

APPENDIX B

**Representations to Broads Second Site Specifics Pre-submission Publication (1st Nov to 13th Dec 2012)
with Broads Authority responses. Ordered by respondent.**

Broads Hire Boat Federation

General comment

I have scanned the DPD and will consult with the Broads Hire Boat Federation members on its proposals. I would draw your attention to para 1.2.13 which refers to '12,500 hire boats'. This must be an error which you would presumably wish to correct before too many read the document.

Broads Authority Comment: There is indeed an error. 12,500 is the total number of boats on the Broads (both hire and private) and was erroneously labelled 'hire boats' in error in the Pre-Submission Published version of the DPD. Has been included in the revised DPD.

Brundall Riverside Estate Association

General Comment

Graham Russell, James Fraser and Peter Fletton were pleased to meet with John Clements, on site in 2011, to view and discuss at length our perception of some local issues potentially restricting positive future development at Riverside Brundall. The purpose of this 'Plan', we were told, was to address local issues, building incrementally from existing adopted documentation, rather than taking a fresh look at each designated Broads area in the light of a rapidly changing economic climate. We note that these observations have been included, carefully considered and we gain the impression from reading the report that a more constructive relationship may result to replace the contentious nature of dealings that the report states to have existed since the 1950s.

Our response to the 'Plan' is therefore largely positive, and is based on our perception of previous documentation and subsequent observed interpretation and implementation. All of our observations are based on local knowledge, in some cases gathered over many years, and indeed generations, of working and living at Brundall Riverside. We add to these interpretations that which we can see by touring the Broads network, and in comparison with our local situation.

The Brundall Riverside area is covered by five separate sections – six, if we include The Yare public house – not all parts are current members of the Association, which adopts similar principles to all parts, whereas the 'Plan' addresses slightly different criteria to 'Chalets', 'Boatyards', 'Marina' and 'Mooring Plot'. We also note that we have not given 'flooding and flood risk', the emphasis that you may have sought or expected. In doing so we do not denigrate the great personal emotional and financial burden caused by actual flooding, or the threat of flood risk. Our approach may be related to many years (generations in some cases) of first hand and practical experience of this area, and an understanding that 'flooding', with attendant damage to property, life and environment, comes with largely separate causes; eg. Large area of poorly drained high ground funnelling into one small valley (Boscastle); inappropriate development on ancient flood meadows (Northampton); retaining wall breaches of large storage capacity (Derbyshire).

You have explained in the early section of the report (2.2.3, 2.2.4): 'periodic flooding would occur, but was probably generally more acceptable than now.' Also (2.2.1) ...'opportunities taken to reduce existing flood risk.' - and 'flooding in the Broads is common...This does lead to a widespread acceptance of flooding, and a belief amongst some that national flood risk policy is not well attuned to the situation in the Broads.'

This 'blanket' approach has had a disastrous effect on availability of property insurance, which is not supported by actual statistics. As you well know the main causes of 'flooding' at Brundall are the occasional exceptionally high tide, aggravated by an East Coast tidal surge, which ebbs with the normal tidal cycle. It comes up, and goes down again – annoying perhaps, but an expected and accepted feature of tidal riverbank living.

We therefore query the apparently accepted definition of 'flooding' used in this document, which assumes the type of unexpected inundations experienced by so many unfortunates across Britain this year (2012) in particular. The causes of which appear to have been repeated bands of torrential rain, poorly maintained watercourses, too much hard surfacing and the slow filtering of water into the lower aquifers, and even worse, the failure of expensive systems that were expected to prevent local flooding. (Will the EA call this 'the wrong type of rain', in true British Rail fashion?) If we were permitted by the EA to raise our plots at Brundall (and elsewhere in the Broads area), in line with their current raising of banks to 'protect' agricultural land, any impact would be minimal. And if a surge barrier, similar to that at Wivenhoe on the river Colne, were installed at Yarmouth, then the area would be mainly 'flood-free' (provided there was some-one available outside 'normal' working hours, to operate it!).

We also welcome the acknowledgement of the importance of the groups of riverside buildings around the Broadland area, moving away from the oft stated official intention to have all riverside chalets and buildings removed – 'Removal of these (riverside buildings, chalets, etc) is neither feasible....nor desirable, because of their importance to the enjoyment of the Broads.' We also note the firmly stated policy to exclude any new development and change/extension of use, and support the other restrictions, whilst noting that in other specific Broads sites the potential for re-use of previously developed land is identified. The potential to modernise existing properties, and to extend within carefully defined limits is necessary to maintain economic viability and to present an attractive and varied environment to river travellers, with something different round the next bend.

The boatyards and Marina form a major part of the economic health of Brundall, and the stated retention, development and diversification to maintain financial viability will be welcomed. An interesting inclusion is the acceptance of economic pressures that have seen an uncontrolled increase in the number of live-aboards, and to add measures to address complaints about pollution, location and intrusion, by encouraging the provision of facilities at the edges of development areas and in some marinas. The excellent transport links at Brundall Riverside and Brundall Gardens, by train and bus, promote this area - provided appropriate facilities are approved and installed.

One of the main objectives of the Association is the enhancement of common areas, so we welcome and support emphasis on retention, replacement and new planting of trees and nectar-rich species that enhance our environment. We also make efforts to control and eradicate non-native species.

The Association looks forward to a more positive and constructive dialogue, and will be pleased to assist the Broads Authority with any monitoring indicators, including site visits and discussions, that will realise positive aspects of the 'Plan', and also help our understanding of the balance of priorities and specific interpretations within our area.

Broads Authority Comment:

The Authority appreciates the Association's welcome of the positive and responsive content of the policies and text; the support for boatyards and marinas; measures to address the pressure for residential moorings; emphasis on maintenance of tress and other planting. The Authority welcomes and reciprocates the wish to continue to develop a positive dialogue about the development of the area, and appreciates the Association's offer of assistance with the monitoring of policies.

The Association's views on flood risk are understood, although the Authority would not agree the factors and solutions are quite as simple as portrayed by the Association. Crucially, however, the Authority is obliged to apply national flood risk policy to the area, and this will not allow the degree of flexibility for new development that the Association would like to see. The Authority believes the proposed policy provides the basis for continuing maintenance and upgrading of the area within that constraint, and the Association will have a role in helping to judge this in the future.

Brundall Riverside Estate Association

PP/BRU1 Brundall Riverside - Riverside chalets and mooring plots

We also welcome the acknowledgement of the importance of the groups of riverside buildings around the Broadland area, moving away from the oft stated official intention to have all riverside chalets and buildings removed – 'Removal of these (riverside buildings, chalets, etc) is neither feasible....nor desirable, because of their importance to the enjoyment of the Broads.' We also note the firmly stated policy to exclude any new development and change/extension of use, and support the other restrictions, whilst noting that in other specific Broads sites the potential for re-use of previously developed land is identified. The potential to modernise existing properties, and to extend within carefully defined limits is necessary to maintain economic viability and to present an attractive and varied environment to river travellers, with something different round the next bend.

One of the main objectives of the Association is the enhancement of common areas, so we welcome and support emphasis on retention, replacement and new planting of trees and nectar-rich species that enhance our environment. We also make efforts to control and eradicate non-native species.

Broads Authority Comment:

The Association's support for the policy is welcomed.

Brundall Riverside Estate Association

PP/BRU2 Brundall Riverside - Riverside Estate Boatyards, etc., including land adjacent to railway line

The boatyards and Marina form a major part of the economic health of Brundall, and the stated retention, development and diversification to maintain financial viability will be welcomed.

One of the main objectives of the Association is the enhancement of common areas, so we welcome and support emphasis on retention, replacement and new planting of trees and nectar-rich species that enhance our environment. We also make efforts to control and eradicate non-native species.

Broads Authority Comment:

The Association's support for the Policy is welcomed.

Brundall Riverside Estate Association

PP/BRU3 Brundall Riverside - Mooring plots

The boatyards and Marina form a major part of the economic health of Brundall, and the stated retention, development and diversification to maintain financial viability will be welcomed.

One of the main objectives of the Association is the enhancement of common areas, so we welcome and support emphasis on retention, replacement and new planting of trees and nectar-rich species that enhance our environment. We also make efforts to control and eradicate non-native species.

Broads Authority Comment:

The Association's support for the Policy is welcomed.

Brundall Riverside Estate Association

PP/BRU4 Brundall Riverside - Brundall Marina

The boatyards and Marina form a major part of the economic health of Brundall, and the stated retention, development and diversification to maintain financial viability will be welcomed. An interesting inclusion is the acceptance of economic pressures that have seen an uncontrolled increase in the number of live-aboards, and to add measures to address complaints about pollution, location and intrusion, by encouraging the provision of facilities at the edges of development areas and in some marinas. The excellent transport links at Brundall Riverside and Brundall Gardens, by train and bus, promote this area - provided appropriate facilities are approved and installed.

One of the main objectives of the Association is the enhancement of common areas, so we welcome and support emphasis on retention, replacement and new planting of trees and nectar-rich species that enhance our environment. We also make efforts to control and eradicate non-native species.

Broads Authority Comment:

The Association's support for the Policy, and highlighting of the accessibility of the area, are welcomed.

Caswell, Mr H

PP/HOV Hoveton and Wroxham

Map 8 is labelled wrongly just Hoveton whereas it should be headed Inset Map 8 Hoveton and Wroxham.

Broads Authority Comment:

Wroxham was inadvertently omitted from the heading of Inset Map 8. This will be corrected in the next version of the map.

Caswell, Mr H

PP/HOV1 Hoveton and Wroxham - Development Boundary

I note on page 58 of Part 1 (re Wroxham) that the boatyards on the east side of the A1151 main road are included in the development area but for some reason the boatyard on the west side of the road is excluded. This (west side) boatyard is screened from the road by a close boarded fence and is a particularly ugly element along this approach to the river bridge and centre. If it were included in the development area it could allow for some development which could prove a major visual improvement to this ugly stretch of fence. It is no more prone to flooding than the boatyards opposite so that is no reason for its exclusion I suggest. You comment that there is very little undeveloped land near the centre so this land should be included so that development that addresses flooding issues could take place and a nice view of the boatyard or towards the main river be opened up.

Broads Authority Comment:

There are arguments for and against. As this proposal has not been suggested or consulted on before, nor included in the sustainability appraisal, extending the development boundary at this stage would require further work and delay to the Proposed DPD. The already adopted Development Management Policies already permit a wide range of development (leisure, boatyard, etc.) in such a location (subject to various criteria). Housing would not be permitted by these policies, but would in any case be precluded by the high flood risk zoning of the area. In these circumstances the Authority does not consider that the addition of the area is warranted at this stage.

Clarke, Mr J

PP/TSA2 Thorpe Island

My concern is that the revised policy appears generally more in favour of controlled development, however, following the recent Public Inquiry, the Planning Inspector's conclusions were still very restrictive. I believe stringent safeguards need to be maintained to tightly control activity in this sensitive location.

