. • Fully supported. • Criterion b) would be hard to implement in all cases if there are differing land ownerships. • Distance limit in g) seems low. • Requirement that new moorings do not have adverse impact on landscape or ecology is needed. • Final policy should be combatable with Norwich City Council policy TVA3 • TVA3 • Development with a frontage onto the Rivers Yare or Wensum will only be permitted where it is designed to take advantage of the opportunities for access by river craft (where the river is navigable), for pedestrian access along the riverside, where appropriate (in accordance with policy SR11), and to enhance the appearance of the river bank and any adjacent land. • Development which supports and promotes the recreational use of the Rivers Yare and Wensum will be permitted, subject to environmental constraints and safety considerations, including improved access to the river for visitors and other users. Development providing for the expansion of the Yacht Station on that part of Riverside adjacent to the swimming pool site will be permitted, including facilities for visitor amenities. • Development proposals at <ul style="list-style-type: none"> - The Deal Ground (within 50 metres of the proposed pedestrian bridge); - Cannon Wharf (within 50 metres of the Novi Sad Friendship Bridge); - Riverside Road (within any bank area not required for the yacht station); - Riverside (upstream of the Turning Basin, where not occupied by permanent moorings); - Adjacent to St Helens Wharf (within 50 metres of the proposed pedestrian bridge); - Quayside (adjoining Bedding Lane); - New Mills (north bank) adjoining the proposed housing development site 	<p>mooring applications. Delete criterion a) as covered by criterion g).</p>
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	<p>will be permitted where provision is made for public moorings and appropriate bankside access to them as part of the development.</p> <ul style="list-style-type: none"> • Land at Petch’s Corner will be reserved for a slipway to enable small boats to be launched, and at the Deal Ground site for a slipway for larger boats, with appropriate access at both sites for vehicles. • Development which includes private moorings (together with any bankside facilities and access arrangements related to such moorings) will be permitted elsewhere along the navigable river, provided that any such moorings or facilities would not interfere with the movement of other craft and would be accessible without significant alterations to the course and/or depth of the river. 	
<p>PO31</p>	<ul style="list-style-type: none"> • As a result of a targeted stakeholder workshop in January on the residential houseboat issue, attended by those boat owners residing at Thorpe Island, there was a large level of response on this issue opposing the preferred option. There were also 4 responses appearing to support PO 31 as drafted, based on maintaining the width of the navigation. • This was the first issue discussed at the planning members’ workshop and picked up the issue from the public meeting was held for live-aboards from Thorpe Island in January. The invited audience meeting was chaired by the Authority’s Vice-Chairman and this facilitated an initial response to PO31, in terms of their views; which were written up as notes of the meeting. Several individuals also submitted their own responses to the consultation. Obviously the residential boaters opposed the draft Preferred Option but the meeting itself offered an insight into their reasoning and views. • The consensus reached by members at the workshop was that officers should research a criteria-based policy for permanent moorings and consider combining policies PO30 and PO31 with specific criteria for residential moorings. • Other comments as part of the formal consultation included: <ul style="list-style-type: none"> - An alternative definition of a residential mooring could be: ‘no more than 21 consecutive nights or 42 nights in one calendar year at the mooring. This would cover emergencies and holidays. 	<ul style="list-style-type: none"> • Develop into a criteria based policy allowing this use in certain circumstances with strict controls. • Develop holistically with PO30 and PO32, but do not edit into one policy to deal with all types of mooring applications – as above previous recommendation, as this is effect a separate and exceptional issue.

	<ul style="list-style-type: none"> - Suggest small marina made for live-aboards managed by BA - Permanent mooring for large craft upstream should not be allowed. - Objectionable to imply that residential boater are potential vulnerable people - Objection to policy deficit on new age travellers who wish to reside on a boat, particularly on the Wensum, King Street area of Norwich. - Always will be residential craft on the Broads. Evidence suggests 50 years at least before now. Another stated evidence from 1858. - Licensed moorings and increase in toll fees would help deal with 'rogue' live-aboards'. - Live-aboards do consider the environment, recycle and collect rubbish, have boat safety certificates, pay council tax etc. Residential boating should be self policing. - Committee formed by current live-aboards. Could self police the river bank and maintain it free of litter and untidy boats and occupiers. - Dredging and speeding causes bank erosion. Steel pilling on Thorpe Island. 	
PO32	<ul style="list-style-type: none"> • Concern over 'wild' sites identified in the Moorings Strategy. • We support this policy • Policy needs to recognised that new moorings may adversely affect natural heritage • Electric charging points are needed and as angling use and boat use can conflict, provision should be made for anglers elsewhere. 	<ul style="list-style-type: none"> • To be taken forward with PO30. No negative effects of SA analysis noted.
PO33	<ul style="list-style-type: none"> • Vehicles should be screened from the waterways • We support the distinction between "mooring plots" and "leisure plots", as the former is purely functional whereas the latter tend to suburbanise the riverbanks. • These would lend themselves to residential moorings is this an option you are considering? 	<ul style="list-style-type: none"> • Support welcomed, minor editing required. Landscaping requirements where necessary can be sought under emerging PO4 – Landscaping (schemes).
PO34	<ul style="list-style-type: none"> • Potential conflict with PPS25, policy CS20 and PO10. Employment uses should be amended to 'water compatible uses'. 	<ul style="list-style-type: none"> • Make reference to single management and retention of boating facilities by adding extra

	<ul style="list-style-type: none"> • Policy should be flexible as in PO37 to allow other employment uses. • Suggest 'sustainable' diversification, but no definition of 'sustainable' in this context given. • Residential uses would help maintain vitality. • Support but yards need to remain in single management and retain boating facilities. • Support recognises need to maintain marine industries and skills. • Restriction to boat yard uses is to protect the supply of boat yards or waterside in the Broads to specifically support this industry. The Broads Authority does not have RSS jobs target to meet. • Residential uses privatise the waterside and prevent any future return to boat yard or waterside use. • Agree that single unit management should ideally be required and that it is boat facilities that need to be maintained. 	two criteria as c) and d).
PO35	<ul style="list-style-type: none"> • Three bodies expressed support for the whole emerging policy and one response explicitly supported the reference to enhancing recreation facilities. • Loddon staithe is not included in the notation on the draft proposal maps, this needs to be changed. Other omissions included Crowe's Staithe at Catfield and that a footnote on the proposal maps should make reference that a staithe notation should not be used to represent existence of a staithe or staithe rights. • The following specific changes were suggested: <ul style="list-style-type: none"> - Clarify that a) and b) apply to slipways - Recommend that criterion a) makes reference to floodplains - Amend reference to parish staithe always having a slipway, this was not always the case.(This is reference to wording in para 7.66 in supporting text) 	<ul style="list-style-type: none"> • Support welcomed. Minor editing with regard to slipway differences. Note omission of staithe on the draft proposal maps and the proposed caveat that the map notation cannot be used to refute the existence staithe or staithe rights.
PO36	<ul style="list-style-type: none"> • One note of full support was received. • Should be noted that former flood defence works using piling have provided many casual moorings. As a result of the flood defence works now being undertaken moorings are being lost. 	<ul style="list-style-type: none"> • Comments noted. Minor editing of second paragraph required to define soft engineering and rephrase third paragraph for clarity.

