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Dear Natalie

**BROADS AUTHORITY LOCAL PLAN 2021 TO 2042 REVIEW - PUBLICATION
(REGULATION 19) CONSULTATION**

Thank you for consulting us on the Local Plan for the Broads, Regulation 19 version. We have set out our comments and recommendations below.

Water Resources

Policy PUBDM7: Water efficiency and re-use

The policy is sound in principle, however, with the publication of the [Shared Standards for Water Efficiency in Local Plans](#), we are now advising Local Planning Authorities (LPAs) to introduce tighter water efficiency standards using the evidenced approach. Given The Broads Local Plan is at an advanced stage, we are mindful that the Shared Standards represents a step change, but the Shared Standards would provide the evidence required to support any higher standards established at a local level.

The Shared Standards for Water Efficiency in Local Plans was published in June 2025. These Shared Standards set out a collaborative and collective approach by Anglian Water, Cambridge Water, Essex & Suffolk Water, Affinity Water, the Environment Agency and Natural England, with the full endorsement of Water Resources East (WRE) as part of strengthening the Regional Water Resources Plan for Eastern England. It recommends that LPAs include tighter water efficiency standards in Local Plan policies to support a clean and sustainable supply of water - essential for growth and nature recovery.

We recommend that LPAs include Local Plan Policies that:

- Require new homes to be built to more stringent standards for water efficiency than the optional Building Regulations (part G) standard of 110 litres per person per day (l/p/d). Evidence indicates that a design standard of up to 85 litres/person/day (l/p/d) for residential developments is feasible.
- Require new, extended or redeveloped non-domestic development to aim to achieve full credits in the BREEAM water calculator.
- Require new major non-domestic developments to include water saving measures and water reuse in their design.

These standards provide guidance and local evidence to help LPAs make a case that more stringent water efficiency policies are justified, feasible and viable as part of Water Cycle Studies and Integrated Water Management Plans that effectively manage a range of challenges across the water environment and aid nature recovery. Local Plans have a significant role in helping to deliver the sustainable use of water resources and address shorter-term water scarcity issues. LPAs can help ensure the risk of harm to habitats and deterioration to water bodies due to water scarcity is minimised by setting more ambitious, tighter water efficiency standards for new residential and non-domestic developments in local planning policy.

It is considered that a modification to Policy PUBDM7 can help make development in The Broads more water efficient and allow sustainable growth, whilst longer term water supply solutions are being developed/implemented. As well as managing risks to the environment, tighter water efficiency measures may also reduce the need for water companies to restrict supply for non-domestic growth, alongside other initiatives.

It is recognised that the Broads Local Plan is at an advanced stage in its preparation, but this consultation provides an opportunity to include tighter water efficiency standards that can be justified by evidence set out in the annexes supporting Shared Standards. The evidence is extensive and demonstrates, *inter alia*, that:

- The Water Resource Management Plans (WRMPs), prepared by water companies, in the Shared Standards area demonstrate that there are significant challenges in meeting predicted domestic and non-domestic growth in water demand whilst also meeting statutory environmental obligations. There are non-domestic water restrictions in both Anglian Water and Essex & Suffolk Water areas, which are referenced in the supporting text to Policy PUBDM7.
- Water efficiency is needed for protected sites and wider nature recovery. Of the 239 SSSIs in the Shared Standards area, 96 at time of writing have water abstraction identified as an active pressure. Many have measures in place to address these pressures linked in many cases to the plan-led approach. The Shared Standards complement or support the delivery of those measures. The Norwich and the Broads Water Resource Zone (WRZ) is identified as one of the WRZs with deterioration risk as a result of abstraction pressures.
- At present it is feasible to achieve a total consumption of 85 l/p/d by taking a fittings-based approach using product types outlined in the Shared Standards Annex C - Section C2, which can be achieved at relatively low cost. In addition, water companies offer incentives to developers to build water efficient homes. These are tied into water company Business Plans that are published every five years, with the latest being published in 2025 alongside WRMPs. For example, Anglian Water offer a £500 incentive for residential properties that achieve a

water efficiency standard of 90 l/p/d, which would be within the shared standards water efficiency parameters of 85-95 l/p/d suggested for Local Plan policies. These incentives can support the viability of delivering water efficiency measures.

