

Ref	Name	Organisation	Comment	BA response	Amendments
#1	Joy Brown	Norwich City Council	Thank you for consulting Norwich City Council on the Broads Authority marketing and viability guide. We have no comments to make.	Noted.	No change
#2	Keri Williams	Norfolk Gardens Trust	Thank you for consulting the Gardens Trust. The trust does not wish to submit comments on this document.	Noted.	No change
#3	Paul Cunningham	Beccles Town Council	Regarding Section 7.5.4. d (specifically lines 274-275), it would be worth defining/claryfing what is meant by “ongoing business”.	As in if a business is still trading.	Add this explanation as a footnote.
#4	Paul Cunningham	Beccles Town Council	Additionally, we are uncertain as to why “If an ongoing business, a summary of the trading history needs to be included” information needs to be provided as marketing particulars.	In discussion with our viability and marketing expert, if it is an existing business that is being marketed for sale or the operation of the business from the premises underpins its value then it reasonable to give interested parties a brief outline of the business opportunity. It may be the a brief outline is provided within any marketing information and that more detailed information is made available separately to genuine interested parties on a confidential basis	Add footnote to say: ' <a href="#">It may be the a brief outline is provided within any marketing information and that more detailed information is made available separately to genuine interested parties on a confidential basis</a> '
#5	Jacqui Salt	Natural England	Natural England does not consider that this Marketing and Viability Guide poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation.	Noted.	No change
#6	Penny Turner	Norfolk Police	Thank you for the consultation invite but the DOCO team will not be commenting on this particular Broads Authority guide.	Noted.	No change
#7	Liam Robson	Environment Agency	Just to confirm the Environment Agency have no comments on this consultation.	Noted.	No change
#8	Emily Curtis	Loddon Parish Council	Loddon Parish Council is concerned that the guide is too prescriptive which may deter investment in the Broads area particularly from small scale and first-time tourism ventures. We would not want to see the Broads only occupied by large scale businesses. The document may therefore restrict officers ability to work with applicants to find solutions, which could be of benefit to all. Not every situation can be pre-determined by a guide and there should be flexibility built in. Officers and applicants need to be able to find practical solutions within a framework of what is acceptable.	The guide sets out how a developer can meet the policy requirements. It is designed to be helpful to applicants. One could argue that if the guide is followed, there will be less delay and costs as the marketing or viability assessment will not need to be started again. The Broads works with applicants, as is required by the NPPF and indeed SP1 of the Local Plan.	No change
#9	Emily Curtis	Loddon Parish Council	We are concerned that additional costs and delays could be imposed as a result of adoption of this guide. This document also seems to create a presumption against development, unless an existing use can be proven non-viable to the satisfaction of planners. We do not believe this complies with the principles of the NPPF.	Noted. The requirements are set out in policy. This guide does not set any new requirements; it elaborates on policy to help with applicants adequately meet the policy requirements. One could argue that if the guide is followed, there will be less delay and costs as the marketing or viability assessment will not need to be started again. If a proposal on a site is for something different to what the Local Plan sets out, then the applicant will need to justify that the change is needed and that there is no interest in the current operation and that the current operation is not viable. This is a common and usual approach taken by probably all local planning authorities. So if there is no interest in the site when it is marketed and there is proof that it is not viable and other policy tests are met, then the proposed scheme (that is different to what the Local Plan requires) may well be permitted.	No change
#10	Emily Curtis	Loddon Parish Council	We agree with the need to protect the character and historic nature of The Broads but this should not be at the detriment of the economic realities of the Broads today. If we cannot move with the times and plan for the future, we will be doing an injustice to the residents of the area, the local businesses and the tourists that visit.	Noted. This guide elaborates on policy. It does not set any new requirements. If a proposal on a site is for something different to what the Local Plan sets out, then the applicant will need to justify that the change is needed and that there is no interest in the current operation and that the current operation is not viable. This is a common and usual approach taken by probably all local planning authorities. So if there is no interest in the site when it is marketed and there is proof that it is not viable and other policy tests are met, then the proposed scheme (that is different to what the Local Plan requires) may well be permitted.	No change
#11	Emily Curtis	Loddon Parish Council	As coronavirus has had a significant detrimental effect on businesses, we feel that this guide would be better delayed until the emerging picture of future development and commercial activity is better understood. We would welcome The Broads Authority helping to rebuild the local economy and therefore feel that perhaps this document is badly aimed and timed, as it could do the opposite.	Noted. We delayed this guide for 18 months for that very reason. But the policy which this guide elaborates, has always been in place. The Guide elaborates on already adopted policy and does not change policy or set any additional requirements; it elaborates on how to meet the requirements of the policy.	No change
#12	Emily Curtis	Loddon Parish Council	Our usual concerns on The Broads as a planning authority are not alleviated by this document. We are of the opinion that a wholly elected body, such as a District Council, is better placed to determine planning policy than The BA.	Comments noted. This is not something we are able to change.	No change
#13	Emily Curtis	Loddon Parish Council	We are also mindful that The Broads exists under its own Act of Parliament, and we would not want to see any significant shift or attempt to weaken the principles of that Act, which govern the focus of environment alongside commerciality appropriate to the uniqueness of The Norfolk Broads.	Noted. It is not clear how the guide affects the principle of the two Acts of parliament. The Guide elaborates on adopted Local Plan policy and does not set anything new.	No change
#14	Paul Harris	SNDC and BDC	The Council supports the decision to change the document from a Supplementary Planning Document to a Guide. This change will give the Broads Authority further flexibility to respond to the particular circumstances of any individual application within the framework of the policies of the adopted Development Plan.	Support noted.	No change
#15	Paul Harris	SNDC and BDC	Unless a specific requirement or particular approach is set out in the policies of the adopted Development Plan, the Council would suggest that the authority takes care to express guidance in terms of “the authority would recommend” or “the authority would typically expect”. This will help make it clear where a requirement is specifically set out in a policy of a Development Plan and where it is further guidance that is intended help in the implementation of a policy.	Comments noted. We are content with the language used as we feel that by following this Guide, the requirements of the policy will be met and a robust marketing and viability assessment will be completed.	No change

#16	Paul Harris	SNDC and BDC	<p>Accepting that the impact of the recent changes to the Use Classes Order will be much more limited in the Broads Authority area than elsewhere, the Council suggests that the Broads Authority may wish to take the opportunity within the Guide to explain the extent to which any changes impact on the application of the policies of the Development Plan.</p> <p>Follow up:</p> <p>As I read the changes to the Use Classes Order a lot of the extended permitted development rights wouldn't apply within the BA.</p> <p>However, changes within the same Use Class, in particular E, wouldn't be development. Therefore, thinking about DM26, couldn't an employment use falling within E (g)(i) or (g)(ii) change to an indoor sport or recreation use without needing to go through the steps outlined in the policy, by virtue of the fact that these would fall under E(d)?</p> <p>It's worth noting that I am not trying to say that there is definitely an issue here, or that the particular example give above is correct. I specifically didn't give an example for those reasons and I've not thought about it in that level of depth. Rather it is just a polite suggestion that you might want to consider whether all of your policies can still be applied as imagined at adoption or if not whether you'd want to take the opportunity presented by the guide to provide further guidance to applicant's on this point.</p>	<p>This is a useful suggestion and indeed we will raise this in the Guide.</p>	<p>Add this to 6.3: 6.3.2. <u>In terms of its current use, that also will mean that the site needs to be marketed in line with its current land use class. For example, if the site is currently an office or a day nursery, then that is land use class E and there are many other types of use included in class use E . which the site/property could become without the need for planning permission.</u></p>
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