



Broads Local Plan – Preferred Options – RESPONSES
May 2017

Revised to include follow up responses

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1 Introduction

1.3 Habitats Regulation Assessment

Natural England

Add some explanatory text which lists those designated sites that are covered by the Habitats Regulations Assessment (HRA), i.e. Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites, and that these will be referred to collectively as 'European sites' in the Local Plan document.

BA comment: Will add this clarity to the text.

1.5 Brexit and the Local Plan production

CPRE Norfolk

Acknowledges that BREXIT will result in some changes and discusses some issues which are slightly outside the remit of the Local Plan (such as CAP).

BA comment: Noted. The Authority will keep informed of any changes as a result of BREXIT and take action accordingly. No specific comments or actions for the Broads Authority to undertake. No change.

3 About this consultation

South Norfolk Council

Please note change of address of South Norfolk Council offices from Swan Lane to Cygnet Court. The remainder of the address is unchanged.

BA comment: Noted. Will make change.

4 About the Broads - Spatial Portrait

4.5 The Biodiversity of the Broads

RSPB

It is assumed that the second sentence of the first paragraph is intended to read "...a predominantly freshwater ecosystem..."

BA comment: Will add 'freshwater'.

4.9 Pressure on the Broads

Environment Agency

Highlight pressure on water resources related to new development.

BA comment: Agree. Will add to this section.

Historic England

General support for this section.

BA comment: Support noted.

Knight, J (BA Navigation Committee Member)

1: Landscape. This statement can be summarised as 'old is good, new is bad' and that is a very subjective judgement with no evidence base to support it.

2: Navigation. The Local Plan should, at the very least, accept that there are conflicting legal opinions on this subject rather than make an assertion as though it were fact.

BA comment:

1: This is by necessity a brief summary of the entire Broads area. The recent update to the Landscape Character Assessment is a far more comprehensive document which could be usefully referenced. Reference to evolving Broads vernacular could be made to reflect the Authority's approach to being open to the potential for modern design and how this could contribute to the future cultural heritage of the Broads.

2: Mr Knight will be asked to clarify this comment as the first sentence seems to support this general description, but last sentence seems to say it is not fact. *Clarification sought and response received 14 May 2017. Mr Knight said (in*

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summary) that the view of the landowners does not affect the legal right to navigate on tidal waters. He recommended that the text should say that the Broads Authority will continue to engage with landowners to re-open these areas to navigation as part of its statutory function. Noted however this seems more of a commitment to action and the Local Plan is not necessarily the place for this to be stated. We intend to leave the text as it is.

Norfolk and Suffolk Boating Association

Whilst we are pleased that an attempt was made to add a suitable section, unfortunately the relevant words were changed so as to completely lose the meaning and intention of the statement. By omitting the broads river cruisers and broads one design classes (principally Broads One Designs and Yare and Bure One Designs but there are others) the draft paragraph is fairly meaningless

BA comment: Will check this section in line with the comment. *Following conversations with the NSBA, the text was amended slightly in the Local Plan.*

South Norfolk Council

1: South Norfolk Council supports the comment in the second paragraph under 4.1 that the Broads does not sit in isolation.

2: First paragraph under 4.5 – ‘an’ needs to be added between the words predominantly and ecosystem on the second line.

BA comment:

1: Support noted.

2: Sentence will be amended.

5 Policy Context

Historic England

We request that the section reflecting the NPPF also references the requirement for Local Plan’s to have a positive strategy for the conservation and enjoyment of the historic environment (NPPF, Paragraph 126).

BA comment: Noted. This is only intended to be a summary of the NPPF. The kind of reference requested is more appropriate at the Heritage section. The reference to landscape is included as well as some other topics as those are topics to which the Broads is specifically mentioned. It might be appropriate to take out the box and keep the very simple summary.

5.2 National Planning Policy Framework

Knight, J (BA Navigation Committee Member)

Highlights a single policy whilst apparently ignoring all the others. It would be useful, at least, to reproduce the core planning principles (para 17) and provide some links to some of the key policies relevant to the Broads, such as supporting a prosperous rural economy or meeting the challenge of climate change, flooding and coastal change.

BA comment: It is not intended to copy the NPPF verbatim here. There are some quotes from the NPPF and NPPG throughout the Local Plan at appropriate places. It might therefore be appropriate to take out the box and keep the very simple summary.

Marine Management Organisation

Supports referend to MPS and East Marine Plan.

BA comment: Support noted.

6 Duty to Cooperate

CPRE Norfolk

The Greater Norwich Local Plan must take account of the landscape and nature conservation interests of the Broads.

BA comment: It is not clear if there is support for our Duty to Cooperate approach or not. The Authority is part of the Greater Norwich wider team and is aware at officer, director and member level of the emerging Local Plan and processes.

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Great Yarmouth Borough Council

The Borough Council looks forward to continuing a good working relationship with the Broads Authority in relation to local plan production, Norfolk Strategic Framework, and a range of other strategic matters under the planning 'Duty to Cooperate'.

BA comment: Noted.

Historic England

We acknowledge the authority's duty to co-operate statement and seek to continue to work with the authority positively for the ongoing management of the living landscape of the Broads.

BA comment: Support noted.

Home Builders Federation

While we acknowledge that the ability for the Broads Council to accommodate housing (more than its own housing requirement of 212 homes) will be very limited, this fact does not absolve the Broads from ensuring that the housing need is planned for, and met, by the other authorities.

BA comment: No issues identified with the Duty to Cooperate Statement in this representation. Comments noted. See Housing Topic Paper.

Knight, J (BA Navigation Committee Member)

The Authority appears to be in clear breach of its own Duty to Co-operate Statement (section 2.2 (i) - Co-operation mechanisms - Direct links at member level), as it has excluded Broadland District Council's appointed councillor from the planning committee for over 6 months without explanation.

BA comment: Noted. 2.2 is a statement of fact at the time of writing and the thrust of the statement is confirmed by this representation. The Authority cooperates well with Broadland District Council in other ways through being part of the Greater Norwich Local Plan production at officer, director and member level for example.

Somerton Parish Council

1: The Broads population cannot engage constructively and actively on an ongoing basis.

2: Refers to issues with interest groups.

BA comment:

1: The duty to cooperate is a legal test that requires cooperation between local planning authorities and other public bodies to maximise the effectiveness of policies for strategic matters in Local Plans. With regards to involving the community in the Local Plan, that is where the consultation stages come in. The consultation approach for this Local Plan is beyond what the regulations require in terms of the length of the consultation period and the approach to engaging with and consulting the community.

2: These comments will be passed on to officers who are involved in these groups.

South Norfolk Council

South Norfolk Council welcomes the Broads Authority's continued commitment to engage through the Duty to Cooperate

BA comment: Support noted.

7 Challenges and Opportunities

CPRE Norfolk

The NDR is now well into construction, but no mention is made of the impact it will have through people pressure and implications of this. In our view this will bring a huge increase in the number of visitors, and particularly day visitors, to the Broads. They will arrive not just because of the planned increases in population around Norwich, but more so with the combination of the completion of A11 dualling, and that of the NDR in 2018 (if on schedule); and again with the A47 dualling from Easton to North Tuddenham in 2022. However, it will be the Broads Authority who will have to manage increased numbers of visitors who will arrive by car, and perhaps some also by coach travel. As such they can seek information to help the planning for this. We would suggest that the County Council should carry

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out AADT forecasts for the traffic entering the NDR between Postwick and the A140, and how much extra traffic will be generated peeling off onto the radial roads towards the Broads. In particular for the A1151 Wroxham Rd. There should be baseline data now, prior to the opening of the NDR; with forecasts for one year after opening, and five years after opening, with the assumptions stated. This should be supplemented by actual measurements every 2-3 years, to build up data as future major road schemes come into operation, A47 dualling and, if it happens, a Western Link Road. Possible approaches to reducing the impact of increased vehicle movements should start to be considered now; for example a Park and Ride from the NDR to Wroxham/Hoveton. Issues such as this could be raised through Transport for Norwich (formerly NATS) consultations; assuming the change of name does not imply benefits are not restricted to Norwich City, rather than the Norwich Area

BA comment: Consider adding another threat (which could also be an opportunity if worded in a similar way to that of climate change) relating to major road improvements being constructed, planned or wanted that may not be within the Broads Authority Executive Area. Regarding managing increased numbers of people to the Broads as a result of the NDR, the HRA for that scheme addressed this issue. Of relevance, all local planning authorities in Norfolk jointly commissioned work that surveyed people using particular sites to ascertain habits and origin – visitor recreation study which is soon to be finalised. Regarding AADT suggestion, we will pass that onto Norfolk County Council. Suggestions regarding NDR and Wroxham and Hoveton will be passed onto the relevant body as well.

Historic England

1: General support.

2: Under the heading of Opportunities, we request that the following wording or similar is included to reflect the NPPF: Drawing on the contribution made by the unique historic environment to the character of the Broads The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring.

3: This last point may wish to be separated into two parts: the international significance of the paleo-archaeological remains within the Broads and the unusually well preserved organic remains are strengths; a wealth of archaeological deposits that are not well represented elsewhere within the country

BA comment:

1: Support noted.

2 and 3: We will incorporate these suggestions into the next version of the Local Plan.

North Walsham and Dilham Canal Trust

States how the canal fits with this section.

BA comment: Noted.

Warner, P (BA Member)

Is vulnerability of subsidised public transport services within the broads (bus and rail) a potential challenge and threat?

BA comment: Noted. Will add this to the threat section.

8 Vision, Objectives and Existing Policies

Broads Reed and Sedge Cutters Association

Local communities do not feel that they are engaged in the decision making process and there is nothing in this plan to suggest that the situation has changed in any way

BA comment: The consultations are promoted far and wide with summary documents produced which the community may find more appealing to read than the larger main documents. There are drop in sessions as well. This approach has gone beyond the regulatory requirements for consulting and producing a local plan. The community has responded and been involved in the shaping of the plan. The Beccles allocation for residential moorings came from the community. So too did the Brundall equivalent policy in 2014. The nominations for Local Green Space have come from the community. Other suggestions have been taken on board which have originated from the community. It is not for the Local Plan to refer to accountability of the Broads Authority; comment passed on to Chief Executive.

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Question 2

CPRE Norfolk

Supports shared vision.

BA comment: Support noted.

Historic England

General support.

BA comment: Support noted.

Environment Agency

In terms of sustainable living we would like to see the need for environment protection and enhancement strengthened as the focus appears to be on economic sustainability and the need to develop a “buoyant economy”.

BA comment: There are many statements that refer to environmental protection. The vision is balanced. No change.

Knight, J (BA Navigation Committee Member)

1: vision: The vision for the Broads pays little more than lip service to navigation, which is one of the Broads Authority’s three statutory purposes

2: objectives: navigation, tourism and recreation appear to have been included as afterthoughts, have been lumped in with one another (OBJ14) and lack focus or any strategic vision.

BA comment:

1: The rest of the vision refers to the things that those navigating the waterways appreciate and experience. The wording used in the representation in relation to navigation is interesting and we will look at how we can capture it. Perhaps in the navigation section somehow.

2: One of the objectives needs to be at number 14 and it happens to be this one. Mr Knight rightly points out that this covers the thrust of our purposes so these three issues cannot be an after thought. Similar to the vision, the rest of the objectives refer to the things that those navigating the waterways appreciate and experience.

8.2 Draft Broads Local Plan Objectives (2012-2036)

Norfolk Wildlife Trust

Support objectives.

BA comment: Support noted.

North Walsham and Dilham Canal Trust

Vision: The Trust agrees with the tenor of this statement – it fits in well with our Aims and Objectives.

Objectives: The Trust agrees in particular with objectives OBJ8, OBJ11, OBJ14 and OBJ15.

Question 2: Having studied both Plans in some detail it would seem obvious that they should have a shared vision. They complement each other.

BA comment: General support for the vision and objectives noted.

River Waveney Trust

: General support of vision and objectives.

BA comment: Support noted.

8.2 Draft Broads Local Plan Objectives (2012 to 2036)

RSPB

1: We recommend that the text for Objective 5 replaces “balanced way” with “beneficial and integrated way”, which would be consistent with recommendations for policies made in the Habitats Regulations Assessment.

2: The text for Objective 6 should also be amended to “water quality is improved, with appropriate measures implemented to increase capture and efficiency, prevent pollution and reduce nutrients...”

BA comment:

1: Will make this change.

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2: Will weave in this wording into this Objective.

Question 2

RSPB

The RSPB agrees that a common vision between both the Broads Plan and Broads Local Plan would be sensible.

BA comment: Support noted.

Somerton Parish Council

1: Without fundamental changes to address the democratic deficiency the vision statement should read “Local communities continue not to have any active part in discussions about their future etc. etc.”.

2: A condition report on the area combined with some research and investigation as to what concerns local people could have helped shape a more inclusive plan which people can identify with

BA comment:

1: It is not for the Local Plan to address this issue. Comment passed onto the Chief Executive. The community has responded and been involved in the shaping of the plan.

2: This was completed at the Issues and Options stage of consultation with associated drop in sessions.

South Norfolk Council

1: Supports vision

2: Supports objectives.

3: Monitoring indicators should be clear, meaningful and easy to collect and analysis, and where possible use information that already exists. For ease it would be useful to see all the monitoring indicators together in one table in the final version of the Plan.

BA comment:

1 and 2: Support noted.

3: There will be a Monitoring and Implementation Framework that brings them all together. Making monitoring simple and efficient is a key aim of the Framework.

Question 2

Suffolk Wildlife Trust

Supports shared vision.

BA comment: Support noted.

8.2Draft Broads Local Plan Objectives (2012 to 2036)

Suffolk Wildlife Trust

Support objectives.

BA comment: Support noted.

Weymouth, S (Councillor)

Without fundamental changes to address the democratic deficiency the vision statement should read “Local communities continue not to have any active part in discussions about their future etc. etc.”.

BA comment: It is not for the Local Plan to address this issue. Comment passed onto the Chief Executive. The community has responded and been involved in the shaping of the plan. Mrs Weymouth will be contacted to elaborate on the last part of the representation. *Mrs Weymouth met and Local Plan discussed and amendments made where appropriate.*

Question 3a

Historic England

General support.

BA comment: Support noted.

8.3 Special Qualities of the Broad

Historic England

General support.

BA comment: Support noted.

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Norfolk Coast Partnership

It is not always clear what is 'special' about the quality quoted. Consider a fuller description of what is special about them in this plan to facilitate good planning applications and planning decisions.

BA comment: Noted. Will look into this to see if they can be expanded. *Qualiteis not expanded, but introductory text expanded.*

Question 3b

Historic England

As the monitoring indicators are set out with each individual policy, these are addressed within each policy response.

BA comment: Noted.

9 Sustainable Development in the Broad

POSP1 - DCLG/PINS Model Policy

Environment Agency

The justifications for this policy could be strengthened by drawing attention to both the Strategic Flood Risk Assessment and Shoreline Management Plan. Both documents provide key evidence base in regards to flooding but are not referenced in this section.

BA comment: These documents are referenced in the flood risk section. This overall strategic policy has various other strands of the Local Plan related to it and it is in those sections where it is most appropriate to refer to evidence. No change.

Historic England

We are satisfied with the wording of this policy.

BA comment: Noted.

Knight, J (BA Navigation Committee Member)

Does not agree with amendments.

BA comment:

In general, this policy has been rolled forward verbatim from the adopted Sites Specifics Local Plan (2014) policy and has been found sound. No change proposed. Note 2 - see POSP2 wording that reiterates this and goes further.

Les Browne Associates (agent for Brundall West Marina)

These policies are fully supported.

BA comment: Support noted.

RSPB

Suggest including NPPF119 within the actual policy text would be stronger.

BA comment: This is the model policy which all Local Plans include on the advice of PINS. We have changed it somewhat to reflect the Broad, but do not intend to change it any more. The Model Policy effectively refers to the NPPF and as such NPPF119 will be in place to help determine planning applications. No change to policy.

POSP2 - Sustainable Development in the Broad

Historic England

1: General support.

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2: With regard to the efficient use of land, we request the following addition to ensure that density and development is not maximised to the detriment of surrounding landscape character or the setting of nearby historic structures: 'Particular attention will be paid to vi) the efficient use of land, buildings, services and infrastructure where appropriate to the historic environment.'

3: In the reasoned justification, to improve the scope of this text further, we request that reference is made to the significance of the setting of heritage assets, the value of the intangible historic environment (such as traditional craft skills) and the high potential for archaeological deposits.

BA comment:

1: Support noted.

2: This is a general overarching policy. That particular criterion is not just about the historic environment. There is already a criterion that says: The defining and distinctive qualities of the varied positive landscape characteristics areas and the character, appearance and integrity of the historic and cultural environment. No change.

3: Will amend to reflect this comment.

Knight, J (BA Navigation Committee Member)

General comments on this policy.

BA comment: Noted. We will be reviewing our strategic policies and will take these comments on board during that review.

Les Brown Associates (agent for Brundall West Marina)

1: These policies are fully supported.

2: We feel there should be a statement in the policy which accepts that in the Broads Area there has historically been many solutions to development and flood risk.

3: Policy itself should recognise there is significant potential for such innovative design solutions in areas of high flood risk and that flood risk solutions put forward by developers will be proactively and positively considered against the Environment Agency advice which is to a large extent generic and does not take account of development in unique locations such as the Broads where some 95% of the area is acknowledged as in an area of high flood risk.

BA comment:

The Authority is happy to look at innovative ways to deal with all constraints however there is no need to change any policies. The "95% of area at risk from flooding" reference is made in the supporting text. All proposals, including innovative design solutions, would be considered specifically on their merits, and in accordance with national planning policy (and POSP4). The policy doesn't define possible solutions, although the SPD does discuss some scenarios and options. Of interest is the floating building Topic Paper that can be found here: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0008/875843/Broads-Local-Plan-February-Bite-Size-Pieces.pdf.

Natural England

Under the 'Nature Conservation' bullet point there appears to be a typo in the second sentence "Because all National Nature Reserves (NNRs_ are also SSSIs/ASSIs,..". In the third sentence Ramsar sites should be added to the text as some NNRs are also designated as these.

BA comment: Will make amendments.

Norfolk Coast Partnership

Draft policy POSP2 Sustainable Development is particularly helpful in defining what the Authority understands by the term 'sustainable development', adding much value to the NPPF in this regard.

BA comment: Support noted.

Norfolk County Council

1: in bullet point xii) where reference is made to European conservation designations, we would suggest that the policy could refer to "international conservation designations" so as to include Ramsar sites as well as sites with European designations. In the same bullet point, we suggest that the word "priority" could be inserted before the

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phrase “habitats and species” to reflect national biodiversity policy and to be consistent with the NPPF (paragraph 117).

2: In the reasoned justification (p.28), the wording does not reflect the hierarchy of designated sites as described in the NPPF (Internationally-designated sites -> nationally-designated sites -> locally designated sites; paragraph 117) and there appears to be confusion as to the relationship between the different designations. All component units of internationally-designated sites are Sites of Special Scientific Interest but not all SSSIs have international designations. NNRs are always SSSIs. In this section, no mention is made of Ramsar sites, nor Local Sites (County Wildlife Sites) or Local Nature Reserves.

3: We would suggest that the reference to ASSI – which only operate in the Isle of Man and Northern Ireland - should be removed.

BA comment:

1: Agree and will amend.

2: Agree. Will amend. We will also change p27 final para: ‘the value and integrity of nature conservation interest and objectives of **international** and national nature conservation designations paying attention to habitats and species including ecological networks and habitat corridors, especially linking fragmented habitats of high wildlife value; and’

3: Will amend.

Norfolk Wildlife Trust

Refer to Local Wildlife Sites (known as County Wildlife Sites in Norfolk and Suffolk). We are aware that CWS are recognised in a separate Natural Environment Policy but take the view that they should also be referred to in this section

BA comment: The strategic policies will be reviewed and we will take into account this comment.

River Waveney Trust

Despite OBJ4 on the enhancement of habitats, this matter is only dealt with briefly at strategic policy level in POSP2; RWT considers that protection and promotion of biodiversity is worthy of fuller and more explicit strategic policy support.

BA comment: Strategic policies will be reviewed and this comment taken into account.

RSPB

The RSPB recommends that recognition of the importance of local wildlife is included within consideration (xii).

BA comment: The strategic policies will be reviewed and this comment will be considered.

South Norfolk Council

The policy could include mention of the sustainability of local/service centres that serve the Broads e.g. Loddon.

BA comment: The Strategic Policies will be reviewed and this comment will be considered as part of that review.

Suffolk County Council

We recommend that a reference to undesignated heritage assets be included in the ‘Reasoned Justification’ of this policy under Historic and Cultural Environment (page 29).

BA comment: Strategic policies will be reviewed and this comment taken into account.

Suffolk Wildlife Trust

1: Refer to County Wildlife Sites.

2: Refer to Suffolk Priority Habitats and Species

BA comment:

1 and 2: Will review the strategic policies and consider this comment,

POSP3 - Air, water and waste

Environment Agency

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- 1: Does not highlight the risk to the water environment from other sources of pollution that may occur outside the boundary of the Broads.
- 2: Further information regarding the risks posed to the water environment from nitrates can be found in the Nitrates Directive (2013) and should be referenced as supporting this policy.
- 3: We acknowledge that SuDS play an important role in surface water flooding and can provide green infrastructure, however it should be noted that sufficient treatment steps are required to ensure the water environment is protected.

BA comment:

- 1: This section could refer to this issue. Does the EA raise such comments when responding to the Local Plans of our constituent councils?
- 2: Will review the Nitrates Directive and incorporate into the section.
- 3: Will improve reference to treatment steps in the SuDS policy PODM5.

Woods, C

The recent removal of free waste collection facilities from various waterside moorings is introducing a serious Health Hazard

BA comment: The Authority recognises that this is a problem and has been working with District Councils to find a solution. Will refer this comment to the Asset Management Officer.

10 Water and Flooding

PODM1 - Water Quality

Broads Reed and Sedge Cutters Association

There is nothing included to resolve the main impacts on water quality and there has been little interest by the Broads Authority on water quality issues in general. Reference to the successful reporting requests to EA made by BRASCA. The references to water quality in the plan are considered mainly irrelevant and Brasca will continue to seek improvements to the Broads water quality with direct communication with the Environment Agency and Drainage Boards.

BA comment: BRASCA will be contacted to clarify. The Local Plan addresses water pollution sources of anti fouling paint as well as foul drainage. The representation does not identify other specific sources of water pollution that BRASCA thinks the Local Plan should address. The main place that the Broads Authority reports its water quality enhancement activities is within the Broadland Catchment Partnership. further detail can be found here <http://www.broads-authority.gov.uk/looking-after/managing-land-and-water/beyond-the-broads>.

Environment Agency

We agree with this policy.

BA comment: Support noted.

Environment Agency

Support policy wording. Development which does not connect to the main sewage system would require permitting and need to demonstrate that it does not cause environment degradation.

BA comment: Noted. Will add this to the policy: Development which does not connect to the main sewage system would require permitting and need to demonstrate that it does not cause environment degradation.

Knight, J (BA Navigation Committee Member)

This policy is a duplication of effort with the Environment Agency, which is a statutory consultee.

