



Broads Local Plan – Preferred Options – RESPONSES
May 2017

Revised to include follow up responses

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1 Introduction

1.3 Habitats Regulation Assessment

Natural England

For clarity, it would be helpful to add some explanatory text which lists those designated sites that are covered by the Habitats Regulations Assessment (HRA), i.e. Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites, and that these will be referred to collectively as 'European sites' in the Local Plan document, for example under xii of 'Policy POSP2: Sustainable Development in the Broads' it refers to "...European and national nature conservation designations...".

BA summary: Add some explanatory text which lists those designated sites that are covered by the Habitats Regulations Assessment (HRA), i.e. Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites, and that these will be referred to collectively as 'European sites' in the Local Plan document.

BA comment: Will add this clarity to the text.

1.5 Brexit and the Local Plan production

CPRE Norfolk

We note at paragraph 1.5 this is touched on very briefly, under the heading of BREXIT and Local Plan production, it says 'based on current rules and regulations'. That is all. However there will be much national discussion, and business pressure, to abandon or dilute over time the Water Framework Directive and Habitats Regulations. This would of course have a huge impact on the Broads. The only certainty is that with the dismantling of the CAP, farming policies and practices will change alongside a reduced support income to farmers. This presents both an opportunity and a threat, principally for the Broads as to whether there is a reduction in pollution by agriculture, or intensification under the banner of less red tape and regulation, and increased efficiency and growth.

The UK government has the scope now to reform farming policies and support with the central aims on reducing diffuse pollution of our aquifers by agri-chemicals, nutrients and pesticides; and water borne soil erosion (arable run-off) which takes soil and agrichemicals, by surface movement into our rivers. After decades of intensive farming, there has been the start of efforts to rectify, but there is a long way to go; see the HRA and Local Plan for the Broads, at Appendix 2 – European Site Information, paragraph 7.8.

Water quality continues to be an issue in The Broads, with none of the Broads and only one of 27 river reaches monitored for Water Framework Directive purposes reaching 'good' ecological status/potential. Clear water now only occurs in around five of the 63 Broads. The naturally nutrient-rich water bodies have become hyper-eutrophic as a result of nutrients inputs entering the water bodies through discharged sewage and agricultural run-off. Some point sources of pollution have been addressed through sewage works stripping phosphorus, and mud-pumping has been carried out in some broads to remove enriched sediment. The Anglian Water document Water Resource Management Plan 2015-2040, written pre-Brexit decision, has a very similar opening sentence at paragraph 3.7.2.2: Water quality due to diffuse source contamination from agriculture will continue to be an issue going forward. The following two paragraphs also set out concerns on run-off and the vulnerable nature of groundwater systems in East Anglia (see first attachment). It is clear that the interests of consumers and the public water supply/Anglian Water coincides with those of nature conservation (see second attachment); and this combination provides the best hope for retaining both the EU based legislation and reforming policies for agriculture. We also add that navigation interests are served by reducing the need and frequency of dredging silt from waterways through a decrease in water borne soil erosion. The Broads Plan, due for review in 2017 on a five year cycle could present an opportunity to raise the profile of the issues arising from Brexit; and perhaps also through the information and educational material used by the Authority.

BA summary: Acknowledges that BREXIT will result in some changes and discusses some issues which are slightly outside the remit of the Local Plan (such as CAP).

BA comment: Noted. The Authority will keep informed of any changes as a result of BREXIT and take action accordingly. No specific comments or actions for the Broads Authority to undertake. No change.

3 About this consultation

South Norfolk Council

Please note change of address of South Norfolk Council offices from Swan Lane to Cygnet Court. The remainder of the address is unchanged.

BA summary: Please note change of address of South Norfolk Council offices from Swan Lane to Cygnet Court. The remainder of the address is unchanged.

BA comment: Noted. Will make change.

4 About the Broads - Spatial Portrait

4.5 The Biodiversity of the Broads

RSPB

It is assumed that the second sentence of the first paragraph is intended to read “...a predominantly freshwater ecosystem...”