Broads Authority Comment:

TSA2 has now been removed from the Sites Specifics DPD. TSA2, as set out in the 1997 Local Plan has been saved.

Crown Point Estate (via agent La Ronde Wright)

PP/WHI1 Whitlingham, Trowse & Kirby Bedon

On behalf of the Crown Point Estate whose office is at Hill Farm, Kirby Bedon, Norwich, NR14 7DU, we confirm our support for the principles of the proposed policy for Whitlingham, Trowse, and Kirby Bedon. However, we would propose that the policy is altered to encourage support for tourism related uses compatible with the existing uses at the Whitlingham Country Park.

A viability report undertaken by GVA on behalf of the Estate earlier this year has confirmed the following uses as viable in this location in the current market:

- a hostel
- camping (and glamping)
- lodges and
- tree houses

In response to this the Estate intends to work to develop appropriate scheme proposals that respond to existing need for growth and regeneration of the wider area.

We would also propose that the policy supports the growth and limited expansion of existing facilities to ensure that they remain viable.

Broads Authority Comment:

The Estate's support for the principles of the Policy is welcomed.

Consideration was given to the Estate's suggestions of a wider area and range of potential developments at each stage of developing the Site Specific Policies. While the Authority has no objection in principle to some additional development (and indeed, as part of the Whitlingham Charitable Trust, recognises the need for additional public conveniences etc. here, for instance), there are a range of constraints to substantial additional development in the vicinity. The Estate has published a wide variety of major development proposals for consultation. The Authority welcomes the Estate's endeavours to garner local support and explore views and options. However, no clear picture has yet emerged of either the Estate's preferred proposals, nor how these could be accommodated within the constraints of the area. In the absence of clear proposals to assess, the Authority has not considered it appropriate to identify and promote a specific area or type of development.

In the event that firm proposals come forward, these can be assessed in relation to the Core Strategy and Development Management Policies, and the National Planning Policy Framework.

Environment Agency

PP/ACL1 Acle - Acle Cemetery Extension

This site is proposed to be allocated for a cemetery extension. The site is located on Principle Aquifer, so we are glad to see the requirement for a groundwater risk assessment within the policy wording.

Constraints and Features:

Within this section you refer to “EA zone 1”. Please note that the flood zones are defined by Table 1 of the Technical Guidance to the National Planning Policy Framework, we then map those extents. We would therefore prefer if this wording was amended and that the term “Flood Zone 1” is used – this can be explained as the lowest risk flood zone.

Monitoring Indicators:

We would like to see a monitoring indicator related to groundwater quality included in this section. Ensuring that there is no deterioration in groundwater quality is an important requirement under the Water Framework Directive which applies to groundwater bodies as well as surface water bodies.

Broads Authority Comment:

The Authority notes the EA’s welcome of a requirement for a groundwater risk assessment. The Authority is mindful of the importance of groundwater quality protection. However, in advance of such an assessment, it is not clear whether groundwater monitoring for the extension of an existing cemetery would be justified, nor how this would best be achieved.

The Authority proposes that the issue would most appropriately be addressed by an elaboration of the groundwater protection risk assessment to explicitly address any need for specific monitoring, and for reference to this to be added to the policy’s monitoring indicators. This amendment has been made.

The reference to the EA in relation to the flood zoning is to identify the source of the map data and we have clarified this. Note that the Authority’s Strategic Flood Risk Assessment mapping of the same levels of risk varies in detail from the EA mapping. Where site flood risk assessments have been undertaken (usually in relation to planning applications) these often suggest a different extent to both the EA and SFRA mapping. This highlights the existence of uncertainty, different methodologies, and changing availability of data, in determining the extent of the defined flood risk zones. Therefore both the SFRA and EA mapping of these zones was originally referred to in the written justification, and the data source identified. The EA mapping was updated shortly before publication, tallied more closely with the SFRA mapping, and is generally considered more up to date. As a result references to the SFRA were generally removed except where this highlights a continuing degree of uncertainty or the extent of flood risk is particularly critical to the particular policy.

Environment Agency

PP/BRU1 Brundall Riverside - Riverside chalets and mooring plots

We welcome the fact that our previous representations have been taken into account in the formulation of this policy.

Broads Authority Comment:

Noted.

Environment Agency

PP/BRU2 Brundall Riverside - Riverside Estate Boatyards, etc., including land adjacent to railway line

We welcome the fact that the avoidance of water pollution is included within the policy wording.

Monitoring Indicators:

We would like to see a monitoring indicator related to water quality included in this section. Ensuring that there is no deterioration in water quality is an important requirement under the Water Framework Directive which applies to all surface water bodies and groundwater bodies.

Broads Authority Comment:

Comments noted. This issue regarding monitoring water quality will be discussed with the EA as part of the Duty to Cooperate process. A separate note may be produced on this point as a result of those meetings.

Environment Agency

PP/BRU3 Brundall Riverside - Mooring Plots

We support this policy.

Broads Authority Comment:

EA's support noted.

Environment Agency

PP/BRU4 Brundall Riverside - Brundall Marina

It should be ensured that any buildings etc that are allowed under this policy have uses that can be defined as "water compatible" given that the whole of the site lies within Flood Zone 3b. This should be explicit within the policy.

We welcome the fact that surface water management and water quality are also highlighted in this proposed policy.

Broads Authority Comment:

The policy explicitly states that full regard will be given to flood risk in assessing any development proposals. It is not considered necessary to repeat existing policies which will continue to apply additionally. (Even if it were, stating only 'water compatible' development allowed would be an over-simplification of national policy.)

The EA's welcome of the highlighting of surface water and water quality is noted.

Environment Agency

PP/BRU5 Brundall Riverside - Land east of the Yare public house

We support this policy.

Broads Authority Comment:

Support Noted.

Environment Agency

PP/CAN1 Cantley - Cantley Sugar Factory

We welcome the fact that our previous representations have been taken into account in the formulation of this policy.

Monitoring Indicators:

We would like to see a monitoring indicator related to water quality included in this section. Ensuring that there is no deterioration in water quality is an important requirement under the Water Framework Directive which applies to all surface water bodies and groundwater bodies.

Broads Authority Comment:

Welcome of incorporation of previous suggestions noted.

Comments noted. This issue regarding monitoring water quality will be discussed with the EA as part of the Duty to Cooperate process. A separate note may be produced on this point as a result if those meetings.

Environment Agency

PP/DIL1 Dilham - Dilham Marina (Tyler's Cut Moorings)

We support this policy.

Broads Authority Comment:

EA's support noted.

Environment Agency

PP/DIT1 Ditchingham Dam - Ditchingham Maltings

We are pleased to see that the requirements for the remediation of land contamination and pollution prevention measures are identified within the policy wording. It should be noted that, due to the site being located within a Source Protection Zone, that pollution to the groundwater will also need to be avoided/managed.

Any proposals to extract the sand and gravel deposits should consider the impacts on the groundwater and provide a Hydrological Risk Assessment where appropriate.

Monitoring Indicators:

We would like to see a monitoring indicator related to water quality included in this section. Ensuring that there is no deterioration in water quality is an important requirement under the Water Framework Directive which applies to all surface water bodies and groundwater bodies. This is also important given that the site lies within a Source Protection Zone.

We would also like to see a monitoring indicator related to groundwater resource protection.

Broads Authority Comment:

Acknowledgement of addressing of previous comments noted. Comments noted. This issue regarding monitoring water quality will be discussed with the EA as part of the Duty to Cooperate process. A separate note may be produced on this point as a result if those meetings.

Environment Agency

PP/DIT2 Ditchingham Dam - Maltings Meadow Sports Ground, Ditchingham

We welcome the fact that our previous representations have been taken into account in the formulation of this policy.

Broads Authority Comment:

Welcome of incorporation of previous suggestions noted.

Environment Agency

PP/GTY1 Great Yarmouth - Marina Quays (Port of Yarmouth Marina)

We support this policy.

Broads Authority Comment:

EA's support for this policy noted.

Environment Agency

PP/HOR1 Horning - Development Boundary

While we welcome the fact that this proposed policy would tighten the development boundary within Horning, we do have concerns that setting a development boundary could promote some growth within this area. There are currently problems with the capacity of the sewage treatment works that serves Horning and this could constrain new developments proposed within this boundary. Please note that additional units joining the mains foul drainage network ahead of infrastructure works could cause harm to nearby designated sites. This issue has not been captured by your draft Habitats Regulations Assessment.

This issue is currently causing us to object to the planning application supporting the adopted North Norfolk District Council allocation nearby. While we understand that in practice further development in this area is unlikely, at this time no additional units can be accommodated at the sewage treatment works so we would ask that the policy includes a precautionary approach.

For any areas within this proposed development boundary that are not served by the mains foul sewer, we would also not like to see the intensification of non-mains foul drainage solutions. This is because of the sensitivity of the receiving water environment and potential impacts on nearby designated sites.

In light of the above, we currently consider this policy to be unsound because it is not justified or effective. With regard to the supporting Sustainability Appraisal Report we note that this policy is recorded as having a neutral effect on Sustainability Appraisal Objective 3: "To improve water quality". We are of the opinion that, as the policy is currently worded, this should be recorded as a negative effect.

We consider that some additional wording within the policy could address these issues. We would recommend that the policy contains a statement that new development will not be considered ahead of essential sewerage infrastructure works and demonstration that there is sufficient capacity at the sewage treatment works to serve the proposed development without harming nearby designated sites.

Broads Authority Comment:

Amended wording added to DPD.

Comments noted. This issue regarding monitoring water quality will be discussed with the EA as part of the Duty to Cooperate process. A separate note may be produced on this point as a result of those meetings.

The comment regarding the HRA will be addressed as part of the HRA of the second publication.

Environment Agency

PP/HOR2 Horning - Car parking

We note that this policy could allow for this site to be used for something other than car parking. If any of these uses involved the need for foul drainage, they should not be considered ahead of essential sewerage infrastructure works. The reasons for this are set out in our representation to PP/HOR1 and we therefore consider this policy to be unsound because it is not justified or effective. We would again suggest a minor amendment to the policy, similar to that requested for PP/HOR1 to acknowledge this constraint.

With regard to the supporting Sustainability Appraisal Report we note that this policy is recorded as having a neutral effect on Sustainability Appraisal Objective 3: "To improve water quality". We are of the opinion that, as the policy is currently worded, there could be a potential negative impact, depending on the types of change of use that would be considered acceptable.

We support the fact that you have highlighted that any future change of use applications will need to be supported by a Flood Risk Assessment in accordance with our previous comments.

It should be noted that any works proposed to take place within 9 metres of the main River Bure will require an appropriate consent from the Environment Agency.

Broads Authority Comment:

No use other than car parking is proposed by the policy. In the event that alternative development compliant with the policy came forward, this would be considered in the light of the existing suite of Core Strategy, Development Management and NPPF policies, including all those on foul drainage, water quality etc.. It is not considered necessary or desirable to include all these within the policy.

None of the site is within 9 metres of the River Bure, and therefore a note regarding consent from the EA would be redundant.

Environment Agency

PP/HOR3 Horning - Open Space

We support this policy.