BA comment: This policy sets out a range of requirements for situations where the EA are not always a statutory consultee and therefore may not get to see the application; and for where local planning authorities also have responsibilities. Setting out these requirements in policy covers those situations but also ensures that the applicant is able to consider them early. The EA support the inclusion of this useful policy.

RSPB

Appendix C – Summary of Preferred Options representations.

1: Whilst the use of reedbeds to filter waste water is encouraged, consideration will need to be given to the management of such measures to ensure they continue to function.

2: Clarity on the current situation re Knackers Wood Water Recycling Centre should be provided for the final iteration of the Local Plan.

BA comment:

1: Agreed. This is a major constraint for site operators taking these on. Will add text.

2: Text will be updated.

PODM2 - Boat wash down facilities

Broads Hire Boat Federation

There is no evidence that modern antifouling paint (which does not contain tributyltin) is a pollutant and, in any event, its use on hire craft is either limited to a very small waterline hull area or not at all. We recognise that cost considerations are mentioned but would seek amendment to the policy wording so that it clearly does not seek to remedy a non-existent situation and impose on existing hire boatyards requirements that are impractical and disproportionately costly.

BA comment: Agree that hire boats have little or no anti-fouling paint on their hulls - this reflects their regular usage. There is scientific evidence of the impact of antifouling paints and the chemicals that are used in them, such as copper and biocides are harmful to the environment. There is evidence of elevated concentrations of copper in the sediments around boatyards. The evidence is as follows:

*ENVIRONMENTAL SCIENCE & TECHNOLOGY / September 1, 2009 - 'Widely used antifouling biocide lingers in freshwater ecosystems'.

*Environmental Change Research Centre, Research Report No. 165, Recent heavy metal contamination of the Thurne Broads, Report to the Broads Authority, 2015.

*The following Thesis: Centre for Environmental Policy, Tributyltin and copper in the Norfolk Broads: An assessment of antifouling biocide contamination in shallow lake sediments, By Jonathan Raven, A report submitted in partial fulfilment of the requirements for the MSc and/or the DIC. September 2012.

Finally, it should be noted that this policy does not single out hire boat yards or indeed hire boats, but refers to boatyards in the Broads.

Environment Agency

We welcome this policy.

BA comment: Support noted.

Natural England

Support policy.

BA comment: Support noted.

PODM3 - Water Efficiency

Anglian Water

Anglian Water fully support this policy.

BA comment: Support noted.

Environment Agency

We welcome the inclusion that all new and replacement development served by Anglian Water Service should incorporate designs that limit water usage. Both Anglian Water and Essex and Suffolk water supply areas have serious water stress as shown in the final classification report

BA comment: Support noted. Anglian Water also support this policy. On reviewing the evidence from Essex & Suffolk Water there seemed little justification in applying such a standard to their area as well. Indeed, following conversations with representatives, it became apparent that they would not support such an approach as it is not needed in their area.

Appendix C – Summary of Preferred Options representations.

Knight, J (BA Navigation Committee Member)

No justification is provided for requiring water efficiency measures in excess of the requirements of the Building Regulations, and it is the responsibility of water utility companies to provide adequate infrastructure for existing and new developments.

BA comment: See Local Infrastructure Study which seeks to justify such an approach http://www.broads-authority.gov.uk/_data/assets/pdf_file/0003/817914/Broads-Local-Plan-Local-Infrastructure-Study.pdf. Also see representation from Anglian Water supporting such an approach. No change to policy.

Norfolk and Suffolk Boating Association

We note the draft policies to restrict personal water usage, draft policy PODM3 on p37 refers, and suggest that this issue is adequately covered by national policy through the control of building design and design of sanitary appliances in The Building Regulations and associated British Standards, which apply to all UK property development.

BA comment: It is not clear if the NSBA support or do not support this policy. The Local Infrastructure Study sets out clearly the reasons for taking this approach, which national policy says is possible subject to justification. http://www.broads-authority.gov.uk/_data/assets/pdf_file/0003/817914/Broads-Local-Plan-Local-Infrastructure-Study.pdf. No change.

POSP4 - Flood Risk

Broads Reed and Sedge Cutters Association

There is nothing in the Broads Local Plan to address the ongoing problems with the Broads floodplains not being able to function naturally and correctly owing to many sites having their access dykes from the main rivers blocked off.

BA comment: The control of water level and flows on individual floodplain fen sites is a matter for landowners and site managers. This occurs in liaison with Natural England if these sites are protected by natural conservation designations sites or are in receipt of agri-environment payments that prescribe management of fen. This routine management does not require planning permission. Where new or modified water control structures require planning permission the Local Plan already specifies that the Flood Risk Assessment 'It would not negatively impact on water quality of surface water and ground water'.

Knight, J (BA Navigation Committee Member)

Comments regarding floating holiday accommodation and floating angling platforms and flood risk compatibility.

BA comment: Noted. It is not clear if this is a proposal for something for the local plan to consider, or general thoughts on the matter. We will get in touch with Mr Knight to understand more. *Clarification sought from Mr Knights and response received on 21/5/2017: 'My view is that the BA should, through its planning policies, encourage the introduction of floating accommodation as a sustainable means of providing holiday units as well as permanent dwellings. Clearly access in times of flood needs to be considered as part of the policy, but in general terms structures which are designed to rise and fall with the tide ought to be encouraged as part of a climate smart approach to planning. This is an area of significant growth in the low countries such as the Netherlands, for example'. This is noted. Due to the work required to address floating buildings, it has been decided to wait until after the adoption of this Local Plan before looking into Floating Buildings in the Broads.*

PODM4 - Flood Risk

Waveney District Council

The Council supports the policy but questions whether it ought to apply to all areas with at least a 1 in 1000 year risk of flooding.

BA comment: The policy includes requirements for development within "EA flood risk zones". This means Flood Zone 3 & 2; Flood Zone 2 includes areas at risk of up to the 0.1% or 1:1000 annual probability flood event. So the policy does apply to all areas with a 1 in 1000 year risk of flooding. The proposed policy does require an FRA to consider flood risk for the lifetime of the development. Once the full BESL model is available, the current SFRA for the BA area will be able to be updated with the revised (fluvial) climate change flood outlines. When such mapping has been completed, a Local Plan could reference/highlight that there are areas that will become at increased risk of

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flooding, and that proposals in those areas should therefore give some consideration to that future flood risk. However, the EA would not be a consultee for any such applications if they are outside the current FZ2&3, so an LPA would need to be comfortable reviewing any submitted flood risk considerations.

Norfolk County Council

The second paragraph detailing that development will only be permitted in EA Flood Zones 2 and 3 should include references to 'all sources of flood risk' as this is the description of the NPPF para 100 otherwise you are narrowing its scope. Under evidence used to inform this section it should include references to The EA Risk of flooding from Surface Water maps as well as the Norfolk Local Flood Risk Management Strategy. Under monitoring indicators it should also state permissions granted contrary to the advice of the Lead Local Flood Authority.

BA comment: Noted and will make these amendments.

RSPB

The penultimate paragraph/sentence of the policy text needs to be amended to state "...habitats of national or local importance."

BA comment: Will amend.

Environment Agency

Many comments on the detail of the flood risk section.

BA comment: On adoption of the new Flood Risk SPD, this section will be thoroughly checked to reflect that SPD as well as to reflect this comment. EA's assistance in checking the section may be useful.

Knight, J (BA navigation Committee Member)

Comments regarding floating holiday accommodation and floating angling platforms and flood risk compatibility.

BA comment: Noted. It is not clear if this is a proposal for something for the local plan to consider, or general thoughts on the matter. We will get in touch with Mr Knight to understand more. *Clarification sought from Mr Knights and response received on 21/5/2017: 'My view is that the BA should, through its planning policies, encourage the introduction of floating accommodation as a sustainable means of providing holiday units as well as permanent dwellings. Clearly access in times of flood needs to be considered as part of the policy, but in general terms structures which are designed to rise and fall with the tide ought to be encouraged as part of a climate smart approach to planning. This is an area of significant growth in the low countries such as the Netherlands, for example'. This is noted. The Authority will be liaising with EA about using floating buildings to manage residual risk and will work on the idea of floating buildings being used to enable development which is unacceptable in flood risk terms, acceptable for the next Local Plan.*

PODM5 - Surface water run-off

Anglian Water

Disposal to surface water should be seen as the last option when all sustainable drainage solutions (SuDS) and discharge direct to watercourses have been investigated and proven non viable.

BA comment: Clarification will be sought with AWS on two issues:

Firstly, there is a SuDS policy so need to clarify their comment about needing a SuDS policy.

Secondly, the SuDS policy has discharge direct to a combined sewer as the last resort with discharge direct to a surface water drain being the penultimate options in the hierarchy.

Environment Agency

Where SuDS are incorporated in developments we would wish to see sufficient treatment steps to avoid pollution to the water environment and this should be included in the policy. Generally we would not support the use of deep bore soakaway systems as these can present an unacceptable risk to groundwater environment. If deep bore soakaways are proposed the developer may require an environmental permit from ourselves for a direct discharge to groundwater. SuDS can also be used to enhance the environment of a site by contributing to green infrastructure

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and providing habitats for wildlife. To be most effective SuDS proposals need to be integrated into scheme designs at an early stage and not retro-fitted once layout has already been established.

BA comment: These comments will be included in this section to improve it.

Knight, J (BA Navigation Committee Member)

This policy duplicates NPPF & NPPG policies and is therefore unnecessary.

BA comment: We will liaise with the Lead Local Flood Authorities and the Environment Agency regarding this suggestion as well as Anglian Water and amend the policy as per their recommendations.

Norfolk County Council

Various comments on this policy and an offer to meet to discuss it.

BA comment: Will meet with the LLFA to improve this policy.

RSPB

Suds can provide many benefits. Once constructed a management plan should be in place, along with appropriate resources, to ensure they continue to operate in perpetuity

BA comment: Whilst the point is valid, the RSPB have misread the text. The text does not include the wording 'only' but says 'also' which is meant to imply management and maintenance from construction and throughout its lifetime. Section will be improved in liaison with the LLFA.

PODM6 - Open spaces on land, play, sports fields and allotments

Environment Agency

We welcome this policy.

BA comment: Support noted.

Great Yarmouth Borough Council

Supports thrust of policy. This would, however, more properly be written as 'will have regard to'. Note that it should not be assumed that the Borough Council would necessarily accept responsibility for the management of any such provision.

BA comment: Agreed. Will amend text to say 'will have regard to'.

Knight, J (BA navigation Committee Member)

The joined-up approach with district authorities is applauded.

BA comment: Support noted.

Norfolk County Council

Public Health welcome the acknowledgements given to the value of open spaces, play etc. to public health and the consideration given to approaches to address land-based open space, allotments and play requirements in the Broads.

BA comment: Support noted.

South Norfolk Council

1: General support for policy.

2: For information South Norfolk Council is currently updating its Recreational Open Space SPG into an SPD. With regard to maintenance, the Council will, from later in 2017, no longer take on responsibility for the management of open spaces; in future developers will need to ensure that this maintenance is carried out either by the parish council or a management Company.

3: Does the statement under b) which states that 'All residential development (other than householder development) is expected to provide a contribution towards outdoor playing space' mean that even a scheme for one dwelling will have to make a contribution? If so, is this a realistic aim?

BA comment:

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- 1: Support noted.
- 2: Will make a general statement relating to management and maintenance that reflects this comment.
- 3: Noted. Will review this part of the policy and refer to the NPPG as well.

Sport England

- 1: Sport England OBJECTS to this policy.
- 2: Our particular concern is criteria (ii) which appears to advocate 'enabling development' on part of the existing open space as a means of enhancing the remaining facility. Playing fields should not be lost unless there is a proven surplus of provision in the catchment area, as evidenced in a robust local assessment. Sport England would not object to appropriate ancillary development on playing fields which enhances the main use of the site, for example pavilions, changing rooms, car parking etc. However, it is not clear from the wording of the policy whether 'development' refers to enabling development (e.g. housing) or appropriate ancillary development.
- 3: Criteria (i) should refer to a surplus of provision in the 'catchment area' rather than the 'settlement', as facilities such as playing fields often serve users beyond the immediate settlement they are located in.
- 4: Criteria (iii), the wording should more closely reflect exception E4 of Sport England's playing fields policy (and NPPF Para 74), which states: 'The playing field or playing fields, which would be lost as a result of the proposed development, would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development'.
- 5: For reference, Sport England's full policy in relation to playing fields can be accessed here: <https://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/>

BA comment:

- 1: Noted, although there are amendments suggested which if made to the policy, it is presumed will make the policy acceptable.
- 2: Will amend to reflect comment – ancillary development and give examples.
- 3: Will amend to say catchment.
- 4: Will review text against SE policy.
- 5: Noted.

Waveney District Council

Waveney District Council has not yet concluded on how it will address open space requirements in the emerging Local Plan. The Council may not continue with these guidelines in the new Local Plan, and may not set a quantitative standard.

BA comment: Noted. The policy will be reviewed in line with this comment and emerging information about the related policies in all our constituent council's Local Plans.

12 Water open space/blue infrastructure

PODM7 - Staithes

Somerton Staithe and Boat Dyke Charity

- 1: Detailed comments on the Staithes report.
- 2: Objects to policy.

BA comment:

- 1: Comments passed on to Officer leading on report.
- 2: Objection noted. Charity will be contacted to see if there are amendments to the policy they would like to suggest.

Broads Reed and Sedge Cutters Association

Staithes are vital for our industry. It is regrettable that the majority of the public will not be able to comment on this report during the time allocated for the consultation period of the Local Plan since it does not or has not to date, been put on the Authority's website. Unfortunately, the report is not the accurate document expected. We

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therefore object to Policy PODM7 on the grounds that the report used as evidence is not accurate therefore the policy is not sound.

BA comment: The Association will be contacted to see if they wish to meet to clarify their comments. Comments on the detail of the report to be passed onto the Waterways and Recreation Officer.

Historic England

Request that the following additional bullet point is added to the policy: 'The staithes identified on the policy map are protected from: Development which detrimentally impacts their historic character and setting.'

BA comment: Agree. Policy will be amended accordingly.

North Walsham and Dilham Canal Trust

There were several staithes on the North Walsham & Dilham Canal and it is the policy of the Trust to restore as many of these as is possible. We are therefore very supportive of the Broads Authority policy on staithes.

BA comment: Support for policy noted.

Somerton Parish Council

1: This report has not, to date, been made available to the public and therefore the information contained in the report cannot be accessed for the full period of this consultation. It appears some individuals and Broads Authority Staff members have been able to access (read) the report but for this Parish Council and for the residents of Somerton, it remains yet another example of the Authority's selective secrecy.

2: We therefore formally object to this Policy on the grounds that the evidence report has not been made available for public inspection/comment. For this reason alone, the Broads Local Plan should be judged unsound as background papers have not been made available for the full period of the consultation.

3: Detailed comments on the report.

4: The Parish Council strongly objects to any proposal in Policy PODM7 to change the existing mooring and boat access arrangements at Somerton Staithe which could be included in the policy statement "Their access being obstructed". The Broads Authority should clarify just what this statement refers to and whether it includes boats owned by the general public or not. Access for and moorings for boats at Somerton Parish Staithe remains limited and is not open to the general public.

5: Somerton Parish Council further suggests that all Parishes mentioned in the Staithes report have the opportunity to access the report and comment on it's contents before Policy PODM7 is formulated.

BA comment:

1: The report was in draft format when it informed this policy. This stage of the local plan preparation is not set out in regulations and can be seen as a bonus consultation stage. As such, to base a draft policy on a draft report is acceptable as there is another stage of the consultation process to go. The Parish Council representatives were told that the report was being finalised. By sharing the report with the Parish Council, it is not clear how the Authority is being secretive. Finally, the Parish Councils will be sent the final report in the next few months for comment.

2: Objection noted. We will contact the Parish Council to see what changes they propose or if they would prefer to not have a policy on staithes and understand the reasons (notwithstanding the report issues).

3: Detailed comments will be passed on to the Officer who is leading on the report.

4: It appears that the Parish Council are interpreting what is intended to be a policy that seeks to protect staithes for the use they are meant to be used for as intentions to open up their access. We will contact the Parish Council to see if any improvements can be made to the policy.

5: Will pass on this suggestion to the officer leading on the staithes report.

Weymouth, S (Councillor)

Objects to policy as background papers have not been made available for the full period of the consultation.

BA comment: Objection noted. We will contact the Parish Council to see what changes they propose or if they would prefer to not have a policy on staithes and understand the reasons (notwithstanding the report issues)

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BRASCA and Somerton Parish Council representative and Mrs Weymouth were met to discuss this policy. An amended policy was circulated to these as well as the Somerton Staithe and Boat Dyke Charity. Comments logged in consultation statement however as summary, stance of objection continued.

13 Green Infrastructure

PODM8 - Green Infrastructure

Environment Agency

Would stress the requirement to connect areas of green infrastructure in order to prevent habitat fragmentation. The inclusion of SuDS can provide an opportunity to contribute to green infrastructure. You should also consider adding the benefits green infrastructure can provide in relation to reducing the impacts of climate change.

BA comment: Noted. Will improve reference to connecting areas of GI, that SuDS can contribute to GI and that other benefits of GI relate to impacts of climate change.

Historic England

: Support policy.

BA comment: Support noted.

Norfolk County Council

We believe the Local Plan document is not consistent in the description or explanation of nature conservation designations.

BA comment: Noted and will address areas for improvement identified in specific policies.

Norfolk County Council

Support policy.

BA comment: Support noted.

Norfolk Wildlife Trust

A GI Strategy and Delivery Plan along with mechanisms to ensure delivery is in place within the Greater Norwich planning area and it make sense for a similar system to be established within BA area and co-ordinated with the system within Greater Norwich

BA comment: Noted. The Authority does have the Integrated Access Strategy and a general duty to look after and promote a number of sites. There is also Norfolk-wide Green Infrastructure and Ecological Network work underway. This work is not central to the Local Plan, but it could be something undertaken on adoption of the Local Plan.

North Walsham and Dilham Canal Trust

Consider that the Canal relates well to this policy.

BA comment: Noted.

RSPB

The habitat types listed are intended to cover the whole of England. It would be appropriate to tailor the habitat examples provided to fit with the Broads and it is recommended that reference to 'downland' and 'moor' be removed.

BA comment: Noted. Will make this amendment.

South Norfolk Council

Support policy.

BA comment: Support noted.

Suffolk Wildlife Trust

We query whether the policy could be enhanced by the inclusion of measures to secure the long term beneficial management of new green infrastructure.

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BA comment: Noted. Will include reference to management.

14 Climate Change

Somerton Parish Council

1: We cannot comment on the references to Climate Change since these have been formulated in secret by the Broads Climate Partnership at meetings where the public are unable to attend . The minutes of these meetings are not readily available and should be posted on the Broads Authority's website.

2: We are therefore unable to access any background papers or information related to Climate Change in the draft plan.

BA comment:

1: Noted and will pass on this comment to the Officer who works on Climate Change at the Broads.

2: The main climate change document to which the Local Plan refers to is here: <http://www.broads-authority.gov.uk/looking-after/climate-change>.

Weymouth, S (Councillor)

1: We cannot comment on the references to Climate Change since these have been formulated in secret by the Broads Climate Partnership at meetings where the public are unable to attend . The minutes of these meetings are not readily available and should be posted on the Broads Authority's website.

2: We are therefore unable to access any background papers or information related to Climate Change in the draft plan.

BA comment:

1: Noted and will pass on this comment to the Officer who works on Climate Change at the Broads.

2: The main climate change document to which the Local Plan refers to is here: <http://www.broads-authority.gov.uk/looking-after/climate-change>.

POSP5 - Climate Change

Environment Agency

1: Would highlight that development should be avoided in areas that are considered most vulnerable to future flood risk rather than merely building in mitigation measure.

2: Water resource is a further key issue linked to climate change and should be referenced by this policy.

3: This section should also highlight the importance of identifying and using opportunities to help wildlife adapt to climate change. This maybe through the use of sustainable drainage systems, wetland creation and restoration, promoting green infrastructure and creating green corridors.

BA comment:

1: Noted. We have policies on flood risk as well as National policies. This policy is about other climate change issues as well.

2: We have a water resource policy. Will look into potential to cross-refer.

3: Noted and will incorporate.

Great Yarmouth Borough Council

GYBC asked for clarification. The comment refers to GY being a gateway to the Broads and that the current wording only applies to inbound visiting boats.

BA comment: Noted. Will change to 'promoting the port gateways at Great Yarmouth and Lowestoft for boats arriving and leaving the area'

Knight, J (BA Navigation Committee Member)

This policy duplicates national guidance, is unnecessary and will quickly become out of date. Encouraging a climate smart approach to development is supported, however.

BA comment: Noted. Will check against national policy. *The Authority considers this an appropriate strategic policy to address climate change which is an important issue for the Broads.*

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Norfolk Coast Partnership

Doesn't appear to actually require developers to take measures to ensure adaptation and resilience

BA comment: Noted. We will add this to iv)

North Walsham and Dilham Canal Trust

The Canal is continuously fed by the feed-water and there are four locks with falls of between 2.4m and 4.6m, it has been calculated that there is potential to generate up to a total of 25kw of electricity.

BA comment: Noted. The Renewable Energy policy is in place to determine if permission should be granted for such projects. The Trust could take advantage of the free pre-application planning advice that is on offer.

PODM9 - Climate Smart Checklist

Knight, J (BA navigation Committee Member)

This policy duplicates national guidance, is unnecessary and will quickly become out of date. Encouraging a climate smart approach to development is supported, however.

BA comment: Noted. Will check against national policy. *The Authority considers this an appropriate strategic policy to address climate change which is an important issue for the Broads.*

15 Soils

PODM10 - Peat

Broads Reed and Sedge Cutters Association

Traditional broads fen and reed bed dykes continue to be dug wider and deeper regardless of whether any peat is present and some peat sites have been subjected to 'improvements' by digging scrapes, ponds in peat areas

BA comment: Maintenance of existing dykes does not require planning permission. Best practice dyke management includes discussion of plans with the local cutters to ensure that their site management requirements are met.

Environment Agency

We welcome the commitment to protect soils. In particular consideration should be given to the transportation and disposal of soil during development to prevent possible movement of invasive species. The issue of soil erosion and possible contamination of the water environment should also be considered.

BA comment: Noted and will inform soils section.

Historic England

Welcome policy.

BA comment: Support noted.

Norfolk Wildlife Trust

We support the policy PODM10 on peat and support the views of Suffolk Wildlife Trust with regard to terminology. We also support the view that there should be a wider policy relating to soils.

BA comment: Support noted.

RSPB

1: First sentence should be amended to "Peat soils

2: The currently used term "lowland peat bog" is inaccurate. The peat forming habitat of the Broads should be defined as lowland fen, the majority of which is calcareous in nature

BA comment:

1: Will make change.

2: Will make change.

Suffolk Wildlife Trust

1: Use 'peat soils' and 'lowland fen' rather than 'lowland peat bog'.

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2: The inclusion of a soil policy within the Local Plan would allow for the consideration of protecting soils from a number of issues, including prevention of development which increase sedimentation or eutrophication of watercourses.

BA comment:

- 1: Will make amendments.
- 2: Noted.

Question 4

RSPB

RSPB, therefore, supports Option 2 of the ways to “address soil in the Local Plan.”

BA comment: Support for option 2 noted.