BA summary: It is assumed that the second sentence of the first paragraph is intended to read “...a predominantly freshwater ecosystem...”

BA comment: Will add 'freshwater'.

4.9 Pressure on the Broads

Environment Agency

We feel this section identifies most of the pressures on the Broads but fails to acknowledge the pressures on water resources related to new development. Whilst this included later in the document we feel this is an opportunity to highlight this issue and it should be included here.

BA summary: Highlight pressure on water resources related to new development.

BA comment: Agree. Will add to this section.

Historic England

We note that one of the statutory duties of the Broads Authority is to conserve and enhance the cultural heritage of the broads, as well as its natural beauty and wildlife. Additionally, the Broads Authority is required to promote opportunities for the understanding and enjoyment of the special qualities of the Broads. We have reviewed the plan with the intention to recognise where the plan achieves these aims and to improve policy wording, if necessary, to ensure that these aims are achieved. The landscape of the Broads itself is the defining element of the historic environment in this area which reflects human activity unique to this area and worthy of conservation and management as part of the historic environment in its own right. Landscape character is formed as a result of present and past human activity, and the relationships of settlements with that landscape, and movement through that landscape, particularly on or around water within the Broads. We are pleased to note that landscape character is given prominence within this chapter as worthy of protection. We are similarly pleased to note that the typical architecture of the Broads is briefly outlined: riverside structures, boating related structures and activity, Arts and Crafts buildings including Cottage Ornée, drainage mills and dykes. We note that the area's designated assets and the area's potential for waterlogged archaeology are identified and that this is stated to be a finite resource.

BA summary: General support for this section.

BA comment: Support noted.

Knight, J (BA Navigation Committee Member)

4.3 landscape: “There is no particular general building vernacular, but the traditional villages tend to have a variety of surviving older buildings which may have similar characteristics and be of considerable quality or interest, usually clustered near a staithe (traditional landing area), either on a river or connected to it by dyke, and surrounded by more modern housing of no particular distinction.” This is something of an unhelpful generalisation. The older buildings probably lacked any particular distinction at the time they were constructed, and the same is true of modern buildings today. This statement can be summarised as 'old is good, new is bad' and that is a very subjective judgement with no evidence base to support it. Like most areas, the Broads has evolved over time and this is reflected in its built heritage.

4.7 Navigation rights: “Some broads have public navigation rights, others have more limited access, generally for environmental or land ownership reasons...” This is not an undisputed fact. The BA may have chosen, for pragmatic or financial reasons, not to take legal action against landowners for closing Broads to navigation, but many of these Broads were used for public navigation; once a public right has been established by prescription, it cannot be extinguished other than by Act of Parliament. This fact is enshrined in common law. The Local Plan should, at the very least, accept that there are conflicting legal opinions on this subject rather than make an assertion as though it were fact.

BA summary:

1: Landscape. This statement can be summarised as 'old is good, new is bad' and that is a very subjective judgement with no evidence base to support it.

2: Navigation. The Local Plan should, at the very least, accept that there are conflicting legal opinions on this subject rather than make an assertion as though it were fact.

BA comment:

1: This is by necessity a brief summary of the entire Broads area. The recent update to the Landscape Character Assessment is a far more comprehensive document which could be usefully referenced. Reference to evolving Broads vernacular could be made to reflect the Authority's approach to being open to the potential for modern design and how this could contribute to the future cultural heritage of the Broads.

2: Mr Knight will be asked to clarify this comment as the first sentence seems to support this general description, but last sentence seems to say it is not fact. *Clarification sought and response received 14 May 2017. Mr Knights said (in summary) that the view of the landowners does not affect the legal right to navigate on tidal waters. He recommended that the text should say that the Broads Authority will continue to engage with landowners to re-open these areas to navigation as part of its statutory function. Noted however this seems more of a commitment to action and the Local Plan is not necessarily the place for this to be stated. We intend to leave the text as it is.*