	<ul style="list-style-type: none"> • This policy needs rewording. The first paragraph does not make clear what will or will not be allowed. The second paragraph is meaningless. Is timber softer than steel? What constitutes “natural” or “soft” engineering? The last phrase of the third paragraph is tautological. Effectively it says you can only have permission if you already have permission. The final paragraph risks confusion between the powers of the Authority as a planning authority and its powers as a navigation authority. We think this paragraph is really more appropriate to the latter. • In the last part, whilst it is quite agreed that permanent moorings should be controlled, that cannot apply to short-term due to the public right; therefore the word “permanent” should be added after “prevent”. • Loddon PC is pleased to see that bank protection will be permitted (PO36) to prevent bank erosion for navigation purposes. This, of course, is essential if boats are to continue to access Loddon Staithe from the River Chet. With this in mind, Loddon PC would like to object to the apparent proposed abandonment of the south bank of the River Chet since this is shown as a 'proposed wetland opportunity' on the Proposal Map. 	
PO37	<ul style="list-style-type: none"> • Five comments made & four of support. Support noted. • One objection stating, there is no justification for restricting reuse of a site when uses have previously been lost through economic reasons. 	<ul style="list-style-type: none"> • Support noted. No change.
PO38	<ul style="list-style-type: none"> • Six comments received and three of which were supporting the approach. Of those critical the following issues were raised: <ul style="list-style-type: none"> - This policy should also cover boat yards, these make up the majority of industrial sites. - We recommend addition that ‘Development should be in accordance with other policies in the Development plan’ • In addition to this an omission was noted that there was no policy option to cover farm diversification, it seems sensible to make reference here. 	<ul style="list-style-type: none"> • Support noted. Expand to cover farm diversification in response to comments made under PO40.
PO39	<ul style="list-style-type: none"> • Three respondents supported this policy. One objected and the Environment Agency cautioned as to the ability of developers to meet PPS25. 	<ul style="list-style-type: none"> • Minor editing to clarify application to scheduled and unscheduled structures; delete reference to “preferred option”.

	<ul style="list-style-type: none"> • It was suggested that the policy be clarified as it relates to scheduled and unlisted buildings. • A proposer of conversion to residential uses objected to this option being the preferred option. 	<ul style="list-style-type: none"> • Clarify applies to conversion (criteria a, b and c) and change of use (criteria b and c).
PO40	<ul style="list-style-type: none"> • Eight comments received and one note of support. • Clearer context required, does this cover isolated rural buildings or buildings in established settlements? Residential reuse should not be seen as a last resort as other uses maybe unviable and such an approach unrealistic. • The policy needs to give consideration to unsustainable redundant land (e.g. hardstanding) that contributes to water runoff. Development here could mitigate runoff rates and improve visual amenities. • CPRE opposes change of use to residential, avoid policy loop holes in this instance. • The conversion of 20th century low quality buildings to residential or holiday use. At the end of their useful life buildings should be removed. • There needs to be a policy on farm diversification. • Regard has to be had for the demand for reuse of agricultural buildings as workshops. In some instances due to traffic generation this is a less sustainable option than residential. • Para 7.104 (Supporting text) makes no allowance of the new energy required to make existing buildings energy efficient and precludes new development, is this really the aim? 	<ul style="list-style-type: none"> • Minor editing and redrafting to paragraph 1. Add note that this policy would apply to buildings only and not areas of hard standing. • Make reference to functional/industrial type development that may not be suitable to conversion to other uses and that should be taken down at the end of its useful life. Make it clear that the sustainability argument is not the only reason for employment reuse of buildings.
PO41	<ul style="list-style-type: none"> • Two respondents are supportive and two councils suggest a different approach. • Should opposition to wind energy development be made explicit? • What is distinctive in policy from national policy requirements and should the policy focus on these aspects more? • Should the policy be split into two parts with different approaches to telecommunications and renewable energy? 	<ul style="list-style-type: none"> • Strengthen policy and reconsider whether policy should be subdivided and take into consideration more recent government changes to planning policy. • That the policy be split into two parts with reduced emphasis on the principles identified in national guidance or the procedures for consultation and increased attention to specific areas where the policy can enhance the impact

		on the Broads landscape, if necessary.
PO42	<ul style="list-style-type: none"> • Four comments received, including one note of support. The following comments were also made. • Appropriate Assessment is still required to look at individual and cumulative effects. • Suggestion that there might be criteria that also applies under navigation and water resources. • The policy needs to differentiate between winter water storage to promote or sustain the traditional landscapes of the Broads and other uses water may be put to such as sustaining agriculture on or off the floodplain. 	<ul style="list-style-type: none"> • Minor editing to ensure decisions consider that such water storage can contribute to the traditional Broads landscape.
PO43	<ul style="list-style-type: none"> • The approach to restrict residential development only within established settlements (PO43) proved not as controversial as anticipated. One questioned it in respect that development would be allowed under the policy in inappropriate areas. Some also questioned the approach and particularly whether this worked with PO25 which seeks contributions to affordable housing. PO43 allows new build residential development in established settlements in small groups (typically defined as 5 units or less). Whereas contributions to affordable housing would only be sought on sites of five or more dwellings, under PO25. • Support for the approach in PO43 was expressed from three bodies, including from an adjoining district council who considered the list of established settlements as 'generally consistent' with the North Norfolk Core Strategy settlement hierarchy. • The relationship between this policy and the proposal maps was questioned; in accordance with PPS12 the relationship between policy and area should be clearly defined. • During the consultation several sites came forward for residential uses and these were recorded under this policy option. These were: <ul style="list-style-type: none"> - Site at The Moorings, Broadview rd, Oulton Broad - Extension to the current development boundary at Thurne, around 'The Thatched House' - Site at Girlings Lane, Thorpe St Andrew • As well as these it was suggested that Brundall possessed the all the 	<ul style="list-style-type: none"> • The approach to restrict residential development only within established settlements (PO43) proved not as controversial as anticipated. One questioned it in respect that development would be allowed under the policy in inappropriate areas. Some also questioned the approach and particularly whether this worked with PO25 which seeks contributions to affordable housing. PO43 allows new build residential development in established settlements in small groups (typically defined as 5 units or less). Whereas contributions to affordable housing would only be sought on sites of five or more dwellings, under PO25. • At the workshop, members discussed how well PO1 – Character, in conjunction with PO25 would work with regard to two potential development sites. At issue here is whether the policy judgments that can be made on landscape grounds are drawn in the form of the development boundary at the plan making stage or whether it is robust enough to make those judgments on a site by site basis at the

	<p>elements for a sustainable settlement and that Horning, Ludham, Reedham and Sutton are also worthy of consideration. Thorpe St Andrew's inclusion in the list of established settlements was supported and suggested that the Authority bear in mind that in practical terms it is part of the Greater Norwich Growth point and a one size fits all policy inappropriate for such a wide variety of settlements. Further clarification is required as to which part of Great Yarmouth the established settlement refers to, new town, Cobham, Bradwell or Breydon water may not all be suitable for new development. It was also noted & supported that the list of established settlements is exhaustive.</p> <ul style="list-style-type: none"> • Alter policy to read, '...as single dwellings or small groups.' One other suggested that the term small groups required further definition. Others suggested that was currently words it would seem to prevent the development of a single house. • No differentiation between the approach to brownfield and greenfield sites are given, even though this policy is there to take forward CS18: Rural Sustainability Development will be located to protect the countryside from inappropriate uses to achieve sustainable patterns of development by concentrating development in locations with local facilities and high levels of accessibility and where previously developed land is utilised. • Brownfield sites are given greater preference in PPS3 Housing, this policy is not consistent with national policy. New text proposed as an amendment: • 'Medium sized groups of up to 25 dwellings may be permitted within Thorpe St Andrew where it would enable the development of a brownfield site and the development is consistent with the Landscape Character Assessment.' 	<p>planning application stage. No overall consensus was reached and officers propose that the approach in PO25 (not to have boundaries) is kept at this stage and consideration is given to producing Area Action Plan/site allocations in the future if deemed necessary.</p>
<p>PO44</p>	<ul style="list-style-type: none"> • Four responses made, all proposing minor changes. • We recommend that the policy includes a fourth point stating "Development should be in accordance with other policies in the Development Plan". • Greater flexibility should be applied when considering replacement 	<ul style="list-style-type: none"> • Ensure references in PO43 to replacement dwellings are reflected in the stand alone policy. • Add reference to larger replacements with appropriate caveats. • Include reference to historic, architectural or