Natural England

Recommend that an additional generic soil policy is added. Repeats representation to Issues and Options consulted.

BA comment: Noted.

A soil strategic policy produced and circulated to specific stakeholders for comment, amended accordingly and included in the Local plan.

16 Heritage and Historic Assets

POSP6 - Heritage Assets

Historic England

- 1: alter the name of Policy POSP6 to 'The Historic Environment'.
- 2: We request that the opening paragraph which highlights the key buildings, structures and features makes reference to the historic environment, the significance of any identified heritage asset and their setting.
- 3: change bullet ii to: '(ii) Requiring the highest standard of design which will protect existing assets the historic environment and add to the future cultural heritage value.'
- 4: Suggest this change: 'Development proposals that bring into use or remove an asset from the heritage at risk register will be supported where appropriate to their significance.'
- 5: make the following substitution in the penultimate paragraph of Page 59: 'Policies aim to set new standards to complement the current character and to create development that will be valued in the future.'
- 6: We would also welcome provision for the creation and management of a locally managed heritage at risk register over the plan period for Grade II buildings and locally listed structures, neither of which appear on the nationally managed heritage at risk register but which may include buildings that typify and provide evidence for the Broads' unique landscape character and heritage.

BA comment:

- 1: Will contact HE about this comment as Heritage Assets is also a term used in the NPPF. The two historic/heritage policies that start this section would be called the same thing. *Clarification received 23 June: Having reviewed our comments and the document, this appears to be a policy name point which could be addressed by switching the policy names, i.e. calling the strategic policy 'POSP6 Historic Environment' and the DM policy 'PODM11 Heritage Assets'. Will make amendments as suggested.*
- 2: Amendment will be made in line with this comment.
- 3: Amendment will be made in line with this comment.
- 4: Will contact HE to clarify what this means. *Clarity sought and policy amended.*
- 5: Amendment will be made in line with this comment.
- 6: Noted. The Authority have an internal record of such assets that are reviewed every five years.

Knight, J (Broads Authority Navigation Committee Member)

Resisting any development which is perceived to be detrimental to the character, appearance or integrity of the building or structure, or insisting on unrealistic standards of design, may result in the asset deteriorating further or being lost.

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BA comment: This interpretation of the consequences of the policy is noted. We will take this into account as the strategic policies are reviewed. That being said, the Authority has a statutory duty to protect the historic environment as do owners of individual assets.

North Walsham and Dilham Canal Trust

The Canal, its bridges, spillways and locks are heritage structures over 190 years old, although not formally recognised as a 'heritage asset'.

BA comment: Noted. Will pass this onto the Historic Environment Manager and ask them to get in touch with the Trust.

PODM11 - Historic Environment

Historic England

1: Make the first sentence: All development will be expected to protect, preserve or enhance the significance and setting of historic, cultural and architectural heritage assets and elements of the wider historic environment that give the Broads its distinctive character.

2: We note that designated assets are to be considered against the context of national policy whereas non-designated assets are to be considered against scale, significance and public benefits. We would reiterate that non-designated assets are heritage assets as defined within the NPPF and are subject to the protection and tests of national policy, applied commensurate with their significance.

3: Reasoned justification: We request that this includes reference to affecting the significance of any asset rather than just the asset itself. It may also avoid confusion to specifically include locally listed buildings within the list of heritage assets requiring a Heritage Statement.

BA comment:

1: Will make this change.

2: Unclear of the change that is being suggested. Will seek clarity from HE. *Clarification received 23 June: 'the wording of the policy could be interpreted to deviate from the NPPF. Therefore we recommend that PODM11 b is reviewed in the light of our comments to ensure that it is compatible with the NPPF.'*

3: Will make this change.

Knight, J (Broads Authority Navigation Committee Member)

Care must be taken to avoid imposing additional costs on developments just to preserve things which are old or keep things the same. Even a watching brief on a small site is likely to cost a 4-figure sum, which can impact the viability of the development.

BA comment: Currently, the County Council who run the Historic Environment Record (which is the definitive documentation for known archaeology and historic interest in the County) are sent the weekly list of validated planning applications. They then inform the Authority of any proposals that could have an archaeological implication. This is just areas where there is known potential for archaeology. That being said, it is important to note that the entire area of the Broads has been identified by Historic England as an area of exceptional potential for waterlogged archaeology. Whilst this is not a statutory designation currently, it is possible that in the future further requirements in relation archaeology may arise. The Authority is in regular contact with Historic England about this designation.

South Norfolk Council

Supports policy.

BA comment: Support noted.

PODM12 - Re-use of Historic Buildings

Historic England

Improve reference to guidance notes.

BA comment: Noted and will amend accordingly.

Appendix C – Summary of Preferred Options representations.

Knight, J (Broads Authority Navigation Committee Member)

1: Resisting 'inappropriate' changes of use must be balanced against the need to ensure that the building has some future.

2: It simply is not possible - or even necessarily desirable - to continue to use all buildings for the purpose for which they were originally designed.

BA comment:

1: This is what the policy is intended to do.

2: This is understood and recognised in the policy.

Norfolk Coast Partnership

General support for some specific policies.

BA comment: Support noted.

South Norfolk Council

Supports policy.

BA comment: Support noted.

17 Biodiversity

PODM13 - Natural Environment

Environment Agency

Whilst the policy indicates that any adverse impact from a development would require appropriate mitigation measures, we would prefer that it includes a requirement to consider alternative development sites are in order to protect sensitive and designated sites.

BA comment: Our text is very focused on European Protected Species or and HRA process and needs to be altered to include that when there is adverse impact to any site that the scheme considers, as this is only set out in the HRA context (e.g. 'alternative development sites in no satisfactory alternatives, in terms of the form of, or location for, the development, that would have a lesser impact on the species or habitats').

Natural England

HRA indicator could be amended to reflect the quality of HRAs submitted and adopted by the Broads Authority.

BA comment: Thrust of comment noted. Will consider how to improve indicator.

Norfolk County Council

1: given that all NNRs are also SSSIs we would suggest the reference to NNRs in the policy is superfluous and could be removed.

2: it may be useful to state explicitly that the creation of new habitat should not be at the detriment to other existing valuable habitats (e.g. proposals for the creation of new woodland habitat should not be supported if they are proposed on existing valuable grassland habitat)

3: The policy refers to section 41 priority habitats, so we would suggest that for consistency the reference to priority species in the same paragraph should be "section 41 priority species".

4: In the reasoned justification, reference to the national Biodiversity Action Plan should be removed, as the national BAP process has been superseded.

5: Reference is made to local sites for geodiversity but not County Wildlife Sites which have the same status; for consistency, either both or neither should be mentioned.

6: Reference is made to a Norfolk Ecological Network Mapping Report which it states is in preparation. This should be explained – what is the report and who is undertaking the study?

BA comment:

1: Disagree. NNRs represent distinct and values of exemplar quality and public access/education.

2: Agreed. Perhaps amend to: 'Habitat and species enhancement will be required providing they are not at the detriment to other existing valuable habitats.'

3: Will amend text.

Appendix C – Summary of Preferred Options representations.

- 4: Will amend text.
- 5: Will amend text.
- 6: Noted. We will update to reflect the situation when the publication version of the Local Plan is produced.

Norfolk Wildlife Trust

Supports policy.

BA comment: Support noted.

River Waveney Trust

Supports policy.

BA comment: Support for PODM13 noted.

RSPB

1: The RSPB fully supports this policy.

2: The paragraph split between pages 67 and 68 outlines what factors may constitute “public interest.” It should be clearly stated that for Special Areas of Conservation, where ‘priority’ habitats and species will be affected, only factors relating to public health, public safety and beneficial consequence of primary importance to the environment would constitute IROPI. It should also be clearly stated that the IROPI test can only be considered once all alternative solutions that would be less environmentally damaging have been assessed. Developments for which IROPI could apply will be exceptional.

BA comment:

- 1: Support noted.
- 2: Will amend text.

Suffolk Wildlife Trust

Supports policy.

BA comment: Support noted.

18 Renewable Energy

PODM14 - Energy demand and performance

Knight, J (Broads Authority Navigation Committee Member)

- 1: The policy should be seeking a balance between heritage/conservation considerations and the need to reduce energy demand.
- 2: The Authority is basing its energy efficiency policy on its limited experience of two schemes. Would make more sense to require proposals to comply with relevant national policies.

BA comment:

- 1: The policy allows appropriate schemes to improve the energy performance of heritage assets taking into account the reasons for the asset being of heritage value in the first place. There is a balance there. The policy does not say no to any improvements.
- 2: As is stated in the Reasoned Justification, there is still the potential for Local Plans to ensure that buildings are designed as sustainably as possible and to require that a reasonable proportion of energy demand is met from renewable or low carbon solutions. The Authority requires buildings to reduce demand before using renewable forms of energy. The Authority is content with this approach. No change.

North Walsham and Dilham Canal Trust

Our thoughts on the use of the Canal feed-water system to generate renewable energy, has been described in Section 14, Climate Change.

BA comment: Noted.

PODM15 - Renewable Energy

Knight, J (Broads Authority Navigation Committee Member)

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The Local Plan should not simply play lip service to the importance of renewable energy and then opt out on the basis that the Broads is 'special' - everywhere is special, in its own way. All projects should be considered on their own merits and the plan should not discourage any form of renewable energy as a matter of principle.

BA comment: Again, this policy is not saying no to renewable energy. It is setting a framework in which proposals need to operate. The Broads is a nationally protected landscape and through the various acts and Government policies is to be protected from inappropriate development. The author seems to be limiting his reference to windpower. The Renewable Energy Topic Paper http://www.broads-authority.gov.uk/_data/assets/pdf_file/0006/817917/Renewable-Energy-Topic-Paper.pdf discusses other types of renewable energy and the policy itself does not apply to wind power on its own and the thrust seeks to consider each proposal on their own merits as is suggested.

Norfolk Coast Partnership

General support for some specific policies.

BA comment: Support noted.

Norwich City Council

Would therefore be beneficial to add a reference to water source heat pumps within the reasoned justification (third paragraph, first sentence) acknowledging it as a form of renewable energy that is potentially suitable within the Broads area.

BA comment: We do refer to water source heat pumps and the study in our Renewable Energy Topic Paper. Will consider reference in the reasoned justification.

RSPB

1: The RSPB recommends that the term “unacceptable impact” be amended to “adverse effect”.

2: Supporting text be strengthened to include avoidance of adverse effects on SSSIs and local sites as well as international sites

BA comment:

1: We will check the wording in relation to effects (in relation to adverse, unacceptable and significant) throughout the document

2: Will make change.

19 Landscape Character

Suffolk County Council

Recognition that the character and special qualities of the landscape is rooted in local economic and cultural activities, and that a sustainable and functional economic future is needed to protect the unique landscape of the Broads is welcome.

BA comment: Support noted.

PODM16 - Landscape

Historic England

Support policy.

BA comment: Support noted.

Knight, J (Broads Authority Navigation Committee Member)

The policy should recognise that tree clearance is desirable in some areas, whilst other areas may need to be protected.

BA comment: Noted. As stated in the representation, it depends on the location and depends on the circumstances. This is a Development Management Policy that applies across the entire area and as such its wording is adequate. The paragraph when read as a whole does not go against the comment.

Norfolk Coast Partnership

Appendix C – Summary of Preferred Options representations.

General support for some specific policies.

BA comment: Support noted.

Norfolk County Council

Support policy.

BA comment: Support noted.

South Norfolk Council

Supports the inclusion of a general landscape policy but it is important that there is consistency across Local Planning Authority boundaries to ensure a joined up approach.

BA comment: Support noted. Not clear if South Norfolk are saying our approach is different. Will contact for clarity.

Received clarification 28 July referring to reference to district's landscape character assessments – will add this to reasoned justification.

PODM17 - Land Raising

Historic England

Refer to historic environment.

BA comment: Will add this to criterion d.

Knight, J (Broads Authority Navigation Committee Member)

This criteria-based approach is preferable to a ban on land raising. Archaeology should not usually be an obstacle to development

BA comment: Noted. This representation seems to support the policy.

RSPB

1: The RSPB recommends that the term “unacceptable adverse impacts” be amended to “adverse effects”. This is necessary as the current wording indicates that some level of adverse effect would be acceptable, which clearly is not the case, for example, when compared to the Habitats Regulations process.

2: Subject to the factors that must not be adversely affected, some land raising may be necessary for habitat creation/restoration. The positive benefits that can be derived from land raising should not be prevented.

BA comment:

1: Noted. Will amend to say ‘adverse effects which cannot be satisfactorily mitigated’ as an adverse effect might be acceptable if it can be adequately mitigated.

2: Noted. Will address this in the supporting text.

PODM18 - Excavated material

Environment Agency

We support this policy.

BA comment: Support noted.

PODM19 - Utilities Infrastructure Development

Historic England

Refer to historic environment.

BA comment: Noted. The policy already refers to character in that particular criterion. And in the comment on PODM32 the HE seemed content with the general reference to 'character' which is already included within this policy. As such, no change.

Knight, J (Broads Authority Navigation Committee Member)

: It is not clear why there needs to be a special policy for infrastructure development, as any such development would already need to comply with other relevant policies, for example in relation to visual impact.

Appendix C – Summary of Preferred Options representations.

Communications infrastructure is of particular importance, as rural coverage in the Broads is poor and planning authorities should be actively encouraging and facilitating such development.

BA comment: Some of the criteria are unique to this policy (such as sharing masts). The other criteria may repeat other policies, but it seems prudent and useful to bring together in one place the special qualities that need to be considered in relation to such development. This is not saying a flat no to utilities development, but, like renewable energy, is setting a framework in which proposals need to operate.

Natural England

Supports policy.

BA comment: Support noted.

Norfolk County Council

In the final bullet point, should it refer to 'priority' habitats or 'habitats within protected sites' or all habitats?

BA comment: We are satisfied with the text remaining as it is.

RSPB

The RSPB recommends that the term "unacceptable impact" be amended to "adverse effect".

BA comment: Noted, although the NPPF itself uses either term, or variations of. The Authority is content with the wording of "unacceptable impact". *Update, as the local plan is being produced, we will check these terms for consistency and appropriateness.*

Warner, P (BA Member)

Should you include development by statutory undertakings (where planning permission is required) within this policy category as well?

BA comment: We will make the amendment.

PODM20 - Protection and enhancement of settlement fringe landscape character

Historic England

We are particularly please therefore to read this well-written and important policy.

BA comment: Support noted.

21 Light Pollution

PODM22 - Light pollution and dark skies

Broads Reed and Sedge Cutters Association

Most light pollution from outside of the area. Engage with those parish/district councils.

BA comment: It is not clear if the Association are suggesting to delete this policy. The Authority needs to ensure it has high light pollution standards in place (this policy) to then seek to influence outside of the Broads. The Authority does and will continue to respond to consultation stages of our constituent district councils' Local Plans with the light pollution/dark skies evidence and proposed approach within the Broads Local Plan as a way of seeking to influence their plans. Furthermore, if Dark Sky Status is sought and then awarded, it will be important to continue to work with all the community. No change to policy.

Great Yarmouth Borough Council

Should read Appendix E, not C, and categories 1 & 2, not A & B.

BA comment: Noted. Will amend references in policy accordingly.

Norfolk and Suffolk Boating Association

The proposed PODM22 in section 21 (Light Pollution, p85) is not adequate to address this issue, which should in any case be identified under the Navigation heading, because primary safety on the water is a different issue to on-shore irritation/loss of amenity resulting from inappropriately or badly designed artificial lighting.

Appendix C – Summary of Preferred Options representations.

BA comment: It is not clear what changes the author would like to see to the policy. It seems the policy in general is supported, but perhaps an addition in the reasoned justification to refer to helm's vision might be adequate. Will contact the NSBA for clarity. *NSBA contacted. Some comments taken on board in this section.*

Norfolk Coast Partnership

General support for some specific policies.

BA comment: Support noted.

Norfolk Wildlife Trust

Supports policy.

BA comment: Support noted.

Somerton Parish Council

Broads Authority could achieve better results by entering into discussions with the District Councils in whose areas the overwhelming majority of light pollution originates.

BA comment: Noted. We do through Local Plan consultations. If the area is designated Dark Sky Status, there is a commitment to further work with communities and councils.

Weymouth, S (Councillor)

Broads Authority could achieve better results by entering into discussions with the District Councils in whose areas the overwhelming majority of light pollution originates.

BA comment: Noted. We do through Local Plan consultations. If the area is designated Dark Sky Status, there is a commitment to further work with communities and councils.

Question 5

South Norfolk Council

1: Overall a bespoke guide for lighting proposals on development would be welcomed and may be of use for adjoining parishes in South Norfolk.

2: There may be safety issues relating to a lack of light in certain areas and a cost implication of imposing specific types of lighting on developers – link to S106 agreements

BA comment:

1: Noted. We will consider producing guidance in due course.

2: Tackling light pollution is not about turning lights off necessarily, but rather making them do what they are intended to do with limited light pollution. The cost of schemes could be the same, but installation and operation improved. The policy talks about 'unnecessary forms of artificial light' and therefore if there is an inherent safety concern, then this will be an important consideration.

North Walsham and Dilham Canal Trust

A good idea but from the Trust's point of view we think it would be a good idea to incorporate information about our Canal project.

BA comment: Unclear how response relates to question 5 on lighting guidance. Will clarify with the Trust.

Clarification sought and response received 19/5/17. The Trust misread the question and asked the Authority to ignore this response.

Suffolk Wildlife Trust

Supports the idea of a guide.

BA comment: Noted.

22 Retail

Knight, J (Broads Authority Navigation Committee Member)

Oulton Broad needs special consideration as a village in decline, with a continued loss of shops and other services.

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BA comment: Noted. We have worked up a shared policy with Waveney District Council regarding the District Centre.

South Norfolk Council

Although South Norfolk does not have any areas identified in the Preferred Options document such as those in North Norfolk and Waveney there is retail provision in South Norfolk close to the Broads at Loddon and any policy needs to protect retail centres outside the Broads Local Plan area

BA comment: We will contact South Norfolk to see how this can be addressed. *Clarification received 28 June: 'Perhaps just a mention in the supporting text that consideration needs to be given to the impact of any proposal on retail centres outside the Broads Local Plan area e.g. Loddon'. Noted although the retail policies are specific to Hoveton Town Centre and Oulton District Centre.*

Waveney District Council

The Council supports the proposed consistent policy approach to the District Centre in Oulton Broad.

BA comment: Support noted.

23 Transport

POSP7 - Getting to the Broads

Great Yarmouth Borough Council

Attention is drawn to the potential value of engaging with the Great Yarmouth Cycle Forum (hosted by the Borough Council) to maximise opportunities for connections and looped routes.

BA comment: Noted. Will add this group as a consultee as well as ensure the Waterways and Recreation Officer contacts them in relation to their work.

Historic England

Refer to historic environment.

BA comment: We already say that such improvements would be subject to compatibility with sustainability objectives which would cover the historic environment. No change.

Knight, J (Broads Authority Navigation Committee Member)

This policy lacks focus or detail. No clue as to how such a modal shift might be achieved. Settlements are dispersed across a wide rural area and cars are often the only practical means of transportation.

BA comment: Comments noted. As previously stated, all strategic policies will be reviewed. We will take on board these comments. It should be noted however that strategic policies are strategic and by their very nature tend not to be focussed. *Note that Norfolk County Council were contacted regarding the transport policies and there was general support for them.*

Warner, P (BA Member)

Should not this read 'the promotion of access to enjoy the built, historic, cultural and natural....'?

BA comment: Will discuss with HRA consultants regarding appropriate wording.

Waveney District Council

1: The Council supports this Policy and draws attention to the Waveney Cycle Strategy

2: the A12 between Great Yarmouth and Lowestoft is soon to be named the A47

3: The supporting text could also mention the planned third crossing over Lake Lothing in Lowestoft and improvements which will help address congestion issues in the town and as such make access to the southern end of the Broads more efficient

BA comment:

1: Noted.

2: Will amend.

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3: Will make reference. *On reflection and on reading the policy, whilst this is of relevance, mentioning the scheme provides detail that does not add to the policy.*

POSP8 - Getting around the Broads

Historic England

Refer to historic environment.

BA comment: Will add historic environment to last sentence.

Knight, J (Broads Authority Navigation Committee Member)

The policy's objective of improving access to the water and creating new launching facilities is applauded.

BA comment: Support noted.

Norfolk County Council

We feel it would be appropriate to make reference in the Policy specifically to the England Coast Path and the Norfolk Trails that are within the Broads area.

BA comment: We will mention these routes in the reasoned justification.

River Waveney Trust

Support policy.

BA comment: Support noted.

RSPB

The RSPB recommends that the final sentence of the policy be amended to "...assessed and appropriately mitigated." *Note that this type of wording is being assessed throughout the document for consistency and appropriateness.*

BA comment: Will make amendment.

PODM23 - Transport, highways and access

Knight, J (Broads Authority Navigation Committee Member)

1: Policy continues the anti-car theme of the Local Plan. The focus should be getting cars to their destination and off the road as quickly as possible, rather than pretending that everyone is suddenly going to abandon their car and ride a bicycle.

2: The Authority should be actively supporting and facilitating ferries and river taxis as sustainable services, through reduced (or free) tolls and mooring facilities.

BA comment:

1: Noted. Will check policy against the Sustainable Transport section of the NPPF.

2: The Integrated Access Strategy recognises the importance of ferries. The Authority, through that document, encourages the maintenance of existing and establishment of new ferries. With regards to any part of the operation of these ferries that require planning permission, the general policies of the Local Plan will be used to determine such applications. We will add reference to the IAS to POSP8. *Note that we reference the IAS at the evidence section.*

RSPB

It is unclear who will have responsibility for managing any enhanced Public Right of Way network. Further detail should be provided on future management, specifically the role of landowners/ managers.

BA comment: It is usual practice that where new routes are identified, the maintenance and management to enable the ongoing use of the route by the public in a safe way is a fundamental consideration in deciding if the route should be created. The County Councils as Highway Authorities have a duty to maintain the PROW network. The Broads Authority's approach (as we are not a Highway Authority) is usually to create routes by working with landowners to provide permissive paths and the maintenance of these new routes is agreed at the outset of the creation of the route.

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PODM24 - Changes to the Acle Straight (A47T)

Broads Reed and Sedge Cutters Association

The existing road leads to water pollution. When accidents happen then also result in water pollution. A dualled road would include pollution control measures and should be welcomed.

BA comment: Noted. The policy includes the issue of surface run off. The policy is neutrally worded and states issues that should be addressed. No change.

CPRE Norfolk

General support for policy.

BA comment: Support noted.

Environment Agency

General support of policy. Reinforce the need to include appropriate treatment steps in order to ensure the water environment is protected. It should be added, that any work on the road that crosses or requires work to be undertaken close to a main river may need a permit under the Environmental Permitting Regulations 2010

BA comment: Support noted. We will add about treatment steps and reference to Regulations.

Great Yarmouth Borough Council

GYBC strongly supports improvements to the Acle Straight. The Council recognises the generality of the issues raised in the policy and supporting text, but considers that these are presented in an overly negative and defensive way, and that there are also potential advantages and improvements to Broads interests and special qualities (including delivery of aspects of other policies of the Preferred Options Draft Plan) which have not been fully recognised or given due prominence.