It should however be noted that any works proposed to take place within 9 metres of the main River Bure will require an appropriate consent from the Environment Agency.

Broads Authority Comment:

EA's support for the Policy is noted. The addition of a note regarding the potential need for EA consent for works adjacent made to DPD.

Environment Agency

PP/HOR4 Horning - Waterside plots

This area of Horning does not appear to be served by mains foul drainage, this means that all dwellings are served by private non-mains systems. Any maintenance, upgrading or replacement of the waterside plots therefore represents an opportunity for upgraded private treatment systems that could help in improving water quality within the receiving environment. This would help in achieving Habitats Directive and Water Framework Directive requirements and would be in line with the principles set out in the National Planning Policy Framework.

We note from the associated Sustainability Appraisal Report that this site is recorded as having a neutral effect on Sustainability Appraisal Objective 3: "To improve water quality". We are of the opinion that this policy, with the inclusion of a slight amendment could instead record a positive effect on this objective.

We would therefore suggest an amendment to the wording of this policy to include a requirement to upgrade old private foul drainage systems wherever possible. This could be inserted into the second paragraph of the policy.

It should be noted that any works proposed to take place within 9 metres of the main River Bure will require an appropriate consent from the Environment Agency. This must be considered when planting new trees within this area as they could obstruct our access to the river to carry out any maintenance works.

Broads Authority Comment:

A minor change to incorporate within the Policy wording to address the issue of upgrading foul drainage is made as is a note within the written justification referencing the need for EA consent for works close to the River Bure.

Environment Agency

PP/HOR5 Horning - Horning Sailing Club

We support this policy and welcome the fact that it restricts dwellings and holiday accommodation in this area.

It should be noted that any works proposed to take place within 9 metres of the main River Bure will require an appropriate consent from the Environment Agency.

Broads Authority Comment:

EA's support for the Policy noted. Note in written justification of potential need for EA consent in proximity of the River Bure is added.

Environment Agency

PP/HOR6 Horning - Crabbett's Marsh

We support this policy and welcome the restriction of built development in this location.

Broads Authority Comment:

EA's support for this Policy noted.

Environment Agency

PP/HOR7 Horning - Boatyards, etc., at Ferry Rd. & Ferry View Rd.

We welcome the fact that flood risk and water quality are highlighted in this policy.

It should be noted that any works proposed to take place within 9 metres of the main River Bure will require an appropriate consent from the Environment Agency. This must be considered when new planting is being planned within this area as they could obstruct our access to the river to carry out any maintenance works.

Monitoring Indicators:

We would like to see a monitoring indicator related to water quality included in this section. Ensuring that there is no deterioration in water quality is an important requirement under the Water Framework Directive which applies to all surface water bodies and groundwater bodies.

Broads Authority Comment:

EA's welcome of references to flood risk and water quality noted.

A minor change to incorporate a note within the written justification referencing the need for EA consent for works close to the River Bure is included.

Comments noted. This issue regarding monitoring water quality will be discussed with the EA as part of the Duty to Cooperate process. A separate note may be produced on this point as a result of those meetings.

Environment Agency

PP/HOR8 Horning - Woodbastwick Fen moorings

We support the approach taken in this policy.

Broads Authority Comment:

EA's support for policy approach noted.

Environment Agency

PP/HOV1 Hoveton & Wroxham - Development Boundary

We support this policy and the mention of flood risk within it; however we note that our previous comments have not been incorporated. We previously advised you that some areas within the development boundary are at risk from frequent flooding. We therefore advised that you might wish to stipulate the types of acceptable development within the boundary and consider safety requirements in greater detail.

Monitoring Indicators:

We note that there is no flood risk indicator included. Given the fact that the majority of the area is at risk of flooding and our previous comments have not been incorporated, you should consider including an appropriate indicator to ensure that the policy does not result in inappropriate development or an increase in flood risk. This would make the policy compliant with the requirements of the NPPF.

Broads Authority Comment:

The area includes a wide variety of types of existing (and potential) development, and range of levels of flood risk. Development within the area will be subject to the existing suite of Core Strategy, DM and NPPF policies. It is not considered necessary to repeat all of those with this policy, nor to stipulate acceptable development types. However, to meet the EA's concern additional reference to flood risk an additional monitoring indicator is included.

Environment Agency

PP/HOV2 Hoveton & Wroxham - Open Space

We support this policy.

Broads Authority Comment:

EA's support for this Policy noted.

Environment Agency

PP/HOV3 Hoveton & Wroxham - Station Road car park

We note that our previous comments have not been included in this policy. We previously indicated to you that, should uses other than a car park be proposed (as stated in the planning summary) that flood risk should be fully considered as this site will be subject to flooding when allowances for climate change are made.

Broads Authority Comment:

The Policy does not propose any use other than car parking. It is not therefore considered necessary to include considerations regarding all potential alternative uses. Any proposals for alternative uses (assuming compliance with the policy) would be judged against the existing suite of CS, DM and NPPF policies, which include flood risk.

Environment Agency

PP/HOV4 Hoveton & Wroxham - Village Retail Core

We once again note that our previous comments relating to flood risk have not been included in this policy. However, Policy CS20 of your adopted Core Strategy should apply in this situation - but this has not been referred to in this policy (although the need to comply with local and national flood risk policy is specifically mentioned in other proposed policies).

Broads Authority Comment:

The Authority does not consider that flood risk (or other issues covered by existing policies) generally needs to be mentioned in every policy, particularly as almost every site in the Broads is affected. In this case the whole of the area is within the Hoveton development boundary, the policy for which (PP/HOV1) already mentions flood risk, as well as being covered by the existing Core Strategy, Development Management and NPPF policies on flood risk.

Environment Agency

PP/NOR1 Norwich - Utilities Site

We generally support this policy approach and welcome the fact that flood risk, land contamination and water quality are highlighted. We feel that part h of the proposed policy could also have referred to water efficiency. This would have ensured a positive effect on Sustainability Appraisal Objective 2.

Monitoring Indicators:

We would like to see a monitoring indicator related to water quality included in this section. Ensuring that there is no deterioration in water quality is an important requirement under the Water Framework Directive which applies to all surface water bodies and groundwater bodies. This is also important given that the site lies within a Source Protection Zone.

Broads Authority Comment:

General support for the Policy approach and reference to flood risk noted.

Additional reference to water efficiency is considered appropriate given the potential scale of development on this site (and the related adjacent sites outside the Broads) and the importance of water levels and flows downstream in the Broads. This has been added.

Environment Agency

PP/NOR2 Norwich - Riverside walk

We support this policy.

Broads Authority Comment:

EA's support for this Policy noted.

Environment Agency

PP/ORM1 Ormesby St. Michael - Ormesby waterworks

We note that our previous comments relating to flood risk have not been included in this policy. However, Policy CS20 of your adopted Core Strategy should apply in this situation - but this has not been referred to in this policy (although the need to comply with local and national flood risk policy is specifically mentioned in other proposed policies).

Broads Authority Comment:

It is not considered necessary to repeat every other relevant policy within this one. Development here would in any case also be subject to Policy CS20, as the EA have observed, and also DM29 and the NPPF.

Environment Agency**PP/OUL1 Oulton Broad - Development Boundary**

No specific mention of flood risk has been made in this proposed policy. There is a possibility that some areas within the development boundary could fall into Flood Zone 3b which would restrict the types of development that can be considered. You might however feel that Policy CS20 of your adopted Core Strategy addresses this issue - but this has not been referred to in this policy (although the need to comply with local and national flood risk policy is specifically mentioned in other proposed policies).

Monitoring Indicators:

We note that there is no flood risk indicator included. Given the fact parts of this area are at risk of flooding and could fall within Flood Zone 3b, you should consider including an appropriate indicator.

Broads Authority Comment:

The Authority does not consider that flood risk (or other issues covered by existing policies) generally needs to be mentioned in every policy, particularly as almost every site in the Broads is affected. However, this has been referred to in policies where it appears there is a particular risk, or relevance to the type of development either proposed by the policy or for which there appears to be pressure. Clearly this involves a degree of judgement, particularly at the margins. Sites in the Broads within or near the margins of higher (dependent on proposed use) flood risk zones are routinely required to provide a site flood risk assessment as part of the planning application process, and Broads and national policies on flood risk are applied. This is considered adequate in the local circumstances without additional reference in this policy, but is included in the supporting text.

Environment Agency**PP/OUL2 Oulton Broad - Boathouse Lane Leisure Plots**

We support the approach set out in this policy and welcome the fact that our previous comments have been considered.

Broads Authority Comment:

The EA's support for the Policy is noted.

Environment Agency**PP/OUL3 Oulton Broad - Former Pegasus/Hamptons Site**

We support the approach taken in this policy. Flood risk is a major constraint to development and this has been highlighted in the policy wording. We are also pleased to see that water quality and contaminated land have also been highlighted in the policy.

Monitoring Indicators:

We would like to see a monitoring indicator related to water quality included in this section. Ensuring that there is no deterioration in water quality is an important requirement under the Water Framework Directive which applies to all surface water bodies and groundwater bodies.

Broads Authority Comment:

The EA's support for the Policy approach is noted. This issue regarding monitoring water quality will be discussed with the EA as part of the Duty to Cooperate process. A separate note may be produced on this point as a result of those meetings.

Environment Agency

PP/POT1 Potter Heigham Bridge - Bridge Area

We note that, although flood risk is identified as a constraint within this area, this is not reflected within the policy wording. This is of particular importance given the presence of some Flood Zone 3b and the fact that holiday accommodation could be considered on the site of the former Bridge Hotel.

You might feel that Policy CS20 of your adopted Core Strategy might be sufficient to address this issue – but this has not been referred to in this policy (although the need to comply with local and national flood risk policy is specifically mentioned in other proposed policies).

Monitoring Indicators:

We note that there is no flood risk indicator included. Given the fact parts of this area are at risk of flooding and could fall within Flood Zone 3b, you should consider including an appropriate indicator.

Broads Authority Comment:

The Authority does not consider that flood risk (or other issues covered by existing policies) generally needs to be mentioned in every policy, particularly as almost every site in the Broads is affected. However, this has been referred to in policies where it appears there is a particular risk, or relevance to the type of development either proposed by the policy or for which there appears to be pressure. Clearly this involves a degree of judgement, particularly at the margins. Sites in the Broads within or near the margins of higher (dependent on proposed use) flood risk zones are routinely required to provide a site flood risk assessment as part of the planning application process, and Broads and national policies on flood risk are applied. While this is considered adequate in the local circumstances without additional reference in this policy, this is proposed to be included in the supporting text along with the addition of a monitoring indicator on flood risk.

Environment Agency

PP/POT2 Potter Heigham Bridge - Waterside plots

We support the approach you have taken in this policy, especially with regard to flood risk and restricting development.

Monitoring Indicators:

We note that you have included a flood risk monitoring indicator “increase in flood risk avoided?”, however we feel that a more positive indicator could be included such as “a reduction in flood risk achieved?”. This would better fit with Sustainability Appraisal Objective 4.