	<p> dwellings. Larger, replacement properties, of a scale and design appropriate to its setting can often be better assimilated into an area than that being replaced, even in isolated settings, and each case should be considered on its merits.</p> <ul style="list-style-type: none"> • This policy repeats part of PO43. • Add: (d) it does not conflict with PO18 or PO19. 	<p>cultural significance.</p> <ul style="list-style-type: none"> • Include reference to extensions within this policy which was an omission in the Preferred Options.
PO45	<ul style="list-style-type: none"> • We recommend that the policy includes the statement “Development should be in accordance with other policies in the Development Plan”. • The policy potentially conflicts with CS20 and PO10, cross reference to flood risk would be helpful. 	<ul style="list-style-type: none"> • Add reference to ‘sustainable economic viability’ as PO47. Emphasise the strict tests required by national policy and that the business or tourism use must be acceptable in planning terms in the first instance. (Annex1 to PPS7) • Take forward as part of PO46 the parts particular to boatyards and tourism uses.
PO46	<ul style="list-style-type: none"> • Five comments received which made the following key points: • Approach should include reference to key workers from boat clubs/yards and reed and sedge cutters. • “Removal of such conditions should only occur in exceptional circumstances” should be added. • Add reference mention ‘sustainable economic viability’ as PO47 • We welcome these LDF options. We understand the need to have policies and guidance on good design in the Broads, PO6 PO7 and PO8 (page 24), however, many of these requirements will be beyond the reach of those on low incomes. We can only hope that the ‘ability to pay’ will be taken into account with any application for a dwelling covered by PO46. • Unfortunately, the LDF references to affordable housing provision (PO25 - page 48) suggest that young persons residing with their parents in the smaller villages who wish to live independently, have to look “within the boundaries of adjoining local authorities or elsewhere with established settlements in the Broads”.. The proposal to “seek contributions to affordable housing on all sites of five or more dwellings..” will not have much impact on the Broads’ smaller villages since it is extremely unlikely 	<ul style="list-style-type: none"> • Add reference mention ‘sustainable economic viability’ as PO47 – i.e. that the needs of other rural occupations to live near their rural business and boatyard workers. Combine with relevant parts of PO45. • Emphasize the strict needs tests required by national policy and that the use must be acceptable in planning terms in the first instance. (Annex1 to PPS7) Include reference that this policy would apply to employees in reed and sedge industry. • Add ‘in exceptional circumstances’ at the end of the first line of the second paragraph.

	<p>that five or more dwellings will be built at one time. Developers will probably opt to build a maximum of four dwellings to avoid making contributions. We had hoped that a more radical and robust policy similar to that adopted by some of the other National Parks would have been included in the proposals.</p>	
PO47	<ul style="list-style-type: none"> • Two comments received. • This policy must be rigorously enforced. • We recommend that the policy includes the statement “Development should be in accordance with other policies in the Development Plan”. • PO46 - New Agricultural and Forestry Dwellings and PO47 - Temporary Mobile Homes does offer some hope to younger persons wishing to take up reed and sedge cutting and we welcome these LDF options. We understand the need to have policies and guidance on good design in the Broads, PO6 PO7 & PO8 (page 24), however, many of these requirements will be beyond the reach of those on low incomes. We can only hope that the ‘ability to pay’ will be taken into account with any application for a dwelling covered by PO46. 	<p>No change other than factual updates from emerging PO 46.</p>
PO48	<ul style="list-style-type: none"> • Two respondents made comments on this policy. • One suggested the title should be advertisements and signage and thought all signs should be regulated and only used if there is a good case. • The other raised highway and navigation safety issues. 	<ul style="list-style-type: none"> • Extend to cover signage. • Minor edit to policy and text.

Appendix C (1): Further Preferred Options (Regulation 26) Consultees

The following tables list the statutory bodies consulted during the Further Preferred Options Stage

<p>Statutory Consultees</p> <p><u>County Councils - Statutory</u></p> <ul style="list-style-type: none"> Norfolk County Council Suffolk County Council <p><u>District Councils - Statutory</u></p> <ul style="list-style-type: none"> Broadland District Council Great Yarmouth Borough Council North Norfolk District Council Norwich City Council South Norfolk Council Waveney District Council <p><u>Government – Statutory</u></p> <ul style="list-style-type: none"> Broadland Environmental Services Ltd Countryside Agency East of England Development Agency (EEDA) East of England Local Government Association Environment Agency Environment Agency - BFAP Government Office for the East of England (GO-East) Natural England <p><u>Electricity and gas companies - Statutory</u></p> <ul style="list-style-type: none"> British Gas Properties British Pipeline Agency Ltd EDF Energy EON UK (Powergen) National Grid NPower Renewables Scottish Power The Coal Authority <p><u>Transport – Statutory</u></p> <ul style="list-style-type: none"> Great Yarmouth Port Authority Secretary of State for Transport <p><u>Sewerage and water undertakers - Statutory</u></p> <ul style="list-style-type: none"> Anglian Water Services Association of Drainage Board Authorities - Waveney, Yare & Lothingland* Essex & Suffolk Water Water Management Alliance <p><u>Social - Statutory</u></p> <ul style="list-style-type: none"> NHS Great Yarmouth & Waveney PCT NHS Norfolk PCT Norfolk Police Authority Suffolk Police Authority 	<p><u>Telecommunications operators - Statutory</u></p> <ul style="list-style-type: none"> Atkins OSM (Cable and Wireless) British Telecommunications plc LTE Network Communications Ltd Mobile Operators Association National Transcommunications Ltd <p><u>Cultural Heritage/Landscape - Statutory</u></p> <ul style="list-style-type: none"> English Heritage <p><u>Parish and Town Councils - Statutory</u></p> <ul style="list-style-type: none"> Within in the Broads Executive Area (92) Adjacent to the Broads Executive Area (39) <p>General Consultees</p> <p><u>Government</u></p> <ul style="list-style-type: none"> Department for Environment, Food and Rural Affairs (DEFRA): Sponsorship, Landscape & Recreation Division Department for Transport (DfT) <p><u>Members of Parliament</u></p> <ul style="list-style-type: none"> Great Yarmouth Mid Norfolk North Norfolk Norwich South Norwich North South Norfolk Waveney UK MEPs - Eastern Region (7) <p><u>Ward councillors</u></p> <ul style="list-style-type: none"> Ward councillors within Broads Executive Area (66) <p><u>Local Strategic Partnerships</u></p> <ul style="list-style-type: none"> Broadland Community Partnership Chet Valley Development Partnership Great Yarmouth Local Strategic Partnership Norfolk County Strategic Partnership North Norfolk Community Partnership Norwich Local Strategic Partnership South Norfolk Alliance Stalham with Happing Partnership Suffolk Strategic Partnership Waveney Local Strategic Partnership <p><u>Business and employment</u></p> <ul style="list-style-type: none"> Business Link in the East of England CBI East of England Learning and Skills Council Norfolk Chamber of Commerce & Industry
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General consultees cont.

- May Gurney Ltd
- Suffolk Chamber of Commerce Industry

Boating & Water Based Business/ Recreation

- Amateur Rowing Association*
- Association of Inland Navigation Authorities
- British Canoe Union*
- British Marine Federation*
- British Water Ski Federation*
- British Waterways
- Broads Hire Boat Federation*
- Broom Boats Ltd
- Canoe Committee of Suffolk Water Sports Association*
- Cruising Association
- East Anglian Waterways Association*
- East of England Development Agency
- Eastern Rivers Ski Club*
- Eastern Rowing Council*
- Ellis-Frost Marine Ltd
- Ferry Marina
- Hoseasons Holidays Ltd
- Inland Waterways Association*
- Jeckell and Son Ltd
- Kingfisher Boatyard
- Moonfleet Marine Ltd
- Norfolk Broads Direct Ltd
- Norfolk Broads Direct Ltd
- Norfolk & Suffolk Pleasure Boat Owners Association*
- Norfolk & Suffolk Boating Association*
- Norwich Canoe Club
- Norwich Frostbite Sailing Club
- Oulton Broad Users Association*
- Performance Plus (East Anglia) Ltd
- Residential Boat Owners Association
- Royal Yachting Association*
- Silverline Marine
- South Quays Marina
- Waterways Trust
- Yare Users Association*
- Waveney Oulton Broad Yacht Club
- Windboats Marine Ltd