Norfolk and Suffolk Boating Association

In April, we commented on the draft Issues and Options document and suggested some wording to identify and embrace the special Broads heritage of unique boats and the local tradition of people who know how to build them, how to maintain them and how to sail them. Whilst we are pleased that an attempt was made to add a suitable section, unfortunately the relevant words were changed so as to completely lose the meaning and intention of the statement. By omitting the broads river cruisers and broads one design classes (principally Broads One Designs and Yare and Bure One Designs but there are others) the draft paragraph is fairly meaningless. Canoes, whilst being an entry level option for getting afloat, are not special or unique to the Broads and are not heritage boats. Plastic injection moulded and affordable, but not special. The trading wherries are special. However, there are only two remaining, so they are but a small part of the spatial backdrop whereas thousands of river cruisers, half deckers, sailing dinghies and motor cruisers all unique to the Broads, and many of timber construction, do survive and are maintained by their dedicated owners and enjoyed variously by their owners' families, helms and crews and hirer's customers, and admirers from other boats and from the river banks. Our earlier advice is reiterated: “Visitors to the broads, taking to the network of rivers and broads in the summer months, are routinely delighted, thrilled even, to find themselves sharing the water space with Yare and Bure One Designs ('White boats'), Broads One Designs ('Brown boats'), period launches and day boats some propelled by steam, the Broads River Cruisers, (a type of yacht complying with local rules making them unique to the Broads), 'Norfolk' varnished wooden dinghies, the racing derivatives of the traditional Norfolk punt, dozens of types of Nationally and Internationally recognised racing /sailing dinghy, and last but not least albeit in much smaller numbers, the restored and

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maintained traditional trading wherries and leisure wherries. Many of the craft in this list are of wooden construction, a proportion are pre-war or even over 100 years old, and all require significant investment of skilled maintenance and periodic restoration by their owners and local specialist boatyards. This rich variety of boating heritage is probably unrivalled anywhere in the World. An indication of the commitment of local people to heritage boats and boating on the Broads is that there are over 50 voluntarily run clubs and classes affiliated to the Norfolk and Suffolk Boating Association. Additionally, local clubs produce National and International champions from time to time, whose fame and notoriety filters back to the 'grass roots' to enthuse and encourage younger members"

BA summary: Whilst we are pleased that an attempt was made to add a suitable section, unfortunately the relevant words were changed so as to completely lose the meaning and intention of the statement. By omitting the broads river cruisers and broads one design classes (principally Broads One Designs and Yare and Bure One Designs but there are others) the draft paragraph is fairly meaningless

BA comment: Will check this section in line with the comment. *Following conversations with the NSBA, the text was amended slightly in the Local Plan.*

South Norfolk Council

South Norfolk Council supports the comment in the second paragraph under 4.1 that the Broads does not sit in isolation and there are important linkages with neighbouring areas in terms of community and economy.

First paragraph under 4.5 – 'an' needs to be added between the words predominantly and ecosystem on the second line.

BA summary:

1: South Norfolk Council supports the comment in the second paragraph under 4.1 that the Broads does not sit in isolation.

2: First paragraph under 4.5 – 'an' needs to be added between the words predominantly and ecosystem on the second line.

BA comment:

1: Support noted.

2: Sentence will be amended.

5 Policy Context

Historic England

We recognise that the local plan seeks to note where the NPPF specifically references the unique landscape of the Broads. We request that the section reflecting the NPPF also references the requirement for Local Plan's to have a positive strategy for the conservation and enjoyment of the historic environment (NPPF, Paragraph 126).

BA summary: We request that the section reflecting the NPPF also references the requirement for Local Plan's to have a positive strategy for the conservation and enjoyment of the historic environment (NPPF, Paragraph 126).

BA comment: Noted. This is only intended to be a summary of the NPPF. The kind of reference requested is more appropriate at the Heritage section. The reference to landscape is included as well as some other topics as those are topics to which the Broads is specifically mentioned. It might be appropriate to take out the box and keep the very simple summary.