Broads Authority Comment:

The EA’s support for the Policy approach is noted.

An elaboration to the flood risk monitoring indicator is included.

Environment Agency

PP/POT3 Potter Heigham Bridge - Green Bank Zones

We support this policy

Broads Authority Comment:

The EA’s support for this policy is noted.

Environment Agency

PP/SOL1 St. Olaves - Riverside area moorings

We support this policy.

Broads Authority Comment:

The EA's support for this policy is noted.

Environment Agency

PP/SOL2 St. Olaves - Land adjacent to A143 Beccles Road and the New Cut (Former Queen's Head Public House)

We support this policy.

Broads Authority Comment:

The EA's support for this policy is noted.

Environment Agency

PP/STA1 Stalham Staithe - Land at Stalham Staithe (Richardson's Boatyard)

We support this policy and welcome the fact that water quality is highlighted as being important within the policy wording.

Monitoring Indicators:

We would like to see a monitoring indicator related to water quality included in this section. Ensuring that there is no deterioration in water quality is an important requirement under the Water Framework Directive which applies to all surface water bodies and groundwater bodies.

Broads Authority Comment:

The EA's support for this policy is noted. Comments noted. This issue regarding monitoring water quality will be discussed with the EA as part of the Duty to Cooperate process. A separate note may be produced on this point as a result of those meetings.

Environment Agency

PP/TSA1 Thorpe St. Andrew - Cary's Meadow

We support this policy

Broads Authority Comment:

The EA's support for this policy is noted.

Environment Agency

PP/TSA2 Thorpe St. Andrew - Thorpe Island

We support the approach taken in this policy. It clearly identifies flood risk as a constraint and seeks to promote reduction in flood risk wherever possible. We are also pleased to note that groundwater and river water quality are included in the policy.

Monitoring Indicators:

We note the inclusion of a flood risk indicator but we would also like to see an indicator related to water quality included in this section. Ensuring that there is no deterioration in water quality is an important requirement under the Water Framework Directive which applies to all surface water bodies and groundwater bodies. This is also important given that the site lies within a Source Protection Zone 1.

Broads Authority Comment:

TSA2 has now been removed from the Sites Specifics DPD. TSA2, as set out in the 1997 Local Plan has been saved.

Environment Agency

PP/TSA3 Thorpe St. Andrew - Griffin Lane - boatyards and industrial area

We support this policy.

Broads Authority Comment:

The EA's support for this policy is noted.

Environment Agency

PP/TSA4 Thorpe St. Andrew - Bungalow Lane - mooring plots and boatyards

We support the approach taken in this policy, particularly the restriction of vulnerable development types.

It should be noted that any works proposed to take place within 9 metres of the main River Yare will require an appropriate consent from the Environment Agency. This must be considered when new planting is being planned within this area as they could obstruct our access to the river to carry out any maintenance works.

Broads Authority Comment:

The EA's support for this policy is noted.

An additional note in the written justification of the potential need for EA consent in proximity of the River Bure is included.

Environment Agency

PP/TSA5 Thorpe St. Andrew - Development Boundary

We have no objection to the allocation of this development boundary.

Broads Authority Comment:

The lack of an objection from the EA is noted.

Environment Agency

PP/TSA6 Thorpe St. Andrew - River Green Open Space

We support this policy.

Broads Authority Comment:

The EA's support for this policy is noted.

Environment Agency

PP/WES1 West Somerton - Housing at Staite Road, West Somerton

We support the approach taken in this policy. We note that the development allowed by this policy will be dependent on non-mains foul drainage. We would advise that this is assessed in line with Circular 03/99 and the drainage hierarchy. Further information is available from our website.

Broads Authority Comment:

The EA's support for the approach of this policy is noted. An additional reference in the Policy to Circular 3/99 is included.

Environment Agency

PP/WHI1 Whitlingham, Trowse & Kirby Bedon

We support this policy.

Broads Authority Comment:

The EA's support for this policy is noted.

Environment Agency

PP/XNS1 Non-Settlement Based Policies - Trinity Broads

We support this policy.

Broads Authority Comment:

The EA's support for this policy is noted.

Environment Agency

PP/XNS2 Non-Settlement Based Policies - Upper Thurne

We support this policy.

Broads Authority Comment:

The EA's support for this policy is noted.

Environment Agency

PP/XNS3 Non-Settlement Based Policies – The Coast

We support this policy.

Broads Authority Comment:

The EA's support for this policy is noted.

Environment Agency

PP/XNS5 Non-Settlement Based Policies – Drainage Mills

We highlighted a number of issues with this policy during an earlier consultation period. These concerns have been included in the Planning Summary Assessment and the need for non-planning consents has been mentioned, but these requirements are not reflected in the policy text. We would wish to see these specific issues relating to the protection of water resources (including flows), and the protection of fish populations included in the policy wording.

Without these changes to the policy wording, we would consider this policy to be unsound because it is not effective or consistent with national policy.

Monitoring Indicators:

Given our comments above, and those provided previously, we would like to see a monitoring indicator related to protecting water resources included in this section. We would also like to see a monitoring indicator related to protecting fish populations.

Broads Authority Comment:

The Policy relates to a future strategy to conserve a total of around 80 mills with standing remains in locations scattered around the Broads. These remains range from ruins to restored mills, and include some long established residential conversions. The range of sites, and likely types of potential development varies markedly. It is not considered either necessary or desirable to include all potential considerations within this policy. All development proposals arising from this policy and the future

Drainage Mills Strategy would additionally be assessed against the existing suite of CS, DM and NPPF. These include, for instance, Core Strategy Policies CS1 & CS7, and Development Management Policy DP1 & DP3.

Environment Agency

PP/XNS6 Non-Settlement Based Policies – Waterside Pubs

Our previous comments do not seem to have been captured in this policy. We previously suggested that opportunities to improve resilience to flood risk are included in this policy. We also requested that opportunities to upgrade/improve the foul drainage arrangements are included – this was due to the seasonality, proximity to the watercourse and the nature of the effluent which can pose a significant local risk to the water environment. Ensuring that there is no deterioration in water quality is an important requirement under the Water Framework Directive which applies to all surface water bodies and groundwater bodies.

We would like to see amendments to the suggested policy to reflect these requirements. This would be in line with the advice contained within the National Planning Policy Framework and would also promote positive effects against Sustainability Appraisal Objectives 3 and 4 (currently recorded as neutral and negative respectively). Without these changes we consider this policy to be unsound because it is not justified or consistent with national policy.

Monitoring Indicators:

The following additional monitoring indicators should be included for this policy: “Reduction in flood risk achieved?” in order to deliver a positive effect against Sustainability Appraisal Objective 4; and “Improvements to foul drainage arrangements achieved?” to deliver a positive effect against Sustainability Appraisal Objective 3.

Broads Authority Comment:

Amendments to the Policy and the monitoring indicators have been made.

Fletton, Mr P

General comment Brundall

I have read through much of this lengthy and comprehensive document today, and find the overall tone to be more encouraging and potentially inclusive than earlier reports. I shall be forwarding a response on behalf of the Brundall Riverside Estate Association after consultation with my committee, but at this point wish to share my personal experiences, prompted by my reading of this document, that indicate why and how The Broads are such a special place for us.

(Comment summarised with permission of Mr Fletton to remove private details) The peace, quiet, moving water - the wildlife around us; the comfortable open scenery and wide sky; the dramatic sunsets across the river. For this, if nothing else, we happily strive to assist in any way to preserve and enhance this special environment.

Broads Authority Comment:

The comments are noted.

Great Yarmouth Borough Council

PP/GTY/1 Great Yarmouth - Newton - Marina Quays (Port of Yarmouth Marina)

The Council would encourage the reuse or enhancement of existing facilities where this is compatible with the flood risk to this site. Although this location is not inside the Great Yarmouth Waterfront Area Action

Plan area, the Council supports the regeneration of other waterfront areas of Great Yarmouth and as such would support appropriate redevelopment of the site.

Broads Authority Comment:

The Borough Council's support for the intentions of the Policy is welcomed.

Great Yarmouth Borough Council

PP/ORM1 Ormesby St. Michael - Ormesby waterworks

Due to the importance of Ormesby waterworks in supplying the public water supply for a large area around Great Yarmouth and its contribution to water quality within the Trinity Broads, the Council agrees with the proposals to protect the waterworks from development which will adversely affect its operation.

Broads Authority Comment:

The Borough Council's support for the Policy's intentions is noted.

Great Yarmouth Borough Council

PP/WES1 West Somerton - Housing at Staithe road, West Somerton

In Great Yarmouth Borough's draft Core Strategy Local Plan Document, West Somerton is classified as a 'tertiary' village. Settlements at this level will see up to 5% of housing development in the borough.

Paragraph 4.2.9 of the Great Yarmouth Borough Core Strategy states that "any growth should be proportionately limited in scale and well related to the existing built environment and infrastructure."

Therefore the Council supports the draft policy for the allocation of up to 3 houses on land at Staithe Road, providing it is of a suitable nature.

Broads Authority Comment:

The Borough Council's support for this Policy is noted.

Great Yarmouth Borough Council

General comment Stokesby

No comment.

Broads Authority Comment:

Noted.

Great Yarmouth Borough Council

General comment Thurne

No comment

Broads Authority Comment:

Noted.

Hales, Mr J

General

With regards to the DP25 'New Residential Moorings' often referred to within the document, no reference has been made to existing or established residential moorings. Within the document, it appears you have only identified 3 areas where you would consider applying the DP25. Whilst the DP25 goes some way in recognising people living aboard their boats has been a long standing tradition on the broads, the Authority hasn't done enough in making their intentions known to the vast number of existing people living aboard. Prior to any enforcement, it is hoped the Authority has secured alternative moorings to prevent continuous cruising, ultimately generating further complaints.

Broads Authority Comment:

Mr. Hales is mistaken in saying that the Authority has only identified three areas where it would consider applying residential moorings policy DP25. These three areas are additional to the areas within or adjacent to development boundaries already covered by DM Policy DP25. In three rounds of public consultation on the Site Specific Policies no other sites were put forward by anyone else for residential moorings, except representations from residential boat owners at Thorpe Island who wished to see existing residential boats there explicitly supported in the policy for the Island (while there were also nearby residential occupiers who were pressing the opposite argument on the Authority).

Hales, Mr J**PP/TSA2 Thorpe St. Andrew - Thorpe Island**

PP/TSA 2 - The proposed policy makes little distinction between the western and eastern end of the island, more so in the 'Planning Assessment Summary'. The bridge referred to serves the western end only. The same bridge is mentioned in the majority of published complaints/feedback (to the policy), highlighting objections to any development.

For many years, the Authority has been aware of a small community of people living aboard their boats at the eastern end of the island. This appears to have been omitted from the document, as has the mention of the positive letters received from local residents supporting the liveaboard community.

