

Broads Local Plan - Examination Stage

Hearing Statement in respect of Policy PUBDM36 New residential moorings (page 110)

1. Strand a) of this policy requires development for residential moorings to be within or adjacent to a development boundary.
 - 1.1. The purpose of development boundaries is defined in policy PUBDM34 (page 106) as:

“... to consolidate development around existing built-up communities where there is a clearly defined settlement and where further development, if properly designed and constructed, would not be incongruous or intrusive because of the size of the settlement. Development Boundaries have the twin objectives of focusing the majority of development towards existing settlements while also protecting the surrounding countryside.”
 - 1.2. As a consequence, development boundaries do not usually include areas which are immediately adjacent to water. The proposed Local Plan identifies just 4 development boundaries, and only fractional parts of these encompass - or are adjacent to - rivers, dykes or broads. The number of development boundaries in adjoining local authority areas which are adjacent to the waters of the Broads is also likely to be vanishingly small, for the same reasons.
 - 1.3. The Broads Authority has therefore found it necessary to build a series of exceptions and site specific policies into the Local Plan to work around the fact that there is almost no site in the Broads which could comply with the policy as worded.
 - 1.4. None of the sites allocated for residential moorings in the local plan are compliant with the policy - as none lie within or adjacent to a development boundary - and the only currently authorised residential mooring site in the Broads also lies outside any development boundary. This fact alone made it necessary for the planning consent at this location* to be arbitrated by the Planning Inspectorate.
 - 1.5. Furthermore, there are no allocated sites in the obvious areas of major employment such as Great Yarmouth or Norwich, despite the river running through both.
 - 1.6. The Authority's response to the publication comments states that the allocated sites

“... were assessed against various criteria including access to services and facilities which is the main reason for designating development boundaries.”
 - 1.7. However, these criteria are also individually listed within new residential mooring policy PUBDM36; the fact that these criteria might **also** be considered when designating development boundaries is not relevant when deciding whether a location might be appropriate for residential moorings. Proximity to a physically built up settlement is not, in itself, an indicator of suitability for mooring vessels - whether residential or not. The critical factors for residential use of boats are access to services, facilities and utilities as enumerated in the remainder of the policy.

- 1.8. The Accommodation Needs Assessment for houseboats identifies an objectively assessed need for 63 residential moorings over the plan period, and at the date of the report there was just one actual residential mooring. The published Local Plan proposed 25 residential moorings across 4 sites, all of which fall outside development boundaries. A further 16 moorings on 2 sites have since been allocated, and both fall outside development boundaries. 10 residential moorings were recently approved at appeal*, on a site outside any development boundary. This gives up to 52 allocated or authorised residential moorings, none of which comply with policy PUBDM36.
- 1.9. Even assuming that every allocated site had a successfully implemented planning consent, there is still a shortfall compared to the ANA. However, since the Authority's own research suggests that there are as many as 100 households **already** living on boats "under the radar", it is clear that the needs assessment significantly underestimates the true demand, and a much more ambitious and aspirational policy is needed to fulfil the identified need.
- 1.10. Given that virtually no mooring site exists which is within or adjacent to a development boundary, and that all recently allocated or permitted sites are outside development boundaries, it is illogical for development boundaries to form part of the policy. Their inclusion creates an unnecessary obstacle to appropriate development, and limits residential mooring to those sites expressly designated under site specific policies elsewhere in the Local Plan - rendering policy PUBDM36 pointless. This is disappointing, having regard to the substantial unfulfilled demand for residential moorings which has been identified both by the ANA for houseboats, and the Authority itself.
- 1.11. There appears to be little point in approving a policy which is incapable of implementation due to its reliance upon a single element which rules out almost every possible site. If the policy is allowed to stand as is, then the Authority is leaving itself open to speculative applications on better served sites which will automatically end up being arbitrated by PINS, as they may fulfil all the objectives of the policy but still be non-compliant.

2. Conclusion

- 2.1. The policy is not positively prepared because it does not adequately address the substantial need for residential moorings as identified in the Accommodation Needs Assessment for houseboats and by the Authority's own research.
- 2.2. The policy is not justified because it does not provide an appropriate strategy when considered against reasonable alternatives (a reasonable alternative being to remove the requirement for a site to relate to a development boundary).
- 2.3. The policy is not effective because there is virtually no site anywhere in the Broads executive area which can conform to its requirements, and it may result in the refusal of applications which fulfil the policy objectives.

* Declaration of interest - please note that the author of this statement is a director of the business which owns the marina referred to, where 10 residential moorings were approved on appeal