BA comment: Noted. The Authority considers the policy to be neutrally worded and not negatively worded. The special qualities of the Broads are well known and publicised and the policy seeks to address the relevant special qualities that could be affected by changes to the Acle Straight. As such the policy is probably defensive in respect of these characteristics and the Authority considers this to be justified and prudent given the national importance of the Broads and the potential harm to the special qualities some changes to the Acle Straight could result in. The policy does appreciate the opportunities change could result in by referencing a walking/cycle/horse route that could run parallel to the road, referring to the potential for opportunities to appreciate and interpret the landscape as well as any finds through an appropriate archaeological survey. No change to the policy as a result representation although the Authority is willing to talk through the policy with GYBC.

Highways England

Generally supports policy.

BA comment: Support noted.

Historic England

General support for policy. Refers to other listed buildings close to the A47.

BA comment: Noted. This is adequately covered in the constraints section as well as the accompanying map. No change.

Knight, J (Broads Authority Navigation Committee Member)

This policy demonstrates a clear predisposition against the principle of dualling this important trunk road. There are clear economic and safety benefits to upgrading this stretch of road, and the constant blocking of this (and other A47 improvement schemes) over decades for environmental reasons has resulted in loss of life

BA comment: The policy is neutral and talks about topics which any changes to the A47 need to address. This policy does not block any development. It seeks to raise the importance of the special characteristics of the Broads. No change.

Natural England

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e) delete the word 'Authority'

i) as follows "...wildlife areas and species, and to land management practices."

On p94 under the list of 'Constraints and features' the list for the western and eastern ends is incomplete and should be amended to include all SSIs, SACs, SPAs and Ramsar sites, and note the RSPB reserve should be listed.

On p95 under 'Wildlife and habitats' the text should be amended as water voles are protected under national legislation, so they are not a European Protected Species as stated.

BA comment: We will make these amendments.

Norfolk County Council

1: an arbitrary, non- defined list of selective criteria. On the whole the criteria listed in the policy are requirements of the design manuals and appraisal guidance.

2: The Highways Authority feel the policy and supporting text should be re written to bring a more balanced view, i.e. to consider the likely and many positive impacts a new high quality road improvement could have on the local environment.

3: On the point of the snail relocation trial this study is ongoing and no presumption on its success or otherwise can be made at this stage.

4: We also urge the Broads Authority to consult Highways England on the plan and the policies as the A47 is a trunk road.

5: A very thorough environmental assessment and provision for future monitoring should cover all the issues raised and the local plan actually helps scope what is required

BA comment:

1: The criteria were worked up with Broads Authority Officers with specialism in the topic areas covered. The criteria also reflect the special qualities of the Broads as discussed in section 8.

2: We will look at improving the supporting text.

3: Noted and agreed

4: Highways England have been consulted as they are a statutory consultee.

5: It seems that Norfolk County Council are concluding that the content of this policy helps scope what the scheme needs to address which is the intention of this policy.

Norfolk Wildlife Trust

Support policy.

BA comment: Support noted.

South Norfolk Council

South Norfolk Council supports the dualling of the Acle Straight and would give general support to the criteria based policy as proposed.

BA comment: Support noted.

Waveney District Council

WDC supports the dualling of the Acle Straight.

BA comment: Noted.

PODM25 - Recreation Facilities Parking Areas

Knight, J (Broads Authority Navigation Committee Member)

If slipways and boat launching facilities are to be encouraged, then it should be accepted that such facilities will be accessed by car and that adequate car and trailer parking must be provided.

BA comment: The author of the comment seems to have focussed in on slipways whereas the policy is clearly titled 'recreation facilities' and mentions recreation routes. Someone bringing a boat to the site will not be able to use a bus, but someone wishing to walk along one of the routes in the Broads may wish to access by bus if possible. The policy seeks parking for cycles, cars and trailers. No change.

24 The Broads Economy

Broads Hire Boat Federation

Redundant Boatyards: it would be preferable to permit suitable development rather than allow the site to become derelict.

BA comment: Noted. This will be considered as the Employment section of the Local Plan is worked up.

Evolution Town Planning (for Somerleyton Marina Ltd)

Somerleyton Estate are keen to secure a positive policy landscape in order to consider the potential for expanding the existing boatyard buildings in order to maintain and enhance the boat repair and service function. It will be important for the Broads Authority to recognise the unique range of facilities and services at Somerleyton Marina.

BA comment: Noted.

Knight, J (Broads Authority Navigation Committee Member)

General thoughts relating to the economy.

BA comment: Provides useful thoughts for consideration as this section is worked up. Noted.

Norfolk County Council

It is felt that either no change to the existing policy or having a less restrictive policy would be the preferred options in relation to redundant boat yards or buildings from an economic development perspective. It is felt that reintroducing the approach from the 1997 local plan with development boundaries relating to employment development would be the preferred option from an economic development perspective.

BA comment: Noted. Comments to be taken on board when this section is worked up.

South Norfolk Council

Detailed comments relating to the economy of the Broads.

BA comment: Noted and will inform the economy section as it is worked up.

25 Sustainable Tourism

Norfolk County Council

It is felt that no new policy is needed for sustainable tourism and existing policies would cover what is required from an economic development perspective.

BA comment: Support noted.

POSP9 - Sustainable Tourism

Note that the entire Tourism section has been re-worked taking into consideration these comments, but also more fundamentally to make it simpler to use and understand.

Boyer Planning (agent for East Anglian Group)

This policy is supported.

BA comment: Support noted.

Broads Hire Boat Federation

it would be helpful to include somewhere the need to promote, or even require in some cases, the provision of toilets and refuse disposal points available to the general public.

BA comment: Noted. We will make reference to this in the reasoned justification of the policy.

Great Yarmouth Borough Council

GYBC asked for clarification: The comment is about taking a wider geographic view of tourism potential - recognising Broads tourism isn't necessarily just about the Broads, and GY tourism isn't just about seafront. It is about recognising that even if a tourist/visitor is coming primarily for, say, Great Yarmouth's offer, the availability of the

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fantastic opportunities in the Broads could be an additional draw and provide a variety of experiences and possibilities for the GY visitor and vice versa.

BA comment: Comment noted. This will be shared with the tourism team and we will take any suitable/appropriate opportunities in the Local Plan to reflect this if they arise.

Historic England

Refer to historic environment.

BA comment: POSP9 in general needs a review as it is quite long and perhaps repeats other DM policy content. Will review with this comment in mind.

Knight, J (Broads Authority Navigation Committee Member)

Many comments relating to this strategic policy.

BA comment: Noted and as the strategic policies are reviewed, this comment will be considered.

La Ronde Wright (agent for Arminghall Settlement Crown Point Estate)

Policy supported.

BA comment: Support noted.

Les Brown Associates (agent for Brundall West Marina)

Policies are supported however there should again be recognition that in areas of high flood risk innovative solutions to buildings which can be shown to be sustainable in the light of flood risk and climate change will be encouraged/supported as well as considering the advice within the Flood Risk SPD and Environment Agency recommendations.

BA comment: The Authority is happy to look at innovative ways to deal with all constraints however there is no need to change any policies. Of interest is the floating building Topic Paper that can be found here:

http://www.broads-authority.gov.uk/_data/assets/pdf_file/0008/875843/Broads-Local-Plan-February-Bite-Size-Pieces.pdf. The “95% of area at risk from flooding” reference is made in the supporting text. All proposals, including innovative design solutions, would be considered specifically on their merits, and in accordance with national planning policy (and POSP4). The policy doesn’t define possible solutions, although the SPD does discuss some scenarios and options.

South Norfolk Council

General support for policy. It is important to consider the potential impact of tourism on service centres and village that serve the Broads but are outside the Broads Authority Executive Area.

BA comment: Noted and will contact South Norfolk to see how they feel the Local Plan addresses their final comment. *Clarification received 28 June: ‘something in the supporting text that refers to the need to consider the potential impact of any tourism proposals in service centres and villages that serve the Broads but are outside the Broads Authority Executive Area’. Noted and we will see how this can be weaved into the policy.*

Waveney District Council

Support policy. Lowestoft and Beccles provide sustainable access points to the Broads, with good public transport links including regional bus links and train lines.

BA comment: Noted.

PODM26 - Sustainable Tourism and Recreation Development

Note that the entire Tourism section has been re-worked taking into consideration these comments, but also more fundamentally to make it simpler to use and understand.

Boyer Planning (agent for East Anglian Group)

This policy is supported.

BA comment: Support noted.

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Historic England

Refer to historic environment.

BA comment: Amend vi) to include historic environment as well.

Knight, J (Broads Authority Navigation Committee Member)

Many comments about the policy.

BA comment: Noted. The strategic policy and this policy will be reviewed and these comments will be considered.

La Ronde Wright (agent for Arminghall Settlement Crown Point Estate)

Policy supported.

BA comment: Support noted.

Les Brown Associates (agent for Brundall West Marina)

Policies are supported however there should again be recognition that in areas of high flood risk innovative solutions to buildings which can be shown to be sustainable in the light of flood risk and climate change will be encouraged/supported as well as considering the advice within the Flood Risk SPD and Environment Agency recommendations.

BA comment: The Authority is happy to look at innovative ways to deal with all constraints however there is no need to change any policies. Of interest is the floating building Topic Paper that can be found here:

http://www.broads-authority.gov.uk/_data/assets/pdf_file/0008/875843/Broads-Local-Plan-February-Bite-Size-Pieces.pdf

RSPB

The RSPB recommends that in bullet point (ix) the term “unacceptable adverse impacts” be amended to “adverse effects”.

BA comment: We will check the wording in relation to effects (in relation to adverse, unacceptable and significant) throughout the document.

PODM27 - Holiday Accommodation - New Provision and Retention

Boyer Planning (agent for East Anglian Group)

Agree with points A - E within the policy and the supporting text that accompanies it.

BA comment: Support noted.

Knight, J (Broads Authority Navigation Committee Member)

1: the policy is considered to be unreasonably restrictive and takes an overtly political stance against second-home ownership which does not relate to planning. Second home ownership is a valuable part of the tourism mix within the Broads, with owners often being “regulars” in the local pubs & shops when they are in occupation and frequently letting their properties out to others - either informally (to friends and family) or to other visitors on a commercial basis.

2: The distinction between a “second home” and “short-stay accommodation” is woolly, vague, arbitrary and smacks of the politics of envy.

3: The requirement to “prove” that holiday accommodation will be “viable in perpetuity” (condition d) is impossible to comply with and should be removed.

4: The presumption against static caravans should be tempered with an acceptance not only that they can be appropriate in some locations, but that not all caravans have the appearance of “tin boxes”. Timber (or faux-timber) exterior cladding can make caravans visually attractive and “appropriate” in many Broads locations, including environmentally sensitive areas which reflect the special qualities of the Broads.

5: The requirement to prove that a business is economically unviable over a period of 12 or even 24 months is grossly unreasonable and could easily result in the failure of a business which might otherwise be saved through a

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change of use or other development. Requiring the owner to fund this destruction of his asset simply adds insult to injury!

BA comment:

1: Broads is an area where the opportunity for development is limited and priority should be given to development resulting in a home to live in or make maximum contribution to tourism.

2: It is not clear which bit Mr Knight is referring to. Will contact for clarity. *Clarification sought 21 May 2017. My Knight said 'in the absence of any evidence of harm caused by second home ownership in the Broads, there is no objective reason for a policy which discourages it'. Noted, however see point 1 above.*

3: The policy says 'will likely be viable in perpetuity'. The policy which permits holiday accommodation is less restrictive than policy for market residential so there is a need to ensure there is a demand for holiday accommodation so as to not circumvent the planning system to get market residential in the countryside. Happy to consider alternative options and will discuss with Mr Knights. *Clarification sought 21 May 2017. My Knight said 'I think that the Authority needs to accept that, whilst it has a duty to protect the landscape and character of the Broads for future generations, attempts to micro-manage the precise use of buildings in perpetuity on idealistic grounds is likely to result in derelict buildings and business failures down the line, as well as further expensive and pointless legal battles with disgruntled landowners'. Noted and we are reviewing the tourism policies and will consider this comment.*

4: there is not a presumption against static caravans. The policy sets out criteria where they would be allowed.

5: Other people raised issues with 24 months so will look at that. The purpose of this again is to try to prevent circumvention of planning system. It will not be clear what other businesses might want to located in a former holiday property unless it is marketed. Regarding getting them to pay for the independent assessment, it is generally an accepted approach as it is inappropriate for tax payer to fund something that results in private gain.

La Ronde Wright (agent for Arminghall Settlement Crown Point Estate)

Policy supported.

BA comment: Support noted.

Les Brown Associates (agent for Brundall West Marina)

Policies are supported however there should again be recognition that in areas of high flood risk innovative solutions to buildings which can be shown to be sustainable in the light of flood risk and climate change will be encouraged/supported as well as considering the advice within the Flood Risk SPD and Environment Agency recommendations.

BA comment: The Authority is happy to look at innovative ways to deal with all constraints however there is no need to change any policies. Of interest is the floating building Topic Paper that can be found here:

http://www.broads-authority.gov.uk/_data/assets/pdf_file/0008/875843/Broads-Local-Plan-February-Bite-Size-Pieces.pdf

26 Navigation

Bacon, R (MP South Norfolk)

I therefore welcome the emphasis on navigation within the draft Broads Local Plan. However, whilst Local Plans are predominantly about development, I would welcome navigation being given greater prominence within the plan, which would be appropriate given its importance to the Broads.

BA comment: Measures to improve navigation and improve enjoyment of navigation are embedded within all sections of the document. The Local Plan makes provision for development that supports navigation and as such consider the Plan is positive in relation to navigation. The Plan is ordered in Environment, Economy and Social aspects with navigation forming part of the Economy section.

Hipperson's Boatyard

I would like to see the navigation into Norwich maintained for larger vessels.

BA comment: Noted. This is the general thrust of POSP10.

POSP 10 - Navigable Water Space.

Dilham Boating Club

a) there is no mention of headroom clearances, another major requirement for safe navigation.

B) Wayford Bridge, which is, I am informed, slowly sinking. Today there are times when the air-draft is below 6 feet, thus preventing navigation to many vessels, some of which are moored upstream of this bridge. The other road bridges on the North Walsham & Dilham Canal (The Canal) all have an air-draft of 8' 6", as was the case at Wayford Bridge.

BA comment:

a) We seek to provide in some way de-masting facilities at all bridges that span the navigation. Proposals for new bridges are assessed in the context of the river they are on to reflect the air draft of existing structures. We will add reference to air draft in the policy.

B) Noted. We will pass this comment on to Norfolk County Council as Highways Authority. The Broads Authority does not manage this structure.

Knight, J (Broads Authority Navigation Committee Member)

1: This policy is supported.

2: It should be noted that para 5 of the reasoned justification asserts that landowners require planning consent for dredging disposal - but this is not always the case. The insertion of the word "may" ("who may require planning consent") would fix this.

3: The words "beneficial use of dredgings will be expected" are over prescriptive, as beneficial use is often not economically practical. For example, transporting dredged material by road to a site which needs to be raised may be undesirable and unaffordable compared to simply disposing of the material on site. "Beneficial use of dredgings will be encouraged" would be a more pragmatic and realistic approach.

BA comment:

1: Support noted.

2: Will amend text.

3: Will cross refer to land raising policy and excavated material policy. Change to 'will be expected where practicable'.

Norfolk and Suffolk Boating Association

Broadly agree the draft policies. Do not agree with all of the supporting text, which appears in places to have been poorly drafted. Sediment management is a large specialist topic beyond the scope of the Local Plan. Dredging from immediately downstream of the Whitlingham STW, with heavy metal contamination, ought to continue to go to the licenced tip opposite. The term 'land filling' requires much more clarification than is presented. All dredging processes, which are very necessary in the Broads, involve taking sediment out of the water (i.e. off the river bed) and placing it somewhere, albeit preferably with a beneficial use, on land.

BA comment: In the case of 'Postwick Tip', the sediment being disposed of there has a low level mercury contamination. The future aspiration for this site is to turn it into a wildlife walk so is actually re-use. The Authority is content with the wording (minor change to say landfill) as sediment has not been disposed of to landfill for many years due to the cost being a prohibiting factor. Finally the wording in the Local Plan reflects the policy of the Broads Authority.

Norfolk Wildlife Trust

However, we are concerned that the wording implies that adverse impacts are acceptable and we support the views of the RSPB with regard to this policy.

BA comment: We will review the policy in light of these comments, although note that no specific text has been identified and no suggested amendments provided. We will contact NWT. *Noet that the use of such phrases as unacceptable impacts etc will be reviewed for consistency and appropriateness as the local plan is produced.*

North Walsham and Dilham Canal Trust

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General support of policy. Policy supports Trust's North Walsham & Dilham Canal restoration project as part is within Broads area. Need for canoe portaging facilities and moorings. Bridge at A149 Wroxham to Stalham Road at Wayford sunk.

BA comment: Support for policy noted. The general policies in the Local Plan can be used to determine applications for moorings or canoe portage. Re moorings, please see our Mooring Guide. The Broads Authority recognises the importance of this Canal for recreation in the Broads. The Authority is willing to work with the Trust and any relevant owners of the Canal to explore the possibilities of making improvements for access. Regarding the sinking bridge, will refer to Norfolk County Council Highways Authority.

Norwich City Council

It would be useful to have some further clarification in the reasoned justification, for example an indication of what constitutes the 'importance' of the water space in question and 'levels of use'. Have been exploring the potential for an advice note providing information about navigation considerations which could be helpful for developers

BA comment: Noted. Will look into this as review this section. Advice note might be useful as we have similar approaches for other topics in the Broads.

RSPB

1: It is recommended that the first sentence of the final policy paragraph be amended to read: "...carried out in ways that avoid adverse effects on the environment, with appropriate mitigation measures implemented as required."

2: In order to ensure that dredged material is appropriately disposed of the Broads Authority has followed its sediment management strategy. However, it appears that the current strategy is several years old and would benefit from a revision. It is recommended that the supporting text refer to keeping the sediment management plan updated.

BA comment:

1: Will amend text.

2: There are no plans currently to update the strategy itself as the science behind the strategy remains valid and the strategy appropriate. There is an action plan which is updated on a yearly basis.

Suffolk Wildlife Trust

We would recommend that the policy is expanded ensure that the use of innovative techniques, as are already underway in the Broads, are promoted to maximise the beneficial uses of such material.

BA comment: Noted however the term 'reuse' does adequately cover the innovative techniques which are constantly changing.

PODM28 - Access to the Water

Historic England

Refer to historic environment.

BA comment: We will look at adding something to criterion f.

Knight, J (Broads Authority Navigation Committee Member)

This policy is supported, particularly the focus on encouraging access to and use of the waterways.

BA comment: Support noted.

Knight, J (Broads Authority Navigation Committee Member)

Piling has traditionally been used as a means of stabilising banks and providing moorings throughout the Broads and the presumption against this is not supported. Soft engineering is certainly appropriate in some locations, but this comes with its own risks of increased siltation and erosion and can often result in hazards to navigation requiring marker posts which can be more visually intrusive than piling and less safe especially when visibility is poor

BA comment: Comments noted. This policy should be read alongside the guidance note on this topic <http://www.broads-authority.gov.uk/planning/Planning-permission/design-guides/river-bank-stabilisation>. The issue of hazard to navigation for example is raised in that guidance. Plastic in particular is discussed in the mooring

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design guide http://www.broads-authority.gov.uk/_data/assets/pdf_file/0005/703940/Mooring-design-guide.pdf. This policy is sufficiently flexible to react to the particular circumstances and raises various issues that need to be considered when planning for stabilisation.

PODM29 - Riverbank stabilisation

Norfolk and Suffolk Boating Association

Generally agree with policies but supporting text poorly drafted. It is not helpful or accurate to state that the riverbanks have traditionally been piled. Whilst this became the preferred treatment post WWII, at those locations where the authorities intervened to control scour and erosion, the piled treatment was only ever applied to a small proportion of the Broads rivers and even smaller proportion of the Broads. Neither is a biodegradable geotextile, bunch of willow or whatever, the answer where the tidal flow is fast or adjacent to infrastructure including pump stations, bridges, mills or staithes. All of these issues are addressed in various BA reports and in the environmental assessment reports prepared by BESL for the Broads Flood Alleviation Project, to which this Plan could constructively refer. Whilst we are in agreement with the draft policy PODM29, the “reasoned explanation” falls short of the required clarity.

BA comment: Support for policy noted. Regarding comments on piling - will review text. Regarding comments on softer techniques, the policy, supporting text and related guidance already refers to the thrust of the comment - that the appropriate method depends on the local characteristics. No change.

PODM30 - Moorings, mooring basins and marina

Evolution Town Planning (for Somerleyton Marina Ltd)

We support the Preferred Option for policy DM30. The pre-application questionnaire is useful and will aid the preparation of planning applications.

BA comment: Support noted.

Historic England

Refer to historic environment.

BA comment: Noted. Although in the comment on PODM32 the HE seemed content with the general reference to 'character' which is already included within this policy. As such, no change.

Residential Boat Owners' Association

The RBOA advocates the inclusion of at least a few residential moorings at all appropriate mooring basins and marinas. This is important in supporting the viability of the businesses that may rely on income from such moorings.

BA comment: Noted. It is not clear if this is supporting the policy or suggesting changes. Will contact RBOA to clarify.

Clarification sought 26 May 2017 and the RBOA support the policy.

Knight, J (Broads Authority Navigation Committee Member)

1: Imposing a requirement on developers to provide short stay moorings should not be used as a way of the Authority avoiding its own responsibility to provide moorings at strategic locations

2: In some areas (especially in the southern broads where hire fleet numbers have collapsed), there may be an over-supply of visitor moorings in relation to demand, and so adding further visitor moorings in those locations would be pointless

3: This policy needs to be supported by a map of visitor mooring provision, with deficiencies identified and specifically addressed in the policy rather than making sweeping generalisations.

4: The attempt to define 6 different “mooring types” is arbitrary and doesn't recognise the fact that mooring provision and occupation is rarely defined in this way. This arbitrary distinction of mooring types could, if translated into policy, lead to a ghetto effect, where different areas are zoned for different “mooring types” and this would be undesirable, compared to the current mix of uses which works well and encourages co-operation and tolerance amongst different users of the system.

5: A better approach would be to identify specific issues - such as a lack of visitor moorings in one location, or demand for residential moorings in another, and apply a maximum permitted percentage for those “types”. This

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would allow for a mix of uses according to demand, whilst maintaining a sensible level of control to ensure undesirable intensifications of specific uses which might have other adverse effects.

BA comment:

1: This is not the intention of the policy. The Authority does not own suitable land and therefore our approach is to work with landowners to seek the provision of appropriate mooring facilities. The Broads Act 1988 does not set a requirement on the Broads Authority to provide moorings itself in specific locations. The Navigation Committee have supported an approach of trying to encourage bodies other than the Authority to provide mooring facilities. This policy does not intend to absolve the Authority from carrying out its duties as set out in the Norfolk and Suffolk Broads Act 1988.

2: Tourism in the Broads is dependent on adequate mooring provision, both to cater for existing boat use and encourage increased boat use in specific areas. While there are moorings in the Southern Broads, many of these do not provide capacity for large numbers of boats and any loss of moorings would reduce facilities for tourism in the southern Broads. The Broads Sustainable Tourism Strategy recognises the importance of maintaining tourist facilities in the southern Broads.