Access to the eastern end is primarily by boat. There is also established provision for dinghies to be moored at either end of the green. These areas are clearly marked by 'Dinghies Only' signs, if not to facilitate crossing to and from the island (eastern end), what are the purposes of these areas?. Having previously requested (under the freedom of information Act) details of all received complaints, NO such complaint about dinghies were listed. I therefore strongly object to the Authority suggesting otherwise without evidence.

Although I believe (for policy purposes) the island should be divided (between the eastern and western end), your proposed policy on the island is more restrictive than any other including those also within the Thorpe Conservation Area. Whilst I appreciate the complaints/feedback to the policy cannot be ignored, they relate to the western end only. I therefore cannot understand why a generic policy for the entire island is being adopted.

Broads Authority Comment:

TSA2 has now been removed from the Sites Specifics DPD. TSA2, as set out in the 1997 Local Plan has been saved.

Harrison, Sir M**PP/WES1 West Somerton**

This is just to say that I entirely support the proposed amendment to the above DPD relating to West Somerton. It seems to me to be a good example of localism at work.

Broads Authority Comment:

The support for the Policy is noted.

Horning Sailing Club**PP/HOR5 Horning -**

The Management Committee of Horning Sailing Club would be grateful if you would consider amending the wording to read 'Dwellings, holiday accommodation or business use will not be permitted.'

Broads Authority Comment:

The addition of the word 'business' to the list of proscribed uses has been amended in response to the Club's representations.

Ivy House Country Hotel (via agent Wheatman Planning Ltd.)**PP/OUL1 Oulton Broad - Development Boundary**

We are acting on behalf of Ivy House Country Hotel in respect of land located off Marsh Road, Oulton Broad and object to Policy PP/OUL 1 in respect of the omission of this land.

The earlier Draft Site Specific Policies (February 2012) included the land around Marsh Road, with areas of existing uses and also land within our clients ownership. The existing uses that had been included within the development boundary included Broadland Village Holiday Park and my clients' land with extant planning permission and certificates of established use at Broadview Caravan Park. This latter site was operation until the early 2000.

This situation is a retrograde step, ignoring the fact that this area was included in the 1997 Local Plan, to which Policy OB3 applied:

"Development which would lead to increased traffic movements on Marsh Road will not be permitted."

Policy PP/OUL 1 of the Site Specific Policies DPD should at least acknowledge both the existing development and the Broadview Caravan Park with extant planning permission. However, we consider the policy should include the additional land, as proposed in the February 2012 draft SSP DPD. There is no justification for excluding the area and ignoring the existing development and land for potential development. The report to Authority's Planning Committee on 21 September 2012 stated (Appendix 3) that this area was deleted "in light of consultation responses and further consideration". However, we do not consider there to be any support for the deletion on the basis of the responses received:

Environment Agency – Part of the area lies within high risk flood zone and any development would need to take account. Also, topographical surveys required to inform flood risk assessments of sites close to the high risk areas.

Noted and a basic requirement, this would not necessarily preclude development, particularly if the topographical survey and FRA identified the land as not being liable to flooding. Policy PP/OUL 1 acknowledges land is potentially at risk of flooding.

Suffolk Council Archaeological Service & Suffolk County Council – both identified the potential for encountering archaeological remains in the area and any planning permission should be subject to a condition requiring archaeological investigations and recording.

Noted and a basic requirement for any site with potential for archaeological assets. Policy PP/OUL 1 acknowledges this fact and includes the requirement.

Waveney District Council – concerned that the policy extended the development boundary significantly without justification.

The above responses from consultees do not offer justification for the exclusion of the existing development and extant permission from the development boundary. We also consider the deletion of the development boundary from the adjoining land to the west has no justification.

The SSP DPD acknowledges that Oulton Broad is a very sustainable location in respect of access to public transport, both rail and buses, and local services and facilities.

In 2007/2008 we demonstrated how this additional land could be utilised to accommodate holiday lodges, operated in conjunction with our clients hotel, in lieu of the static and touring caravans on the Broadview

Caravan Park for which the permissions are extant. This proposal would remove the accommodation provided in static and touring caravans from land located within the Flood Zone, to slightly higher ground outside the area liable to flood. Such a proposal would also offer the benefit of removing caravans (static and touring) from the edge of the Broad and provide a landscape improvement. While there would be no increase in peak season traffic using Marsh Road, an alternative access via Ivy Lane is available and under our clients' control. The proposed accommodation is of significantly higher standard and meet the aspirations of visitors and the Authority to provided an enhanced offer to tourists.

We therefore consider the SSP DPD is not “sound”, in that Policy PP/OUL 1 does not reflect the guidance of the National Planning Policy Framework, specifically paragraph 14 which states that:

“...a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decisiontaking.

“For plan-making this means:

- local planning authorities should positively seek opportunities to meet the development needs of their area.
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change”

The SSP DPD does not provide any evidence of assessment of the development needs of tourism businesses in Oulton Broad or the opportunities available in one of the most sustainable locations in the Broads. We therefore believe the document further fails the test of “soundness”.

Furthermore, with the redefined development boundary presented by Policy PP/OUL 1 this ignores the Government's commitment to ensuring that the planning system does everything it can to support sustainable economic growth (para. 19 of NPPF) and paragraph 21 where LPA's should set out a clear economic vision and strategy for their area which positively and pro-actively encourages sustainable economic growth. One of the key objectives of the Authority is to protecting local people's interests and livelihoods.

We would therefore request that the development boundary is reverts to that shown in the draft SSP DPD (February 2012) in respect of the land around Marsh Road, Oulton Broad.

Broads Authority Comment:

The Hotel's Agent is mistaken in suggesting that its Client's land was previously included within the draft development boundary. It was merely included in a draft policy that would have precluded any development in the area indicated adding to traffic on the difficult junction at Marsh Road. No indication was given or intended that development within the area would necessarily be otherwise supported. Conversely the abandonment of that draft policy does not mean that the Authority is precluding development in this area. The existing suite of policies in the CS, DM and NPPF would guide decisions on any development in the area regardless of whether the draft policy had been pursued or not.

The draft policy had sought to replace the existing saved Policy OB3 from the 1997 Local Plan. This precluded development adding traffic through Marsh Road to its problematic junction with the main road. The draft area was increased from that in the 1997 Local Plan to include further areas which, only *if* developed, would be likely to seek access via Marsh Road. The Ivy House Hotel's Agent responded to the draft policy by saying that development of its Clients land could be gained by other means. In that case, any such development would have been unaffected by the draft policy.

The Authority chose not to pursue the draft policy in the light of the combination of (a) representations by more than one party revealing that the meaning of the draft policy had been misapprehended as promoting development of the area, (b) the highway authority not supporting the draft policy's

continuation of an effective ban on additional traffic through Marsh Road, and (c) the Ivy house Hotel's Agent suggesting that there were feasible alternatives to access via Marsh Road. In the light of the above it was concluded that the issue of traffic on Marsh Road could more appropriately and positively be dealt with on a case by case basis through the planning application process in the event of development proposals coming forward

The now proposed development boundary remains unchanged from the draft development boundary consulted on in Spring 2012, which broadly follows the existing extent of built development. No objections were received to the extent of the boundary in response to that consultation.

There is no strategic need for additional residential or employment land to be provided within the Broads, as evidenced by the absence of any allocation in the now defunct regional spatial strategy, the East of England Plan. Waveney District Council has planned sufficient housing and employment land to meet the whole of the needs in the District, including that part of it within the Broads, and this arrangement is subject of a Memorandum of Understanding between the Broads Authority and Waveney District Council.

The Core Strategy and DM Policies potentially allow development for leisure development outside the development boundary (e.g. CS11, CS12, DP14. (The Ivy House Hotel was also added to the list of establishments covered by the proposed Waterside Pubs policy PP/XNS6 at the request of its Agent in the consultation on the Draft Site Specific policies.)

Linda S Russell Solicitors & Planning Consultants

PP/TSA2 Thorpe St. Andrew - Thorpe Island

The proposed changes to policy TSA2 are, as understood, to be a direct result of the Inspector's decision in respect of appeal decision APP/E9505/C/11/2165163, Land at west side of Thorpe Island (The Island) Yarmouth Road, Norwich NR7 0HE. This decision is now the subject of a section 288/289 legal challenge. It is therefore suggested that, given this challenge, and the fact that the policy has stood the test of time with previous local plan inquiries, and if anything the protection of important landscapes is more important than ever before, that there is no need to revise the policy wording to any great degree.

One asset of the legal challenge is whether the Inspector erred in law in failure to consider policy TSA2 or failure to demonstrate why he disregarded it.

As a matter of planning law, planning applications/appeals must be determined in accordance with the development plan unless material indications indicate otherwise. There were no apparent material considerations to justify the Inspector taking an alternative view when determining the appeal. The Inspector commented that policy TSA2 was being considered as part of the local plan process. That is the correct place for it to be considered, not in the determination of the appeal, which the Inspector did.

The policy precludes development on Thorpe Island, except for the eastern end where necessary in connection with "essential operational requirements of the boatyard".

As a direct result of what is suggested by us to be an unlawful appeal decision, the Council had considered it necessary to be more generous in its approach with the amended draft policy TSA2, but seeks inter alia to avoid any significant increase in mooring intensity, vehicular traffic using the bridge, dingy access and storage, car parking unless specific accommodation is provided, and to support the authorised commercial and residential on the island.

It is evident that the Council felt obliged to adopt the revised approach to the policy following the appeal decision, which the Council did not know at the time would be challenged in the High Court. Whilst it is accepted that as part of the Local Plan process, policies need to be reviewed and updated with

consideration given to previous Local Plan inquiries/policy consideration, any new Government planning policy and relevant appeal decisions.

The National Planning Policy Framework (NPPF) does not, in my view, necessitate any significant change to the current wording of policy TSA2. This policy has stood the rigorous testing through previous Local Plan inquiries. The wording has previously been considered necessary to protect Thorpe Island. The public have relied on the support this policy gives to protecting the area.

The duty to preserve and enhance Conservation Areas has not been diminished by the NPPF. The NPPF places significant weight on the importance of protecting the environment. Paragraph 109 sets out the need to enhance the natural and local environment through protecting and enhancing valued landscapes. The three mutually dependant roles set out in the NPPF (economic, social and environmental) occur with the environmental role requiring protection and enhancement of inter alia the natural environment. That is what policy TSA2 should do.

The Council in their planning summary assessment in respect of the proposed change to the policy recognise the importance of Thorpe Island and the contribution it makes to Thorpe Green and its environs and to the character and appearance of the Conservation Area. Objection is therefore raised, as set out in this letter, to any significant policy wording change to policy TSA2 as currently proposed.

Accordingly, there is no justification for the proposed changes to policy TSA2.

Broads Authority Comment:

TSA2 has now been removed from the Sites Specifics DPD. TSA2, as set out in the 1997 Local Plan has been saved.