It is therefore recommended that Policy PUBDM7 is modified to reflect the recommendations in the Shared Standards. Whilst the overall level of development in The Broads is low, it is considered the evidence set out in the Shared Standards is clear that tighter water efficiency standards are necessary for sustainable growth and nature recovery, which supports the National Park purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the Parks, and the long term vision and fundamental principles for the Broads National Park in the Broads Plan 2022-2027.

Proposed modification:

Policy PUBDM7: Water efficiency and re-use

1. All new/replacement/converted dwellings (including holiday/visitor accommodation and residential ancillary accommodation) will be designed to have a water demand equivalent to 440 **90** litres per head per day **of mains supplied potable water**, or any higher **tighter water efficiency** standard subsequently established nationally **through Building Regulations Part G** or locally. Measures to reduce water demand further will be encouraged and supported.
2. All new/replacement/converted or extended buildings are required to incorporate greywater recycling and rainwater harvesting unless it is not feasible to do so.
3. Washing up provision and toilets and showers associated with camping, caravanning and glamping sites are required to be designed to **include** water efficient **fittings**.
4. All new/replacement/converted non-domestic buildings are required to be designed to be water efficient **and should aim to achieve full credits within the 4 water categories (WAT01, WAT02, WAT03, and WAT04) under the BREAM standard, with a minimum score of 3 credits within WAT01 Water Consumption.**
5. Planning applications need to include sufficient detail as to the intended standard and set out the measures to be incorporated to enable compliance.

Water Quality

OBJ6. Water quality is improved, and water is managed using appropriate measures to increase capture and efficiency, prevent pollution and reduce nutrients. Flood risk to people, property and landscapes is sustainably managed effectively

As stated in our response at the Preferred Options consultation stage, our view is that it is still worth considering whether this could be made more targeted and ambitious from a water quality perspective. For example, the objective could state “Water quality is improved, *and each waterbody passes the chemical and biological requirements of the Water Framework Directive.*”

Policy PUBDM5: Water quality and foul drainage

We are pleased with the updates and added reference to Water Framework Directive

(WFD) and ‘adequate sewage treatment provision’.

Policy PUBDM11: Green and blue infrastructure and Public Rights of Way, Policy PUBDM55: Non-residential development and BREEAM

We are pleased with the updates made in accordance with our response at the Preferred Options consultation stage.

Ecology

We have reviewed the draft Plan and are pleased with the changes made in response to our comments at the Preferred Options consultation stage, particularly the increased emphasis on avoiding likely significant effects on the natural environment before considering mitigation and the inclusion of Blue Infrastructure alongside Green Infrastructure. We consider the changes made to have improved the effectiveness of the Plan from the perspective of ecology and biodiversity.

However, the use of Water Source Heat Pumps (WSHP) has become a particular focus for our ecology teams since the submission of our Preferred Options response in May 2024. We have recently been involved in reviewing multiple WSHP applications and our national guidance on their use is currently under review. There is a growing body of peer-reviewed research and evidence supporting our concerns around WSHP, and work is underway to develop a framework for assessing thermal discharges. At present, there are no specific standards or regulations governing thermal discharges, and our assessments are limited to the requirements of the WFD. This remains an evolving picture, but it highlights the need for caution and robust safeguards in planning policy.

Recent WSHP applications have required extensive monitoring to be in place and have been restricted to winter-only operation (i.e. not permitted for summer cooling, only winter heating) to prevent harm to the receiving watercourse. The potential for in-combination effects from multiple WSHPs presents a genuine risk of damaging river ecology and WFD status, and applications may therefore be refused on these grounds.