3: The Broads Authority prioritises the provision of moorings in accordance with its Mooring and Integrated Access Strategy. This assesses where there are gaps in provision. This is already stated in the Reasoned Justification to the policy.

4: This list of mooring types is simply intended to identify the types of moorings that are in existence in the Broads. We will emphasise that these are general categories of mooring types. It is not intended to create enclaves of specific mooring types in particular locations. This support text simply seeks to elaborate and provide more explanation in relation to the policy.

5: Regarding the demand for residential moorings, we await a study that is looking into this as per the requirements of the Housing and Planning Act 2016. That will inform the next version of the Local Plan. We do to some extent say where residential moorings will be acceptable through the criteria of policy PODM35. Every mooring provision that is made is dealt with on a site-specific assessment of the area and as stated in the Reasoned Justification, the Integrated Access Strategy (which includes the Mooring Strategy) will be the starting point.

POSP11 - Mooring Provision

Historic England

Refer to historic environment.

BA comment: Noted. This is a general strategic policy. It seeks to be high level. The detailed policy that is related to it refers to character as per the response to the comment on PODM30. No change.

Knight, J (Broads Authority Navigation Committee Member)

This (short) policy is in conflict with PODM29 which discourages the use of piling and, by extension, the provision of moorings.

BA comment: The author of the comment has focussed their response on piling. There are many ways to provide moorings. Please see the mooring design guide: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0005/703940/Mooring-design-guide.pdf. PODM29 does not say no to piling, but gives a framework for such an option.

Norfolk and Suffolk Boating Association

1: re demasting moorings explanation of the term, this fails to record BA policy to aim to provide mast lowering moorings on all four quadrants at bridges crossing the main rivers.

2: Again re demasting moorings, second, it is generally not true that they do not have access to land

BA comment:

1: This is a general description of what a de-masting mooring is in broad and general terms. The explanation in general is satisfactory and it is not the intention of the Local Plan to copy all policies of the Broads Authority. No change.

2: Regarding access to land. The wording is quite clear where it says 'do not have **to** access land'. The author has misread this to say 'do not have access to land'. No change to text.

27 Housing

Norfolk County Council

In section 27 it is felt that there is an opportunity to promote the health and well-being benefits of the Broads and the connection to the natural environment.

BA comment: Noted although there is a section entitled 'Health benefits of using the Broads'.

Shepherd, I (CPRE Norfolk)

There will be a step-change in the number of day visitors, which will extend as far as London and the Midlands; hence affecting the Broads Plan as well as the Broads Local Plan and the need to seek to strengthen policies as far as possible with adjacent LPAs on the Duty to Cooperate on housing and associated development; and as regards the Broads Plan, on the management of visitors, including transport issues which we mention.

BA comment: Work has recently been completed relating to understanding visitor pressure at sites around Norfolk. This will inform Habitats Regulation Assessments.

South Norfolk Council

1: In general the Housing section is well constructed and appropriate to the Broads context.

2: The Council would suggest in terms of monitoring that the Plan should be explicit that monitoring is at the dwelling level and more precision is needed than just 'permitted' and 'delivered'.

BA comment:

1: Support noted.

2: Will consider as Monitoring and Implementation Framework finalised.

South Norfolk Council

Norfolk County Council may no longer be producing a 'Housing Strategy Framework', although cross-county work on the scale of future need for elderly people's accommodation is in progress. Suggest the Broads Authority checks and if necessary deletes this paragraph.

BA comment: This section will be reviewed and updated.

Great Yarmouth Borough Council

Housing for Older People: The Borough Council looks forward to continuing a working partnership within the Norfolk Strategic Framework Housing Group to address housing for older people across the County.

BA comment: Noted.

POSP12 - Residential Development

Boyer Planning (agent for East Anglian Group)

This policy is supported due to the fact that residential development will be supported where it is appropriately located and has high levels of accessibility.

BA comment: Support noted.

Environment Agency

All residential development should have passed the sequential test and where appropriate be accompanied with a site-specific flood risk assessment.

BA comment: Noted. There is a sequential test accompanying the Plan which has been produced in consultation with the EA. Housing allocations in the Plan do refer to flood risk. Will make reference between the allocations consistent.

Anonymous through Survey Monkey

Welcomed, if not social class enforced.

BA comment: Noted.

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PODM31 - New housing in the Broads Authority Executive Area

Knight, J (Broads Authority Navigation Committee Member)

Serious consideration therefore should be given to a policy which supports and encourages the use of floating accommodation to help fulfil the Authority's Objectively Assessed Housing Need.

BA comment: The comments seem to agree with the thrust of this section of the Local Plan as the 'solution' of floating buildings reflects the flood risk issue. Please see Floating Buildings Topic Paper http://www.broads-authority.gov.uk/_data/assets/pdf_file/0008/875843/Broads-Local-Plan-February-Bite-Size-Pieces.pdf on this issue which sets out the approach of the Broads for this Local Plan. In summary, we intend to discuss with EA the possibility of buildings that can float being a way of addressing residual risk from flooding and then over the coming year or two look into if and how floating buildings can be seen as acceptable in flood risk terms.

Waveney District Council

1: It is uncertain why this policy is not considered a strategic policy given it sets out the Broad's strategic approach to the distribution and delivery of housing.

2: It is also questioned why this policy is not the first policy in the housing section given its important, strategic nature.

3: The Council supports the policy approach and the approach to housing numbers

BA comment:

1 and 2: Potential to combine PODM31 with POSP12 will be considered.

3: Support noted.

South Norfolk Council

South Norfolk Council is supportive of the Broads Authority allocating land in the Local Plan to endeavour to meet its objectively assessed housing need.

BA summary: South Norfolk Council is supportive of the Broads Authority allocating land in the Local Plan to endeavour to meet its objectively assessed housing need.

BA comment: Support noted.

Natural England

1: Amend D to say: "Project Level Habitats Regulation Assessments will be needed to assess implications on sensitive European Sites. Where identified, good quality on-site green infrastructure will need to be provided to help mitigate impacts from recreational disturbance."

2: P120 Currently, the text could be interpreted as meaning that only the three sites identified for the 212 housing provision need to provide project level HRAs (and the associated mitigation), which is not the case.

BA comment:

1: Footprint Ecology advise the following. You may do a project level HRA and find that you can conclude no likely significant effect, negating the need for further assessment or mitigation - "Project Level Habitats Regulation Assessments will be needed to assess implications on sensitive European Sites. Measures to mitigate for the effects of new housing growth may be required, such as the provision of good quality on-site green infrastructure to mitigate for recreational disturbance."

2: Noted and will amend.

Great Yarmouth Borough Council

The Borough Council stands by the Memorandum of Understanding between itself and the Broads Authority with respect to the delivery of housing, as generally outlined in the written justification. The Borough Council has a degree of scepticism as to the robustness of the figure of 44 quoted, and neither endorses nor objects to its use by the Broads Authority.

BA comment: Support for approach noted and welcomed. With regards to the figure, the SHMA is being updated during the early months of 2017 to reflect recent data releases and this figure could change. The Authority (and other Central Norfolk Housing Market Area authorities) have no reason to doubt the findings of the SHMA.

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Home Builders Federation

Queries housing numbers in the Local Plan. Considers that as the numbers are so small, the Authority should be able to allocate.

BA comment: This is set out clearly in the reasoned justification and the Housing Topic Paper. No change to policy other than to reflect the updated SHMA figures when available. The numbers may appear small, but the constraints are significant in the Broads. Note that through the allocations, permissions and completions in the Waveney Housing Market area, that is an over-provision of 43.9% and in the Central Norfolk Housing Market Area there is an over-provision of 13.4% %. The Authority is satisfied that it is doing its bit to meet housing need. *Note that following the production of a new SHMA, this section and the Topic Paper have been reviewed and updated.*

POSP12 - Residential Development

Knight, J (Broads Authority Navigation Committee Member)

Serious consideration therefore should be given to a policy which supports and encourages the use of floating accommodation to help fulfil the Authority's Objectively Assessed Housing Need.

BA comment: The comments seem to agree with the thrust of this section of the Local Plan as the 'solution' of floating buildings reflects the flood risk issue. Please see Floating Buildings Topic Paper http://www.broads-authority.gov.uk/_data/assets/pdf_file/0008/875843/Broads-Local-Plan-February-Bite-Size-Pieces.pdf on this issue which sets out the approach of the Broads for this Local Plan. In summary, we intend to discuss with EA the possibility of buildings that can float being a way of addressing residual risk from flooding and then over the coming year or two look into if and how floating buildings can be seen as acceptable in flood risk terms.

Norfolk County Council

1: This policy could be cross referenced in Policy POSP12: Residential Development where it is first identified that contributions from housing development could be sought.

2: Wording could be included to explain these legal tests are required as part of Community Infrastructure Levy Regulations 122 and 123.

BA comment:

- 1: Will make such cross reference.
- 2: Will make this reference.

South Norfolk Council

1: General support for this policy which seeks to achieve sustainable patterns of development.

2: Should there be a definition of what is meant by “local facilities” or “high levels of accessibility”?

BA comment:

- 1: Support noted.
- 2: Noted. We will add reference to the Settlement Study.

PODM32 - Affordable Housing

Note that this section has been updated in liaison with the BA's six housing authorities.

Broads Reed and Sedge Cutters Association

It is sad that none of our members now expects anything from the Broads Authority policy on affordable housing. The majority of younger Cutters now have to commute from Norwich, Great Yarmouth and Lowestoft to the Broads. The planning process in the Broads is now too expensive for those on low incomes

BA comment: Whilst recognising their frustration, it is not clear what the Association expects the Broads Authority to do with regards to Affordable Housing:

- We do not own suitable land to develop ourselves.
- The Government has raised the threshold to require affordable housing to 11 or more dwellings and the average size of planning applications for residential development in the Broads is 2. The Housing White Paper proposes a 10% affordable housing requirement for developments of 10 or more (different threshold to the NPPG), but as mentioned the average application is for 2 dwellings.

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- The Government has also raised the prominence of arguing viability on scheme delivery by developers in relation to planning obligations such as affordable housing.
- Turning to the boundary of the Broads, there are four settlements in the Broads where the majority of the built up area of a Parish is within the Broads (Stokesby, West Somerton, Belaugh and Thurne). Everywhere else, the main part of the settlement is in the part of the Parish not in the Broads. These settlements may be classed as large villages, key service centres, towns and market towns and may receive growth from our constituent district's Local Plans. The boundary of the Broads is an arbitrary one like all Local Planning Authorities and in the case of the Broads, there may be affordable housing or more affordable market housing just outside out boundary, but in a shared settlement. It is recommended that BRASCA meet with the constituent council Planning Policy officers to discuss the needs of BRASCA as all the councils are producing new Local Plans. The Broads Authority can provide BRASCA with contact details.

The Government have made various changes to planning over the last 12 months or so. There is reference to build to rent, greater emphasis on self build and custom build as well as the inclusion of starter homes within the definition of affordable housing.

The Planning process in the Broads is not different to anywhere else. It cannot be as planning is heavily regulated by Government. There are aspects such as Permitted Development Rights which may be different in the Broads and this is set by Government to reflect the special qualities of the Broads. Some local policies may be different or not covered in Government guidance, but this reflects local circumstances. All policies are assessed by an independent Planning Inspector when examined and they will recommend changes to make the plan sound and the Authority will take on board these recommendations so any plan meets the tests set out by Government.

Note that Mr Starling, as representative of BRASCA as well as Somerton Parish Council will be invited to a meeting to discuss comments made to the Local Plan. *The meeting was held and various issues discussed.*

Historic England

Refer to historic environment.

BA comment: Will look into adding something along the lines of 'Development will be of a scale that is suitable and appropriate for the size of the site and settlement. Proposals need to avoid over development and retain and reflect the character of the area.'

Home Builders Federation

- Part A of the policy is unsound because it is contrary to national planning policy. We cannot see how the Council can require applicants to have “regard to evidence provided by Council surveys and research, including the Council waiting list”.
- Part B of the policy is unsound because it is contrary to national planning policy. The Council will need to specify clearly its requirements in relation to affordable housing in the Local Plan (NPPF, paragraph 174). It cannot decide on the size, type, and tenure of the affordable housing element on a case-by-case basis “based on up-to-date evidence” and through “liaison with the applicant”. If, however, the affordable housing policy is to be determined in accordance with the policies of the relevant local authority covered by the Broads area, then Policy PODM32 must clearly state this. That would be a sensible and workable solution. At the moment the policy is too confusing for applicants.
- Part C v, vi and vii is unsound because the approach is unjustified. The Council will need to specify an affordable housing percentage in its local plan. It cannot require a site-specific viability assessment if it has not specified in the first place (based on evidence) a percentage figure that it considers to be justified and viable (NPPF, paragraph 174).. If those affordable housing percentages are to be determined by the other local authorities then the policy needs to be amended to say this. If this is the case we cannot see how the Broads Authority has the authority to determine what would be an appropriate alternative level of provision. This would be a matter for the relevant local authority to decide, not the Broads.

BA comment:

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- Part A - It is not clear why applicants should not have regard to Housing Authority information. Housing Authority officers can provide detail on affordable housing need in an area and this will be a lawful material consideration in dealing with any application. These surveys provide the information on what the demand for affordable housing is (for example number of bedrooms) and location. It is not clear how the breakdown of size, type and tenure to be fixed for the whole planning period. There must be flexibility to respond to evidence.
- Part B. Flexibility is also an important factor in the NPPF. NPPF 14 says 'Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change'. NPPF 50 says 'Such policies should be sufficiently flexible to take account of changing market conditions over time'. The policy does say the affordable housing policy is to be determined in accordance with the policies of the relevant local authority covered by the Broads area. See (the second) Part A. It is important to note that for Outline applications, the Norfolk standard S106 Agreement specifies only the tenure split with details to be provided later in an Affordable Housing Scheme.
- Part C. The policy already says that those affordable housing percentages are to be determined by the other local authorities in Part A. The Broads Authority is not the Housing Authority and so the expertise in relation to affordable housing lies with our districts.
- In general, applicants are aware of which district they are located within and therefore the thresholds that apply can be found out easily. The Authority has had no issues in applying this policy since it has been in place (subject to the viability of schemes).

La Ronde Wright (agent for Arminghall Settlement Crown Point Estate)

The wording of this policy is supported.

BA comment: Support noted.

Norfolk Coast Partnership

Suggest that it may be worth considering wording along the lines of 'the highest achievable proportion of affordable housing' and put the onus on developers to clearly demonstrate what is achievable (and be sceptical of what is claimed initially!).

BA comment: Noted and will consider this as we check this policy.

South Norfolk Council

1: Under d) ix and x, suggest more certainty is needed here.

2: Under ix) suitable body should be a body approved by the Authority.

3: Under x) 'restricted to' is unenforceable. No Registered Provider will acquire an affordable home without a full eligibility cascade (usually ending with 'any other person'). Suggest changing 'restricted to' to 'prioritised for'.

4: Also under x) 'need' and 'immediate area' are both undefined and potentially open to challenge. The text in the reasoned justification under 'Using planning obligations' also uses these expressions and consideration should be given to updating.

BA comment:

1: Will ask South Norfolk Council for clarity

2: will amend

3: will amend

4: remove need and immediate area as the term 'local connections' will suffice.

PODM33 - Residential Development within Defined Development Boundaries

Environment Agency

We agree that the development boundary can include areas in the flood zones. We agree to including the flood zones on the development boundary maps.

BA comment: Support noted.

Historic England

Suggest amendments to the constraints relating to each settlement.

Appendix C – Summary of Preferred Options representations.

BA comment: Changes will be made as suggested to this policy.

Knight, J (Broads Authority Navigation Committee Member)

1: The removal of the 5 dwelling threshold is supported.

2: There is not necessarily a problem with areas of increased flood risk being included within a development boundary, as long as it is clear that development boundaries are an aid for the interpretation of specific policies rather than a general licence to develop.

BA comment:

1: Support noted.

2: Support noted.

La Ronde Wright (agent for Arminghall Settlement Crown Point Estate)

1: The removal of the five-dwelling threshold is supported.

2: We would submit that sentences 1 and 3 of policy PODM33 appear to be contradictory.

BA comment:

1: Support noted.

2: Sentence three likely to be removed.

South Norfolk Council

Support for removing the 5 dwelling threshold as this seems to be an artificial restriction.

BA comment: Support noted.

Waveney District Council

Support policy.

BA comment: Support noted.

Anonymous through Survey Monkey

Welcomed, if not social class enforced.

BA comment: Noted.

PODM34 - Gypsy, Traveller and Travelling Show People

Broadland District Council

1: As the outcome of the Assessment is not known as of yet, there may be a gap in terms of allocating sites should the need arise. There is no mention of maintaining a supply of deliverable sites and how the Broads Authority intends to address this.

2: In addition, one of the requirements in the Broads Authorities proposed criteria based policy is that sites that come forward 'd) Are on brownfield (previously developed) land.' However, this could potentially limit the sites that come forward due to costs associated with developing on brownfield land or lack of availability of such sites. Other non-brownfield land could also be acceptable.

3: The Consultation document also states that 'the Authority does not consider those who live on boats to be Gypsy and Travellers'. However, the Assessment currently underway to assess the needs of Gypsy and Travellers also includes 'houseboats' to assist the authorities in determining the requirements for moorings for residential houseboats, in particular to clarify how the definition of "houseboats" as set out in the 2016 Housing and Planning Act to be considered alongside the Broads Authority's definitions of "houseboats". Therefore, the outcome of the study may highlight that those who live or could potentially live on houseboats may come within the definition of Gypsy and Travellers.

BA comment:

1: That is because there is no evidence as yet. Report due Spring 2017.

2: We await the figures from the study. Broadland District Council is reminded of the NPPF which gives the Broads the highest protection.

Appendix C – Summary of Preferred Options representations.

3: Just because the houseboat study is being undertaken at the same time as the Gypsy and Traveller study, there is not necessarily an ethnic connection. We await the study.

No change to the Local Plan other than await the evidence.

Environment Agency

Could require raised sites or raised plinths to ensure the caravan thresholds were raised above the flood levels. Transit nature of the sites occupiers would mean it would be difficult for the risk to be managed by other measures such as prior evacuation as the occupants would not have signed up for flood warnings

BA comment: EA will be contacted about this comment as it is not clear if they would like changes to the policy or not. *Clarification sought 18 May 2017. EA are not suggesting changes.*

Great Yarmouth Borough Council

Note that most of the criteria are expressed in a suitably qualified way, reflecting the difficult balancing decisions and qualitative judgements that would likely need to be made, e.g. 'unacceptable. . . Over-concentrated . . . Disproportionate . . . nearby . . . Well related . . . Reasonable distances . . . Adequate . . . Close proximity . . . Appropriately . . . Sufficient . . . Adequate . . . Unacceptable . . . Due regard . . . ' etc. By contrast criteria d, e, l, & p are expressed in inappropriately absolute terms, e.g. the policy proscription of 'any significant effects' on transport networks in criterion 'e' is not consistent with NPPF para 32, which states 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'. Thus criteria d, e & j should be qualified in some way, similar to the other criteria in the policy.

BA comment: The Authority will re-assess the policy against the NPPF and Government's policy for gypsies and travellers with this comment in mind and may amend the policy accordingly.

Historic England

General support.

BA comment: Support noted.

RSPB

The RSPB recommends the term "unacceptable adverse impacts" be amended to "adverse effects".

BA comment: We will check the wording in relation to effects (in relation to adverse, unacceptable and significant) throughout the document.

Anonymous through Survey Monkey

Improve community development initiatives with Gypsy & Travellers, establish recognised residential sites within access of medical resources, and only accessible upon application.

BA comment: Regarding community development initiatives, the Broads Authority is not the Housing Authority for the Broads; our constituent districts undertake this role. With regards to access to medical resources, will elaborate on access to services and facilities in the policy.

PODM35 - New Residential Moorings

Boyer Planning (agent for East Anglian Group)

This policy supporting residential moorings should be encouraged in the Broads area as it helps to preserve the waterways as well as adding to the diverse nature of the Broads.

BA comment: Support noted.

Broads Hire Boat Federation

General support of policy approach.

BA comment: Support noted.

Environment Agency

Appendix C – Summary of Preferred Options representations.

Consider it better if the questions and phrases were removed and suggests alternative wording.

BA comment: The text was produced by the Planning Policy Officer in response to discussions with the Development Management team. The Environment Agency consider residential moorings in the same way as they do marinas and boatyards and these are classed as water compatible by the NPPG. However, there is a residential use of the moorings with people living on the boats that are moored with their personal belongings; residential dwellings rate as more vulnerable by the NPPG. Suggested text will however be considered to see if it improves this part of the Local Plan.

Historic England

Refer to historic environment.

BA comment: Noted. Although in the comment on PODM32 the HE seemed content with the general reference to 'character' which is already included within this policy. As such, no change.

Historic England

We request that this policy includes an additional point which requires this form of development to make provision for the preservation of the historic environment.

BA comment: Amend policy along the lines of this comment.

Knight, J (Broads Authority Navigation Committee Member)

- 1: The requirement not to lose visitor moorings should be balanced by an objectively assessed need for visitor moorings in the particular locality proposed for residential moorings.
- 2: Care should be taken to avoid the use of the term “houseboat” in this policy, because the Authority more widely considers houseboats to be a specific type of floating structure, and not necessarily the same thing as a boat used for residential purposes.
- 3: It is unclear why a boat used for residential purposes would have a different impact on a protected site or species compared to any other vessel moored in the same location.
- 4: There is no clear definition of “main residence” in the policy and this continues to create confusion and uncertainty for planning applicants and landowners.
- 5: The reasoned justification steps outside the scope of planning in its requirements relating to the techniques of mooring a vessel, and monitoring the vessel at times of flood.
- 6: Floating buildings can be actively encouraged and promoted as part of the sustainable development of the Broads.
- 7: Question 10: development boundaries relate to existing built-up communities and settlements rather than mooring facilities, it seems entirely arbitrary and inappropriate to restrict residential moorings such that they can only be permitted within such boundaries - especially in view of the fact that most - if not all - mooring basins, marinas and boatyards are expressly excluded from being within a development boundary. Therefore, I would support the removal of the development boundary criteria from PODM35 in order to allow more flexibility and objectivity when assessing proposals for residential moorings.

BA comment:

- 1: The Authority considers that throughout the entire system there is a need to ensure that visitor moorings are not lost to development. Indeed this is a strong recommendation from the Authority's Navigation Committee who have prioritised the maintenance of visitor moorings.
- 2: There is no mention of 'houseboat' within the policy but there is in the Reasoned Justification. Will amend and apply a better term as appropriate.
- 3: The requirement relating to protected species, priority habitats and designated wildlife sites is also referred to in PODM30 which is about all moorings.
- 4: Main residence is where someone considers it their main home, where they usually live. It is not defined in planning legislation. We do not intend to define main residence as it can be different on a case by case basis.
- 5: The explanation for this is set out in Appendix P(ii) of http://www.broads-authority.gov.uk/data/assets/pdf_file/0008/783476/BLP-Sept-Bite-Sizes-Appendix-M-Z.pdf. Context for this needs improving in the next version of the Local Plan.