5.2 National Planning Policy Framework

Knight, J (BA Navigation Committee Member)

It is accepted that it would be impractical to reproduce the entire NPPF in the Local Plan. However, the chosen (limited) extract does not give a flavour of the overall thrust of the NPPF - it simply highlights a single policy (115 - conserving landscape & scenic beauty in the Broads) whilst apparently ignoring all the others. It would be useful, at

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least, to reproduce the core planning principles (para 17) and provide some links to some of the key policies relevant to the Broads, such as supporting a prosperous rural economy or meeting the challenge of climate change, flooding and coastal change.

BA summary: Highlights a single policy whilst apparently ignoring all the others. It would be useful, at least, to reproduce the core planning principles (para 17) and provide some links to some of the key policies relevant to the Broads, such as supporting a prosperous rural economy or meeting the challenge of climate change, flooding and coastal change.

BA comment: It is not intended to copy the NPPF verbatim here. There are some quotes from the NPPF and NPPG throughout the Local Plan at appropriate places. It might therefore be appropriate to take out the box and keep the very simple summary.

Marine Management Organisation

I am very pleased to see reference to the MPS and East Marine Plan including the vision and that they have influenced the local plan.

BA summary: Supports referend to MPS and East Marine Plan.

BA comment: Support noted.

6 Duty to Cooperate

CPRE Norfolk

Question 1: The Duty to Cooperate is a two way street, or should be. This means that the Greater Norwich Councils, and the County Council, should take account of the impact on the Broads integrity on the housing and associated development they plan and implement; and the County Council considers the environmental impacts on the Broads, direct and indirect, arising from major road projects. The Greater Norwich Local Plan must take account of the landscape and nature conservation interests of the Broads. This in for particular development in the vicinity of the Broads; and in wider terms water abstraction issues, and the capacity of waste water works, in their Water Cycle statements. In the case of waste water works, now re-named water recycling centres, an investment now in 'cleaning up' of these would make the introduction of water re-use for the Norwich and Broads Resource Zone by 2030-35 more palatable in consumer perception.

BA summary: The Greater Norwich Local Plan must take account of the landscape and nature conservation interests of the Broads.

BA comment: It is not clear if there is support for our Duty to Cooperate approach or not. The Authority is part of the Greater Norwich wider team and is aware at officer, director and member level of the emerging Local Plan and processes.

Great Yarmouth Borough Council

The Borough Council looks forward to continuing a good working relationship with the Broads Authority in relation to local plan production, Norfolk Strategic Framework, and a range of other strategic matters under the planning 'Duty to Cooperate'.

BA summary: The Borough Council looks forward to continuing a good working relationship with the Broads Authority in relation to local plan production, Norfolk Strategic Framework, and a range of other strategic matters under the planning 'Duty to Cooperate'.

BA comment: Noted.

Historic England

Question 1: We acknowledge the authority's duty to co-operate statement and seek to continue to work with the authority positively for the ongoing management of the living landscape of the Broads.

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BA summary: We acknowledge the authority's duty to co-operate statement and seek to continue to work with the authority positively for the ongoing management of the living landscape of the Broads.

BA comment: Support noted.

Home Builders Federation

We will expect to see a firm agreement among the districts of the Central Norfolk Housing Market Area that they will be able to accommodate the objectively assessed housing needs (OAN) of the HMA in full by 2036. While the Council states that the duty to cooperate is not a duty to agree, it will need to demonstrate that it has worked positively with all the other authorities to ensure that the OAN of all three HMAs will be catered for. While we acknowledge that the ability for the Broads Council to accommodate housing (more than its own housing requirement of 212 homes) will be very limited, this fact does not absolve the Broads from ensuring that the housing need is planned for, and met, by the other authorities. The Council depends on housing need being provided for elsewhere in the HMA and it needs to make sure that the other councils will do this. This is especially the case with regard to Great Yarmouth Borough Council who will be accommodating some of the Broad's unmet housing need (44 homes according to Policy PODM31).

BA summary: While we acknowledge that the ability for the Broads Council to accommodate housing (more than its own housing requirement of 212 homes) will be very limited, this fact does not absolve the Broads from ensuring that the housing need is planned for, and met, by the other authorities.

BA comment: No issues identified with the Duty to Cooperate Statement in this representation. Comments noted. See Housing Topic Paper.