Land Based Recreation

- British Association for Shooting and Conservation*
- British Horse Society*
- East Anglian Cycling Club
- East Anglian Trail Riders Association*
- Norwich & District Wildfowling Association
- Ramblers Association*
- Sport England (Eastern Region)*

Wildlife and Conservation

- Aurum Ecology
- British Trust for Ornithology
- BTCV*
- Butterfly Conservation
- Forestry Commission East of England Conservancy
- Friends of the Earth*
- Norfolk Coast Partnership AONB
- Norfolk Farming & Wildlife Advisory Group
- Norfolk Geodiversity Partnership
- Norfolk & Norwich Naturalists' Society
- Norfolk Wildlife Trust*
- Norwich Fringe Project
- RSPB*
- Suffolk Coast and Heaths AONB
- Suffolk Geodiversity Partnership
- Suffolk Wildlife Trust*

Fishing/Angling

- Anglers Consultative Association for Norfolk & Suffolk*
- Broads Angling Strategy Group* (*separate label list*)

Farming and Landowners

- Attree Estates Ltd
- British Reed Growers' Association
- Broads Reed & Sedge Cutters Association
- Country Land & Business Association*
- Langridge
- National Farmers Union*
- Reed & Sedge Cutters Association
- Waters Farm Ltd

Housing, land agents and developers

- Aldreds Chartered Surveyors
- Arnolds
- ART-TECH Design Services Ltd
- Barry J Bridgewood Building Designs
- Bidwells/Carpenters Planning Consultants
- Brown & Co
- Brundall Riverside Estates Association
- C & M Architects Ltd
- Crown Estate
- DevPlan UK
- Dunsheath, B
- Durrants
- Engineering Support Practice Ltd
- FPD Savills
- Gibb, H
- Goodliffe, B J
- Gt Yarmouth BC Architectural Service
- Hale-Sutton, R
- Hogg, G E
- Home Builders Federation
- John Ellis Architectural Design

General consultees cont.

- Kitewood Estates
- KLH Architects Ltd
- Knight Benjamin
- Knights, A
- Land agents (*separate label list*)
- Lanpro Services Ltd
- Les Brown Associates
- LPC (Trull) Ltd
- M & S Lynch Consultancy
- McCarthy & Stone (Developments) Ltd
- NPS Property Consultants Ltd
- O W L Partnership: Architects
- P H Design and Planning Ltd
- Palmer, R
- Planning Potential
- Putman, J
- Richard C Anderson-Dungar Design
- Ross Powlesland Associates
- Ropes Hill Dyke Residents Association
- Stacey, D
- Strutt and Parker
- The Barton Willmore Planning Partnership
- Utton, J
- Vaughan Keal Associates

Cultural Heritage/Landscape

- CPRE Norfolk
- CPRE North Norfolk
- CPRE Suffolk Preservation Society*
- National Trust*
- Norfolk Archaeological Trust*
- Norfolk Archaeological Unit*
- Norfolk Landscape Archaeology
- Norfolk Wherry Trust*
- Norfolk Windmills Trust*
- Norwich Rivers Heritage Group
- Suffolk Archaeology Service

Tourism

- A T Bent Properties Ltd
- Archdeacon of Norfolk
- Broadland District Council
- Broads Tourism Forum
- East of England Tourist Board*
- Ivy House Country Hotel
- King Line Cruisers
- Norfolk Tourism Management Partnership*
- Oulton Parish Council
- Reedham Ferry Inn
- Visit Norwich Ltd*
- Waveney District Council

Education/Charities/Trusts

- Broads Society*
- Easton College*

- Hertfordshire Schools Sailing Base*
- How Hill Trust*
- Nancy Oldfield Trust*
- Norfolk Heritage Fleet Trust*
- Norfolk Schools Sailing Association*
- Norwich City College*
- Renewables East
- Rural Action East
- Ted Ellis Trust & Wheatfen Partnership
- The Horstead Centre
- University of East Anglia
- Wherry Yacht Charter Charitable Trust*
- Whitlingham Boathouse Federation
- Whitlingham Charitable Trust

Disability/access

- Broads Access Advisory Group (*separate label list*)

Social

- Arts Council England (East)
- Broads Local Access Forum ☞ (*separate label list*)
- Every Norfolk Child Matters
- Health and Safety Executive
- MENTER
- Norfolk Youth and Community Service
- Norwich and Norfolk Racial Equality Council
- The Gypsy Council
- Voluntary Norfolk
- Waveney DC Leisure Services

Waste and recycling

- Broadland Environmental Services Ltd
- Norfolk Environmental Waste Services (NEWS)

Transport

- Highways Agency Network Ops East
- Norfolk and Norwich Transport Action Group
- SUSTRANS*
- The Three Rivers Way Association

National Parks

- Association of National Park Authorities (
- Campaign for National Parks

Broads Authority Members

- Broads Authority Members (21)
- Broads Authority Co-opted and Independent Members (10)

Individuals

- Individuals (163)

Organisations/interests represented on the Broads Forum marked with ()*

Appendix C (2): Further Preferred Options: Public Notice of Consultation

The following public notice was published in the Eastern Daily Press and east Anglian Daily Times on 27/05/2010

BROADS AUTHORITY
Planning and Compulsory Purchase Act 2004
Development Management Policies DPD - Revised Preferred Options

The Authority is consulting on Revised Preferred Options of its Development Management Policies DPD. The DPD will provide the policies to determine planning applications in the Broads up to 2021.

Representations on the DPD are invited between **7 June 2010** and **16 July 2010**. The DPD and supporting documents are available for inspection on the Authority's website at: www.broads-authority.gov.uk; at its head office at Dragonfly House, 2 Gilders Way, Norwich (Mon-Fri, 9am-5pm); BA information centres at Beccles, Hoveton, How Hill, Potter Heigham, Ranworth and Whitlingham; and constituent council head offices and main libraries in the Broads (see website or tel. 01603 610734 for details).

Representations on the DPD must be made in writing to the address below or by email to: LDF@broads-authority.gov.uk, to be received by 5pm on **16 July 2010**

Representations may be accompanied by a request to be notified at a specified address of the publication of the recommendations of the person appointed to carry out an examination under Section 20 and/or the adoption of the DPD.

Dr J Packman
Chief Executive
Dragonfly House
2 Gilders Way
Norwich NR3 1UB

Appendix C (3): Further Preferred Options: Copy of letter to consultees inviting comments.

The following letter was sent to consultees on 25 May 2010

1 June 2010

AL/LDF/DMDPD RPO/consult

Dear Sir or Madam

Broads Authority Local Development Framework – Development Management Policies DPD – Revised Preferred Options (June 2010): Public consultation 7 June - 16 July 2010

Please find enclosed a copy of the Authority's draft Development Management Policies DPD – Revised Preferred Options. The DPD sets out the detailed policies that will be used in determining planning applications in the Broads up to 2021.

The Authority is seeking views on the draft policies in the DPD and your comments are welcomed. The DPD is subject to a six-week period of consultation from 7 June to 16 July 2010.

The DPD is accompanied by a Sustainability Appraisal and an Appropriate Assessment. These documents may be viewed on the Authority's website at www.broads-authority.gov.uk and at the locations listed overleaf. If you would like a paper copy of either of these documents, please contact us at the above address, by email to LDF@broads-authority.gov.uk, or by telephone to 01603 610734.

All responses to the Development Management Policies DPD and supporting documents should be made in writing and submitted to the Authority by the closing date of **5pm on Friday 16 July**. Responses may be sent by post to: Director of Planning and Strategy, Broads Authority, 2 Gilders Way, Norwich NR3 1UB; or by email to: LDF@broads-authority.gov.uk.

We look forward to hearing your views.

