



Local Plan for the Broads
Assessment of Jenner's Basin's suitability for residential moorings
October 2018

Contents

1. Introduction	1
2. Stakeholder comments	2
3. Housing and Economic Land Availability Assessment	11
4. Assessment against PUBDM36 criteria	16
5. Consulting nearby neighbours	19
6. Infrastructure and other works required to support a residential use.....	22
7. Grainger (2014) appeal decision relating to Thorpe Island.	23
8. Other areas deemed suitable for windfall residential moorings.....	23
9. Conclusion and summary and options.....	23
Appendix A: 2014 Grainger Appeal.....	26
Appendix B: Letter to those living nearby to Jenner's Basin	27

1. Introduction

The emerging policy PUBTSA2, when referring to the west of the Island which contains Jenner's Basin, states that residential moorings will not be supported. Here is an extract of PUBTSA2, in the section c) Western end of Thorpe Island (including the basin): *"These moorings shall be private moorings only, and not residential moorings."*

The Inspector, at the hearings into the Local Plan for the Broads, asked the Authority to justify this policy position. The Authority has done this and has undertaken an assessment which is the same as the assessments it undertook for other proposals for residential moorings. The only change in the process is that in this case the Authority has also sought the views of nearby neighbours due to the significant and recent planning history here.

This document assesses the potential for residential moorings against the HELAA criteria, the criteria of policy PUBDM36 and also includes the views of stakeholders. As above, residents living nearby were also invited to comment on the principle of residential moorings here.

In undertaking the assessments set out in sections 3 and 4, the Authority applied the methodology of the HELAA and the policy criteria of PUBDM36 respectively. Stakeholders have been asked their views on the site, which are copied in section 2, and the views from nearby neighbours can be found in section 5. The 2014 Grainger appeal decision is discussed in section 7.

2. Stakeholder comments

Stakeholder	Comments
Landscape architect	<p>Notable improvements will be required to enable adequate service provision for private moorings for up to 25 vessels, which could itself affect the current, less developed appearance of the western end of Thorpe Island. Notwithstanding that an appropriate proposal of this type in line with the policy could give opportunity to improve the current appearance of the island.</p> <p>Whilst much of the same facilities would be required for residential moorings, structures of greater permanence and prominence would generally be required to house laundry facilities, and allow for storage of bicycles etc. Residential paraphernalia is generally an issue with residential use, often accumulating items that add clutter and domesticate the landscape. Cultivation/controlling of vegetation and lighting associated with domestic use also adds to this domestication. With regard to car parking, the degree of permanence is greater with residential moorings as opposed to a private mooring, with a likely greater number of vehicles parked more frequently on the island and with higher frequency of vehicle movements causing landscape disturbance.</p> <p>Thorpe Island is classified as settlement fringe landscape character type (LCT) within landscape character area (LCA) 11 (Yare; Cary's Meadow to Postwick Grove/Whitlingham Marsh) of the Broads Landscape Character Assessment (2016). This LCA has a mosaic of urban and rural past and present uses acting as a buffer between the countryside and the growing city of Norwich. Despite some landscape detractors such as the Postwick flyover the area is considered to provide important urban fringe recreational areas. From Thorpe, it is not apparent that this area is an island, with its generally natural appearance with limited permanent built development, particularly to the central and western ends of the island; the island offers a 'green edge' to Thorpe and contributes to its character.</p> <p>Residential moorings are therefore not considered to be appropriate in this location for the reasons as set out above and within the policy PUBTSA2, part 2.</p> <p>Thorpe Island is an important component of the settlement fringe landscape, offering a green edge to Thorpe, enclosing the landscape and screening the railway. It is therefore important that any development proposed on the island respects this setting, and provides appropriate mitigation and enhancement to the landscape character area. I would therefore draw attention to the</p>

Stakeholder	Comments
	<p>settlement fringe policy PUBDM19 to re-affirm the importance of this landscape and the necessary considerations.</p> <p>Regarding mitigation, we believe effects may be able to be mitigated for a small number of say 5-10 residential moorings and subsequent reduction of private moorings however this could result in liveability issues from additional planting/trees.</p> <p>Parking and associated drainage (increase in hard surface) would need to be accommodated alongside other additional facilities. There are likely to be impacts on existing trees / vegetation in order to provide facilities. Intensification of use through residential moorings, whilst in proximity to the urban environment, would not be desirable and from a landscape perspective it would be preferential for this area to retain its more rural character and outlook from Thorpe. It would be preferred to concentrate residential moorings closer to / within Norwich.</p> <p>Should you decide to omit the statement from the policy, allowing residential moorings to come forward in this area of Thorpe Island, we would recommend that it is stipulated that residential moorings should be to the west of the basin in order to concentrate use closer to the island access.</p> <p>We would reiterate that private moorings generally represent more of a transitory and temporary use whereas residential moorings will have greater degree of permanence on the island.</p>
Senior Waterways and Recreation Officer and Head Ranger	<p>Purely from a navigation perspective I can see no reason for objecting to residential moorings in Jenner's Basin.</p> <p>As far as I'm concerned the issue is not to do with navigation but the need for adequate services to facilitate residential mooring or any other kind of permanent mooring on the site. This means things like adequate car parking, refuse storage and disposal, on site storage for other things, sewage disposal and improvements to the bridge. The requirements for these things would obviously increase dependant on the number of boats involved.</p> <p>There is also the question of the amenity/disturbance residents living opposite but these are not navigation matters.</p>
Thorpe St Andrew Town Council	<p>Thorpe St Andrew Town Council resolved to support PUBTSA2 in its entirety. When consulted on this policy, the Town Council was mindful of PUBDM36 (New Residential Moorings), the history of the site and the Grainger decision of 2014. We are grateful for the</p>