Knight, J (BA Navigation Committee Member)

Question 1: The Authority appears to be in clear breach of its own Duty to Co-operate Statement (section 2.2 (i) - Co-operation mechanisms - Direct links at member level), as it has excluded Broadland District Council's appointed councillor from the planning committee for over 6 months without explanation.

BA summary: The Authority appears to be in clear breach of its own Duty to Co-operate Statement (section 2.2 (i) - Co-operation mechanisms - Direct links at member level), as it has excluded Broadland District Council's appointed councillor from the planning committee for over 6 months without explanation.

BA comment: Noted. 2.2 is a statement of fact at the time of writing and the thrust of the statement is confirmed by this representation. The Authority cooperates well with Broadland District Council in other ways through being part of the Greater Norwich Local Plan production at officer, director and member level for example.

Somerton Parish Council

Question 1: The Authority's approach to Duty to Cooperate (Question 1) is far from satisfactory. For many local people, the Broads Authority remains a somewhat remote, city based body which has no real or acceptable democratic credentials. The Broads population cannot engage constructively and actively on an ongoing basis. An example of this is the Broads Forum which is suppose to give interest groups a voice and an opportunity to comment on policies, plans etc. During 2016, 2 of the 4 Broads Forum meetings were cancelled. Worse still is the Authority's Broads Climate Partnership which meets in secret since members of the public are not allowed to attend meetings and even the minutes of the meetings are not readily available (not available on the Authority's website).

BA summary:

1: The Broads population cannot engage constructively and actively on an ongoing basis.

2: Refers to issues with interest groups.

BA comment:

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- 1: The duty to cooperate is a legal test that requires cooperation between local planning authorities and other public bodies to maximise the effectiveness of policies for strategic matters in Local Plans. With regards to involving the community in the Local Plan, that is where the consultation stages come in. The consultation approach for this Local Plan is beyond what the regulations require in terms of the length of the consultation period and the approach to engaging with and consulting the community.
- 2: These comments will be passed on to officers who are involved in these groups.

South Norfolk Council

Question 1: South Norfolk Council welcomes the Broads Authority's continued commitment to engage through the Duty to Cooperate and look to continue this through the production of the Greater Norwich Local Plan, the Norfolk Strategic Framework and other initiatives and pieces of work as appropriate.

BA summary: South Norfolk Council welcomes the Broads Authority's continued commitment to engage through the Duty to Cooperate

BA comment: Support noted.

7 Challenges and Opportunities

CPRE Norfolk

The weaknesses and threats include a number of water quality and quantity issues which we have given a view above, except on quantity. On quantity this again a Brexit issue, in that at long last, through the combination of the WFD and HR, the Anglian Water WRMP is embedding reductions in abstractions from boreholes and rivers where they are impacting adversely on high designated sites such as SACs. It is vital that these 'sustainability reductions' stay in place, and are not over time weakened or lost through modifications to the supporting current EU legislation.

Among the list of threats we pick out the following: - Major housing and employment growth planned for nearby areas, and associated impacts; Increased recreational pressure, both on 'honey-pots' and remoter, more tranquil and sensitive localities; Traffic growth; Major highway improvements.

Again we have a problem with the planning system, where Councils are restricted in mentioning, far less commenting on, that is major road building that is not actually physically within their boundary, but could have a huge impact on their land. The NDR is now well into construction, but no mention is made of the impact it will have through people pressure and implications of this. In our view this will bring a huge increase in the number of visitors, and particularly day visitors, to the Broads. They will arrive not just because of the planned increases in population around Norwich, but more so with the combination of the completion of A11 dualling, and that of the NDR in 2018 (if on schedule); and again with the A47 dualling from Easton to North Tuddenham in 2022. This view is also clearly that of a large part of the tourism lobby who actively campaigned for the NDR. London and the Midlands are now clearly in the day visit orbit.

As a general comment, we suggest that Councils, can make more use of the Local impact Report procedure; and unlike NDDC when with they did no analysis and sufficed with a five line email saying they supported as it would be good for jobs and the economy. That may be for the future, including a Norwich Western Link Road which the County Council are now actively progressing. However, it will be the Broads Authority who will have to manage increased numbers of visitors who will arrive by car, and perhaps some also by coach travel. As such they can seek information to help the planning for this.