Appendix C – Summary of Preferred Options representations.

6: Floating buildings will be considered in this Local Plan as a way to manage residual risk of flooding. We will work on the topic of floating buildings over the coming year or two to inform the next version of the Local Plan.

7: Mr Knight has misread the question and policy. It is about being within but also adjacent to development boundaries of the Broads Local Plan or our constituent districts. Further reading of the supporting text to PODM33 would show how important the services and facilities within a settlement are in determining its suitability for a development boundary.

Norwich City Council

1: The emerging River Wensum Strategy would welcome provision of residential moorings in the city subject to having the appropriate range of services and facilities. Amend previous criterion (a) to state that ...”new residential moorings should ideally be located in a mooring basin...etc.”

2: Taking a standard approach to the nature of floating houses across the Broads Authority area may not be appropriate. The policy may need to reflect the local housing needs in different parts of the Broads Authority area, and should have regard to the housing aspirations of the settlements within this area prior to determining the final approach of the policy. In Norwich in particular good quality floating housing may well assist with enhancing natural surveillance and help reduce anti-social behaviour, and may provide a different form of housing to broaden the offer of the local housing market.

BA comment:

1: The Authority’s policy prefers such moorings are located where facilities such as pump out etc exist and these tend to be marinas and boatyards. If another location can provide equivalent or sufficient facilities as discusses in the policy, the Authority will consider it through a planning application.

2: The floating topic paper says that for this Local Plan we will investigate the use of floating buildings as a way of managing residual risk. Over the next year or so we will look further into the potential for floating buildings being acceptable in flood risk zones, working closely with the EA.

Residential Boat Owners' Association

The RBOA advocates the inclusion of at least a few residential moorings at all appropriate mooring basins and marinas. This is important in supporting the viability of the businesses that may rely on income from such moorings.

BA comment: Noted. It is not clear if this is supporting the policy or suggesting changes. Will contact RBOA to clarify.

Clarification sought 26 May 2017 and the RBOA support the policy.

Anonymous through Survey Monkey

There is a large calling for regulated residential moorings on the broads.

BA comment: Noted. We allocate two sites for residential moorings and have a criteria based policy to help determine planning applications for such moorings.

PODM36 - Permanent and Temporary Dwellings for Rural Enterprise Workers

Historic England

Request that this policy makes a specific provision for the protection of the historic environment as it does for protected species and habitats at Point h).

BA comment: Agree. Will add a criterion.

Knight, J (Broads Authority Navigation Committee Member)

It does not seem to be appropriate for temporary residential moorings to be lumped in with temporary dwellings. It would be far simpler to incorporate an additional consideration relating to temporary accommodation into PODM33, rather than use PODM36 which relates to buildings and caravans.

BA comment: PODM36 is for any form of accommodation of rural workers. PODM33 is for open market residential development – permanent or temporary. PODM35 is for open market residential moorings – permanent or temporary. These are three distinct policies and it is clear what they address. No change.

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PODM38 - Replacement Dwellings

Historic England

General support.

BA comment: Support noted.

PODM39 Custom/self-build

Bacon, R (MP South Norfolk)

1: Ideally I would prefer to see the policy require, and not simply encourage, developers of multi-dwelling sites to set aside part of their scheme for custom and self-build plots

2: I would also strongly encourage the Broads Authority to consider adding a single-plot rural site exception policy as part of its Local Plan to boost self-build.

BA comment:

1: If we make allocations on multi-dwelling sites, we will consider positively the opportunity for self-build in accordance with the Government's commitment as set out in the Housing White Paper. We will cross refer to custom/self build in our large allocations.

2: The document implements the presumption in favour of sustainable development in appropriate locations. The Broads is recognised in the NPPF as an area of general restraint. Whilst custom and self build will be supported wherever possible, the support for this type of development cannot automatically over-ride the protection given to the Broads and the countryside.

South Norfolk Council

Should the policy say anything about requiring an actual proportion of development on multi-dwelling sites to be set aside for custom/self build plots?

BA comment: If we make allocations on multi-site dwellings, we will consider positively the opportunity for self-build in accordance with the Government's commitment as set out in the Housing White Paper. We will cross refer to custom/self build in our large allocations.

PODM40 - Design

Environment Agency

General support. We feel this should also include the need to incorporate water efficiency measures and suggest this is linked to policy PODM3.

BA comment: This policy could cross refer to PODM3.

Historic England

Request that specific provision is made within the design policy for new development to have regard to preserving and enhancing the historic environment, heritage assets and their settings. This might be a separate point within the listed considerations or might be incorporated into 'Relationship to surroundings and to other development'.

BA comment: Will add reference to historic environment to the policy.

Horning Parish Council

New build architects should be permitted to make best use of 21st century materials provided the appearance is in keeping with the vicinity

BA comment: Noted. The Broads Authority is looking into the use of plastic materials.

Knight, J (Broads Authority Navigation Committee Member)

Materials: The word "sustainable" is often (incorrectly) taken to mean "traditional", but traditional materials are often the least sustainable when considered in a whole-life context.

BA comment: Noted. The Broads Authority is looking into the use of plastic materials.

Warner, P (BA Member)

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This policy presents a largely residential design code. Is there/should there be a similar policy (in terms of detailed requirements/criteria) specifically for the design of new structures and utility works in the broads (e.g. over and under bridges)?

BA comment: Noted. Mr Warner does not say if any particular elements of design are missing, rather how they are applied to schemes. The general practice is to apply the criteria that are relevant to the particular scheme which we can clarify in the reasoned justification.

29 Sport and Recreation Venues/Buildings

PODM41 - Visitor and Community Facilities and Services

Historic England

Also refer to historic environment.

BA comment: Will amend the policy to refer to the historic environment.

La Ronde Wright (agent for Arminghall Settlement Crown Point Estate)

Policy supported.

BA comment: Support noted.

South Norfolk Council

Should 'shops' be added to the list of community facilities in the reasoned justification?

BA comment: Noted. Will amend.

Sport England

Sport England supports this policy as it has been amended to include criteria to assess new proposals for community buildings, including new sports facilities.

BA comment: Support noted.

POSP13 - New Community Facilities

La Ronde Wright (agent for Arminghall Settlement Crown Point Estate)

Policy supported.

BA comment: Support noted.

30 Health and Wellbeing

PODM42 - Designing Places for Healthy Lives

Knight, J (Broads Authority Navigation Committee Member)

This policy covers ground which is better left to national policy makers and which will in any event change significantly over the life of the Local Plan.

BA comment: NPPF 171 says that local planning authorities should work with public health leads and health organisations to understand and take account of the health status and needs of the local population (such as for sports, recreation and places of worship), including expected future changes, and any information about relevant barriers to improving health and well-being. See response from Norfolk County Council Public Health supporting this policy.

La Ronde Wright (agent for Arminghall Settlement Crown Point Estate)

Policy supported.

BA comment: Support noted.

Norfolk County Council

General support of this policy.

BA comment: Support noted.

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South Norfolk Council

Referred to idea of health checklist.

BA comment: Following long conversations with NCC Public Health, it became apparent that the intention of the checklist that accompanies the Health and Planning Protocol was to not be part of policy. As such, this approach was not taken.

Sport England

Sport England supports this policy. Sport England would commend the use of Active Design guidance in the master planning process for new residential developments, and a reference to it in planning policies promoting active lifestyles through urban design. <http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/active-design/>

BA comment: Support noted. Will reference guide.

31 Safety by the Water

PODM43 - Safety by the Water

Knight, J (Broads Authority Navigation Committee Member)

Its inclusion in a planning document is questioned.

BA comment: As set out clearly in the policy and reasoned justification, some developments bring more people closer to the water's edge. With more people closer to the water it seems prudent/essential/a good idea to ensure there is suitable provision to help someone who has fallen in or indeed for them to help themselves. No change to policy.

Woods, C

No account appears to have been taken in this Broads Local Plan of various organisations which can offer support regarding the safety of visitors afloat on the Broads.

BA comment: Noted. This comment will be passed on to the Head of Safety Management. Note that this policy refers to safety by the water rather than on the water.

32 Developer Contributions/Planning Obligations

POSP14 - Developer Contributions

Environment Agency

- 1: It would be beneficial for developer contributions to be sought where the safety and acceptability of the development is dependent on flood defences and their future maintenance and raising in line with climate change.
- 2: We would reinforce our previous comments regarding a coordinated approach between us and developers at the earliest possible stage, in order that opportunities for enhancing and including flood defences are fully considered in developments.

BA comment:

- 1: We would query how this meets the tests for requiring planning obligations. The defence is already built and in place and the development does not require the defence to be built as it has been built for another reason.
- 2: Noted and we will.

Norfolk County Council

1: This policy could be cross referenced in Policy POSP12: Residential Development where it is first identified that contributions from housing development could be sought.

2: Wording could be included to explain these legal tests are required as part of Community Infrastructure Levy Regulations 122 and 123.

BA comment:

- 1: Will make such cross reference.
- 2: Will make this reference.

RSPB

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Strengthen text to say appropriate management and maintenance plan will be in place and resourced to ensure the site is managed effectively into the future.

BA comment: The policy already refers to management. The RSPB will be contacted about their comment.

PODM44 - Planning Obligations and Developer Contributions

Historic England

Support policy.

BA comment: Support noted.

Home Builders Federation

Planning obligations can only be sought where they meet all of the tests that are set out in paragraph 204 of the NPPF; i.e. they are necessary, directly related to the development, and fair and reasonable in scale and kind. It would be more appropriate to collect money for the items listed through a CIL.

BA comment: Agree. This is set out in the reasoned justification. So too is reference to CIL. No change.

Sport England

Supports policy.

BA comment: Support noted.

33 Other Development Management Policies

PODM45 - Conservation of Buildings

Historic England

We support this policy.

BA comment: Support noted.

Knight, J (Broads Authority Navigation Committee Member)

Most changes of use permitted under the GDO are unaffected by the fact that a building is located in the Broads.

BA comment: A quick summary of the The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended shows that the PD rights for these changes of use do not apply in the Broads and therefore need planning permission:

*Class A1 or A2 or betting or payday loan shop to D2.

*Retail/betting office/payday loan shop to dwelling houses.

*Specified sui generis to dwelling houses.

*Storage or distribution to dwelling houses.

South Norfolk Council

Concern that criterion i) could lead to a situation where proposals to convert a redundant building worthy of retention would be contrary to policy due to its location.

BA comment: Noted. We will add clarification in the reasoned justification. Note however that if a building is so important to warrant local or national listing, there is PODM12.

PODM46 - Advertisements and Signs

Historic England

Change to: 'Particular regard should be had to any impact of proposals on conservation areas and the historic character. Proposals which obscure features of architectural or historical interest, or are uncharacteristic of a building's design, will not be permitted.'

BA comment: Will make change if policy kept. Some suggestion that we don't need this policy.

Warner, P (BA Member)

Suggested amendment: 'safety on land, water or on the operational safety of the highway, railway and waterway networks.'

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BA comment: Will make change if policy kept. Some suggestion that we don't need this policy.

PODM47 - Leisure plots and mooring plots

Knight, J (Broads Authority Navigation Committee Member)

A blanket ban on all new leisure plots appears to be unduly restrictive.

BA comment: Noted and will review this policy stance.

34 Site-Specific Policies

Environment Agency

1: We note there is no reference made for the need for certain developments to pass the exemption test and feel this should be included in this section.

2: We feel it would be useful to include a similar statement in regards to contaminated land in line with the NPPF.

BA comment:

1: Presume the EA mean the Exceptions Test. Will look at how this can be referred to.

2: We will look at how to refer to contaminated land. This could be addressed through a new soils policy.

POACL1 - Acle Cemetery Extension

Environment Agency

We would reinforce the need to undertake a risk assessment in regards to pollution of groundwater prior to this development being undertaken.

BA comment: Noted. The policy includes this.

Hempsall, L (BA Member)

Remain concerned for the viability of this allocation as the landowner is resistant to sale of his land. Suggest that a final decision on whether this site continues to be allocated is set aside till the outcome of the CPO process is known.

BA comment: Noted. The Authority considers that this is the best location for the cemetery and does intend to continue with the allocation. The local plan will not be adopted for another year which is good time for the CPO to progress.

Historic England

Support policy.

BA comment: Support noted.

Molineux, C

Does not support allocating the Molineux Estate land for cemetery and sports field extension.

BA comment: Objection noted. There is a need for these extensions. Other sites have been assessed and the areas as allocated are the most suitable and logical as they provide natural extensions to the existing cemetery and sports field. The Authority is aware of the reluctance of the landowner to sell the land. However, the site has planning permission for these land uses and the Authority is aware of efforts by the Parish Council to acquire the land. On balance the Authority considers it prudent to continue to allocate the land for cemetery and sports field land uses for the following reasons:

- *the allocations are natural extensions to the existing sites

- *there is a need for these infrastructure types to serve and benefit the local community

- *following assessment, there is limited logically located land for in the parish for these land uses.

We offered to meet with the Molineuxs to talk about their objection, but they did not want to meet with us. We note their objection to the policy.

Historic England

Support policy.

BA comment: Support noted.

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POACL2 - Acle Playing Field Extension

Hempsall, L (BA Member)

Remain concerned for the viability of this allocation as the landowner is resistant to sale of his land. Suggest that a final decision on whether this site continues to be allocated is set aside till the outcome of the CPO process is known.

BA comment: Noted. The Authority considers that this is the best location for the cemetery and does intend to continue with the allocation. The local plan will not be adopted for another year which is good time for the CPO to progress.

Historic England

Support policy.

BA comment: Support noted.

Molineux, C

Does not support allocating the Molineux Estate land for cemetery and sports field extension.

BA comment: Objection noted. There is a need for these extensions. Other sites have been assessed and the areas as allocated are the most suitable and logical as they provide natural extensions to the existing cemetery and sports field. The Authority is aware of the reluctance of the landowner to sell the land. However, the site has planning permission for these land uses and the Authority is aware of efforts by the Parish Council to acquire the land. On balance the Authority considers it prudent to continue to allocate the land for cemetery and sports field land uses for the following reasons:

- *the allocations are natural extensions to the existing sites
- *there is a need for these infrastructure types to serve and benefit the local community
- *following assessment, there is limited logically located land for in the parish for these land uses.

We offered to meet with the Molineuxs to talk about their objection, but they did not want to meet with us. We note their objection to the policy.

POBEC1 - Former Loaves and Fishes, Beccles

Beccles Society

1: We would prefer it to be designated as a "closed" building or a perhaps a "disused" building.

2: Cracked wall at this site which is verging on dangerous not mentioned.

BA comment:

1: We are happy to replace 'redundant/underutilised' with 'disused'.

2: We are aware of the crack in the wall but unsure what mentioning it in the policy will accomplish. The policy itself seeks a positive use of the site. The crack seems to need mending now. Suggest the Society contact Waveney District Council or the Parish Council regarding an update on the issue (which we are aware has been reported). No change.

Beccles Town Council

Consider pub use unviable. Suggest residential.

BA comment: The Town Council will be contacted regarding this comment. So too will the owner of the site. At a recent meeting on site about another topic, there was emphasis from the Town Council that the quay area is imperative to business success in the town centre. If that is the case, would a pub in this location also be successful from being in close proximity to the quay. In terms of residential, the flood risk to the site may mean this is difficult.

Knight, J (Broads Authority Navigation Committee Member)

There is no adequate justification provided for the policy of resisting residential development. The surrounding properties are predominantly residential and a change of use to residential is the most logical and practical use for the building.

BA comment: The property is in flood zone 3 and development here will need to meet tests of flood risk policies and NPPF. This is a popular visitor area and the Authority considers this a good location for pub facility. We will arrange

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to meet the owner as the next version of the Local Plan is produced. *Despite sending letters, no response so owner not met.*

Suffolk County Council

The Broads Authority should also be aware that there is high potential for encountering archaeological remains at this location.

BA comment: Noted. Will add as a constraint/feature.

POBEC2 - Beccles Residential Moorings (H E Hipperson's Boatyard)

Environment Agency

Should new residential moorings be proposed consideration should be given to the impact on water quality. This should be added to the policy.

BA comment: Noted and will be referred to in this and Brundall Gardens equivalent.

Historic England

We request that the policy requires that any redevelopment addresses to the character and appearance of the Beccles Conservation Area across the river.

BA comment: Will add reference to Conservation Area into i).

POBRU1 - Riverside chalets and moorings

Environment Agency

Requires clarification regarding development being “well back” from the river frontage.

BA comment: We are content with the wording and try to elaborate in the reasoned justification. We already refer to the distances as discussed in the representation at the start of the section. No change.

POBRU2 - Riverside Estate Boatyards, etc., including land adjacent to railway line

Residential Boat Owners' Association

Supports policy.

BA comment: Support noted.

BOBRU3 - Mooring Plots

Residential Boat Owners' Association

Notes reference to possible residential moorings.

BA comment: Noted.

BOBRU4 - Brundall Marina

Residential Boat Owners' Association

Notes reference to possible residential moorings.

BA comment: Noted.

RSPB

It is also recommended that policies that will allow some development to take place in areas that could affect Natura 2000 and Ramsar sites will be required to undertake a Habitats Regulations Assessment.

BA comment: Footprint Ecology recognised that this is an existing use where some additional development could take place. Impacts for the marina and moorings would be water related, and there is specific reference to managing water pollution risks (BRU4) and the SSSI (BRU 6). Footprint Ecology therefore concluded that the policy could be screened out at the LSE stage. The policy wording provides assurance that risks will be managed, and in the text below there is reference to European sites being a constraint. The risks could be expanded upon in the supporting text for the two policies, including reference to project level HRA. Footprint Ecology do not think it is necessary to change the policy wording, other than adding SPA/SAC before or after SSSI in BRU 6, for completeness.

BOBRU5 - Land east of the Yare public house

Residential Boat Owners' Association

Notes reference to possible residential moorings.

BA comment: Noted.

BOBRU6 - Brundall Gardens

Residential Boat Owners' Association

Notes reference to possible residential moorings.

BA comment: Noted.

RSPB

It is recommended that the specific Natura 2000 site, Ramsar site or SSSI name be given for clarity in the “constraints and features” section of the supporting text for the site specific policies. It is also recommended that policies that will allow some development to take place in areas that could affect Natura 2000 and Ramsar sites will be required to undertake a Habitats Regulations Assessment.

BA comment: Will state SSSI name. Footprint Ecology recognised that this is an existing use where some additional development could take place. Impacts for the marina and moorings would be water related, and there is specific reference to managing water pollution risks BRU4) and the SSSI (BRU 6). Footprint Ecology therefore concluded that the policy could be screened out at the LSE stage. The policy wording provides assurance that risks will be managed, and in the text below there is reference to European sites being a constraint. The risks could be expanded upon in the supporting text for the two policies, including reference to project level HRA. Footprint Ecology do not think it is necessary to change the policy wording, other than adding SPA/SAC before or after SSSI in BRU 6, for completeness.

POCAN1 - Cantley Sugar Factory

Environment Agency

It should be stated that this risk needs to be mitigated where new development is undertaken and on an ongoing basis to ensure the water environment is protected.

BA comment: The reference is adequate and such a requirement could form part of the conditions. The EA would be consulted on any planning application. The Reasoned Justification will be changed to incorporate this comment.

Historic England

Requested to take account of the setting and significance of the nearby designated heritage assets. Due to the open landscape around the factory, development should be particularly careful to respond to these assets and the historic environment more generally.

BA comment: Will add to the constraints. Will incorporate the issue of views into and out of the site from various places into criterion d.

PODIL1 - Dilham Marina (Tyler's Cut Moorings)

Dilham Boating Club

a) clarify use of word 'generally'

b) it would be good to see clarification that housing development particularly on the field at the extreme southern end of the Marina (as shown on Inset Map 5. Dilham) would not be permitted. On the deeds there is a 20 foot access road running along the southern boundary to the moorings on the eastern side of the Marina

BA comment:

a) The whole paragraph needs to be read together. The policy is saying that other than the small scale unobtrusive ramps and lockers that enable the enjoyment of the mooring, there is a presumption against development and as such the area will be generally free from structures. No change.

b) It is not clear to which piece of land the Club are referring to. Clarification will be sought although it seems the triangle of land south of the moorings, covered by this policy. This area is outside of a development boundary and there is generally a presumption against residential development. Furthermore, this area is covered by this policy where the land will be kept generally free of buildings and structures.

Appendix C – Summary of Preferred Options representations.

PODIT2 - Maltings Meadow Sports Ground, Ditchingham

South Norfolk Council

Policy supported.

BA comment: Support noted.

PODIT3 - Ditchingham Maltings Open Space, Habitat Area and Alma Beck

South Norfolk Council

Support policy.

BA comment: Support noted.

POFLE1 - Broadland Sports Club

Great Yarmouth Borough Council

Supports policy.

BA comment: Support noted.

RSPB

It is also recommended that policies that will allow some development to take place in areas that could affect Natura 2000 and Ramsar sites will be required to undertake a Habitats Regulations Assessment.

BA comment: Noted and will liaise with HRA consultants.

POGTY1 - Marina Quays (Port of Great Yarmouth)

Boyer Planning (agent for East Anglian Group)

1: refers to documents that support representation.

2: General statement supporting development at GTY1

3: Propose revised policy. The main suggested differences are allowing residential housing here and stating specific numbers of different types of development.

4: Object to current allocation as per inset map 8 - would like a larger area allocated.

BA comment:

1: noted

2: noted.

3 and 4: The Authority is supportive of seeing the site allocated in GTY1 developed in an appropriate manner. As such, the Authority will maintain a policy to that effect. The representation recommends a significant increase in the size of the allocation, but there is no real justification for this increase. To date the Authority has allocated the previously developed land (including the run down buildings) as this is the area in obvious need of improvement. The representation also suggests specific land uses ranging from dwellings to moorings, but there is no justification provided for why these types of uses are suitable for this site. Looking in detail to some of the documents that accompany the representation, It is not clear if the Transport Statement has been agreed with Norfolk County Council as Highways Authority. On the subject of the Transport Statement there is no definitive estimated number of increased trips as a result of the proposal and indeed no reference or assessment of the impact on amenity of the existing residents such traffic would cause. Turning to the flood risk assessment, it is not clear if this has been discussed with the Environment Agency as it does not appear to be fully NPPF or NPPG compliant - there is no mention of vulnerability of the land uses for example. As such it is not proposed to make any changes to the policy in light of this representation. If the Agent would like to provide more information as the next version of the Local Plan is produced, the Authority will then be able to consider changes to the policy. *Agent written to and spoken to. No further information provided prior to publication version of Local Plan.*

Great Yarmouth Borough Council

Supports policy.

BA comment: Support noted.

Appendix C – Summary of Preferred Options representations.

Historic England

As above, we request that the policy requires that any redevelopment addresses to the character and appearance of the Halvergate Marshes Conservation Area across the river.

BA comment: Will add as a constraint/feature and refer to this in the policy.

Knight, J (Broads Authority Navigation Committee Member)

Could this site be considered for residential moorings or even floating buildings? These could look quite attractive on this site, on the approach to Yarmouth Yacht Station, and ought to be a suitable location in terms of access to amenities.

BA comment: Noted. See Floating Building Topic Paper regarding floating buildings. Regarding residential moorings, the site is adjacent to the main urban area as per GYBC's policies maps and we raise the question in the Preferred Options about residential moorings adjacent to any development boundary, so it could be that residential moorings are suitable here using other policy changes if they occur. No change to this policy.