Stakeholder	Comments
	<p>opportunity to provide further comment on this item given the request of the Planning Inspector at the recent Local Plan hearing.</p> <p>The Town Council believes the site has insufficient access to the vast majority of local amenities you would expect from any residential mooring application (PUBSM36 (a)).</p> <p>Also, while discussing our draft neighbourhood plan, car parking has been highlighted by our residents as an issue associated with any residential mooring. We are currently consulting on the following standards:</p> <ul style="list-style-type: none"> • 1 Berth – Minimum 1 car parking space • 2 or more Berth – Minimum of 2 car parking spaces <p>We believe the visual impact of car parking for even 5 or 10 permanent residential moorings at this location would be detrimental on the natural environment. Additionally, the Grainger decision makes clear that residential paraphernalia is a different character than that of private mooring use and therefore has an increased impact on the character of the area. For these reasons the Town Council believe residential mooring would adversely impact on the character and appearance of the surrounding area (PUBDM36 (d)(i)). Furthermore, there is clear evidence that even limited residential mooring at the Basin (which Phil Grainger accepted may have been the case at the basin in 2014) has a significantly negative impact on the amenity of neighbouring occupiers (PUBDM36(d)(iii)); this was stated in the submissions to the Jenner’s Basin/Thorpe Island appeals.</p> <p>To conclude, the Town Council continues to support the Broads Authority policy PUBTSA2 and its wider Local Plan policies for Thorpe St Andrew.</p>
Head of Safety Management	No comments received.
Anglia Water Services *further information provided at the end of this table.	<p>There are currently no public water mains or sewers shown connecting to the island. As such new connections and a crossing would be required.</p> <p>As set out below following an initial assessment there is expected to be a need for significant off-site infrastructure to connect to the existing public water supply and foul sewerage networks.</p>

Stakeholder	Comments
	<p>Water resources: GREEN Water Supply network: AMBER Comments: Assumed new river crossing required.</p> <p>Sewage treatment capacity: GREEN Foul sewerage network: AMBER Comments: Amber rating for foul sewerage network due to technical complexity.</p> <p>Given proximity to river there would be a need to consider further the risk of infiltration or inundation at this location. In the event that this site were to come forward for development there would be a need for further discussion and agreement with Anglian Water relating to the type of drainage utilised and connection points etc.</p>
Ecologist	<p>In relation to Draft policy PUBTSA2 section c) 'no residential moorings in Jenner's Basin' I have the following comments:</p> <p>Currently Jenner's Basin and surrounding area supports undisturbed open water, mature river-side trees, areas of scrub, pools, reed and fen habitats. The lighting levels in the basin are currently low. Lighting over foraging habitats, such as wetlands and river corridors, can be particularly harmful for bats and otters which are using the site, both are legally protected species.</p> <p>The habitats in and around the basin could be further enhanced for biodiversity by some long rotation cutting (5-7 year rotation) or some extensive conservation grazing, along with restoration of the natural receded shore by piling removal and reed planting.</p> <p>Residential moorings require introducing lighting, on-site construction of access (cars, boats and/or people) refuse storage and disposal and sewage disposal infrastructure. This will decrease the habitat area and potentially reduce the quality of the remaining habitats which would not be in accordance to Policy PUBDM12: Natural Environment and Policy PUBDM21: Light pollution and dark skies.</p>
Historic Environment	<p>There is no objection in principle to mooring in terms of the Historic Environment.</p> <p>Any mooring on this site does however have the potential to impact on a number of designated heritage assets. The site is within</p>

Stakeholder	Comments
Manager	<p>the Thorpe St Andrew Conservation area and there are a number of Listed buildings opposite the site – notably Walpole house and its garden house and Thorpe old Hall - all of which are Listed grade 2*. The Town House, The Manor House and 18-20 Yarmouth road all listed grade 2. Irrespective of the long history of the site the current situation is that the site (as it is now with no boats moored in it or associated infrastructure) has limited visual impact on the Historic environment and comments are based on this fact.</p> <p>Development of the site with residential moorings does have the potential to impact adversely on these designated heritage assets. The greater number of moorings the greater the potential impact.</p> <p>The site is however an existing basin and the setting of the heritage assets, both the listed buildings and the conservation area, is in the context of the Riverside. Historically the river would have been a busy thoroughfare with boats being very much part of the character of the area.</p> <p>A proposal to introduce residential mooring rather than traditional mooring does have the potential to impact on the setting of the listed buildings and the conservation area. Residential moorings would bring a sense of permanence to what is the transient nature of the traffic on the river. It could be argued that the same impact might come from non-residential moorings. However the additional requirement or pressure from residential moorings for facilities and paraphernalia associated with a permanent residential berth means that the potential impact is likely to be greater and also more likely to be adverse owing to that sense of permanence and need for paraphernalia.</p> <p>Given this, great care would need to be taken over the number of units proposed and conditions surrounding issues such as access from the North bank, additional buildings or storage lockers and domestication of the island through the provision of amenity space for the moorings etc. These issues would need to be taken into account in the drafting of any policy.</p> <p>Any quay heading and decking to be in timber should be in line with the surrounding area. The banks have been modified in the past and are quite “urban” in comparison to rural sites therefore the use of timber quay heading and decking would not appear out of place in this context. Currently the headings are quite dilapidated.</p> <p>Surfacing for the any hardstanding would need to be carefully considered – woodchip is used extensively in the broads and this might be an appropriate solution in this instance.</p> <p>Where considering proposals for residential moorings, cabinets and storage of any kind should be kept to a minimum and consistent</p>

Stakeholder	Comments
	<p>in design. The design of these items will need to be agreed for storage cabinets and the removal of permitted development rights might be an appropriate way of controlling undesirable build-up of domestic paraphernalia.</p> <p>Any buildings – toilets showers etc. wouldn't really be appropriate in this location but design / impact of these would be covered by a need for planning if PD rights are removed.</p> <p>The cutting of any new moorings or bank realignment will trigger the need for archaeological monitoring of any excavation particularly involving peat. A condition requesting an archaeological watching brief would be the minimum requirement in these circumstances.</p> <p>In conclusion owing to the above highlighted constraints the provision of even a small amount of residential moorings in the basin would have the potential to impact adversely on the Historic environment.</p> <p>In particular issues around any domestication of plots around the island/basin, the need for associated domestic paraphernalia for residential moorings and services associated with the moorings and vehicular access to and parking on the island all have the potential to impact adversely on the designated heritage assets listed above and also on their setting when experienced from the river and the curtilages of the assets. Whilst it is appreciated that the context of the buildings is riverside and that mooring has historically taken place in this area. It is considered that the character of "traditional" moorings is less intrusive and could be acceptable in terms of impact on the designated heritage assets.</p> <p>Residential moorings however have the potential to impact adversely on a number (significant concentration) of designated heritage assets and their settings and as such could not be supported on this site as an "open" allocation for this reason.</p> <p>For this reason I would not support a policy which gave a presumption in favour, and would support the current policy which might allow any future application being treated on its own individual merits.</p>
Development Management Officer	<p>I do not consider that it would be acceptable to allow residential moorings in Jenner's Basin.</p> <p>The site is very isolated from shops and basic services; I do not think it conceivable that anyone who lived at the Basin would do anything other than rely on private motor vehicle for basic day to day needs and any access to services as required. Despite being just outside of the City of Norwich, the actual location is remote and it is not easily accessed, therefore whilst some level of casual mooring may be permissible, there is a vast difference in terms of what makes an acceptable mooring and what makes an</p>