Yours faithfully



Andrea Long
Director of Planning and Strategy

Where to view the draft Development Management Policies DPD

Broads Authority:

Head Office: Dragonfly House, 2 Gilders Way, Norwich NR3 1UB (opening hours Mon-Fri; 9am-5pm) Tel: 01603 610734; website: www.broads-authority.gov.uk; email: ldf@broads-authority.gov.uk

The document may also be viewed at the following locations:

Constituent local council offices:

Broadland District Council: Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich NR7 ODU; tel: 01603 431133; website: www.broadland.gov.uk

Great Yarmouth Borough Council: Town Hall, Hall Plain, Great Yarmouth, NR30 2QF; tel: 01493 856100 (website: www.great-yarmouth.gov.uk)

Norwich City Council: City Hall, Norwich NR2 1NH; tel: 01603 212212; website: www.norwich.gov.uk

Norfolk County Council: Martineau Lane, Norwich NR1 2DH; tel: 0844 800 8020; website: www.norfolk.gov.uk

North Norfolk District Council: Council Offices, Holt Road, Cromer, Norfolk NR27 9EN; tel: 01263 513811; website: www.north-norfolk.gov.uk

South Norfolk Council: South Norfolk House, Swan Lane, Long Stratton, Norfolk NR15 2XE; tel: 01508 533633; website: www.south-norfolk.gov.uk

Suffolk County Council: Endeavour House, Russell Road, Ipswich, Suffolk IP1 2BX; tel: 01473 583000; website: www.suffolkcc.gov.uk

Waveney District Council: High Street, Lowestoft, Suffolk NR32 1HS; tel: 01502 562111; website: www.waveney.gov.uk

Public Libraries:

Acle Library, Bridewell Lane, Acle, Norfolk NR13 3RA

Cromer Library, Prince of Wales Road, Cromer, Norfolk NR27 9HS

Great Yarmouth Library, Tolhouse Street, Great Yarmouth, NR30 2SH

Norwich Millennium Library, The Forum, Millennium Plain, Norwich NR2 1AW

Wroxham Library, Norwich Road, Wroxham, Norfolk NR12 8RX

Beccles Library, Blyburgate, Beccles, Suffolk NR34 9TB

Bungay Library, Wharton Street, Bungay, Suffolk NR35 1EL

Lowestoft Library, Clapham Road South, Lowestoft, Suffolk NR32 1DR

Oulton Broad Library, Council Offices, 92 Bridge Road, Oulton Broad, Suffolk NR32 3LR

To receive this information in large print, please contact the
Broads Authority on 01603 610734 or email: ldf@broads-authority.gov.uk

Appendix C (4): Further Preferred Options: Report to the Broads Authority: 19 November 2010

Broads Authority
19 November 2010
Agenda Item No 12

Broads Local Development Framework
Development Management Policies Development Plan Document:
Results of Further Consultation on the Preferred Options and Consideration of Proposed
Submission Document

Report by Planning Policy Officer

Summary:

This report provides an update on the preparation of the Development Management Policies Development Plan Document (DPD), further to consideration by the Planning Committee of 5 November 2010 and in particular the results of the most recent stage of consultation - Further Preferred Options, officer responses thereto and proposed changes to the DPD.

The consultation concluded on 16 July 2010 and attracted 259 representations. Analysis and assessment of representations has been completed and the Broads Authority is asked to consider these together with officer comments and recommendations (Appendix 1). A revised (Proposed Submission) DPD is presented at Appendix 2, incorporating these and other recommended changes. A verbal report will update members on the recommendations of the Planning Committee (5 November 2010).

Recommendations:

- (i) That the Broads Authority is asked to consider and endorse Appendices 1 and 2, subject to any agreed amendments.
- (ii) That the Development Management Policies Proposed Submission document, including any amendments made necessary by Appropriate Assessment/ Sustainability Appraisal/Strategic Environmental Assessment, be published for public consultation for a period of at least six weeks.
- (iii) That the document be submitted to the Secretary of State for Examination by an appointed Inspector.
- (iv) That, where the need for minor amendments is identified prior to or following publication, the Director of Planning and Strategy is authorised to make such amendments, in consultation with the Chairmen of the Planning Committee and the Broads Authority.

1 Introduction

- 1.1 The Development Management Policies DPD, when adopted, will contain the detailed policies against which proposed development (planning and related applications) will be determined. The policies have been formulated to ensure that development contributes to the delivery of the adopted Core Strategy, which itself sets out the long-term spatial planning vision for the Broads.

- 1.2 Members approved the Draft of the Development Management Policies (Further) Preferred Options DPD for consultation on 14 May 2010.

2 Development Management Policies Development Plan Document Consultation

- 2.1 Public consultation for the Development Management Policies DPD covered a six week period from 7 June 2010 to 16 July 2010. The process of public consultation followed that set out in the Authority's Statement of Community Involvement (SCI) - first revision adopted March 2008. Details of the consultation arrangements and publicity were provided in the interim report to Planning Committee on 10 September 2010.

3 Appropriate Assessment and Sustainability Appraisal/Strategic Environmental Assessment

- 3.1 An Appropriate Assessment (AA), under the Habitats Directive, and a Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) have been prepared alongside the emerging DPD at each stage, as appropriate. The Appropriate Assessment for the Further Preferred Options consultation document highlighted a number of possible impacts on European sites and proposed mitigation in relation to three policies (DP6, DP25 and DP26); these have been incorporated into the draft Proposed Submission document.
- 3.2 The SA/SEA also highlighted a series of measures to prevent, reduce or offset any relevant, significant adverse effects of implementing the policies of the Plan. Most involved changes to policy wording/emphasis to seek to mitigate against such effects. The majority of these have been incorporated into the draft Proposed Submission document.
- 3.3 Representations received making reference to the AA and SA/SEA will be considered by the appointed consultants in preparing further assessments, to accompany the next stage of consultation and submission (see 5.3 below).

4 Response to Consultation

- 4.1 During the six week consultation period, a total of 259 representations were received from 37 separate organisations/individuals. 185 were objecting and 74 in support. Five representations were received after the closing date and have not been formally considered (or included in the attached Appendix 1); however the issues raised have been assessed informally and amendments made to the Plan where considered appropriate. All consultation responses received within the specified period have been published on the Broads Authority website.
- 4.2 Appendix 1 comprises a spreadsheet containing all consultation responses, officer comments in relation thereto, together with any related, recommended changes to policy and reasoned justification. Appendix 2 comprises the resultant, draft revised (Proposed Submission) DPD policies, reasoned justification and supporting text. This document also includes independent changes made by officers in response to: internal (Broads Authority) consultation; typos; updates; changes in Government policy and general alterations to aid the meaning and implementation of the Plan.
- 4.3 Some consultation responses make reference to policies of the Regional Spatial Strategy (East of England Plan). Members will be aware of some of the changes and prospective changes to the planning system to be introduced by the Coalition Government (see Report to the Planning Committee 13 August 2010 - agenda item

12), specifically the revocation of the Regional Spatial Strategy (RSS). The DPD has been assessed and, if necessary, revised to reflect the absence of a strategic tier of the Development Plan, particularly Section 2 (Context) and Policy DP7 (Energy Generation and Efficiency).

5 Next Steps

- 5.1 Subject to the Broads Authority endorsing the publication of the Proposed Submission DPD, the document will be the subject of a further period of consultation (December-January), before the document is then submitted to the Secretary of State in February 2011. It is anticipated that the policies will then be subject to public examination in June 2011.
- 5.2 The submitted Plan will be considered by the Inspector against statutory 'tests of soundness', that is to say whether it is in accordance with legal requirements and whether it is 'sound'. Essentially, the soundness of the Plan will be judged against three factors, whether it is:
1. Justified: based upon robust and credible evidence and the most appropriate when considered against reasonable alternatives;
 2. Effective: deliverable, flexible enough to deal with changing circumstances and able to be monitored;
 3. Consistent: with national policy.
- 5.3 Additionally, the Proposed Submission version of the Development Management Policies DPD will need to be the subject of a revised Appropriate Assessment (under the EC Habitats Directive) and Strategic Environmental Assessment/Sustainability Appraisal, prior to publication and submission.
- 5.4 Furthermore, a separate set of area specific issues will be dealt with in a later Location or Site Specific Policies DPD; the Local Development Framework Proposals Map will be prepared at the same time. These arrangements for progressing the DPDs form the basis of the replacement Local Development Scheme approved in March 2010.