We would suggest that the County Council should carry out AADT forecasts for the traffic entering the NDR between Postwick and the A140, and how much extra traffic will be generated peeling off onto the radial roads towards the Broads. In particular for the A1151 Wroxham Rd. There should be baseline data now, prior to the opening of the NDR; with forecasts for one year after opening, and five years after opening, with the assumptions stated. This should be supplemented by actual measurements every 2-3 years, to build up data as future major road schemes come into operation, A47 dualling and, if it happens, a Western Link Road.

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Possible approaches to reducing the impact of increased vehicle movements should start to be considered now; for example a Park and Ride from the NDR to Wroxham/Hoveton. Issues such as this could be raised through Transport for Norwich (formerly NATS) consultations; assuming the change of name does not imply benefits are not restricted to Norwich City, rather than the Norwich Area.

BA summary: The NDR is now well into construction, but no mention is made of the impact it will have through people pressure and implications of this. In our view this will bring a huge increase in the number of visitors, and particularly day visitors, to the Broads. They will arrive not just because of the planned increases in population around Norwich, but more so with the combination of the completion of A 11 dualling, and that of the NDR in 2018 (if on schedule); and again with the A47 dualling from Easton to North Tuddenham in 2022. However, it will be the Broads Authority who will have to manage increased numbers of visitors who will arrive by car, and perhaps some also by coach travel. As such they can seek information to help the planning for this. We would suggest that the County Council should carry out AADT forecasts for the traffic entering the NDR between Postwick and the A140, and how much extra traffic will be generated peeling off onto the radial roads towards the Broads. In particular for the A1151 Wroxham Rd. There should be baseline data now, prior to the opening of the NDR; with forecasts for one year after opening, and five years after opening, with the assumptions stated. This should be supplemented by actual measurements every 2-3 years, to build up data as future major road schemes come into operation, A47 dualling and, if it happens, a Western Link Road. Possible approaches to reducing the impact of increased vehicle movements should start to be considered now; for example a Park and Ride from the NDR to Wroxham/Hoveton. Issues such as this could be raised through Transport for Norwich (formerly NATS) consultations; assuming the change of name does not imply benefits are not restricted to Norwich City, rather than the Norwich Area

BA comment: Consider adding another threat (which could also be an opportunity if worded in a similar way to that of climate change) relating to major road improvements being constructed, planned or wanted that may not be within the Broads Authority Executive Area. Regarding managing increased numbers of people to the Broads as a result of the NDR, the HRA for that scheme addressed this issue. Of relevance, all local planning authorities in Norfolk jointly commissioned work that surveyed people using particular sites to ascertain habits and origin – visitor recreation study which is soon to be finalised. Regarding AADT suggestion, we will pass that onto Norfolk County Council. Suggestions regarding NDR and Wroxham and Hoveton will be passed onto the relevant body as well.

Historic England

We are pleased with the identification of challenges and opportunities set out within this chapter. We particularly welcome reference to heritage assets and the highly valued landscape within the first bullet point of the identified strengths. Additionally, under Weaknesses we are supportive of the inclusion of the 'high levels of listed buildings and other heritage assets at risk and particular problems in finding compatible and beneficial uses that could help secure the restoration and maintenance of heritage assets such as wind pumps/drainage mills.' As an identified weakness, we look forward to addressing this specifically within the plan (see X below). Under the heading of Opportunities, we request that the following wording or similar is included to reflect the NPPF: Drawing on the contribution made by the unique historic environment to the character of the Broads The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring. We additionally support the inclusion of the following threat: 'Erosion of the special character of the area's landscape and built heritage through: loss of archaeology built/landscape and cultural heritage assets.'; and 'Incremental 'suburbanisation' and other changes.'; and 'Paleo-environmental and organic archaeological remains are especially vulnerable and significant in the broads.' This last point may wish to be separated into two parts: the international significance of the paleo-archaeological remains within the Broads and the unusually well preserved organic remains are strengths; a wealth of archaeological deposits that are not well represented elsewhere within the country. These may be opportunities for investigation and study.