Stakeholder	Comments
	<p>acceptable residential location.</p> <p>The site does not have basic facilities that would be considered an essential part of any package to deliver reasonable residential mooring sites. This includes running water, electricity, sewage outlets, the absence of which puts even greater dependence on private motor vehicles to carry out a number of fundamental tasks which a location would basic facilities would not necessitate.</p> <p>In terms of its isolation and lack of services _the site could not be considered as a sustainable location and therefore would not be in accordance with the NPPF.</p> <p>The bridge to the site does not currently provide a good access, and is in poor condition. Reliance on the bridge as access to residential accommodation would not be appropriate or satisfactory. This is of further concern given the location in Flood Zone 3B. Safe access and egress is an essential part of a residential mooring location being acceptable, and the access to this location falls some way short of being adequate and reliable.</p> <p>Access for emergency services is severely restricted, not only in terms of accessing the island, but also movements on the island itself, which would create the potential of hazards to life, property, and vegetation and wildlife on the island.</p>
Norfolk County Council Highways	<p>In principle the LHA is unlikely to raise significant issues with a small number of residential moorings in this location. The Policy clearly states access, parking and other highway restrictions, which the LHA have also raised on previous applications. However, the site is suitably located in terms of transport sustainability with good access to local services and alternate transport modes.</p> <p>I cannot be specific regarding numbers as there are obviously other issues in terms of the island and navigability of the river which also need to be taken into account in any assessment.</p> <p>See comments on application 2016 ba/2016/0337/ful made on 27 October 2016: Access to the site is via a private track off Thorpe Hall Close (public highway) and whilst there are restrictions to that track in terms of width and visibility, given its location, although there may be some occasional inconvenience this is unlikely to cause detriment to the public highway. Thorpe Hall Close is a residential close and whist off road street parking provision is provided, on street parking does occur, and the Highway Authority would have concerns should the development lead to increased on street parking which may be displaced subsequently impact on the A1242 Yarmouth Road (a corridor of movement). However, it is noted that on-site parking provision is indicated on the plans</p>

Stakeholder	Comments
	<p>although no specific details in terms of number of spaces has been provided within the application. This being said it would appear that there is sufficient space to accommodate parking in accordance with current parking standards. Accordingly, in highway terms only I have no objection to the proposals abut I would recommend that the following condition be appended to any grant of permission your Authority is minded to make: Prior to the commencement of the use hereby permitted sufficient space shall be provided within the site to enable 15 (fifteen) standard size family cars to park, turn and re-enter the highway in a forward gear. This area shall be levelled, surfaced and drained in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and retained thereafter available for that specific use. Reason: In the interests of satisfactory development and highway safety.</p>
Residential Boat Owners Association	<p>Proposals for the Western End of the island, to encourage improvements to the visual aspect whilst retaining up to 25 leisure craft moorings in Jenner’s Basin, also appear consistent with the overall Broads Plan.</p> <p>The residential boating option is a valuable contribution to the availability of alternative housing provision, but RBOA believes it should be developed in a reasoned and sustainable manner.</p> <p>RBOA continues to encourage and support the inclusion of residential moorings within boatyards, marinas and on-line locations wherever appropriate; but considers the volume of residential moorings permitted in any particular location to be a matter for consideration on a site by site basis.</p> <p>RBOA promotes the idea that, where possible, such residential moorings should blend in seamlessly with their surroundings. This often means that a small number of such moorings be positioned amongst leisure craft, bringing added security and vibrancy to the area without detracting from others’ quite enjoyment of the same.</p> <p>On Thorpe Island, RBOA considers that, as residential mooring could be permitted at some future time within the working boatyard on the Eastern End of the island, then that would be a more appropriate approach than placing residential craft in Jenner’s Basin where compliance and visual standards might prove somewhat more difficult to maintain, with the resultant possibility of re-igniting past local objections and ill feeling.</p>
Environment	<p>The policy states that the moorings are acceptable subject to the satisfactory provision of sewage disposal, which is the main</p>

Stakeholder	Comments
Agency	constraint that we would need to consider. On this basis, we would have no preference as to whether the moorings may be for permanent residential use or not, but would advise a prospective developer to be aware that the requirements for satisfactory sewage disposal may be more stringent due to the more intense use than non-residential moorings.

3. Housing and Economic Land Availability Assessment

Site address: Jenner's Basin, Thorpe Island, Thorpe St Andrew

- Land use being assessed – residential moorings
- Go here for map bundle which also shows constraints: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0008/995570/12_NORWICH-new.pdf