- Background papers:
- Consultation responses to the Development Management Policies DPD – Revised Preferred Options, 07 June-16 July 2010.
 - Agenda and Minutes of the Broads Authority meeting of 14 May 2010.
 - Agenda and Minutes of the Planning Committee meeting of 10 September 2010 and agenda of the Planning Committee meeting of 05 November 2010.
 - Agenda and Minutes of the Navigation Committee meeting of 21 October 2010.
 - Planning Policy Statement PS12: Local Spatial Planning (Dept. Communities & Local Government)
 - Examining Development Plan Documents: Learning from Experience (Planning Inspectorate, September 2009)
 - Broads Local Development Framework:
 - Statement of Community Involvement
 - Core Strategy
 - Draft Proposals Map
 - Annual Monitoring Report 2008-2009

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Date of report: 5 November 2010

Appendices: APPENDIX 1: Spreadsheet containing consultation responses, officer responses and recommended changes to the DPD (circulated separately)
APPENDIX 2: Draft Proposed Submission DPD (circulated separately)

Appendix C (5): Further Preferred Options (Regulation 26): Summary of main issues raised and Broads Authority response

Consultation response to Further Preferred Options (Policy references relate to the Further Consultation on Preferred Options document – June 2010)	
Key Issues raised	Broads Authority Response
Policy DP1 - Should refer to County Wildlife Sites, geodiversity and green infrastructure. Add 'water quality' as potential threat. Habitat creation should also be an aim. Need to define Biodiversity. Do not include policy on protection of nature conservation but rely on national policy.	<ul style="list-style-type: none"> • Agree to add references to: County Wildlife Site, geodiversity and green infrastructure. • Add water quality as potential threat. • The issues of biodiversity/geodiversity are of such significance to the Broads and to its key principles that to exclude policies addressing this matter, in detail, could not be justified and would in all probability lead to the Plan being unsound.
Policy DP2 - Various comments about detailed wording to make reference to, inter alia, navigation, geodiversity, enhancing/conserving local landscape character.	<ul style="list-style-type: none"> • It is appropriate to add reference to the impact of landscaping on navigation, geodiversity and enhancing/conserving landscape character.
Policy DP3 - Most comments seek a strengthening of the policy, on various issues, to protect water quality/resources.	<ul style="list-style-type: none"> • It is appropriate to make reference to SuDS, measures to minimise water consumption and water management systems in the policy/supporting text. • Reference to Water Framework Directive should be included.
Policy DP4 - Policy should refer to sustainability and adaptability in relation to climate change. Lacks sufficient detail. Needs to include design for biodiversity and energy efficiency. Policy should refer to design and flood resilience. Favour more detailed design guidelines in Alternative Option.	<ul style="list-style-type: none"> • Over prescription in matters of design is not considered appropriate or desirable and would conflict with Government policy (PPS1). • It is appropriate to make reference to sustainability and adaptability in relation to climate change. • It is appropriate to refer to design and flood risk/resilience. • Agree to make reference to biodiversity in policy.
Policy DP5 - Should make reference to: historic landscapes; drainage mills and staithes; 'heritage assets'. Should emphasise importance of landscape of the Broads as an historic environment. Policy should refer to PPS5 criteria.	<ul style="list-style-type: none"> • Agree to make reference to PPS5, Heritage Assets and historic landscapes of the Broads. • The list is of nationally designated heritage assets rather than local feature of interest. it is not the intention of the policy to identify or list particular types of building to which the policy applies.
Policy DP6 - Need hierarchical approach to permitting alternative uses. Policy should reflect PPS4.	<ul style="list-style-type: none"> • PPS4 says that " Re-use of buildings in the countryside for economic purposes will usually be preferable, but residential conversions may be more appropriate in some locations and for some types of buildings." Conversion of historic buildings to a

	<p>residential use can often have an adverse impact on their character, given the scale and nature of work required to meet the expectations for a dwelling. For this reason such residential conversions tend to be considered as a last resort. The policy does not preclude residential conversion but for these reasons it is considered appropriate to seek alternative uses except where this can be justified. It is not considered that this approach conflicts with PPS4.</p> <ul style="list-style-type: none"> • It is important to incorporate flexibility in securing alternative uses for historic buildings, within the framework of an appropriate policy. It is considered that a strict hierarchical approach is not appropriate.
<p>Policy DP7/8 - Targets must be supported by evidence. More ambitious targets should be set. No mention of preferred types of on-site renewables. Clarity needed on Code/BREEAM targets. More advice needed on renewable energy projects given sensitivity of area.</p>	<ul style="list-style-type: none"> • DP7 - Agree that greater clarity is required on the Code for Sustainable Homes and BREEAM. However it is not considered that the Authority should adopt higher standards (of the emerging Joint Core Strategy, for example). Those are based on research and evidence supporting viability of such standards. Those proposed (as amended) in the DPD reflect those of the Building Regulations and allow for increase standards going forward. • The RSS, although revoked, based its adopted policy on an evidence base. The Broads Authority considers that there is no justification in spending resources in undertaking new research on this matter. Given the nature of the Broads and the more constrained policies towards development in this Plan (particularly for new, residential development), the instances of development being proposed that would trigger the standard will be limited. Nevertheless, the Authority has no evidence to support the viability of introducing lower thresholds such that more development would be 'captured' by such a policy approach or for a standard higher than 10%. The Authority considers a 10% requirement reasonable for major development but will in the future consider the potential for increasing this figure and/or associated thresholds given that costs of provision are predicted to fall over time. • It is considered that Policy DP8 (and reasoned justification) reflects and balances, given the particular circumstances of the Broads, the policy objectives of PPS1 (Climate Change Supplement), PPS7 (Sustainable Development in Rural Areas), PPS9 (Biodiversity and Geological Conservation) and PPS22 (Renewable Energy).
<p>Policy DP9 - Seek stronger level of control. A measured policy approach. Positive approach will encourage consideration of wider broadband issue.</p>	<ul style="list-style-type: none"> • It is important to strike a balance in considering telecommunications development; such an approach reflects Government policy. Policy DP9 recognizes the importance of accommodating such development when it is essential but at the same time

<p>Policy DP10 - Issue of illumination and its impact on safe navigation should be addressed.</p>	<ul style="list-style-type: none"> protecting the Broads' assets. Consideration under the Advertisement Regulations is limited to specific criteria. It is considered that the provision of the phrase "...detrimental affect on public safety on ... water" is sufficient to address these concerns.
<p>Policy DP11 - Highway constraints not addressed adequately. Support emphasizes on reducing demand/encouraging sustainable travel. Should make it clear that highway access improvements can make development acceptable. Increased access must be balanced against environmental sensitivities. Support policy objectives.</p>	<ul style="list-style-type: none"> Add reference to DfT Circular 02/2007 Planning and the Strategic Road Network. Add Highways Agency to list of responsible bodies. It would be appropriate to add reference to protecting species and habitats to the policy. It should be made clear that highway improvements and mitigation measures can make development acceptable, where otherwise (and without such mitigation/highway improvements) it would not.
<p>Policy DP12 - Policy should include requirement that access does not interfere with the right of navigation/adjacent land uses/access to staithes. Policy must refer to objectives of Water Framework Directive. Support alternative DP12a (not promoting increased access to water).</p>	<ul style="list-style-type: none"> Accept inclusion of reference to staithes. Accept inclusion of reference to 'use' of staithes (but in paragraph 1 only). Add reference to Water Framework Directive to policy and supporting text. Access to the water is a principal function of the Broads Authority, engrained within the Core Strategy and the Authority's second statutory purpose (of promoting enjoyment and understanding of the area).
<p>Policy DP13 - Should adopt a policy approach towards 'soft' engineering techniques as a first preference. Must take account of impact upon navigation. Should refer to Water Framework Directive</p>	<ul style="list-style-type: none"> It is considered that the soft engineering preference approach is correct for the reasons explained in the policy and supporting text (as proposed for revision). The policy criteria are considered adequate to address the concerns raised. It is appropriate to identify soft engineering as a first preference. The need to account for safety in the design of bank protection is valid and should be addressed in the policy. Add reference to "Water Framework Directive
<p>Policy DP14 - Too subjective. Favour more restrictive approach. Permissible criteria too limited.</p>	<ul style="list-style-type: none"> Whilst it is desirable for new development to benefit 'regeneration' and 'enhance' an area, it is arguable that it ought not to be a policy pre-requisite. The phrases are also somewhat subjective and vague. Tourism is important to the Broads economy; nevertheless it is important to strike a balance between supporting new development and protecting the landscape and ecological assets of the Broads. A more restrictive approach would conflict with the Core Strategy and Government policy.
<p>Policy DP15 - Should be no policy. Policy should permit conversion to permanent residential</p>	<ul style="list-style-type: none"> Policy DP15 addresses the proposed development of all new holiday accommodation