BA summary:

1: General support.

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2: Under the heading of Opportunities, we request that the following wording or similar is included to reflect the NPPF: Drawing on the contribution made by the unique historic environment to the character of the Broads The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring.

3: This last point may wish to be separated into two parts: the international significance of the paleo-archaeological remains within the Broads and the unusually well preserved organic remains are strengths; a wealth of archaeological deposits that are not well represented elsewhere within the country

BA comment:

1: Support noted.

2 and 3: We will incorporate these suggestions into the next version of the Local Plan.

North Walsham and Dilham Canal Trust

Strengths:

Bullet point 1: The restored Canal fits in well with the statement: - 'Extensive, diverse and very highly valued landscape, habitats, flora, fauna and cultural and heritage assets'

Whereas the Broads area is predominately flat, the North Walsham & Dilham Canal offers a unique access from the Broads to the Ant Valley which rises some 17.5 m over the entire length of 14.4km of canal via four locks.

Bullet point 3: The restored Canal fits in well with the statements: - '...Heritage Assets at risk'. The North Walsham & Dilham Canal, from the entrance to the Canal above Wayford Bridge to some 20m below Ebridge Lock, is at risk of being lost together with Honing and Briggate Locks.

Bullet point 4: The restored Canal fits in well with the statement: - 'High levels of tranquillity through much of the Broads; in particular a sense of remoteness in some parts...' The Canal is located within the Ant Valley and potentially gives water and footpath access from the Broads to East Ruston, Honing, Briggate, Meeting Hill, Ebridge (White Horse Common), Spa Common (North Walsham) and Swafeld. These are small, quiet villages set in rural North Norfolk. The footpath network around the lower section of the Canal would be enhanced by the extension of the public footpaths Dilham nos. 7, 22, and 13 and by the reopening of the old footpath from Honing Lock to Dee Bridge.

Bullet point 9: The restored Canal fits in well with the statement: - 'Many organisations and individuals caring for or promoting the value of various aspects of the Broads' The Trust would like to be recognised as an organisation which promotes the additional amenity of 14.4km of historic artificial canal navigation connecting directly to the Broads waterway network.

Bullet point 10: The restored Canal fits in well with the statement: - 'Importance of the Broads for the identity and recreation of a much wider area'

The top 10km of the Canal is part of the recreation available in a much wider area.

Bullet point 11: The restored Canal fits in well with the statement: - 'Older people are often motivated, educated and experienced and play an important role in the community' The Trust's volunteer base is heavily skewed to the 'older generation' but they bring with them a multitude of skills learnt over a lifetime of work.

Weaknesses:

Bullet point 1 The restored Canal fits in well with the statement: - 'Some of the protected habitats in less than optimal conditions/vulnerable to change as a result of fragmentation...'. The restoration of the Canal is viewed by the Trust as providing 14.4km of 'interconnected linear lakes' which pass through County Wildlife Sites and higher order sites. One of the County Wildlife Sites, known by the Trust as Purdy's Marsh, is in a poor condition but the Canal owner, aided by the Trust, is working to restore the area to a healthy state. Restoration of the Canal waterway will involve the removal of deposited silt - a necessity which affects the Broad's rivers if they are to be kept navigable but this can be seen as an opportunity.

Opportunities:

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Bullet point 5: The restored Canal fits in well with the statement: - 'To connect wetland habitats on a landscape scale, to enhance and buffer biodiversity rich areas' Restoration of the 14.4km of canal running up the Ant Valley will do exactly this. De-silting of the Canal would supplement Natural England's South Fen marsh project. Additionally it would provide a clear water link between the wildlife marshes of South Fen and Dilham Broad Fen.

Bullet point 7: The restored Canal fits in well with the statement: - 'Potential for complementary and mutually supportive actions and benefits across environmental, recreational, navigation and local community issues'

Threats:

Bullet point 2: The restored Canal fits in well with the statement: - 'Erosion of the special character of the area's landscape and built heritage through: Loss of archaeology, built/landscape and cultural heritage assets'. Honing Lock, a Broads industrial archaeological site, is at risk of being lost.