Site address: Jenner's Basin, Thorpe Island, Thorpe St Andrew		
Current planning status e.g. with permission, allocated, suggested through the Call for Sites etc.	Potential for 25 moorings. Draft Local Plan policy prevents residential moorings (TSA2).	
Site Size (hectares)	0.62 Ha – actual basin area.	
Greenfield / Brownfield	Basin with quay heading.	
Ownership (if known) (private/public etc.)	Private	
Absolute Constraints Check		
Is the site in a ...		
SPA, SAC, SSSI or Ramsar	No	
National Nature Reserve	No	
Ancient Woodland	No	
Flood risk zone 3b	Yes – but proposal is for residential mooring.	
Scheduled Ancient Monument	No	
Statutory Allotments	No	
Locally Designated Green Space	No	
At risk from Coastal Erosion	No	
<i>If yes to any of the above, site will be excluded from further assessment.</i>		
Development Potential (number of dwellings, hectares of employment land or town centre use floor space): 'In principle' permission for 25 moorings.		
Density calculator	n/a	
Suitability Assessment		
Constraint	Score (red/amber/green)	Comments
Access to site		Access by water – at either end of the river there is a fixed railway bridge and there is also a fixed bridge that links the island to Thorpe Hall Close. As such, the size of boats and when they can access the basin is limited because of tides and the air draught. Access by land - The bridge is privately owned and the landowners' intention to retain this in private use only will preclude public use. Likely needs upgrading if it were to be used more (see Grainger appeal decision Condition 9, page 15). Parking provision will need to be made on the island rather than relying on on-street

		provision in Thorpe Hall Close or nearby roads. Considering the basin is not used by people currently, residential moorings will lead to an increase in traffic on this road that could affect the amenity of residents.
Accessibility to local services and facilities		Primary school 1.1 miles/1.77km. Bus stop 0.1 mile/0.16km. Lionwood medical practice 0.9 mile/1.44km. Secondary school 1.8 miles/2.89km. Shop – 1 mile/1.6km. Rates amber as only one service within required distance (of 1.2km).
Utilities Capacity		Drinking water, electricity supply and facilities for pump out will need to be put in place as they are not there currently.
Utilities Infrastructure		Unaware of such constraints on the site.
Contamination and ground stability		Aware of sunken vessel which may need to be removed if basin were to be used. The quay heading is in poor state of repair and would need to be replaced to facilitate mooring.
Flood Risk	Within 3b.	N/A – proposal is for residential moorings.
Coastal Change		N/A
Market Attractiveness		Residential moorings in this area are likely to be attractive to users.
Impact	Score (red/amber/green)	Comments
Nationally and Locally Significant Landscapes and townscapes.		Summary of landscape architect's comments: Thorpe Island is an important component of the settlement fringe landscape, offering a green edge to Thorpe, enclosing the landscape and screening the railway. Effects may be able to be mitigated for a small number of say 5-10 residential moorings and subsequent reduction of private moorings however this could result in liveability issues from additional planting/trees. Parking and associated drainage (increase in hard surface) would need to be accommodated alongside other additional facilities. There are likely to be impacts on existing trees / vegetation in order to provide facilities. Intensification of use through residential moorings, whilst in proximity to the urban environment, would not be desirable and from a landscape perspective it would be preferable for this area to retain its more rural

		<p>character and outlook from Thorpe.</p> <p>Rated red/amber in relation to 5-10 residential moorings as the effects may be capable of mitigation but this may be difficult and there would still be an adverse impact. Of relevance is information in the historic environment section.</p>
Biodiversity and Geodiversity		<p>Summary of ecologist's comments: Near to Local Nature Reserve. Currently Jenner's Basin and surrounding area supports undisturbed open water, mature river-side trees, areas of scrub, pools, reed and fen habitats. Residential moorings would decrease the habitat area and potentially reduce the quality of the remaining habitats. The site and biodiversity on it benefits from no urbanisation. Nature is effectively reclaiming the site and therefore it is quite rich in biodiversity, especially given its location on the urban/rural fringe. Any change will increase urbanisation and whether impacts can be mitigated will depend on the specific details of the scheme.</p> <p>Whilst this criterion may relate more to designated sites, the local importance for biodiversity of this site that has no nature designation needs to be considered. As such this rates as amber/red.</p>
Historic Environment		<p>Summary of Historic Environment Officer's comments: Any mooring on this site has the potential to impact on a number of designated heritage assets. The site is within the Thorpe St Andrew Conservation Area and there are a number of Listed buildings opposite the site – notably Walpole House and its garden house and Thorpe Old Hall - all of which are Listed grade 2*. The Town House, The Manor House and 18-20 Yarmouth Road all listed grade 2.</p> <p>The provision any residential moorings in the basin would have the potential to impact adversely on the Historic environment.</p> <p>In particular issues around any domestication of plots around the island/basin, the need for associated domestic paraphernalia for residential moorings and services associated with the moorings and vehicular access to and parking on the island all have the potential to impact adversely on the designated heritage assets listed above and also on their setting</p>

		<p>when experienced from the river and the curtilages of the assets. Whilst it is appreciated that the context of the buildings is riverside and that mooring has historically taken place in this area, it is considered that the character of “traditional” moorings is less intrusive and could be acceptable in terms of impact on the designated heritage assets.</p> <p>Residential moorings have the potential to impact adversely on a number (significant concentration) of designated heritage assets and their settings and as such could not be supported on this site as an “open” allocation for this reason.</p>
Open Space		<p>Whilst not a site designated as open space, currently Jenner’s Basin and surrounding area supports undisturbed open water, mature river-side trees, areas of scrub, pools, reed and fen habitats. It now serves as a Green Infrastructure asset. Residential moorings will decrease the habitat area and potentially reduce the quality of the remaining habitats. This therefore rates amber/red to reflect its green infrastructure value (in a similar way to the biodiversity assessment).</p>
Transport and Roads		<p>Summary of Highways Authority’s comments: Access to the site is via a private track off Thorpe Hall Close (public highway) and whilst there are restrictions to that track in terms of width and visibility, given its location, this is unlikely to cause detriment to the public highway apart from occasional inconvenience.</p>
Compatibility with neighbouring / adjoining uses		<p>Train line next to site. Currently no boats in the basin but the principle of mooring boats there is allowed for in the policy. Residential use of these boats could result in greater intensity of use with potentially greater vehicular movements. Together, there could be change to what local residents, particularly those on Thorpe Hall Close, experience. Amber as these issues could be mitigated to some extent through conditions, numbers of residential boats permitted and requirement for a management plan.</p>
Local Plan Designations (add further lines as required)		
Designation	Policy reference	Comments
Draft policy.	PUBTSA2.	PUBTSA2 refers to 25 moorings but not residential moorings.
Availability Assessment (will require liaison with landowners)		
Is the site being marketed?	No. The landowners have indicated that they do not wish for basin to be developed/used and wish for it to return to nature and intends to remove	