Moffatt, Mr C

General comment

Residential Moorings

The policy directly affects us, because we own and care for an historic houseboat, Heather. She is an unpowered, traditionally built vessel and has been laying on the Broads waterways since at least the 1920's. We stay on board the houseboat on a part time basis, which is logged. The houseboat is open to public and stage a series of events. We are respectful of our surrounding environment and try to maintain a type of boat that is native to the area. We appreciate the history of this customary Broadland way of life. Sadly, we have some understanding of the neglect and abuse other full or short term residential boat owners receive.

DP 25 New Residential Moorings is unlike the original Broads Authority's 1997 LDF policy PO 31, which dealt with houseboats and residential moorings. Although negative towards residential craft and moorings, it did in fact represent established residential craft. However, we feel this renewed policy does not in any way recognise that a significant number of a range of craft (many on a permanent basis) berth on long established moorings around the Broads waterways. Archive sources show a historic precedent: a great number of residential craft, have moored at locations on both the navigable rivers and the adjacent waters for a very long period. Moreover, in many cases some of these established residential moorings pre-date land based development, which largely took place after the turn of the 20th century.

Houseboats in particular have gained a poor reputation from around the 1960's, when cheaply produced caravan/chalets built on floats came onto the scene. Since the Broads Authority came into force in 1989, it has purposely sought their eradication altogether. By all accounts, the Authority has dealt with the issue of residential boats, their owners/tenants and where the vessel berths in a very prejudicial manner.

It is positive that the Authority does now concede that houseboats and living aboard boats is a cultural tradition. However, we feel this does not go far enough to make up for the deeply unpleasant experience which we and others with links to residential craft have suffered on the Broads over recent years.

Houseboats or the residential boating community have achieved a major cultural input on the Broads. It has not been recognised that that people wish to live on board boats as their beliefs (Equalities Act.)

All kinds of people including artists, writers, boatyard owners, naturalists and others have made their home afloat. For well over one hundred and fifty years, people have chosen to live on board vessels. Many vessels today, moor at historic sites, which have long been used for residential craft. The Broads Authority Sustainable Appraisal objectives from the Core Strategy have not been appreciated with this issue, especially SA1, SA2, SA5, SA6, SA7, SA8, SA9, SA10, SA11 and SA12.

The Authority states that a host of problems and complaints is due to an increase of residential craft, although unlike any other development policy, there is no justification to support this. We suspect, like any development, etc, a minority of cases create such problems and complaints. It is not in proportion to the real scale of residential boat owners ~ most of which exist within the law. However, the Authority consistently spear heads a negative, blanket approach which creates an unfair and unworkable situation

We do not believe the Authority has fully assessed what a residential boat is and where they exist on the Broads. No proper definition has been set out. From 2009 the Authority expressed a need to deal with the issue of residential boats in official statements, recorded in the local media, including looking at payment of council tax. They proceeded to set funds aside to employ a full time Enforcement Officer to deal with the issue. John Coles came onto the scene the following year.

Although the Authority has allocated funds for a host of projects, many involving planning, we believe it has failed on many levels to deal with the residential boat community and their moorings. No definitive surveys have been formed to determine truthful statistics of residential boaters on the Broads. In theory any private recreational boat owner, could be targeted. From our personal experience, the Broads Authority appears to target individually moored vessels.

The overarching factor of residential craft and their moorings is that are of a maritime nature. In forming these policies, unfortunately no specialists with maritime expertise have been consulted. Nor has local knowledge been sought to clarify the history and nature of Broads residential boating. Strangely the National Parks ethos (the Broads claims to be a member of the national park family) has not been followed with respects of residential craft.

The Authority appears unclear at what time period a vessel being attached by lines, etc to the land becomes development. No distinction has been drawn between temporary holiday use, permanent residential mooring and cruising craft (with no base mooring.) It is not clear at what point a vessel becomes a residential. Is it 28 days, 6 months or ten years occupation? The term 'liveaboard' is used, but this has negative connotations locally. This term and other, more derogatory phrases like "water gypsy," hampers further the reputation of residential boaters.

The following paragraph explains how the Authority has dealt with the issue of a vessel they determined to be an illegally moored residential vessel, which did not meet their criteria:

In March 2010. Chris Moffatt received a letter from Mr Coles, which stated that the vessel was moored at the King's Head Hotel, Hoveton in breach of planning laws and asked us to remove Heather within 28 days. The reasoning documented in preceding threatening letters and telephone conversations, was that the site had the benefit of 24 hour visitor moorings only.

We believe Heather was targeted because she was single vessel on her own. Mr Coles did state that the Authority would investigate and enforce all perceived illegally moored vessels ~ several believed to

residential, like Haddiscoe New Cut and Thorpe Island. This enforcement action did not fully materialise (except for uniquely Thorpe island.)

We subsequently discovered from North Norfolk District Council (the original planning body for the area until 2006) that the King's Head moorings were designated as Private/Public Moorings. To date the Authority has still not validated this documentation. John Coles left the Authority later in the autumn of 2010.

Compared to land based development policies with a cultural heritage bent, (for example: Boatyards, Mills Strategy, Waterside pubs network) residential craft/moorings receive a rather harsh, intense scrutiny. Other types of moorings (eg: private leisure moorings) also receive little attention in the LDF or Site Specific process.

Crucially, where established development including domestic housing and boatyards exist on the shore, the Authority do not seek planning permission from the owner/occupier. Long term moored residential craft moored, however are been asked to submit applications. This is unjust.

Looking through the Settlement based policies, we noted that only PP/BRU 4 Brundall Marina; PP/HOR 7 Horning - Boatyards, Ferry Rd and View etc and PP/STA 1 Land at Stalham Staithe (Richardson's Boatyard) are designated as 3 locations where New Residential Moorings DP 25, could be possibly permitted. It is not clear if this would not sufficiently provide enough spaces for the present number of residential boats. Established residential boat moorings are quoted in only one part of this section of the SSP, with respects of PP/HOR 8 Woodbastwick Fen Moorings. Again, in a negative stance, the Authority renews it's pledge to remove houseboats and residential moorings.

Additional Notes:

Overall, this planning development policy is impractical and inhumane. Both DP 25 and the site specific policies do not acknowledge the already extensive local floating community. Residential craft are generally very appealing to the public. They cause much less environmental damage than other motor craft plying the Broads. They continue to provide a housing solution in a region where affordable homes are scarce. They add character to the riverside. Within living memory, many areas of the Broads, including the now virtually empty Port of Norwich, on the River Wensum, provided legal berths for residential craft. There are other cities where regulated residential boat communities thrive, such as Bristol and areas of London for example.

Aesthetically, residential craft look more attractive than hard edged, urban steel or wood pilings, which line most of the riverbanks where residential craft survive or once did. Without regulated residential craft on legalised moorings on the riverside and basins (outside of the navigation area) the Broads will be a place of sterile moorings, devoid of life, with miles of this harsh piling.

Regulated vessels moored in this way could also provide business premises, workshops, food outlets and art spaces boost the local economy and increase employment. Recognition of established residential moorings and allocating new ones would add value and help rejuvenate the Broads area. This would reopen quays and boatyards that have often laid dormant and in a state of stagnation for years.

Broads Authority Comment:

The Authority is well aware of the contribution that residential boating can and does make to the Broads generally and to particular localities. However, it is also aware of a range of problems that can sometimes be associated with it, and the strong feelings held by some both for and against it. It has corresponded with Mr. Moffat on a range of detailed related points.

The Authority has not seen a need at this time to allocate sites for existing authorised or established residential moorings, or have site specific policies for unauthorised moorings. The purpose of the Site Specific Policies is to identify areas or sites where the Authority thinks it would be especially useful to say

something different from, or additional to, the existing suite of planning policies in the Core Strategy and Development Management Policies.

Mr. Moffat is mistaken in saying that the Authority has only identified three areas where residential moorings 'could possibly be permitted'. These three areas are additional to the areas within or adjacent to development boundaries already covered by DM Policy DP25. In three rounds of public consultation on the Site Specific Policies no other sites were put forward by anyone else for residential moorings, except representations from residential boat owners at Thorpe Island who wished to see existing residential boats there explicitly supported in the policy for the Island (while there were also nearby residential occupiers who were pressing the opposite argument on the Authority).

Conversely, the Authority did not identify any specific areas where it wished to remove residential moorings, nor were any proposed by others in the three rounds of consultation. .Therefore, if the Site Specific Policies area adopted as currently proposed, the planning policy situation of both lawful and unlawful existing moorings around the Broads remains unchanged.

Moffatt, Mr C

PP/HOV2 Hoveton & Wroxham - Open Space

Granary Staithe is an key public space for the historic 'Gateway of the Broads.' The site has been the port of call for commercial vessels since antiquity. It is located next to the scehduled monument of Wroxham road bridge. The frontage of the staithe is currently in private ownership and is used as the official bridge pilot moorings (during the season.) The dyke adjoining the Staithe has also been used for casual short term moorings for visiting craft. This is helpful for craft, as temporary public moorings are in very short supply downstream of the low bridge.

Heritage craft have long berthed in the dyke, safely off the busy river. Vessels like wherries and our houseboat have opened to the public or have embarked on tours from the dyke. There are few accessible moorings for the public to see traditional watercraft close up on the Broads. We would like to see the function of the dyke as a heritage boat exhibition berth, maintained and enhanced. The open space and dyke could be tidied up a little, but not over developed with planting boxes and the like (as Potter Staithe has been.) The open, uncluttered, rural character should be retained.

Broads Authority Comment:

The Policy is consistent with Mr. Moffat's aspirations for the site. The Authority does not have plans for the area at that level of detail.

Moffatt, Mr C

PP/XNS6 Non-Settlement Based Policies - Waterside Pubs Network

We endorse this sound policy. Protection, support and promotion of public houses on the Broads is long overdue. They are the links in the chain of the Broadland rivers. The historic King's Head Hotel is especially important, as it is one of the oldest and most characterful. The hotel building, grounds and riverside moorings bordering the River Bure are reasonably unspoilt, compared to most of the surrounding, devastating and inappropriate architecture. The condition and quality of the facilities overall here and possibly at other establishments around the area could be improved.

The boating facilities at the King's Head are extensive. The long sections of quay heading are bordered by a public riverside walkway. They are recorded as private/public moorings. Our houseboat, Heather has previously berthed at various lengths of time over years, as have other craft. The centuries old King's Head was also one of the first pioneer boat hiring bases in the late nineteenth century. We support the future

use of these ancient moorings for visiting, private and as an exhibition berth for heritage craft (upstream of Wroxham road bridge.)

Broads Authority Comment:

The support for the Policy is noted.

Mountford, Mr D

PP/HOR1 Horning - Development Boundary

We would like the HOR/DSSP-a (HOR1) development boundary to continue along the bottom of our garden rather than return at the end (see attached maps). The reason for this is as follows:

1. If the boundary is continued in a straight line it is comparable to all the other properties.
2. The land is higher than surrounding land and is less likely to flood.
3. The proposed classification for the area is 'waterside plot', however this plot is not adjacent to the waterside and has no access to the water therefore could be considered a misnomer.

We believe this land falls within your criteria for HOR/DSSP-a as it is previously developed land forming part of a residential garden. Please can the development boundary therefore be amended as described above?