We are therefore concerned that *Policy PUBDM53: Source of heating* (p.267) explicitly encourages the use of WSHPs (“This could be water, ground or air source heat pumps, to reflect the individual circumstances of the scheme.”) Our position is to encourage the use of Air Source Heat Pumps (ASHP) where they are a viable option over the use of WSHPs on rivers, due to the concerns outlined above. We note that the hierarchy of heating methods in section 4 (a to f) includes ‘heat pumps’ as the preferred option but does not specify the type of heat pump. We recommend that a further hierarchy between heat pump types be included here, i.e. with ASHP being the preferred option over WSHP within a hierarchy of heating options.

We note that *Policy PUBNOR1: Utilities Site* (p.347) states: “6. Applicants are encouraged to take the opportunity of using the proximity of the site to the river to use water source heat pumps or use the river for water source district heating **but ensuring no damage to the river or the river ecology**”. While our concerns regarding the use of WSHPs outlined above also apply to this policy, we consider the inclusion of this added disclaimer – which was not included in the previous version of the Plan - vital. We request a similar precaution to be included in the wording of *Policy PUBDM53: Source of heating*.

PUBDM3: Pollution and Hazards in development and protecting environmental quality

We are pleased with the addition of this new policy, although suggest Point 1 (“All development proposals will protect the quality of the environment”) could be strengthened by specifying which aspects of environmental quality - air, water, soil, biodiversity, etc. - are included. Given the sensitive nature of The Broads, you should consider making it explicit that environmental protection is a precondition for development approval.

Habitats Regulations Assessment (HRA)

We have reviewed the HRA for the Local Plan for the Broads and agree with its conclusions. The assessment has appropriately considered potential impacts on all relevant designated sites/habitats, and we are satisfied that the Local Plan provides sufficient safeguards and mitigation measures. As detailed within the HRA, alongside existing protections in strategic and planning policy frameworks and local procedures, these measures ensure that the Plan would not have an adverse effect on the integrity of any habitats sites, either alone or in combination.

It should be noted that Natural England are the statutory stakeholders for HRAs and will therefore likely have greater scrutiny and more in-depth insight into its conclusions.

Flood Risk

We have reviewed the updated Plan and are pleased with the changes made following our comments at the Preferred Options stage. We find the draft to be sound but have set out some minor changes below that would enhance and clarify existing information, as well as reflecting new information that has become available since the last consultation.

Policy PUBDM8: Development and flood risk

We support the updated policy wording and find the policy sound. However, the policy includes the following repetition at point 12 on page 64, which has been copied over from a typographical error in our Preferred Options consultation response:

- *remain operational and safe for users in times of flood;*
- *result in no net loss of floodplain storage;*
- *remain operational and safe for users in times of flood;*
- *result in no net loss of floodplain storage;*

This should be amended to the correct PPG (paragraph 079) wording, which is as follows:

- *remain operational and safe for users in times of flood;*
- *result in no net loss of floodplain storage;*
- *not impede water flows and not increase flood risk elsewhere.*

Policy PUBDM45: Gypsy, Traveller and Travelling Show People

We support the amended policy and find it sound in terms of flood risk. We recommend two minor changes of wording to highlight the NPPF vulnerability classification and

distinguish between permanent and temporary uses. Under 'Flood Risk' in the 'Reasoned Justification' on page 236, it states:

Caravans and mobile homes are vulnerable to flooding.

To keep the wording in line with Annex 3 of the NPPF, we recommend this is changed to:

Caravans and mobile homes are highly vulnerable to flooding.

The same section goes on to state:

Any Flood Risk Assessment for such accommodation would need to show how the safety of the occupants would be managed and ensured, considering the transient nature of the site and its potential effects on the occupant's ability to receive flood warnings.

We recommend making the following minor amendment to that sentence, to state:

Any Flood Risk Assessment for such accommodation (temporary or permanent) would need to show how the safety of the occupants would be managed and ensured, considering the transient nature of the site and its potential effects on the occupant's ability to receive flood warnings.