Add any detail as necessary (e.g. where, by whom, how much for etc.)	the quay heading although this work is not scheduled.	
When might the site be available for development (tick as appropriate)	Immediately	The landowners have indicated that they do not wish for basin to be developed/used and wish for it to return to nature and intends to remove the quay heading although this work is not scheduled.
	Within 5 years	
	5-10 years	
	10-15 years	
	15-20 years	
	Comments: see above	
Estimated annual build out rate (including justification):	Potentially a year or two to replace the quay heading and provide the necessary facilities on site, but the landowner does not wish for the basin to be developed.	
Comments	see above	
Achievability (including viability)		
Comments	The landowners have indicated that they do not wish for basin to be developed/used and wish for it to return to nature and intends to remove the quay heading although this work is not scheduled.	
Overcoming Constraints		
Comments	Bridge will need improving. Parking will need to be provided. Quay heading will need improving. Suitable solution for pumpout, electricity supply, waste disposal and potable water will need to be put in place. The cost of these improvements is likely to affect the viability of the scheme. Landscaping scheme required that ensures assets are protected and impacts adequately mitigated. Management plan and conditions required and enforced to address any impacts on amenity. Difficult to mitigate ecological and historic environment impacts.	
Trajectory of development		
Comments	No timeline. The landowners have indicated that they do not wish for basin to be developed/used and wish for it to return to nature and intends to remove the quay heading although this work is not scheduled.	
Barriers to Delivery		
Comments	Landowner’s intentions and the opinion of local residents are key barriers. Uncertainty around costs of providing waste disposal, pumpout, electricity, water supply, new/improved quay heading and improvements to the bridge as well as car parking and landscaping gives uncertainty around viability. Whether some solutions are even feasible is questionable and adds to the complexity. Difficult to mitigate ecological and historic environment impacts.	
Conclusion (e.g. is included in the theoretical capacity)		
A difficult site to deliver given the upgrades required and infrastructure needed. Also given the lack of local support. Indeed the landowner is not promoting the site for moorings and intends for it to return to nature. Given these barriers and uncertainties, the site does not seem suitable for residential moorings currently. This stance could be reviewed when the next version of the Local Plan is produced.		

4. Assessment against PUBDM36 criteria

Number	Criterion	Response	
1	in a mooring basin, marina or boatyard	Yes	
2	within or adjacent to a defined development boundary and	<p>Thorpe St Andrew Development Boundary is proposed to be removed, so no.</p> <p>Note however that the Inspector raised concerns over the requirement to be adjacent/within a development boundary and the Authority has raised concerns with the Inspector if this requirement is removed from the policy. The Authority suggested an alternative locational criterion along the lines of the site being within 800m/10 minute walking time from three key services. If this changed criterion is used then the assessment is also negative.</p> <p>Primary school 1.1 miles/1.77km. Bus stop 0.1 mile/0.16km. Lionwood medical practice 0.9 mile/1.44km. Secondary school 1.8 miles/2.89km. Shop – 1 mile/1.6km.</p>	
3	if more than one residential mooring is proposed, the proposal is commensurate with the scale of development proposed for that settlement (as a whole).	Thorpe St Andrew allocated for 302 dwellings in the Broadland Council Sites Specifics Local Plan.	
4	the mooring basin, marina or boatyard provides an adequate and appropriate range of services and ancillary facilities to meet the needs of the occupier of the residential moorings (for example potable water and electricity) or provides adequate access to local facilities in the vicinity	These are not provided on site. There is potential for them to be provided on site, but the cost of this is not known.	
5	Would not result in the	Principal for 25 private moorings supported through	

Number	Criterion	Response	
	loss of moorings available to visitors/short stay use	appeal and emerging policy. A proportion of those would be required for visitor moorings (to reflect the moorings policy) if deemed appropriate. So proposals would need to ensure the short stay moorings provided are not replaced by any residential moorings.	
6	Would not impede the use of the waterway	In a basin so no.	
7	Would not have an adverse impact upon the character or appearance of the surrounding area from the use of adjacent land incidental to the mooring	The island offers a 'green edge' to Thorpe and contributes to its character. For residential moorings structures of greater permanence and prominence would generally be required to house laundry facilities, and allow for storage of bicycles etc. Residential paraphernalia is generally an issue with residential use, often accumulating items that add clutter and domesticate the landscape. Cultivation/controlling of vegetation and lighting associated with domestic use also adds to this domestication. Impact could be mitigated if only around 5-10 residential moorings with strict design and controls in place, but there would still be an adverse impact.	
8	Would not have an adverse impact upon protected species, priority habitats and designated wildlife sites	Site is not near designated sites. That being said, whilst this criteria only relates to designated sites, advice from the Senior Ecologist indicates that now the site is being returned to nature, it is rich in biodiversity (whether protected species or not) and is therefore important in the ecological network. As such, it could be argued that the Natural Environment policy comes into play quite strongly particularly the provisions in this policy that seek to protect biodiversity value and minimise fragmentation of habitats and maximises opportunities for restoration and enhancement. This therefore rates amber.	
9	Would not have an adverse impact upon the amenities of neighbouring occupiers	Train line next to site. Currently no boats in the basin but the principle of mooring boats there is allowed for in the policy. Residential use of these boats could be more permanent with potentially greater vehicular movements. Together, there could be change to what local residents, particularly those on Thorpe Hall Close, experience. Amber as these issues could be mitigated to some extent through conditions, numbers of residential boats permitted and requirement for a management plan.	
10	Would not have an adverse impact upon	Quay heading would need to be replaced – current quay heading is in very poor state. The cost of this is not	