Broads Authority Comment:

The area in question is not identified as Waterside Plots in the Proposed Site Specific Policies. This was changed from that shown in the earlier Draft Site Specific Policies in response to a call from Mr. Mountford. The map used by Mr. Mountford is that from the now superseded Draft Site Specific Policies.

The Proposed Development Boundary continues in a straight line to include Mr. Mountford's house, 'Ropes Hill', but excludes the garden area beyond it as this is not previously developed land by the Government's definition, and makes a positive contribution to the rural character and landscape in the vicinity.

Repps with Bastwick Parish Council

PP/POT1 Potter Heigham Bridge -

I have been asked to draw to your attention the state of the car park to the south of the Old Bridge. Even after moderate rain, the amount of standing water renders the area virtually unusable. I note from the above Plan document that the Authority plans to consult with the Parish Council and others regarding this. A similar complaint has also been received from Potter Heigham Parish Council.

[Following further correspondence to clarify the Parish Council's point, the further comment below was received from the Parish Clerk.]

The assessment of the meaning of the contents of the document are not necessarily my own.

The question as to whether or not the Authority had any current plans for the car park area has been answered. The PC will therefore have to consider what steps, if any, they might wish to take to find a resolution to the problem.

Broads Authority Comment:

The car park in question is believed to be in private ownership. The Authority has no plans to rectify the situation, save that the Policy encourages upgrading and redevelopment of the area. The Parish Council have been advised that the Broads Authority is unlikely to have the resources to improve the car park, and that parish Council may wish to take the matter up with the owner or the Borough Council.

General comment

The following comments are made on behalf of the Residential Boat Owners' Association (RBOA). They relate to previous submissions made by the RBOA during the consultation of the Core Strategy.

The Residential Boat Owners' Association has campaigned since its formation in 1963 to promote the interests of people living on boats in the British Isles. The RBOA is the only organisation that was formed specifically to represent the interests of residential boaters. It works to safeguard existing residential moorings and increase their numbers throughout the Country. The RBOA maintains and supports a variety of lifestyles for those living on boats and encourages a high standard of ownership. It promotes good relationships between boat owners and their landlords and other waterways users. It negotiates with National and Local Authorities in all matters that are relevant to RBOA members.

2.4 Housing Provision

We acknowledge the importance placed within the National Planning Policy Framework (NPPF) on local plans delivering more housing although we also recognise that unrestricted housing growth around the Broads would not be desirable. The Housing Minister has confirmed that residential boats can provide a small but useful contribution towards housing needs by enabling local authorities to claim the New Homes Bonus for residential moorings with planning approval. We submit that these could go some way towards meeting a small housing requirement on the Broads, whilst remaining compatible with the Broads Authority's commitment to its environment, wildlife and leisure use.

Residential moorings associated with boatyards can provide affordable housing for employees of navigation related businesses at a time when many of these are struggling economically. (ref 2.4.9) Enabling boatyard employees to live closer to their place of work and thus reducing their travel costs and environmental impact, is an important factor in keeping these businesses viable.

Residential moorings can be designed to be sustainable, of low environmental impact and requiring minimum infrastructure to sustain them. If appropriately designed they can be compatible with flood risk criteria. They are also less permanent in nature than their land based equivalent dwellings and are therefore able to meet the future changing ecology of the area better and have less long term impact on the Broads.

2.7 Residential Moorings

The RBOA supports your comments that residential boats, whether navigating or permanently moored houseboats, are part of the long term tradition and local cultural distinctiveness of the Broads. We suggest that the more recent negative impacts of residential boats that the document refers to may be the result of a lack of well located and designed mooring locations, which can lead to ad-hoc and less desirable development. The RBOA is well aware of the problems that poorly designed and managed residential moorings can generate and we have worked closely with other navigation authorities to improve existing mooring sites and develop good quality new ones.

The RBOA commented on the Development Management Policy DP 25 on residential moorings and broadly accepted its conclusion. We believe however that it is too rigid in restricting residential moorings largely to existing boatyards and marinas. There are other suitable sites for small developments of residential moorings on the Broads and these should be investigated and considered on their own merits through the planning process.

The RBOA is not advocating a large number of residential moorings on the Broads but we submit that appropriate small scale developments benefit the economy of the area and enhance its leisure potential, whilst having low environmental impact.

Broads Authority Comment:

The support for the comments on the on residential boating from the Association is welcomed.

The suggestion that there are other suitable sites for new residential moorings in the Broads is noted, but none have been put forward in three rounds of consultation on this Proposed DPD. Only the Authority itself has identified areas additional to those provided by DM Policy DP25, and these are provided for by Policies PP/BRU4, PP/HOR7, and PP/STA1.

The Association suggests that such areas should be considered on their own merits through the planning process (presumably meaning the planning application process). This remains the case and is unaltered by the Site Specific Policies DPD. (As DM Policy DP25 restricts these to within and adjacent to development boundaries, an argument for new residential moorings elsewhere would have to be made in terms of material planning considerations justifying varying from this already adopted development plan policy.)

Residential Boat Owners Association**PP/TSA2 Thorpe St. Andrew - Thorpe Island**

The RBOA has been involved in supporting both the general boatyard facilities and more specific residential moorings here for some time. We believe that this is an example of a location where properly managed moorings can enhance the character and appearance of the Conservation Area. It is well situated adjacent to a significant existing settlement and could contribute usefully to its economy and amenity value.

We suggest that the Broads Authority could better support the future of the boatyard business on the Island. Since the hire-base ceased, the viability of the boatyard has been in question, not helped by the succession of enforcement action taken against it. This has discouraged greater investment in the boatyard which could have alleviated much of the negative aspects that the document refers to. We are not advocating major development on Thorpe Island but the continuation of a boatyard presence there would be to the benefit of the local community and leisure interests. This would be supported by both leisure and residential moorings, the latter with planning approval which could enable appropriate control through planning conditions. We suggest that further dialogue with Thorpe St. Andrew Parish Council is required to agree future plans that would benefit both the boatyard and the local community.

Broads Authority Comment:

TSA2 has now been removed from the Sites Specifics DPD. TSA2, as set out in the 1997 Local Plan has been saved.

RSPB**General comment**

In the RSPB's response to the draft Site Specific Policies Development Plan Document dated 29th March 2012, we did not consider the policy approaches outlined unsound in principle. Having reviewed the pre-submission document, we do not consider the proposed submission policies to be unsound.

In the RSPB's response to the draft Site Specific Policies DPD, the RSPB did consider that improvements were required to:

1. strengthen the biodiversity protection afforded by certain policies (e.g. Whitlingham Country Park – WHI/DSSP-a),
2. to provide greater guidance on appropriate landscaping/planting recommended in specific policies (e.g. Brundall – BRU/DSSP-b),

3. to provide SMARTER Monitoring Indicators for policies that could impact on Natura 2000 sites (the Broadland Special Protection Area, The Broads Special Area of Conservation and The Broads Ramsar site) and Sites of Special Scientific Interest (SSSI) (e.g. Brundall – BRU/DSSP-a).

Having reviewed the pre-submission document the RSPB is pleased to note that the majority of policies have been updated in accordance with our recommendations above.

Broads Authority Comment:

The RSPB's view that the policies are not unsound, and that the majority of the RSPB's earlier recommendations have been incorporated, is noted.

Somerton Parish Council

General comment

Somerton Parish Council fully supports the proposals for this village. The Broads Authority /Parish Council questionnaire clearly demonstrated approval by the local residents of the proposals for some development. The Chairman and Parish Councillors would like to take this opportunity to thank you again for working with the Parish Council on the long outstanding matter.

Broads Authority Comment:

The Parish Council's support and thanks are noted.

Sport England

PP/ACL/2 Acle - Acle Playing Fields

Sport England supports this policy and considers it sound. The requirement for the extension to the playing fields has been identified as a local priority and has the support of Acle Parish Council. We also support the supporting text, in particular the need to consider the potential requirement for extended ancillary facilities (changing rooms, car parking etc.) to serve the expanded facility. Sport England would be happy to advise further on technical issues such as design, pitch layout, pitch construction etc., in order to ensure the extended playing fields meet Sport England technical guidelines/standards.

Broads Authority Comment:

Sport England's support for the Policy and the supporting text is welcomed.

Sport England

PP/DIT/2 Ditchingham Dam - Maltings Meadow Sports Ground, Ditchingham

Sport England supports this policy and considers it sound. We support the need to protect this sporting facility from inappropriate development whilst also ensuring that the sensitive landscape of the site isn't harmed, and flood protection measures are not compromised.

Broads Authority Comment:

Sport England's support for the Policy is welcomed.

Suffolk County Council

General comment

The county council is responding as a key partner of the Broads Authority, and is responding in pursuit of its service responsibilities and policy objectives. The county council considers these policies to be sound, and has the following specific comments to make.

Broads Authority Comment:

The County Council's view the Policies are sound is noted.

Suffolk County Council

PP/OUL1 Oulton Broad - Development Boundary

The county council welcomes the statement regarding the potential for archaeological remains in this area, reminding applicants of the potential need for an archaeological survey prior to development.

Broads Authority Comment:

The County Council's supportive comments are noted.

Suffolk County Council

PP/OUL3 Oulton Broad - Former Pegasus/Hamptons Site

The county council welcomes the commitment to full assessment of transport impacts of development at this location, but would suggest that the clarity of clause (ii) should be improved by minor amendment to ensure that it is clear that mitigation of transport impacts are an acceptable means of demonstrating transport capacity.

A particular local issue is the congestion north of Mutford Lock, as set out in the Local Transport Plan, which may be impacted upon by development at the former Pegasus/Hamptons site. Any assessment (such as a transport statement) should include this constraint. The county council may seek contributions from this development, to mitigate any impacts on the highway network.

Broads Authority Comment:

The County Council's supportive comments are noted. Minor changes are suggested to the Inspector to address the additional points raised by the Council.

Suffolk County Council

General comment Oulton Broad

Former policy OUL/DSSP-b

The county council notes that this policy, which sought to prevent increased traffic movements on Marsh Road and was included in the Regulation 25 consultation of February-April 2012, has been deleted in this version of the policies.

The county council previously commented to suggest that the policy could be seen as overly restrictive, if left in its previous form. In line with the NPPF requirement to respond positively to opportunities for growth, the county council sees its role as being to help make development sustainable. As such, deletion of the policy was not the county council's intention. Development off Marsh Road could be seen as acceptable, as long as transport impacts are mitigated to the satisfaction of the Highways Authority.

Broads Authority Comment:

The Authority chose not to pursue the draft policy in the light of the combination of (a) the highway authority not supporting the draft policy's continuation of an effective ban on additional traffic through Marsh Road, (b) representations by more than one party revealing that the meaning of the draft policy had been misapprehended as promoting development of the area, and (c) the suggestion that there were feasible alternatives to access via Marsh Road for at least some of the land in the area. In the light of the above it was concluded that the issue of traffic on Marsh Road could more appropriately and positively be dealt with on a case by case basis through the planning application process in the event of development proposals coming forward.