RSPB

1: The "Constraints and features" should be updated to include the extended Outer Thames Estuary pSPA.

2: Given that this site could be developed, it is recommended that "A project level Habitats Regulations Assessment may be required to support proposals" be added to the policy text.

BA comment:

1: Will amend.

2: Footprint Ecology screened this policy out, again on the basis that it is existing facilities where any additional development will need to address water pollution, as stated in the policy. We note however that the point raises concerns in relation to foraging terns and the pSPA, which is a helpful and relevant point and we agree needs to be covered. Rather than just add a generic reference to project level HRA, the final sentence of the policy could be expanded to say "...address risks to the natural environment, including disturbance and water pollution in relation to designated sites." This will cover proposed sites as the NPPF advises to treat formally proposed sites in the same way as those that are fully designated/classified.

POHOR7 - Horning - Boatyards, etc. at Ferry Rd. & Ferry View Rd.

Historic England

We request that this policy requires any development of this site to pay particular regard to the setting of the nearby Grade II* Listed Hobbs Mill and Grade II Listed Horning Ferry Mill.

BA comment: Will add to the constraints/features list. Will make reference in policy.

PONOR1 - Utilities Site

Anglian Water

The foul flows from future growth will have an impact on the existing sewerage network. Infrastructure upgrades will be required to serve the proposed growth.

BA comment: Noted and this will be included within the constraints section.

Natural England

Amend HRA reference to "A Project Level Habitats Regulation Assessment will be needed to assess implications on sensitive European Sites."

BA comment: Noted. Will amend to say: "Project Level Habitats Regulation Assessments will be needed to assess implications on sensitive European Sites. Measures to mitigate for the effects of new growth may be required, such as the provision of good quality on-site green infrastructure to mitigate for recreational disturbance."

South Norfolk Council

Supports policy.

BA comment: Support noted.

Appendix C – Summary of Preferred Options representations.

PONOR2 - Riverside Walk and Cycle Path

South Norfolk Council

Supports policy.

BA comment: Support noted.

POORM1 - Ormesby waterworks

Great Yarmouth Borough Council

Supports policy.

BA comment: Support noted.

RSPB

It is also recommended that policies that will allow some development to take place in areas that could affect Natura 2000 and Ramsar sites will be required to undertake a Habitats Regulations Assessment.

BA comment: The policy has wording in it that states that development must ensure 'no adverse impact....'. It is implicit that in order to achieve this there may be a need for project level HRA. The only suggestion Footprint Ecology would make is to change the word 'impact' to 'effect' as this then accurately reflects the legislation wording in relation to 'no adverse effect.' Footprint Ecology would not suggest a blanket project HRA reference here as the policy wording adequately covers.

POOUL3 - Oulton Broad - Former Pegasus/Hamptons Site

Anglian Water

The foul flows from future growth will have an impact on the existing sewerage network. Infrastructure upgrades will be required to serve the proposed growth. The site allocation at Pegasus Mews/Caldecott Road is in close proximity to an existing pumping station. It may be that the layout of these sites can be adjusted so as not to encroach on the protection zone.

BA comment: Noted. This will be added to the constraints section of the Local Plan.

Historic England

From the associated map, we understand that the site is within the Oulton Broad Conservation Area rather than adjacent to it as set out within the supporting text. We would welcome clarification. In either event, we request that development required to take account of it.

BA comment: Correct. Will amend constraint to say 'within'. Will include reference to this in the policy in general.

Natural England

Amend HRA reference to "A Project Level Habitats Regulation Assessment will be needed to assess implications on sensitive European Sites."

BA comment: Noted. Will amend to say: "Project Level Habitats Regulation Assessments will be needed to assess implications on sensitive European Sites. Measures to mitigate for the effects of new growth may be required, such as the provision of good quality on-site green infrastructure to mitigate for recreational disturbance."

Suffolk County Council

explanatory notes could be amended to state there may be need for archaeological survey 'in advance of development if significantly different and substantial groundworks are proposed.'

BA comment: It is not proposed to change the policy to reflect that planning permission has been granted. In any case, the thrust of the existing wording adequately covers the eventuality as discussed in the comment. No change.

POPOT2 - Waterside Plots

British Pipeline Agency

This is a reminder of the location of the pipeline and BPA will need to be consulted on any future works in these locations

Appendix C – Summary of Preferred Options representations.

BA comment: Noted. BPA contacted to ascertain a suitable way forward and understand if the map and route of the pipe can go in the public domain. BPA contact on 1 Feb 2017. *Decided to not add these to the Policies Maps as BPA did not want them in the public domain.*

POSOL2 - Land adjacent to A143 Beccles Road and the New Cut (Former Queen's Head Public House)

Morris, M

General information about the draft allocation.

BA comment: Mrs Morris has since been contacted about her letter and the site in question. *The amended policy was also sent to her and no response received.*

POSTA1 - Land at Stalham Staithe (Richardson's Boatyard)

Residential Boat Owners' Association

Notes reference to possible residential moorings.

BA comment: Noted.

POTSA2 - Thorpe Island

Broadland District Council

It is disappointing to see that this area is treated different in that there is no mention about the prospects for this area, and the public will not have an earlier opportunity to comment on this policy, particularly when National policy encourages early engagement in policy making.

BA comment: The same can be said about the economy and retail section and any other additional policy that is inserted between the Preferred Options and Publication stage. The Council will be aware that the regulations for producing a Local Plan state that effectively plans can go from the 'Issues and Options' stage to the 'publication' stage. The Preferred Options was an additional consultation stage which both the community and the Authority has found extremely helpful. Turning to Thorpe Island and Jenner's Basin in particular, Broadland District Council are fully aware of the ongoing legal process and sensitivities surrounding this site. The Authority considers waiting to amend TSA2 until later in the Local Plan process a reasonable and justified approach. *Please also note that a single issue focussed consultation was undertaken with those who live near, the owners and those who live on the island.*

POTHU1 - Tourism development at Hedera House, Thurne

Anglian Water

Thurne is served by Ludham-Walton Hall WRC that does not currently have capacity to accommodate the proposed growth and therefore will require enhancements to treatment capacity.

BA comment: Noted and this will be added as a constraint. Information also passed onto Development Management case officer dealing with the Planning Application.

Historic England

Request that the policy requires specific consideration of the setting and significance of the nearby Grade II* Listed Windpumps: Thurne Dyke Windpump and St Benet's Level Windpump.

BA comment: Will add these to constraints/features and amend iii.

Natural England

Amend HRA reference to "A Project Level Habitats Regulation Assessment will be needed to assess implications on sensitive European Sites."

BA comment: Noted. Will amend to say: "Project Level Habitats Regulation Assessments will be needed to assess implications on sensitive European Sites. Measures to mitigate for the effects of new growth may be required, such as the provision of good quality on-site green infrastructure to mitigate for recreational disturbance."

POWHI1 - Whitlingham Country Park

La Ronde Wright (agent for Arminghall Settlement Crown Point Estate)

Appendix C – Summary of Preferred Options representations.

We have revised the wording of the second sentence to better reflect the positive and proactive approach supported by the NPPF.

BA comment: Noted and the suggested changes will be assessed in detail and may influence the policy. *Further discussions with the Agent as well as Whitlingham Charitable Trust were undertaken prior to the Publication Local Plan being finalised.*

South Norfolk Council

Supports policy.

BA comment: Support noted.

Whitlingham Charitable Trust

1: My only comment on the detail is that the final statement could be deleted since the same point is made on page 217 (6th para, last sentence).

2: No reference in the Plan to the impact on the Park of adjoining developments. Suggest: “to assess and take account of additional pressures on the Park associated with development proposals adjoining or close to the Park”. The justification for this would be the increased resource needed to enable the Trust to cope with extra visitor pressures.

BA comment:

1: Noted. As can be seen, there have been many comments on this policy with suggested changes and we will consider these comments as we review the policy.

2: Noted. This may be of particular relevance to the Utilities Site development. Will consider how this is addressed within that policy. Note also that the Trust may wish to raise this issue with other Local Planning Authorities who promote nearby development as well as be aware of planning applications in those Local Planning Authority areas through receiving the Weekly List.

POXNS1 - Trinity Broads

RSPB

It is also recommended that policies that will allow some development to take place in areas that could affect Natura 2000 and Ramsar sites will be required to undertake a Habitats Regulations Assessment.

BA comment: POXNS1 is a protective policy with specific reference to wildlife sensitivity and the need to demonstrate compatibility with that. Footprint Ecology would suggest that explicit reference to HRA is not necessary in the policy, but could amend so that this is expanded upon and clear in the supporting text.

POXNS3 - The Coast

Marine Management Organisation

Support policy.

BA comment: Support noted.

Somerton Parish Council

1: Changes to the policy suggested: This plan policy for the time period “By 2055” is to ‘Hold the Line’ with predicted implications of “No loss of property or land behind the existing defences”.

2: The Broads Draft Plan references in Policy POXNS3: The Coast “in view of the high flood and tidal inundation risk to the area” are exaggerated, alarmist and do not reflect the fact that the sea defences and dune system are currently in a good state of repairs and well maintained by the Environment Agency.

BA comment:

1: Same comment was made to the Flood Risk SPD consultation. The amended wording used in the final Flood Risk SPD will be copied into this document.

2: The EA maps for flooding show that the area in question is at risk of flooding. It is in Flood Zone 3 as defined by the EA. The 2007 SFRA shows the area as Flood Zone 3b (functional flood plain). The NPPG describes Flood Zone 3 as 'areas with a high probability of river or sea flooding'. The description is correct.

Appendix C – Summary of Preferred Options representations.

Weymouth, S (Councillor)

1: Changes to the policy suggested: This plan policy for the time period “By 2055” is to ‘Hold the Line’ with predicted implications of “No loss of property or land behind the existing defences”.

2: The Broads Draft Plan references in Policy POXNS3: The Coast “in view of the high flood and tidal inundation risk to the area” are exaggerated, alarmist and do not reflect the fact that the sea defences and dune system are currently in a good state of repairs and well maintained by the Environment Agency.

BA comment:

1: Same comment was made to the Flood Risk SPD consultation. The amended wording used in the final Flood Risk SPD will be copied into this document.

2: The EA maps for flooding show that the area in question is at risk of flooding. It is in Flood Zone 3 as defined by the EA. The 2007 SFRA shows the area as Flood Zone 3b (functional flood plain). The NPPG describes Flood Zone 3 as 'areas with a high probability of river or sea flooding'. The description is correct.

POXNS4 - Main road network

RSPB

It is also recommended that policies that will allow some development to take place in areas that could affect Natura 2000 and Ramsar sites will be required to undertake a Habitats Regulations Assessment. This is a requirement of all plans and projects.

BA comment: POXNS4 does not make specific reference to designated sites within the policy, but this is highlighted as a constraint. Road improvements or connections could pose a risk, and so it is a good point to raise. It would therefore be beneficial to add an extra line as follows – “(v) designated wildlife sites.” We will check the wording in relation to effects (in relation to adverse, unacceptable and significant) throughout the document.

South Norfolk Council

Supports policy.

BA comment: Support noted.

POXNS5 - Non-Settlement Policies (Drainage Mills)

Broads Reed and Sedge Cutters Association

Owners of the majority of these redundant buildings are unable to finance renovations to the standard demanded with listed status. The ability to replace traditional timber caps and exterior walkways with more cost effective and longer lasting modern materials would at least reduce some drainage mills deterioration without compromising the traditional appearances of these buildings.

BA comment: Noted. It is not clear if the Association are suggesting that the mills are delisted - that is outside the Local Plan process. The policy seeks to protect the mills and is open about suitable and appropriate uses. If owners come forward with proposals for their mills, we can then talk about the finer detail such as materials. Of relevance, as part of the Water, Mills and Marshes Heritage Lottery Fund, there is a project looking at the potential of using innovative techniques for repair of run-down mills and what repairs might be appropriate to individual mills. Project 4f of this document: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0007/501694/Water,-Mills-and-Marshes_Broads-Landscape-Partnership-Scheme_Summary.pdf. *Historic Environment Consultant met Mr Starling about the Mill in question.*

Historic England

To improve this policy, we request that the setting of these structures is included in the policy as an impact to be assessed.

BA comment: Will add to policy.

POXNS6 - Waterside Pubs Network

South Norfolk Council

: Supports policy.

BA comment: Support noted.

Appendix C – Summary of Preferred Options representations.

POXNS10 - Railway stations/halts

South Norfolk Council

Supports policy.

BA comment: Support noted.

Warner, P (BA Member)

is Brundall Station southern platform in the Broads area? I couldn't be 100% certain from the map(s).

BA comment: It is immediately adjacent to the Broads but not within it according to the GIS layers of the Executive Area.

POXNS11 - Former railway trackways

Great Yarmouth Borough Council

Supports the policy. Refers again to the GY Cycle Forum.

BA comment: Support noted.

RSPB

It is also recommended that policies that will allow some development to take place in areas that could affect Natura 2000 and Ramsar sites will be required to undertake a Habitats Regulations Assessment.

BA comment: POXNS11 already has specific reference to wildlife sensitivity and the need to avoid harm. Footprint Ecology would suggest that explicit reference to HRA is not necessary in the policy, but this could be expanded upon and clear in the supporting text with reference to recreation pressure. The policy wording could be expanded to say – “..sensitive designated habitats and species in the vicinity, particularly in relation to recreation pressure: and..”

South Norfolk Council

Protection for routes in South Norfolk would now need to be considered through the Greater Norwich Local Plan review.

BA comment: Noted and we hope that these routes are considered through the GNLP.

POXNS12- Local Green Space (Chedgrave)

This Local Green Space allocation removed from the Local Plan.

Anderson, J

Why does it need to be a green space? What would it achieve we're already a national park with all that implies how would green space status change anything? Does not agree with reasons stated for the nomination and draft allocation.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Baldry, D

Objects to land at Chedgrave being allocated as a Local Green Space. As a self employed Boat Builder this policy would have an effect on my business.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Bircham, J

Objects to land at Chedgrave being allocated as a Local Green Space.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Black, R

Appendix C – Summary of Preferred Options representations.

Objects to the Chedgrave allocation. The loss of this Green Space would have a serious detrimental effect on Greenway Marine and could cause the business much harm. One would assume that the land in question is totally unsuitable for building on as it is just marshland with a high water table.

BA comment: For clarification, the policy does not intend to lose any green space as stated in the representation, rather protect greenspace. That being said, objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Bland, D

Objects to land at Chedgrave being allocated as a Local Green Space. Feels that a blanket ban on any future planning applications for uses of this part of his land will have a negative impact on any future aspirations Mr Greenway may have in diversifying his business for the future.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Bostock, S

Objects to land at Chedgrave being allocated as a Local Green Space. Disruption of any business for this purpose will have a detrimental effect on 'The Broads' and local villages and amenities.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Broads Hire Boat Federation

Objects to the draft allocation. The area owned by Pacific Cruisers is essential to the operation of their business, having been used for over 20 years for boat storage and hire boat customer car parking for which there is insufficient space in the boatyard premises fronting the River Chet on the other side of Pitts Lane.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Chedgrave Parish Council

Objects to the Chedgrave Allocation. Although no reasons given.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Cressy, L (Maffett Cruisers)

Objects to land at Chedgrave being allocated as a Local Green Space. We all run hire cruisers which is an important part of local employment and economy of the village most of the yards running in the sixties here have been storing boats and parking cars this is part and parcel of boatyards and storing boat related equipment for years. Without this land you can not operate a boatyard.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Edmonds, M

Objects to Chedgrave allocation. These proposals are likely to jeopardise his future in the business and instead of putting this at risk we should all be seeking ways to encourage him and future generations to retain our heritage.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Gray, S

Objects to land at Chedgrave being allocated as a Local Green Space. Local boatyards will be severely impacted.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Appendix C – Summary of Preferred Options representations.

Greenway, J

1: Was not informed of the nomination officially.

2: Objects for various reasons. This land could never be developed as the high voltage electricity cable (33,000 volts) is buried down the middle of the strip of land, running parallel to the river, and a wayleave given to the electricity company by Greenway Marine Ltd states that access must be given for repairs. If a fault occurs at any time the land would have to be torn up regardless of being local green space or a haven for wildlife, destroying any small trees and bushes, meaning this land does not fit the criteria to be green open space. The land is surrounded by drainage ditches, approximately every five years we have to allow access for the drainage board to clear and maintain them. The land does not fit the criteria of a haven for wildlife, or land as a benefit to the community as due to the small narrow size of the plot means the destruction is total. The subject of liability is of concern. If this were to go ahead I would have to inform my insurance company and I am sure the premium would increase as the insurer would perceive increased risk. Likewise we will be paying business rates on land we will never be able to use. I am against the proposal as the definition of green open space is vague with no clear reference as to access and liability. If the local public were asked what should be done with the land I am absolutely certain the vast majority would vote to allow boat storage on the nominated land thereby protecting and encouraging a local business for the future.

BA comment:

1: The Authority should have told landowners of the nominations for Local Green Space of the nomination. Once Greenway Marine and Pacific Cruisers had been in touch, the Authority then told all other landowners of nominations (within the first two weeks of the consultation, giving 7 weeks to respond). Mr Greenway was at the drop in session and called in the first few weeks of the consultation period a few times so is aware of the draft allocation. It was felt a letter or email was not needed.

2: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Knight, J (Broads Authority Navigation Committee Member)

Not only could such an allocation adversely affect the viability of the boatyard of which this land is part, but the area offers no apparent special significance to the local community.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Loddon and District Business Association

We query whether the land in question is really suitable for this type of treatment? It is marshland intersected with drainage dykes and with rough vegetation. It is all in private ownership and in essence no different from the acres of marshland found elsewhere in the Broads area. A small part of the land is used for boat storage and for occasional customer parking. There is no public access to the land and none is or will be permitted. It is not suitable for development because of the nature of the land as flood plain, the marshy nature of the land and its inaccessibility because of the drainage dykes. There appears little in the way of bio-diversity particularly as much of the land has recently been cleared of vegetation to enable the drainage ditches to be maintained. Does not consider the draft allocation to meet all the tests.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Milner, A

I agree with your assessment and welcome the area that is to be included in the Local Green Space.

BA comment: Support noted.

One Planning Consultants (agent for Pacific Cruisers)

Objects to the draft allocation. Disagrees that the draft allocation meets the necessary criteria. Land is generally protected through other policies. The proposed additional level of control is not required to protect any identified special significance of the land. Considers that notice was not given early enough.

Appendix C – Summary of Preferred Options representations.

BA comment: The Authority should have told landowners of the nominations for Local Green Space of the nomination. Once Greenway Marine and Pacific Cruisers had been in touch, the Authority then told all other landowners of nominations (within the first two weeks of the consultation, giving 7 weeks to respond). This stage of the Local Plan production is early on in the process as it is not the final document but a draft local plan that can be changed. Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Pacific Cruisers

Objects to draft allocation. Quite sufficient planning requirements in place. Nomination based on inaccurate information. Should have contacted landowners at an early stage.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan. This is an early stage of the process. It is a bonus stage of consultation on the draft plan and is a work in progress.

Smythe, S & T

Objects to the proposal of their organic smallholding as a Green Space nomination, comprising largely of our garden, as it is already a greenspace. Do much to improve the area and cooperated with periodic maintenance needs.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

South Norfolk Council

Suggests it is better to allow nominations from groups of more than one person or community groups rather than individuals. Should be an economic test on proposals. The area of the proposed LGS includes space where boats are stored, and a consequence of the allocation might be to undermine the viability of the boatyards there. South Norfolk Council therefore objects strongly to the proposed LGS allocation at Chedgrave

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Tubby, J

Objects to policy as area often subject to IDB maintenance which damages trees and plants, there is a cable running along the area, part of the area is a garden and other parts of the nomination could affect the running of businesses.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Walkin-Smith, K & M

Changing the status of the land will not only seriously damage the income generated by the boat yard business owners, but also the local shops, pubs and cafes in both Chedgrave and the neighbouring village of Loddon which are supported by their customers. Objects to the draft allocation.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Walklin Cruisers

Objects to the draft allocation. Already protected as outside of development boundary. Could threaten the existence of boatyards in the area. Does not think there will be any benefit to the community by allocating this land as Local Green Space.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Willis, A

Objects to draft nomination. Disagrees with assessment and reasons the site was put forward for consideration.

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BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Yallop, L

Objects to the draft allocation. This area is great for wildlife and the boatyards affected are not doing anything to harm the environment as far as I am aware

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

POXNS12 - Local Green Space (Old Bridge Inn Site)

River Thurne Tenant's Association

What could be allowed on this site?

BA comment: Question passed onto Head of Planning to liaise with the Association.

POXNS12 - Local Green Space (Beccles)

Beccles Society

1 Beccles Marsh Trail off Norwich Road (A146), Beccles is not a definitive footpath and hence its protection is not that secure.

2: Green Space off Lowestoft Road, Beccles (opposite Beccles Primary Academy) appears to be covered within the draft Waveney Local Plan (site 72) and Waveney are going to consider identifying the site as an open break as part of a review of the Local Plan.

BA comment:

1: One section is a definitive footpath, the rest of the paths are permissive and the landowner is Beccles Town Council/Trust. The Authority considers that as the paths have been managed in this way for decades and there is no indication that they intend to restrict access, we do not see the need at the moment to allocate as Local Green Space.

2: Noted.

POXNS12 - Local Green Space (New Nominations)

River Thurne Tenant's Association

Is there still mileage for added another Green Space to the list? The committee were wondering if some of the vacant mooring plots on the Martham Bank were eligible for this.

BA comment: RTTA were contacted to say they could suggest another site, using the form. However no nomination has been received to date (5 May 2017).

Chedgrave Parish Council

Nominates Chedgrave Common for Local Green Space allocation. Answers various criteria.

BA comment: Nomination noted. Officers will assess and then take a report to Planning Committee. *Planning Committee approved allocating this site for Local Green Space.*

New site - Hotel site next to Morrison's Roundabout, Beccles

Beccles Fenland Charity Trust

Wish to develop the 'hotel site' next to 'Morrisons Roundabout' in order to release funds to help with the urgently needed restoration and renovation of Beccles Quay and the surrounding area.

BA comment: Noted. Representatives will be met on site to discuss this and a report taken to Planning Committee. It should be noted that the Authority is not aware of any identified need that would warrant the development of this greenfield site however. *Representatives met on site. No further action for the Broads Authority at this time.*

New Site - Land on corner of Thunder Lane, Whitlingham Lane & Yarmouth Road)

Bidwells (agent for Cooke, S)

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Promotes site of 0.76Ha in size for residential development. Discusses the various issues that would be considered relating to such a proposal such as flood risk and access and facilities nearby.

BA comment: Representation noted. Officers will visit the site and arrange a meeting with promoters to discuss the site and then take a report to Planning Committee. *Agents met and a Topic Paper produced. Site not to be allocated in Local Plan.*

New Site - Somerleyton Marina and Boatyard

Evolution Town Planning (for Somerleyton Marina Ltd)

Would support a site specific policy for the Marina. Suggests criteria.