Number	Criterion	Response	
	bank erosion	known.	
11	Provides safe access between vessels and the land without interfering with or endangering those using walkways	Quay heading would need to be replaced – current quay heading is in very poor state. The cost of this is not known.	
12	Has adequate car parking and makes provision for safe access for service and emergency vehicles and pedestrians	Does not have adequate parking currently and any scheme would need to provide this but this could be at the expense of the current landscape and biodiversity provision of the site. Bridge would need to be upgraded; unaware of cost of this. The cost of addressing this criterion is not known.	
13	Would not prejudice the current or future use of adjoining land or buildings	Train line next to site. Currently no boats in the basin but the principle of mooring boats there is allowed for in the policy. Residential use of these boats could be more permanent with potentially greater vehicular movements. Together, there could be change to what local residents, particularly those on Thorpe Hall Close, experience. Amber as these issues could be mitigated to some extent through conditions, numbers of residential boats permitted and requirement for a management plan.	
14	Makes adequate provision for waste, sewage disposal and the prevention of pollution	Not aware of any provision in place – future proposals would need to put this in place. Surface water run-off from new hard surfaces would need to be addressed. The cost of this is not known.	
15	Provides for the installation of pump-out facilities (where on mains sewer) unless there are adequate facilities in the vicinity	Not aware of any provision in place – future proposals would need to put this in place. The cost of this is not known.	
16	Proposals need to set out how provisions will be made for facilities associated with residential uses (such as rubbish, amenity space, external storage and clothes drying for example).	Not aware of any provision in place – future proposals would need to put this in place. The provision of this residential paraphernalia could affect the site as discussed at point 7. The cost of this is not known.	
17	All such development will meet the requirements of	Depends on the specifics of a scheme.	-

Number	Criterion	Response
	the Water Framework Directive.	

Finally, the site is assessed against the additional relevant criteria being considered for inclusion in this policy, as follows:

- The requirement not to convert an entire site to residential moorings – no specific proposal to assess, but a maximum number of potential residential moorings would be appropriate in relation to this criteria (around 10 for example). Any more residential moorings could be deemed contrary to this criterion.
- Allow residential moorings within Norwich – not relevant as proposal is not in Norwich.
- Require a management plan – a management plan would be required. This may be of particular importance at this site if allocated/permitted for residential moorings.

5. Consulting nearby neighbours

Because of the planning history of the site, the Authority decided to contact nearby neighbours for their thoughts on the potential of having 5, 10, 15, 20 or 25 residential moorings at Jenner's Basin.

The Authority wrote to 78 nearby neighbours. The Authority asked Thorpe Town Council for their thoughts on who was to be consulted and they agreed that we should ask those who live on Thorpe Hall Close as well as other properties which are near to or can see the Basin. Of the 78 written to 7 were returned undeliverable by the post offices due to the address being inaccessible, owner going away or there being no such address. Letters were sent on 1 October and the deadline for comment was set as 12 October.

A copy of the consultation letter is included in appendix A.

11 responses were received as follows:

<p>Response 1: I do not believe the site is suitable for residential moorings for the following reasons</p> <ol style="list-style-type: none"> 1. The old cut of the Yare is both narrow and shallow at this point and the traffic, noise and associated domestic business that up to 25 boats would generate would be detrimental for residents and most particularly river users 2. The wildlife in this lovely area would be hugely disturbed - since clearance there has been re-appearance of a large diversity of animals, birds and native plants 3. The river is used by large numbers of the public for peaceful recreation - canoeing and kayaking and rowing. Many are children from local schools as well as tourists. The pleasure and quite possibly safety of these activities would be reduced by basin occupancy.
<p>Response 2: Thank you for your letter (1st October 2018) concerning a possible inclusion in the Broads Authority review of planning policies, namely consideration for residential moorings in Jenner's Basin. As your letter makes clear, planning aspects of this site have been subject to detailed examination in the last decade or so. My comments on this idea are:</p> <ol style="list-style-type: none"> 1. There is no evidence of any past planning permission for residential mooring, and this would be a

completely new use of the site.

2. I am unaware of any requirement for the Authority to provide housing in this area.

3. The present Draft Policy takes full note of two Appeal Decisions following hearings by Planning Inspectors into enforcement action necessitated by unlawful use of the site:

(a) That by Mr A J Wharton (15 June 2012) stated in Para 58 that no harm should be caused to the character and appearance of this part of the island or to the living conditions of nearby residents, and in Para 61 that permanent residential use would lead to such harm.

(b) That by Mr P Grainger (20 October 2014) produced the same general conclusions in terms of harm to the Conservation Area and to local residents but with added details. For example, the increased traffic in Thorpe Hall Close if moorings were allowed (Para 65), though a modest number of non-residential boats would not make conditions for local residents unacceptable (Para 67), and so a condition was imposed that no boat moored in the basin could be used as a main residence or even occupied for more than 28 days in any one year (Para 83, condition 2).

4. The expert opinions referred to in (3) above, which were supported in the Courts on subsequent Appeals, took note of the responses of local residents. Those responses are presumably on file both at the Broads Authority and the Planning Inspectorate and very similar arguments would no doubt be advanced again should a residential planning application be made. Rather than rehearse them all again in this letter, I hope that the conclusions reached by Mr Wharton and Mr Grainger represent an expert digest.

In conclusion, my wife and I would object strongly to any proposal for residential mooring in Jenner's Basin, no matter how few the boats, on the grounds of harm to a Conservation Area and to the living conditions of the occupants of adjoining houses. We earnestly hope that no such provisions will be included in any local policy review.

Response 3: We live immediately opposite Jenner's Basin and know how very fortunate we are to have such a wonderful view across the river, especially since the site was sold and then cleared by the new owners, since then we have noticed a marked increase in wildlife visiting the area, what a joy to see Grey Heron, Cormorants and Great Crested Grebe actually catching fish, and the resident pair of Swans nested successfully again this year, we have noticed an increase in the number of smaller birds such as Greater Spotted and Green Woodpeckers, Chetti's Warbler, Sedge Warbler and of course Kingfishers. Now that the Basin has been allowed to return to its natural state we are very much against the idea of residential moorings of any number, it will be tragic to see such a lovely area once again spoilt by humans, it is such a small site please can it remain as it is so that we who live near it and all those using the river can enjoy it.