Appendix 7: Flood Risk Assessment Tick Sheet

We support the use of an Flood Risk Assessment (FRA) tick sheet as a guide for users. We require a change to referenced freeboard value, so that it reflects the new allowances available in the PPG guidance and the National Flood Risk Standing Advice. Appendix 7 currently uses the old freeboard guidance which specifies a freeboard value of 300 millimetres. The guidance has now been updated and recommends working to a higher freeboard value of 600 mm, where there is a particularly high level of uncertainty in the modelled flood levels.

While we may accept a lower freeboard value (minimum being 300 mm) if the detailed modelling is assessed to be suitable, this will need to be evaluated on a case-by-case basis. Therefore, we recommend the developers work to the higher freeboard level to improve flood resilience to developments within the Broads area. Please signpost users to the [Flood risk assessment: Flood Zones 1, 2, 3 and 3b - GOV.UK](#) for the new freeboard allowances.

Furthermore, new guidance and information was released in September 2025 to support those creating FRAs. Developers can increase their chances of submitting a satisfactory FRA by completing the [Flood Risk Assessment Template](#) and following the guidance note. We also released a new Main River Consultation Area layer to help LPAs and applicants check if a proposal is within 20 metres of the bank top of a main river – a trigger for statutory consultation with the Environment Agency. We recommend considering the FRA template in appendix 7, either by incorporating it or by referencing it via hyperlinks to further information.

PUBDM52A: Proposals for residential extensions

We support the policy and generally find it to be sound. However, while point 2 includes a link to *Policy PUBDM49: Residential ancillary accommodation* and its additional flood

risk information, we recommend including the following paragraph in *PUBDM52A* to provide clarity:

In terms of flood risk, where extensions fall under householder development or small non-residential extensions (with a footprint of less than 250m²), applicants should refer to National Flood Risk Standing advice for guidance and recommendations on Flood Resilience measures. Where the extensions are greater than 250 m², the application may require a site-specific flood risk assessment. For further information, refer to [Flood risk assessments: applying for planning permission - GOV.UK](#).

Policy PUBDM24: excavated material

We support the policy and generally find it to be sound. We recommend including a paragraph, under 'reasoned justification', regarding Environmental Permitting Regulation 2016, as follows:

Applicants should be aware that in accordance with the Environmental Permitting Regulations 2010 there is a need to obtain an Environmental Permit from the Environment Agency for flood risk activities for work or structures in, under, over or within 16m from a main river and from any flood defence structure or culvert. The works may fall under one or more of the following categories: Exemption, Exclusion, Standard Rules Permit, Bespoke permit. Anyone carrying out these activities without a permit where one is required is breaking the law.

Groundwater and Contaminated Land

Policy PUBDM3: Pollution and Hazards in development and protecting environmental quality

We support the addition of Policy PUBDM3, which correctly states that proposals must not give rise to pollution and highlights there may be existing contamination. We welcome the emphasis on the importance of groundwater resources and protection of the underlying aquifer.

Point 6 states that development proposals should take into account the hydrological links to local watercourses and the associated potential for pollution. We would like to highlight that this could include the presence of shallow groundwater on site, which may or may not be hydraulically connected to surface watercourses. We therefore stress the importance of carrying out a site-specific risk assessment following the Land Contamination Risk Management (LCRM) guidance, which is referenced in the Reasoned Justification section below the policy.

PUBSP3: Soils

The section on Contaminated Land in Policy PUBSP3 states: 'Where development is proposed on land that could be contaminated, a site investigation will usually be required.' In order to be effective, we request that this wording is amended to read: 'When dealing with land which could be affected by contamination, follow the risk management framework provided in [Land Contamination Risk Management \(LCRM\)](#). This guidance describes the type of information required to establish any potentially unacceptable risks.'

Policy PUBSP3 should also reference Local Plan Policy PUBDM3 and include the

suggested wording: *'The responsibility for securing safe development on land affected by contamination rests with the developer and/or landowner.'*

As per our previous response, we welcome the reference to the Definition of Waste: Development Industry Code of Practice and the Waste Management page on gov.uk within Policy PUBSP3.