<p>accommodation.</p>	<p>and must also be considered in the context of Policy DP14, as proposed to be amended. The location and form of much development of these types would not normally be permitted if being proposed as conventional residential accommodation, given the broader restrictions that apply. It is important to secure, longer term, tourist accommodation in the interests of the tourism sector of the local economy. However, the policy does not preclude subsequent conversion to residential use in the event of changes in the tourism economy or the use becoming unviable, but this must be justified within the terms of the policy. The policy is considered to address the particular issues prevailing in the Broads but retaining sufficient flexibility to address and meet altered circumstances. Furthermore, it is not considered necessary to provide further evidence to support the soundness of this approach.</p>
<p>Policy DP16 - Policy should encourage more 'casual' moorings. Policy is over-restrictive, particularly with regard to pump out facilities. Title of policy should simply read 'Moorings'. Clearer definition of the different types of mooring is necessary. Why is policy divided between different types of moorings?</p>	<ul style="list-style-type: none"> • Agree with general thrust of comments that a requirement for pump out facilities in all situations may not be necessary provided that there is access to such facilities in the vicinity thus in some cases removing the potential of an additional potentially onerous burdens on smaller sites . This policy is to be revised as a consequence of other representations. • The supporting text of the policy is to be amended to clarify the different types of moorings to which it applies. • Reference in the supporting text will also be made to the EA pollution prevention guidelines. • The policy will also be amended to include reference to Water Framework Directive. • Agree that clarification of moorings types is required. The preamble to the policy will be amended to include definitions .Do not agree with comments in respect of the request to allow visitor and short stay moorings at any safe point along the navigation as there may be landscape or ecological impacts that need to be assessed. • Agree that the title and policy wording should be clarified. • The alternative option could lead to greater mooring provision; however, it could also lead to moorings in inappropriate and unsustainable locations with unacceptable impacts on ecology or landscape.
<p>Policy DP17 - Policy too restrictive generally. Too restrictive re. associated buildings/structures.</p>	<ul style="list-style-type: none"> • The provision of buildings, fences or other structures on otherwise undeveloped plots often creates a suburban appearance in the Broads landscape. It is appropriate to seek to prevent this. • DP17 is consistent with the approach adopted in the current Local Plan and the objective of protecting the Broads landscape from inappropriate development.

<p>Policy DP18 - Evidence needed to justify policy. Should be clear whether this applies to waterside sites.</p>	<ul style="list-style-type: none"> • Agree that cross reference to policy DP20 (Development on Waterside Sites in Commercial Use, including Boatyards) is appropriate. The policy approach to protecting general employment areas is consistent with PPS4 and Core Strategy policy CS22. It is not considered that the Plan lacks a sufficient evidence base in this respect.
<p>Policy DP19 - Evidence needed to justify policy. Should reflect provisions of PPS4. Too restrictive in scope of alternative opportunities</p>	<ul style="list-style-type: none"> • Agree to providing clarification that the policy does not apply to sites addressed in Policy DP20 (Development of Waterside Sites in Commercial use, including boatyards) • The policy approach to protecting general employment areas is consistent with PPS4 and Core Strategy policy CS22. It is not considered that the Plan lacks a sufficient evidence base in this respect. • Policy DP19 does not preclude new employment development but seeks to prevent the proliferation of new, unsustainable, sporadic development. PPS4 makes provision for small scale economic development in villages or other rural locations; it is not considered that this or other policies of the Plan conflict with this objective.
<p>Policy DP20 - Evidence needed to justify policy. Unnecessarily restrictive – viable diversification must be allowed for. Important to protect such facilities.</p>	<ul style="list-style-type: none"> • Agree to providing clarification that the policy does not apply to sites addressed in Policy DP20 (Development of Waterside Sites in Commercial use, including boatyards) • The policy approach to protecting general employment areas is consistent with PPS4 and Core Strategy policy CS22. It is not considered that the Plan lacks a sufficient evidence base in this respect. • The policy does not preclude economic development but seeks to maintain the integrity of functional, commercial, waterside activities, inherently important to the boating, navigation and related functions of the Broads. Diversification is supported and facilitated, subject to criteria. • It is appropriate to add pollution control measures as a policy criteria and to include mitigation measures highlighted by the Sustainability Appraisal.
<p>Policy DP21 - Contrary to PPS4. Weighted too heavily against residential conversions. Various comments re. detailed wording of policy. Should highlight potential for biodiversity enhancements. Should mention thatch.</p>	<ul style="list-style-type: none"> • PPS4 says that " Re-use of buildings in the countryside for economic purposes will usually be preferable, but residential conversions may be more appropriate in some locations and for some types of buildings." Conversion of buildings in the countryside to a residential use can often have an adverse impact on their character, given the scale and nature of work required to meet the expectations for a dwelling. For this reason such residential conversions tend to be considered as a last resort. The policy does not preclude residential conversion but for these reasons it is considered

	<p>appropriate to seek alternative uses except where this can be justified. It is not considered that this approach conflicts with PPS4. PPS4 does acknowledge that residential conversions may be more appropriate in some locations and for some types of buildings; it is considered that the policy adequately addresses this and provides sufficient flexibility to allow such conversions if non-residential uses would prove unviable.</p> <ul style="list-style-type: none"> • Assessment of 'quality' and 'sustainable' can be subjective but must be determined on a case by case basis. • It is not necessary to mention specific materials; criterion d) is sufficient to address the importance of retaining existing materials, including roofing materials. • It is appropriate to emphasize the importance of biodiversity in conversions.
<p>Policy DP22 - Question validity of policy. Question viability of applying policy to all housing development (as Core Strategy Policy CS24). Should be a policy on conventional residential development, including proposals map and 'established development' where limited development might be acceptable. Greenfield/brownfield distinction necessary. Plan should make clear the distinct nature of the Norwich urban fringe which could accommodate more development. Residential moorings can contribute to meeting affordable housing demand.</p>	<ul style="list-style-type: none"> • The approach in the Core Strategy has been found sound by an Inspector and it is considered appropriate to apply the DMP DPD consistently. If developments elsewhere (EiPs of other Plans) indicate that a different approach should be adopted then the Authority will review its policies at the appropriate time. • It is considered appropriate to have a policy within the Plan to address development in settlements (the phrase 'settlement boundaries' is proposed rather than 'established settlements'). When the original preferred options version of the document was prepared in December 2007, the Authority did not envisage producing a separate Location or Site Specifics DPD. However, in March 2010, the Authority resolved to prepare a later Location or Site Specifics DDPD and therefore the DMP DPD will only replace part of the extant Local Plan, with site specific policies being replaced in due course by the later DPD. The Authority's most recent LDS (March 2010) reflects this position. It is acknowledged that the form and character of the larger settlements (particularly Norwich) differ from most of the settlements in the Broads and have the potential to accommodate more development. However, the status of Norwich as a Growth Point is not directly material to determining whether growth here (Thorpe St Andrew) is locationally appropriate. Site specific factors (including constraints) will, in the main, determine this. It is appropriate to highlight the potential differences in such locations and, by implication, their ability to accommodate more development, subject to other factors. 'Qualifying' settlements will have defined Settlement Boundaries and these are shown on the Local Plan Proposals Map and, when superseded, the LDF Proposals Map. It is not considered necessary to list all these settlements here. • Prioritizing development of brownfield land reflects Government policy and should be highlighted in the Plan. However, it is considered that the text suggested by the