Response 4: My main concern with residential moorings is the way they are serviced. The only vehicle access to the basin is via the bridge across the river at the end of Thorpe Hall Close. When there were moorings the associated private vehicles were parked just across the bridge and constituted a real eyesore. At least one car had someone living in it permanently and its resident could be seen defecating on the river bank adjacent the bridge. Larger vehicles such as vans and lorries could just get across the bridge but in doing so invariably drove across the grass verges in front of the flats or had to park there causing an obstruction. The number of cars parked in The Close rose considerably so that visitors to the residents here could not park. Should it be necessary to get emergency vehicles to the basin I'm not sure how they would do it. Since the ownership of the western end of the island has changed I don't know who owns the bridge or whether this is a right of

<p>way. In the past small relaxations of the planning permissions have been seized upon by the developer to go way beyond what had been agreed. Do the authorities wish to go along this route again?</p>
<p>Response 5: I do not think that the site is suitable for residential moorings as the only access is via Thorpe Hall Close and there are inadequate parking facilities on this road. There is also no lavatory or washing facilities on the island.</p>
<p>Response 6: We read with alarm the recent communication regarding 'Residential moorings at Jenner's Basin'. It is hard to forget the protracted planning debacle over the site which lasted many years, took up an inordinate amount of time and public money and caused local residents a huge amount of stress. We had believed the nightmare to be over as the current owners have not exploited permission for private moorings and have left the island to return the peace and tranquillity enjoyed prior to interference and encroachment from unauthorised persons.</p> <p>We continue to be totally opposed to residential moorings particularly after the difficulties experienced with previous occupants. There remain solid reasons against residential moorings in Jenner's Basin:</p> <ol style="list-style-type: none"> 1. Access is problematic: an unstable bridge, unsuited to emergency vehicles and disruptive to existing neighbours. 2. There are NO services - mains water, electricity or SEWERAGE. 3. It cannot be effectively monitored by the Broads Authority, police and others. 4. The area is part of a so-called Conservation Area. 5. The wildlife (and there has been an increase in the number of species of birds seen) would be threatened again.
<p>Response 7: I live opposite the basin and have been gratefully relieved that since the residential boats have left the wild life is gradually returning. The kingfisher is seen more often and the herons are happy wadding along the edge of the basin. This is such a wonderful space for not just birds but butterflies. Recently the barn owl has returned to the large oak tree. As someone who enjoys natural beauty I would prefer that residential mooring did not return. I would gladly contribute financially to the upkeep of the island as a conversation area.</p>
<p>Response: 8: With regard to your letter of 1st October 2018 - our preference would for Jenner's Basin to return to nature</p>
<p>Response 9: With regard to the possible residential moorings at Jenner's Basin I would thoroughly disapprove of any residential moorings on the Island for the following reasons:-</p> <p>There is only one way off the island and that is over a narrow bridge and it is questionable how safe this is to carry much traffic. (Also I believe there may be a colony of bats underneath the bridge which should not be disturbed by law)</p> <p>Also access to the island by motor vehicle is by a very narrow unmade, short road in front of the flats which is not suitable for traffic.</p> <p>Thorpe Hall Close is a short road with a sharp curve at the bottom, therefore it is not suitable for parking. It is also very congested on home football days and many people park to walk their dogs on Carey's Meadow.</p> <p>You may think that residential boats would not need to use this road or bridge or indeed park in the Close but from experience of the previous occupants of the other residential boats. I can assure you</p>

that the traffic and parking from visitors and occupants was horrendous at times. All our concerns are very well documented in the previous papers when there were Court hearings.

In addition, since the Island has been returned to nature, the wildlife in the Close has also come back. There are now many very different birds, including a green woodpecker, a family of muntjac deer who regularly visit the Island from Carey's Meadow and hedgehogs and squirrels. It has now become the place I expected when I first retired here 12 years ago- tranquil, peaceful and wonderful wildlife.

Response 9: The situation on Jenner's basin took eight years and many thousands in legal fees to resolve. All the issues that were cited against residential moorings then still apply. I'm glad that the current owners have no plans for such development, and I really don't think it helpful if the planning inspector opens up this debate again. Residential moorings proved noisy, unsightly, involved parked cars open fires and music systems, and attracted more and more boats which spread along the river front. It was a swiftly escalating situation that the Authority seemed to have no power to control. Now that this end of the island is once again a de facto nature reserve we have seen otters, herons and kingfishers here, wildlife that makes Thorpe St Andrew a welcome gateway to the broads and is enjoyed by residents and day boats alike.

Response 10: I am happy with the way it looks as a nature reserve. If there is ever a proposal to have residential or other moorings there I will be very interested in airing my views. Broadly speaking I am keen that whatever happens there looks good and that it is maintained to a high standard.

Response 11: We object because the site is tranquil and bird life and wild life is wonderful there and we don't understand there is a possibility of residential moorings as thought it was all over. Very upset and don't want it. Like it as it is. *(received by phone and no name given)*

6. Infrastructure and other works required to support a residential use

This section summarises the infrastructure and other works which would be required in order to facilitate the use of the site for residential moorings. This is based on experience of the site and other residential mooring proposals, as well as the appeal decision (Grainger 2014). No costs are given. This is not an exhaustive list and there may be other requirements.

- a) Electricity supply – to the site as well as the provision of hook up points for boats.
- b) Potable water source – to the site as well as taps for boats to use
- c) Provision for pump out – this could be through mains (which do not exist on this part of the island) or through collection and appropriate disposal.
- d) Storage space – for residential paraphernalia to reduce and manage the permanent impact of this on the site. Sensitively designed so as to not over urbanise the site.
- e) Replacement quay heading – the current quay heading is in very poor condition and derelict in places, making mooring use unsafe. Replacement would be required to support any mooring use.
- f) Provision for car parking – on site in order to reduce impact of greater usage of the island. Will need to be landscaped as well and address the issue of surface run off with potential water pollution.

- g) Improvements to the bridge – as set out in the Grainger Appeal decision.
- h) Landscaping – to mitigate the impact of development

7. Grainger (2014) appeal decision relating to Thorpe Island.

As previously identified, this site has an extensive planning history and has been the subject of a planning appeal and challenges to the appeal decisions. The final appeal decision was issued by Mr Grainger in October 2014 and this is included at Appendix A. Whilst this covers permanent private rather than residential moorings, a number of the matters raised are relevant here, including the proposed conditions.

8. Other areas deemed suitable for windfall residential moorings

Policies HOR6 and STA1 (and currently BRU2 and BRU4) refer to the sites being treated as adjacent to development boundaries for the purpose of the residential mooring policy – that is to say that in theory, subject to detail, the policy approach enabled residential moorings to be delivered at these locations despite not being within or adjacent to development boundaries.