BA comment: Noted. Will consider the need for a site-specific policy for the Marina. There could be merits in this approach. *On further consideration it is not clear what warrants a specific policy for the Marina. No specific policy for Somerleyton Marina. We have made the agent aware of this.*

New Site - Residential Moorings, Waveney River Centre, Burgh St Peter

Knight, J (Broads Authority Navigation Committee Member)

It is suggested that a site specific policy for residential moorings in this marina should be included in the Plan

BA comment: The site already has an extant planning permission. BA/2015/0251/FUL

New Sites - Land at 21a Church Close, Chedgrave

La Ronde Wright (agent for Mr J Tubby)

1: I have been instructed by Mr James Tubby, owner of the above site, to make a representation in response to the Broads Authority Local Plan Preferred Options Consultation. It is noted that the site has previously been considered as part of the replacement Local Plan process and, as part of this process, is the subject of a topic paper which sets out the Authority's reasons for proposing neither an allocation (by way of site specific policy) or extension to the existing settlement boundary at the site (Appendix A of report titled 'Broads Local Plan December Bite Sized Pieces dated 9th December 2016). In addition, the site has been subject of a recent planning application (BA/2015/0123/FUL). I understand that this application was withdrawn following officer advice regarding the principle of the development and issues concerning highways. As such, there is no need to reiterate the history of the site in detail; other than to emphasise that this is a location which, prior to the Broads Authority Local Plan, lay within the Chedgrave development boundary and, as such, was a site where the principle of residential development was considered to be acceptable.

2: It is noted that the report considers, and dismisses, the possibility of extending the existing development boundary to include the site (i.e. restoration of previous development boundary). The report concludes extending the development boundary to include the site would be contrary to 'usual practice'. It cites the development boundary in the adjoining South Norfolk District Council area and another within Oulton Broad (distant to the site, but within the Broads Authority's Executive Area) as precedent for this decision. Whilst these other examples are noted, it is the case that each site must be treated on its own merits: in the case of the South Norfolk boundary in Chedgrave the garden area excluded from the development boundary is a relatively narrow strip of land with constrained access and located between existing residential plots to the immediate east and west. Development in this location would likely face significant obstacles in achieving satisfactory access and would be problematic in maintaining and achieving an acceptable standard of amenity for existing and future residents. This is not the case at the site subject of this representation; where a limited amount of well-designed development could be easily accessed using an existing access onto the public highway (discussed in more detail below) and issues of amenity could be readily addressed. In the case of the site at Oulton Broad, the large gardens excluded from the development boundary front directly onto the Broad and, as such, are extremely prominent in the local landscape: there is clear landscape justification for this approach. Again, this is not the case at this site, which sits between estate style residential development to the north and a boatyard and boat storage area to the south. Whilst it is noted that the Authority's Landscape Architect expressed reservations regarding the planning application which was submitted, the response does not suggest that this site is sufficiently sensitive in landscape terms so as to be undevelopable; merely that the particular scheme submitted provided insufficient detail to enable a proper assessment of the impact of the development on mature trees. Whilst it may be that the Authority can highlight

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other incidents or precedents to respond to the above, the examples simply serve to emphasise the limited role of precedence in instance like this: each matter must be treated on its own merits.

3: In this case the site is sustainably located within a settlement which has been identified as being a suitable location for new residential development (the villages are identified as a Key Service Centre by South Norfolk District Council).

4: Whilst it is acknowledged that highways have expressed some reservations the landowner is currently engaged in discussions with the relevant officer to resolve this issue, and is confident that the level of development achievable on the site (i.e. a very modest number of new dwellings) would have no adverse highways impacts.

5: In respect of landscape impacts, as stated above, the response from the Landscape Architect to the previous application expresses concern with that scheme. It does not suggest the site is undevelopable, nor is the site or general surrounding area highlighted within the Broads Landscape Character Assessment as an area being particularly sensitive to small scale development such as that proposed. It is the case that the Broads Authority appear to concur with the general assessment set out above, noting in the report to committee that issues regarding landscape and highways are 'potentially surmountable'.

6: Whilst accepting this, the Authority state that, in any case, it has already exceeded its Objectively Assessed Housing Need (OAN) for delivery of housing within the relevant market housing area (Central Norfolk) and, as such, has no need to allocate sites such as the application site. As a reason for not seeking to permit sustainable development this is not convincing, given the requirement at paragraph 47 of the NPPF for all local planning authorities to 'boost significantly the supply of housing'. Whilst it is true that the NPPF also offers a high level of protection to the protected landscape of the Broads, this is a site immediately adjacent to a settlement boundary and which could be developed sensitively and without adverse landscape impacts. The protected status of the landscape within the Broads does not divest the Authority of its requirement to permit sustainably located development where there would be no adverse impacts. In addition, it is not clear that the OAN has, in fact been met or exceeded. Paragraph 47 of the NPPF requires local planning authorities to 'use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area'. Paragraph 50 explains what is meant by market and affordable housing, and makes it clear that it should include consideration of people wishing to build their own homes. The Central Norfolk Strategic Housing Market assessment 2015 (January 2016) recognises that the OAN for self-build dwellings is unknown and that further work is required to identify this need. Given this, it is unclear how the Authority can state that the OAN need for market and affordable housing – including those wishing to build their own homes – has been met or exceeded. Allocation of this site – which by its location, nature and scale readily lends itself to a self-build project - would go some way to satisfy the requirement to proactively and positively plan for self-build housing proposals as required by paragraph 50 of the NPPF (which required authorities to plan for a mix of housing) and meet their requirements under the Self-Build and Custom Housing Act 2015.

7: For these reasons it is requested that consideration once again is given to allocation of this site for an appropriate level of residential development.

BA comment:

1: Noted although the representation is wrong where it states 'other than to emphasise that this is a location which, prior to the Broads Authority Local Plan, lay within the Chedgrave development boundary'. The Topic Paper says 'before the Broads Authority came into being, this property was within the Chedgrave Development Boundary'. This Local Plan has not removed a development boundary from Chedgrave.

2: Noted. As another example, the gardens have been removed from the Horning development boundary where, to the north west of the settlement, one could use the same arguments in relation to access as used in this representation. The example of the South Norfolk part of Chedgrave also remains. As such, the Broads Authority considers it is usual practice to remove gardens from the settlement boundary as there is no need to develop gardens to meet the housing need in the Broads (see later). With regards to taking each case on its own merit, the site was visited as a result of the representation received to the Issues and Options and is subject to a Topic Paper which discussed the site on its own merit.

3: Noted. The settlement scores around 36 in the Settlement Study Topic Paper. http://www.broads-authority.gov.uk/data/assets/pdf_file/0006/764475/Broads-Authority-Settlement-Study-no-hierarchy-in.pdf.

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4: Noted. The application initially was for three dwellings and then the subsequent representation at the Issues and Options stage was for 1 dwelling. This representation uses dwellings plural. It is not clear how many dwellings is now being proposed for this garden land.

5: Noted. Taking account of this and number 4 above, if it is the case that the highways issue is being resolved and the landscape issue can be resolved, adding number 2 above (which seems to imply that whilst not in a development boundary, the location of the development is sustainable in terms of access to services and facilities) it is not clear why a planning application has not been submitted.

6: With regards to the OAN being met or exceeded, please see the Revised Housing Topic Paper. This reflects the most up to date Central Norfolk Strategic Housing Market Assessment which will inform an updated housing section of the Publication Local Plan. It can be seen that over the entire Local Planning Authority area, the Objectively Assessed Housing Need (OAN) for the Broads has been exceeded. So too has the OAN for the Central Norfolk Housing Market Area (which includes South Norfolk). As such, there is no need to allocate this garden land to meet the OAN for the Broads.

With regards to boosting the supply of housing significantly, as set out in the Housing Topic Paper, in the Central Norfolk Housing Market Area, the Authority has delivered, permitted or allocated more than the Objectively Assessed Housing Need for the Broads. The Authority would suggest that this is a significant boost when compared to the Objectively Assessed Need especially considering the NPPF's stance that the Broads is an area where development should be restricted (see NPPF14).

The Authority does allocate and permit development which can be developed sensitively without adverse landscape impacts. That is why it has exceeded its OAN. Furthermore, when looking at the Annual Monitoring Reports, one can see the amount of development permitted in the Broads.

With regards to NPPF47, the Authority has exceeded the OAN in the Central Norfolk HMA. The Authority identifies key sites which are critical to the delivery of the housing strategy – namely allocations at Pegasus, Generation Park.

With regards to NPPF50, the Authority does plan for a mix of home ownership. The Local Plan has policies relating to self-build and custom build, housing mix, design criteria relating to adaptability and accessibility and gypsy and travellers. It is important to note the NPPF and other regulations or Acts do not say that housing for these groups, in particular custom or self-build, should be permitted contrary to the Local Plan policies (other than rural exception sites for affordable housing).

One of the 12 core planning principles of the NPPF is: 'encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value'. In the glossary, the NPPF is clear that gardens are excluded from the definition of previously developed land. The Authority considers that there is no need to allocate this garden land for housing.

7: The authority does not intend to allocate the site nor does it intend to draw a settlement boundary around the site. To summarise:

- The Authority cuts off gardens when drawing development boundaries as illustrated previously.
- The Authority has met and exceeded the Objectively Assessed Housing Need for the Central Norfolk Housing Market Area.
- There are concerns regarding highways access and landscape impacts. Indeed they may be surmountable, but given the two bullet points above there is no need to allocate this garden site

As shown on the draft housing trajectory (included in the HELAA at the moment, but will migrate into the next version of the Local Plan), the Authority indicates that likely windfall could be in the region of three dwellings per year (note that these are not relied on to meet the housing target). So just because through completions, permissions and allocations the Broads has exceeded its OAN, the area is not closed to appropriately located, designed and deliverable housing development. Mr Tubby was advised that the scheme that he proposed was not

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appropriate. The issues are potentially surmountable as you quote in your report. If Mr Tubby or his agent wishes to discuss a new scheme that addresses the comments made in relation to the withdrawn application then the Authority offer free pre-application advice to assist in such situations. Please note, that if Mr Tubby wishes to do this, he may wish to be aware of Mr Greenway's response to the Local Plan that is in the public domain for all to see. I refer you to the point on amenity which Mr Greenway raises.

New site - Land adjacent to Tiedam

Ward, S

Puts forward a site in Stokesby for residential development.

BA comment: Submission noted. We will meet with the landowner on site to discuss. An assessment will then be taken to a future Planning Committee to agree a way forward. *Single Issue Focussed Consultation undertaken and Topic Paper produced. Site to be allocated in Local Plan.*

General comments

Anglian Water

General introduction to comments.

BA comment: Noted. Useful background information.

Anonymous (Chedgrave drop-in session)

- 1: Advertise meetings date and venue better.
- 2: What plans are there to increase navigable water to make for what has been lost over last 100 years?
- 3: Public moorings are non-existent prior to Wroxham Bridge.
- 4: Small business rates not applicable throughout the Broads – not an even playing field

BA comment: 1: Noted although the drop in sessions were advertised in local press, details were sent to all on our contact database, details and posters were sent to Parish Councils to advertise.

2: Comment noted. The Local Plan does not allocate areas for new or restored navigation but does have policies which could be used to determine such applications. The recently adopted Broads Plan 2017 refers directly to “developing appropriate opportunities to expand or extend access for various types of craft” Aspiration 4 (4.1) and goes on to specifically mention closed broads .

3: The Local Plan does not allocate areas for new moorings in Wroxham. There are policies to determine planning applications for moorings if they are submitted. Comments to be passed onto Waterways and Recreation Officer.

4: The Broads Authority is not a non domestic rate collecting authority =- this is a district council function.

Beccles Society

Beccles Society has considered this document and is broadly in agreement with its aims and objectives.

BA comment: Support noted.

Boyer Planning (agent for East Anglian Group)

East Anglian Group generally supports the Broads Authority Local Plan – Preferred Options and its policies, with the exception of Policy POGTY 1 and an objection to Inset Map 8.

BA comment: Support noted. See GTY1 section for detailed response.

Boyer Planning (agent for East Anglian Group)

General summary of the plan and general introduction.

BA comment: Noted.

Broads Reed and Sedge Cutters Association

There appears to be nothing in the plan to address the concerns for those involved with the Broads only true sustainable management method i.e. traditional reed and sedge cutting.

BA comment: Noted. Will address the individual comments linked to specific policies as well as arrange to meet with BRASCA.

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Broads Reed and Sedge Cutters Association

The majority of local people and interest groups will probably not bother to respond to yet another plan on which they have little chance to influence yet alone change. It is another missed opportunity to take on board the issues and concerns we have.

BA comment: There are many more new issues addressed in the Local Plan. People can influence the plan but if they do not respond they cannot influence.

CPRE Norfolk

General support to document.

BA comment: Support noted.

Evolution Town Planning (for Somerleyton Marina Ltd)

General comments.

BA comment: Noted.

Great Yarmouth Borough Council

General support, but has some comments.

BA comment: Noted.

Historic England

Overall, we are pleased with this well-written plan that will, with some minor amendments, make a positive provision for the historic environment.

BA comment: Support noted.

Historic England

General information.

BA comment: Noted.

Home Builders Federation

General introduction.

BA comment: Noted.

Knight, J (Broads Authority Navigation Committee Member)

Generally, the Broads Local Plan appears to extend its reach far beyond Broads- specific policies and seeks to duplicate large swathes of National Planning Policy Guidance, the NPPF and other national policy frameworks and regulations. Not only is this duplication unnecessary and expensive, it is likely to leave the Broads Local Plan at odds with national guidance in the future. The policies will need to be kept under continuous review if they are not to fall out of step with national policies - which will also be expensive.

BA comment: We cannot predict future national guidance. The policies will be kept under review. Indeed a review of the Local Plan will start around 18 months after adoption in order to keep with time frames mooted in the Housing White Paper. We will check consistency and duplication of National Policy.

Knight, J (Broads Authority Navigation Committee Member)

General comment.

BA comment: Noted.

Knight, J (Broads Authority Navigation Committee Member)

General introduction to comments.

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BA comment: Noted. Although later in the representations there is reference to supporting floating buildings for example which are not referred to in the NPPF and it could be argued that addressing floating buildings in the Local Plan is going beyond what is required.

Marine Management Organisation

General support for the document. I understand that you would not wish to reference each marine plan policy within the local plan, but you could highlight key policy in east marine plan that is relevant to your local plan within the SA.

BA comment: Support noted. We have a document that assesses the Local Plan against the East Marine Plan. That can be found here: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0005/840326/East-Inshore-and-East-Offshore-Marine-Plans-versus-Local-Plan2.pdf.

Natural England

General support for the plan.

BA comment: Support noted.

Norfolk and Suffolk Boating Association

1: We see no need for the BA, which is a comparatively small local authority, to burden itself with sustainability and resource management issues that are adequately addressed regionally and nationally.

2: No mention of engineless boats.

3: Ensure that local users are consulted in detail about their requirements and preferences for the details of materials and layout.

BA comment:

1: Noted.

2: Noted. Will see where this can be mentioned logically as representation did not make suggestions.

3: Outside the scope of the Local Plan. Will pass onto the relevant team for them to consider.

Norfolk Coast Partnership

I do not consider that any significant changes are required.

BA comment: General support noted.

Norfolk Constabulary Architectural Liaison (Turner, P)

I have no further comment to add.

BA comment: Noted.

Norfolk Constabulary Architectural Liaison (Wolsey, D)

I have gone through the draft of the Broads Local Plan. There's nothing I believe to add beyond that originally submitted so nothing more this time.

BA comment: Noted.

Norfolk County Council

General introduction to comments.

BA comment: Noted.

Norfolk Wildlife Trust

General introduction.

BA comment: Noted.

North Walsham and Dilham Canal Trust

General introduction to comments.

BA comment: Noted.

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Norwich City Council

Overall the document is very impressive and comprehensive.

BA comment: Noted.

Residential Boat Owners' Association

General introductory comments.

BA comment: Noted.

River Thurne Tenant's Association

General support for the document.

BA comment: Support noted.

RSPB

Whilst we are impressed by the approach to policy development and the content of the Local Plan preferred options, we do have some comments on the current document and supporting assessments.

BA comment: Noted.

Shepherd, I (CPRE Norfolk)

There is a common interest of wetlands such as the Broads, and those of the public water supply, in reducing the levels of pollution from agriculture.

BA comment: Noted but outside the scope of the Local Plan.

Somerton Parish Council

1: Another disappointing long, detailed plan which we feel will achieve very little benefit or improvements to The Broads and the local population.

2: The process has become arduous and expensive for many who seek to improve their properties. This imbalance has slowly led to the gentrification of the Broads and is responsible for the younger generation having little chance of securing housing in the area.

3: Planning policies covering affordable housing remain ineffective.

BA comment:

1 and 2: Noted and we will meet with the Parish Council to discuss this view.

3: Noted. See that section of this document.

Stokesby Parish Council

I think we are all of the same mind that the broads are a special and unique area of the country that need to be protected for future generations who will work and spend their leisure enjoying this special place. Some considerate developments in villages that support and add to the community must be a good thing.

BA comment: Noted. We are considering an allocation in Stokesby.

Suffolk County Council

Refers to the needs of the Suffolk Fire and Rescue Service.

BA comment: Noted although it is not obvious where such requirements should be included in the Local Plan. Will contact for clarification. *Clarification sought 17 May 2017 and this could be mentioned in the design section.*

Suffolk County Council

General introductory comments.

BA comment: Noted.

Taylor, H

1: Development of footpath network within general area Beccles, Worlingham, Geldeston and Bungay.

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2: Construction of a Community Stage at Beccles Quay (design based on an upturned boat.

3: Creation of a foot passenger crossing of the river in Beccles

BA comment:

1: Noted. Will share with the Waterways and Access Officer. No action for the Local Plan.

2: Noted although the Local Plan would not have a policy on this kind of project. We do offer free pre-application advice. The area is designated as an open space in the emerging Local Plan, but it could be that such a project is suitable for this area.

3: Noted. Will share with the Waterways and Access Officer. No action for the Local Plan.

Warner, P (BA Member)

General introduction to comments.

BA comment: Noted.

Waveney District Council

General introduction to comments.

BA comment: Noted.

Weymouth, S (Councillor)

The process has become arduous and expensive for many who seek to improve their properties. This imbalance has slowly led to the gentrification of the Broads and is responsible for the younger generation having little chance of securing housing in the area. Facts speak for themselves and planning policies covering affordable housing remain ineffective.

BA comment: The planning process in England is largely the same nationwide with some variations in permitted development rights across the country. However the specific issues referred to in terms of difficulties in delivering affordable housing are the same nationwide and are not specific to the Broads. These have largely come about as the result of shifts in national policy and funding. The response doesn't make it clear how the balance has been tipped against the local population of the broads or provide any evidence of it.

Weymouth, S (Councillor)

1: Would have liked a summary document.

2: Suggests the cost was immense.

3: Broads Authority is very remote local people do not have an understanding what role you have.

4: Comments relating to how the Broads Forum is run.

5: Comments relating to how the Climate Partnership is run.

6: Has the Plan been publicised so that members of the public can have an input.

7: Most small Parish Councils only meet bi-monthly and consideration should have been given to this.

8: With such a large document hard copies should have been sent out to the consultees, it is totally unacceptable to expect people to read it online.

BA comment:

1: There was a summary document and this was advertised in the letter which advertised the consultation,

2: Much of the work has been completed in house. Best value for consultants is key when commissioning work. Norfolk Authorities are working together to produce joint evidence base such as Strategic Flood Risk Assessments, Gypsy and Traveller information and working out the housing need. The studies completed by our six constituent districts have also been used (such as retail studies completed by North Norfolk and Waveney Councils).

3: Noted. Will pass on to the Chief Executive.

4 and 5: Will pass these comments on to the officers who lead on these groups.

6: Yes. We notified all on our contact database, placed adverts in the local newspapers, asked Parish Councils to advertise and place adverts on notice boards and advertised using social media. We also wrote to all who we think could be affected by policies (such as specific businesses).

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7: with over 90 parishes in the Broads, it is not clear how a consultation can be timed to meet the timings of all of these 90 parishes. All Parish Councils were given 6 month and then 2 month notice of the consultation in order to prepare.

8: The second comment suggested the cost of the Local Plan was immense. To print out hard copies and deliver to 90 plus Parish Councils would have added a lot to the cost of the Local Plan. All Parish Councils were given 6 month and then 2 month notice of the consultation in order to prepare. Hard copies were placed in venues around the Broads and beyond (such as libraries and Council offices) for people to access and read and these venues were advertised widely.

RSPB

A guide for development, however, should consider wider issues, especially how development and the environment can be integrated. The Exeter Residential Design Supplementary Planning Document (SPD) (available at: <https://exeter.gov.uk/planning-services/planningpolicy/supplementary-planning-documents/residential-design-guide-spd/>) is an excellent example of how this can be done.

2: The key point is that whatever guidance is produced is user friendly. A single reference document that combines all relevant guidance into one place would be a starting point.

BA comment:

1: Will consider this once Local Plan is completed.

2: Noted. Will consider this once Local Plan is completed.

Habitat Regulations Assessment

Natural England

We commend the Broads Authority on the production of an exemplary Habitats Regulations Assessment (HRA) of its Local Plan. Natural England is satisfied that the HRA provides a comprehensive assessment of the likely significant effects of the Local Plan on European sites and meets the requirements of the Conservation (Habitats & Species) Regulations 2010 as amended ('the Habitats Regulations'). For where the recommended modifications have not been fully reflected in the Local Plan, please see our comments on Policy PODM31 under the Preferred Options Consultation heading below.

BA comment: Support noted.

Norfolk County Council

This is a high quality document. We have no comments to make.

BA summary: This is a high quality document. We have no comments to make.

BA comment: Support noted.

Appendix 2 - European Site Information

RSPB

Paragraphs 7.30-7.35 and Table 5 need to be updated to reflect the proposed extended Outer Thames Estuary pSPA boundary and features changes.

BA comment: Noted and will make the consultant aware.

Table 2

RSPB

It is noted that Policies PODM15 (Renewable Energy) and POSP10 (Navigable Water Space) have been missed off Table 2.

BA comment: Noted. Will make HRA consultants aware.

Map 2

RSPB

The map of selected SPAs should be updated to include the proposed extended boundary of the Outer Thames Estuary pSPA.

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BA comment: Will liaise with GIS officer regarding this.

Suffolk Wildlife Trust

Reflect the proposed changes to the Outer Thames Estuary Special Protection Area (SPA) including the relevant boundary extensions

BA comment: Will pass this comment onto the consultants.

Sustainability Appraisal

Natural England

Consideration should be given as to whether the right appraisal questions are being asked, if it is not possible to provide definite (negative, neutral or positive) answers, and we suggest that these questions are re-visited.

BA comment: It is not unusual for SA assessments to have a ?. As no specific recommendations have been suggested, no change.

RSPB

The text regarding the Habitats Regulations process is incorrect. A revised section based on Section 1.3 (p.4) of the draft Local Plan or the process set out in more detail in paragraphs 1.6-1.12 (p.7) of the Habitats Regulations Assessment of the draft Local Plan would be appropriate.

BA comment: Noted and will improve the text.

Suffolk Wildlife Trust

Recommend SA revised to correctly set out the required HRA process, in accordance with paragraphs 1.6 to 1.12 of the HRA Report.

BA comment: Noted, will reflect the HRA wording.