Policy PUBDM9: Surface water run-off

We are pleased that Policy PUBDM9 includes an order of priority for infiltration whereby the Environment Agency would not normally support the use of deep bore soakaway systems, as these can present an unacceptable risk to the groundwater environment. We welcome the specific mention of acceptable depth and minimum 1.2m clearance beneath the base of infiltration SuDS. We also support relevant guidance including the National standards for SuDS on gov.uk.

Similarly, we are pleased that the Reasoned Justification section makes it clear that not all techniques will be appropriate for all sites. However, we consider that this could be enhanced by amending the wording of policy point 4 d) (*'any captured water should be filtered from pollutants to help avoid contamination'*) to state *'systems must not result in pollution of groundwater and shall incorporate appropriate pollution prevention appropriate to the environmental sensitivity.'*

Policy PUBDM10 Open space on land, play space, sports fields and allotments

In line with our previous suggestion, the Reasoned Justification section of Policy PUBDM10 states that Bure Park and the marshes adjacent to Broadland Rugby Club are underlain by historic landfills and this may require consideration for land contamination. We support this addition. For effectiveness this should include reference to Local Plan Policy PUBDM3 and [contaminated land](#) pages on gov.uk.

We also support the reference to relevant Environment Agency guidance in the section detailing the requirements for cemetery space provision.

Policy PUBDM21: Renewable and low carbon energy

The Local Plan discusses local battery storage in the context of Policy PUBDM21: Renewable and low carbon energy. If Battery Energy Storage Systems (BESS) are developed, there is potential for pollution of the water environment in the case of emergency situations, in particular fires. This would be exacerbated if in a vulnerable groundwater location. Highly polluting chemicals in batteries could enter surface waterbodies in firewater or rainfall via surface water run off should battery containers become exposed in the event of a fire. Applicants should assess risks to groundwater and ensure mitigation is in place for containment of this water.

To mitigate the risks to groundwater and surface water, as well as proposing appropriate measures to manage activities, applicants should consider whether BESS battery containers should be located away from vulnerable receptors. Applicants are encouraged to engage with Local Fire & Rescue Services to ensure issues of siting and location of BESS are dealt with before applications are made. Applicants should also refer to guidance published by The Department for Energy Security and Net Zero: [Health and safety in grid scale electrical energy storage systems](#).

PUBDM53: Source of heating

Through various policies of the Local Plan including Policy PUBDM53: Source of heating, there may be an increased number of ground source heat pumps. The Environment Agency regulates ground source heating and cooling systems. The system may require an abstraction licence and an environmental permit, or exemptions may apply. Developers should engage with Environment Agency at an early stage. Groundwater amendments to the Environmental Permitting Regulations classified heat as a pollutant for groundwater activities. Ground source heat pumps change the temperature in the ground and the water environment which could have impacts on the water quality or aquatic ecology. There are additional environmental risks to consider such as the impact of drilling during installation or potential leakage of fluid. Risks need to be appropriately assessed and mitigated.

We recommend the following guidance be referenced: [Closed loop ground source heating and cooling systems](#) including [exemption conditions](#) and [Open loop heat pump systems](#) on gov.uk.

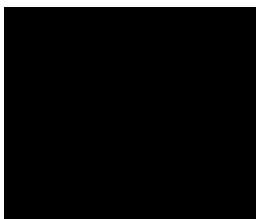
Waste

We have reviewed the Plan and are pleased with its focus on the reuse and recycling of materials, the circular economy, and requiring developments to demonstrate sustainable waste management during and after construction.

However, where demolition and waste removal is found to be justified, it should be stated that the waste must be treated at a suitably permitted site. For example, this could be noted in Policy PUBDM2: Embodied Carbon, Policy PUBDM13: Heritage Assets, and Policy PUBDM50: Replacement dwellings.

We trust this advice is useful.

Yours sincerely



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Planning Officer