	<p>objector is too liberal in its interpretation. Nevertheless the addition policy proposed includes reference to brownfield land development having priority and to larger development (than five) being allowed in exceptional circumstances.</p>
<p>Policy DP23 - Unless unfeasible, policy should require replacement to be located in an area of lower flood risk. Support alternative option.</p>	<ul style="list-style-type: none"> • The policy (criterion b) makes clear that alternative locations for a replacement dwelling may be considered acceptable if, inter alia, they produce lower flood risk. Nevertheless, it is appropriate to elaborate at paragraph 5.36, with reference to flood risk. • The policy approach is designed to facilitate contextually appropriate replacement dwellings (based upon design, scale, mass and height criteria) rather than strictly limit their size/floorspace to match the existing.
<p>Policy DP24 - Not sufficiently restrictive. Too restrictive. Policy unworkable. Distinctions made cannot be controlled by planning. Exceptions must be made where new moorings can be part of mixed use redevelopment. Exception should be made for some existing residential vessels. Comprehensive research (on current situation) required before any policy is implemented. Definitions should be provided.</p>	<ul style="list-style-type: none"> • Central Government guidance on LDF policies encourages a positive approach to development subject to criteria being satisfied. The suggested wording change to the opening paragraph would be contradictory to this guidance and to the BA stance of positively managing this issue. The suggested criterion in relation to the "better management of a boatyard" is seen as too restrictive as there may be occasions where all other criteria could reasonably be satisfied and that on its own this criterion would not be a reasonable ground for refusal of an application. • The policy will be amended to include clarity on the definition of residential moorings and houseboats. The policy also requires clarification in terms of safe access consistent with other policies in the DPD. • Agree that reference to the Water Framework Directive needs to be incorporated into the policy. • Agree that the policy could usefully be clarified. See also responses to DP16 which will include definitions of differing mooring types. Do not agree that the characteristics of different types of mooring are identical or that they cannot be controlled. Agree that the policy test in criterion b) that the mooring should be a replacement of an authorized mooring from elsewhere is unhelpful. Whilst large parts of the Broads are located within the Norwich Policy Area (which is identified for significant growth), the exact delineation of sites specifically allocated for growth and development boundaries for individual settlements within the NPA will be a matter for the appropriate District Site Specific DPDs. • Agreed that the requirement for the mooring to be the replacement of an existing authorized mooring is unhelpful and that criterion b) should be deleted. The Authority boundary is drawn very tightly around the settlements and much of the built development within a settlement, particularly that potentially available for

	<p>development is outside the authority boundary and within the surrounding districts. Criterion d could be usefully recast for clarity. Do not agree with comments made in respect of criterion c or e . Agree that the policy could include the definition but that this is not a prerequisite. The Broads Authority does not have a statutory strategic housing function, it is not responsible for the housing waiting lists or homelessness prevention nor does it have a housing target that it is required to achieve. Para 5.40 could usefully be clarified. The last sentence of Para 5.43 is a statement of fact and does not need to be incorporated into policy. Alternative Option DP24b is considered to be contrary to national and Core Strategy policies relating to sustainability and access to services.</p> <ul style="list-style-type: none"> • It is not appropriate for decisions to be made on a site by site basis. The purpose of the planning system and of LDF policies is to provide certainty for applicants and for local communities about how applications will be judged and against what criteria.
<p>Policy DP25 - Commend ability for residential moorings to meet need of local workers. Should be clarified whether residential moorings can ever be more than temporary.</p>	<ul style="list-style-type: none"> • The policy is clear that a permanent residential mooring for a boatyard worker can be permissible, subject to meeting the policy criteria.
<p>Policy DP26 – Support alternative option. Should not have policy. Policy will never ensure viability and may lead to blight.</p>	<ul style="list-style-type: none"> • The policy aims to protect against the loss of important existing community and visitor services, considered to be an important part of maintaining an environmentally and economically sustainable tourism base in the Broads. However, it does make provision for change of use/redevelopment where this can be justified.
<p>Policy DP27 - Should include visual amenity.</p>	<ul style="list-style-type: none"> • Add reference to visual amenity in policy criteria.
<p>Policy DP28 - Restrains modernisation and adaption of marine industry. Over restrictive. Riverside communities should not be regarded as being in the functional flood plain. Design should not take precedence over flood resilience. Will policy replace SPD?</p>	<ul style="list-style-type: none"> • PPS25 and its Practice Guide set out the issues to be considered and the options available in determining development in areas of flood risk. Exceptions tests are applicable (which applicants must demonstrate can be passed) and flood zone 'compatibility' is determined, applying greater flexibility to water compatible development. Such include: infrastructure; water-based recreation; shipbuilding; marinas; wharves and "compatible activity requiring a waterside location". It is considered that the policy reflects the approach of PPS25 whilst emphasizing the exceptional circumstances of the Broads, its flood zones and development therein. • Policies of the Plan (DP23 and DP28) do not preclude the development of replacement dwellings larger than the existing. However, it is fundamental to PPS25 (and to the Plan's policies) that such should not increase flood risk and where possible reduce it through the location or design of the new dwelling. Nevertheless, it

	<p>is proposed to amend criterion f) to reflect the emphasis on not increasing flood risk (and where possible reducing it) through location and design of replacement buildings, rather than simply limiting their size. Consequential changes are recommended to paragraph 5.36 (policy DP23).</p> <ul style="list-style-type: none"> • Policy will supplement not replace SPD. • Site specific Flood Risk Assessments must consider impacts and risk beyond the site, in appropriate circumstances. Principles and guidance are set out in PPS25 and its Practice Guide.
<p>Policy DP29 - Should refer to 'green infrastructure' rather than open space. Should include: biodiversity enhancement; renewable energy. Needs amending to account for CIL Regulations. Too many contributions sought.</p>	<ul style="list-style-type: none"> • The policy makes it clear that contributions will be sought in appropriate circumstances and where development introduces additional pressures. Government policy /legislation also sets out the conditions and criteria against which contributions can be sought. Contributions are always the subject of negotiations with developers, including issues of viability. • Reference to green infrastructure (although in addition to open space) is appropriate. • The text should be amended to reflect the new Regulations. • Agree to additional references suggested.
<p>General – Lack of formal evidence base to support the document. References to flood risk and the Water Framework Directive should appear more widely. Sustainability Appraisal should address requirements of the Water Framework Directive. Support primary options throughout; alternatives should not be included. County Wildlife Sites should be added to DP1 indicators (Implementation and Monitoring Framework). Listed buildings, monuments, etc. should be referred to collectively as 'heritage asset' to reflect PPS5. Broader reference to geodiversity required.</p>	<ul style="list-style-type: none"> • The evidence base of the Plan draws upon the Core Strategy and evidential work undertaken at that time and since, including Government policy, RSS evidence and local evidence (including the Landscape Character Assessment, Appropriate Assessment, Sustainability Appraisal/Strategic Environmental Assessment). In essence the Authority considers that the evidence base is sufficient to justify the soundness of the Plan. • Policy DP28 addresses flood risk and is applicable to all development. Some other policies address the issue but it is not necessary to reference it under all other policies. • These comments will be considered when the Sustainability Appraisal is undertaken for the Proposed Submission document of the Plan. • It is necessary to identify and consider alternative options and identify a preferred option in the Plan. This is a pre-requisite to the proper planning of the area and in ensuring that the Plan is sound. • County Wildlife Sites have been added to list of indicators. • The Plan has been amended to update appropriate references in accordance with the terms defined in PPS5. • Reference to geodiversity has been added where appropriate.