As set out at Matter 12, the main reason for this is to enable diversification. These areas are working boatyards and this provision in the policy (effectively saying that residential moorings in this location are in theory acceptable) not only provide potential sites for residential moorings (in order to assist in meeting the demand) but also provides the opportunity for these boatyards to diversify.

Jenner's Basin is not a working boatyard/marina. There are no businesses operating from the site. The site is not in the same category as HOR6 and STA1 and therefore diversification is not a relevant reason for enabling residential moorings at Jenner's Basin.

9. Conclusion and summary and options

In response to the request from the Inspector, the Authority has reviewed the policy relating to residential moorings in Jenner's Basin at the western end of Thorpe Island. This report has considered the potential for 5 – 25 residential moorings and made an assessment of this. It has also undertaken a consultation with stakeholders and local residents.

The output from the Housing and Economic Land Availability Assessment is that the site would be difficult to develop due to the constraints and extent of the infrastructure required. The current landowners do not have any intentions or aspirations around its development, so the delivery of development here is unlikely. The assessment concludes that the site is not suitable for allocation.

The assessment against the criteria in PUBDM36 identified a number of policy conflicts as well as those areas where mitigation would be required. In principle, many of the criteria are technically capable of being met, although the costs would be high which would affect viability and it should be noted that the acceptability of any specific scheme for residential moorings here would be in part

dependent on scale, mitigation and management. There remains, however, an in principle objection due to the location being neither within or adjacent to a development boundary.

The result of the stakeholder consultation shows a range of views, with both support for and objections to the development of residential moorings. Clearly, a smaller scheme is more likely to be acceptable than a larger one, however economies of scale may be needed to make the site viable as the development costs will be high, as set out in section 5. Furthermore, a high level of mitigation measures would be required at this site would almost certainly affect the viability of any scheme and its feasibility. As the Grainger appeal decision indicates, there would be a need for many conditions. Moreover, undesirable impacts on the historic environment, landscape and ecology would be generated if residential moorings were used at Jenner's Basin.

The results of the consultation with the local residents show a strong lack of support for residential moorings in this location. It is clear that this results in part from their previous experiences with moorings here, albeit unauthorised ones.

Finally, it is noted that the landowners have indicated that they currently have no intention to develop the site for any moorings, residential or otherwise, and will be removing the remnant quay heading in due course. This gives a clear indication that delivery of residential moorings is very doubtful.

The conclusion of the review of the policy is that the site is not suitable for allocation for residential moorings and this is its preferred approach.

The above notwithstanding, the Authority considers there are four options and these are discussed in the following table.

Option		Commentary
1	Keep the wording as is.	<p>Keeping the text as it is could be justified as follows:</p> <ul style="list-style-type: none">• The site fails the locations criteria of PUBDM36 (by virtue of the proposal to remove the development boundary at Thorpe St Andrew) and the suggested amendment if the Inspector removes the requirement to be adjacent to or within a development boundary.• The comments from the Landscape Architect, Historic Environment Manager and Senior Ecologist highlight the negative impact that urbanising this site would have, especially given that residential moorings have greater permanence and paraphernalia associated with them.

Option		Commentary
		<ul style="list-style-type: none"> • The Town Council support the existing wording and the landowner does not intend to develop the site. • The required infrastructure to meet the requirements of PUBDM36 and other policies seem costly and could either result in an inadequate scheme or could make a scheme unviable. • The nearby neighbours do not support residential moorings at this site.
2	Remove wording altogether.	There could be scope to remove the wording because schemes could then be judged on their individual merits and other policies would be used to assess the applications although the site fails the locational criteria of PUBDM36 both as written and as proposed and the issues discussed in option 1 still exist. The sentence <i>"These moorings shall be private moorings only, and not residential moorings"</i> would be replaced by: <i>"These moorings shall be private moorings only."</i>
3	Remove the Western end part of the policy altogether.	Because the policy as written effectively duplicates the Grainger appeal decision, and given that the appeal decision holds significant weight as a material consideration, it could be argued that this part of the policy is superfluous.
4	Amend in another way, perhaps to allow residential moorings at this site.	See commentary for option 1 which indicates that residential moorings will be difficult to deliver without negative impacts.

Appendix A: 2014 Grainger Appeal

Go here: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0009/1354950/EPS18e-Document-4-PINS-Decision-2-20-October-2014.pdf

Appendix B: Letter to those living nearby to Jenner's Basin

Dear Owner/ Occupier

Local Plan Inspector – Queries Relating to Residential Moorings at Jenner's Basin

We are writing to you because of the significant planning history of Jenner's Basin on Thorpe Island and because you are a nearby neighbour to the site.

You may remember that there was a planning enforcement case on this site, which took a number of years to resolve. It was the subject of two public inquiries and was challenged in both the High Court and the Court of Appeal. The eventual result of the planning enforcement case was that an 'in principle' planning permission was granted for private moorings of up to 25 boats. This 'in principle' planning permission is still in force, but has not been implemented.

After the planning enforcement case was finished the site was sold and subsequently cleared by the new owners, who are also the current owners, which resulted in the planning enforcement case being concluded. There are no moorings in Jenner's Basin now.

The Broads Authority has been reviewing its planning policies, as it is required by law to do. The planning policy for the Jenner's Basin site was based on the 'in principle' planning permission for up to 25 boats. The draft policy indicates that no residential moorings would be allowed. The Planning Inspector, who will make the final decision on the policy, has asked us to justify why we do not think the site is suitable for residential moorings and we are pulling together our response to this question.

As part of the process, it is useful to ask local people what they think and this is the purpose of this letter.

What are your thoughts on residential moorings in Jenner's Basin?

We do not have a number of residential moorings in mind, but you may wish to consider how you would feel if there were 5, 10, 15, 20 or 25 residential moorings in Jenner's Basin.

For clarity, this is not a planning application and it is not about whether the Authority wishes to allocate the site for residential moorings or not. Also, we wish to make it clear that the landowner has not promoted their site for residential moorings and has no plans for the site, other than for it to return to nature. We are asking you for your thoughts so that we can provide a response to the Planning Inspector which includes the views of the neighbours.

Please get your views back to me by midday on 12 October. You can email me at planningpolicy@broads-authority.gov.uk. Please feel free to get in touch with me if you have any questions.

Yours faithfully

Natalie Beal
Planning Policy Officer