Suffolk County Council

PP/XNS4 Non-Settlement Based Policies - Main road network

The county council welcomes the changes made since the previous consultation, and feels that this policy is now sufficiently clear.

Broads Authority Comment:

The County Council's comments are noted.

Suffolk County Council**PP/XNS7 Non-Settlement Based Policies - Haddiscoe-Beccles former rail trackway**

The county council welcomes the decision by the Broads Authority to continue to protect this route to ensure that it can be used as a pedestrian, cycle or horse riding route. There is a sufficient potential to justify protection of this route, which would support public access to the Beccles Marshes. The Broads Authority's requirement that harm to sensitive habitats and species must be avoided is also welcomed.

Broads Authority Comment:

The County Council's support for the Policy is noted.

Suffolk County Council Archaeological Service**General comment**

We are pleased that our several comments concerning the Historic Environment and Archaeology have been incorporated in the new Document and we have no further comments to make.

Broads Authority Comment:

The County Council's comments are noted.

Turner, Dr C**PP/TSA2 Thorpe St. Andrew - Thorpe Island**

I'm very concerned about the proposed rezoning and development of Thorpe Island on the Cut of the River Yare. The suggest relaxation of TSA 2 threatens what is in effect an extension of the nature reserve. The current owner has still not removed a broken digger from the island despite a court hearing. The island also functions as a car park on most days for people visiting or living on the boats that are moored there. We hope that the Broads Authority will protect this site, a green area for everyone to enjoy as they boat to and from Norwich, and one opposite some of Thorpe's oldest, listed homes.

Broads Authority Comment:

TSA2 has now been removed from the Sites Specifics DPD. TSA2, as set out in the 1997 Local Plan has been saved.

Waller, Mr P**General comment Oulton Broad**

I note that The Broads Authority intends to submit its Proposed Site Specific Policies Development Plan Document (DPD) to the Secretary of State shortly. Before it does so, it has invited interested persons to comment on the Proposed DPD, particularly as to whether they consider it sound.

In a nutshell I don't think that it is sound, at least not in regards to Oulton Broad. The document rightly picks on Boathouse Lane, but let's be honest, it is the lack of attention by the Authority that has allowed that area to develop as it has. The Authority now seeks to close the gate long after the horse has bolted, so to speak. That is not to say that future intervention should not be welcomed.

Where I think the document entirely fails is in the fact that it is not using this opportunity to right the planning wrongs of the area. It really is time to review the conservation area boundaries for one thing. The conservation area on the North shore is neither inclusive nor consistent, indeed I would suggest that it is unfair and is in need of intelligent application.

As an example there are policies in regard to the North Bay area of the Broad that are entirely unjust and unreasonably applied. An example being in regard to properties in Romany and Borrow Road. There are a

number of grand houses with long gardens that border the Broad, policies exist to protect this feature. The reality is that this policy has historically been breached on a number of occasions, indeed there are only three properties amongst nine that have not in anyway been developed with some form of infill. To then have applied this outdated and wholly devalued policy to a property that is not one of the grand houses, whose boundaries do not extend to the Broad, was quite simply wrong, unjust, unreasonable and unfair.

I appreciate that there have to be boundaries but I question this when that boundary divides a road, and policies on either side of that boundary are diverse. In my own case, Romany Road, only two properties of sixty three, come under the Broads Authority, the others come under Waveney District Council. This has allowed completely inconsistent policies to be unjustifiably and unreasonably applied to immediate neighbours.

If we then also consider the case of two boatyards on Caldecott Road, Oulton Broad. One comes within the conservation area, Trumans, the other, Pegasus, does not. There is now no apparent reason for the often breached conservation area or its boundary, no apparent reason why policies should differ from properties within yards of each other. This applies to these two boatyards, it also applies to the North Bay area of the Broad.

If Oulton Broad is typical then it is clear that far greater thought needs to be applied to planning policies within Broadland. Very clearly Broads Authority guidelines and policies need to be considered in relation to immediate neighbours and neighbouring policies.

People do have aspirations in life, planning policies need to be seen as fair and reasonable. In regard to the North Shore of Oulton Broad this is clearly and patently not the case.

One size fits all planning policies should not be encouraged. Far greater attention should be paid to local opinion, local character, neighbouring policies and parish councils. This does not appear to be the case at present and the Proposed Broads Site Specific Policies Development Plan Document does nothing to right the injustices and inconsistencies.

Conservation matters, so do people.

Broads Authority Comment:

The Oulton Broad Conservation area is among a number planned for re-appraisal by 2014, and this may address some of the concerns or will review some of the concerns raised by Mr. Waller.

As Mr. Waller recognises, there have to be boundaries somewhere. Parliament decided the boundary of the Broads and designated it for its special qualities and purposes. The Broads Authority, Waveney District Council and the residents either side of it have to live with the boundary as it is. It is unsurprising that the policies of two different local planning authorities differ, especially when the policies of one of them applies to a nationally protected landscape.

The boundary of the proposed development boundary is different from that in the 1997 Local Plan in an effort to better reflect the situation as it now is on the ground, and the increased priority given to the environment, flood risk, and supporting development where it can be satisfactorily accommodated. The Authority considers the proposed development boundary to be a reasonable and useful one in all the circumstances.

Waller, Mr P

PP/OUL2 Oulton Broad - Boathouse Lane Leisure Plots

In a nutshell I don't think that it is sound, at least not in regards to Oulton Broad. The document rightly picks on Boathouse Lane, but let's be honest, it is the lack of attention by the Authority that has allowed that area to develop as it has. The Authority now seeks to close the gate long after the horse has bolted, so to speak. That is not to say that future intervention should not be welcomed.

Broads Authority Comment:

The development of the leisure plots at Boathouse Lane pre-dates the establishment of the Broads Authority. The Authority is not seeking to 'close the gate', but to ensure the established use of the plots can continue to be enjoyed in a way that is compatible with the environmental and landscape value, and flood risk issues, of the area.

Waller, Mr P

PP/OUL3 Oulton Broad - Former Pegasus/Hamptons Site

If we then also consider the case of two boatyards on Caldecott Road, Oulton Broad. One comes within the conservation area, Trumans, the other, Pegasus, does not. There is now no apparent reason for the often breached conservation area or its boundary, no apparent reason why policies should differ from properties within yards of each other. This applies to these two boatyards, it also applies to the North Bay area of the Broad.

Broads Authority Comment:

The Oulton Broad Conservation area is among a number planned for re-appraisal in the next couple of years, and this may address some of the concerns of will review some of concerns raised by Mr. Waller. However, on the face of it would appear unlikely that the Pegasus site would be included in any extension of the Conservation Area.

Waller, Mr P

General comment

I do have to further question the soundness of the Authority's submission. I quote directly from the Authority's published Development Plan Document Part 1 - Text

2. Much of this tourism is water related. There are around 11,000 private boats on the Broads and 12,500 hire boats, but also bird-watching, and people just enjoying being near the water. Hence boatyards and other waterside businesses are both critical to the enjoyment of the special qualities of the area. They are also important to the economy of the area and to local employment in their own right. Although day visits to the Broads predominate, provision of holiday accommodation is very important, as is the variety of types and locations of such accommodation.

I do question the quoted total number of boats on the Broads. I believe this to be patently wrong, misleading indeed. It also, in my opinion, brings into question the validity of the Authority's submission. The Broads Authority is the navigation authority. It should know exactly just how many boats there are within its jurisdiction.

Broads Authority Comment:

There is an error in the text referred to. 12,500 is the total number of boats on the Broads (both hire and private) and was erroneously labelled 'hire boats' in error in the Pre-Submission Published version of the DPD. This has been amended.

Warren, Mr T

General comment

1.2.10 This refers to "boat mooring basins cut into the marshes ...

visually enlivened by boats and their to-ing and fro-ing." The use of the word "enlivened" implies such development is an improvement, which in many cases it is not. Some such word as "affected" would be preferable.

2.4.2 This refers to no housing growth in the Broads area. If this referred to no "residential" growth, it would also cover liveaboards and residential moorings, especially if given with a reference to para 2.7.

2.5.2 This refers to development outside the Broads Authority boundary. Mention might be made to any such development not being visible from the Broads. Rows of houses are just as capable as wind farms or power lines of destroying the illusion of remoteness that is such a feature of the Broads experience.

Broads Authority Comment:

(re para 1.2.10) The Authority understands the point Mr. Warren is making, but considers the use of term enlivened is appropriate in the descriptive context in which it is used.

(re para 2.4.2) The paragraph is referring to planned strategic scale housing growth. The absence of a strategic target, and the use of the term 'housing' rather than 'residential', neither rules in nor rules out a modicum of additional liveaboards or residential moorings.

(re para 2.5.2) The Broads Authority cooperates with, and lobbies, the adjacent local planning authorities to ensure they are mindful of the potential effects of development outside the Broads on the landscape and other considerations within it. (It is also unfortunate that policies in, for instance, the now defunct regional spatial strategy (East of England Plan) and former national policy, which specifically addressed this issue, have now been lost.) However, the Authority does not have the power to adopt policies for areas outside the Broads, and also recognises that a complete ban on development in view of the Broads is neither feasible nor desirable.

Warren, Mr T

Thorpe St Andrew - (General Comment)

A small point - 3.21.1 refers to "Carey's Meadow to the west" and to "marshland and river frontage development to the west". Should the latter area be to the east?

Broads Authority Comment:

Mr. Warren is correct, and this should refer to marshland, etc, to the east. This has been amended.

Warren, Mr T

PP/TSA2 Thorpe St Andrew - Thorpe Island

3.21.4 (to replace the existing TSA2)

The following refers especially to the western end of Thorpe Island, where the new policy sounds much less definite than the present document.

Policy TSA 2 is quite unequivocal: "Development will not be permitted". Compare this firm statement with the following phrases:

"Development on ... the island will be carefully controlled ..."

" avoid any significant increase... (in traffic, parking, pollution etc)"

"... support authorised ... uses..."

"...narrow bridge ... not suitable for significant ... traffic..."

"Significant development or additional occupation of the island ..."

"... further substantial development ..."

All these are, of course, taken from statements which in fact tend to impose limitations on activities and mainly refer to the whole island, but the frequent use of words like "significant" and "substantial" (which are not in any way defined) implies that lesser levels of development or use would be acceptable. If the Authority still intends to give the western part of Thorpe Island the same protection it did with the present TSA 2, then some stiffer phrasing is needed to avoid misunderstandings - such as "No such use will be permitted".

Broads Authority Comment:

TSA2 has now been removed from the Sites Specifics DPD. TSA2, as set out in the 1997 Local Plan has been saved.

Waveney District Council

General comment

Waveney District Council supports the Proposed Site Specific Policies DPD. Changes made with respect to the Waveney District Council submission to the draft Site Specific Policies Issues, Options and Preferred Options consultation have been noted and are supported. This is an officer response.

Broads Authority Comment:

The District Council's support for the Policies, and for the changes made in response to its earlier representations, is welcomed.