BA summary: States how the canal fits with this section.

BA comment: Noted.

Warner, P (BA Member)

In both short and long term is not the vulnerability of subsidised public transport services within the broads (bus and rail) a potential challenge and threat?

BA summary: Is vulnerability of subsidised public transport services within the broads (bus and rail) a potential challenge and threat?

BA comment: Noted. Will add this to the threat section.

8 Vision, Objectives and Existing Policies

Broads Reed and Sedge Cutters Association

This leads on well to the Local Plan vision statement and demonstrates the lack of real community engagement. Local communities do not feel that they are engaged in the decision making process and there is nothing in this plan to suggest that the situation has changed in any way. Could you not at least acknowledge that there is some desire locally to seek a more accountable Broads Authority?

BA summary: Local communities do not feel that they are engaged in the decision making process and there is nothing in this plan to suggest that the situation has changed in any way

BA comment: The consultations are promoted far and wide with summary documents produced which the community may find more appealing to read than the larger main documents. There are drop in sessions as well. This approach has gone beyond the regulatory requirements for consulting and producing a local plan. The community has responded and been involved in the shaping of the plan. The Beccles allocation for residential moorings came from the community. So too did the Brundall equivalent policy in 2014. The nominations for Local Green Space have come from the community. Other suggestions have been taken on board which have originated from the community. It is not for the Local Plan to refer to accountability of the Broads Authority; comment passed on to Chief Executive.

Question 2

CPRE Norfolk

Question 2: We consider that there should be a shared Vision for the two Plans, as they are interdependent, the Local Plan being centred on a policy and sites allocations base, and the Broads Plan on management issues. There is also a potential advantage in this as the Broads Plan is reviewed every five years, and due again in 2017. The Broads Plan can be more responsive to changes, good or bad, and better 'tracking' of the Vision over five year timescales. It can also be a vehicle for thinking ahead on a continuous process, flagging up achievements and problems, and for the latter also offering potential solutions and what needs to be prioritised.

BA summary: Supports shared vision.

BA comment: Support noted.

Historic England

Question 2: We have no objection to the inclusion of the shared vision statement for the Broads Plan (management document) and Broads Local Plan (planning policy document) and welcome reference within this vision statement to distinctive local character and historic significance.

BA summary: General support.

BA comment: Support noted.

Environment Agency

We generally agree with the Broads vision, welcoming the emphasis placed on water quality. The statement acknowledges the importance of biodiversity and the need to manage land and water in an integrated way. However in terms of sustainable living we would like to see the need for environment protection and enhancement strengthened as the focus appears to be on economic sustainability and the need to develop a “buoyant economy”.

BA summary: In terms of sustainable living we would like to see the need for environment protection and enhancement strengthened as the focus appears to be on economic sustainability and the need to develop a “buoyant economy”.

BA comment: There are many statements that refer to environmental protection. The vision is balanced. No change.

Knight, J (BA Navigation Committee Member)

8.1 Draft Vision for the Broads:

Question 2: The vision for the Broads pays little more than lip service to navigation, which is one of the Broads Authority’s three statutory purposes. The word is mentioned once but is not followed up by any aspirations for the preservation and extension of the Broads navigation area, as required by the Broads Act 1988. In addition to the laudable goals proposed, the vision should talk about a flourishing navigation, where people are encouraged to take to the water in a diverse variety of ways, where navigation rights are protected and enhanced and where boating is supported and facilitated through maintenance and provision of moorings and other supporting infrastructure and services.

8.2 Draft Broads Local Plan Objectives (2012 to 2036) Question 3a:

Once again, navigation, tourism and recreation appear to have been included as afterthoughts, have been lumped in with one another (OBJ14) and lack focus or any strategic vision. The Authority has 3 equal statutory purposes and the objectives should reflect these and give equal weight to each.

BA summary:

1: vision: The vision for the Broads pays little more than lip service to navigation, which is one of the Broads Authority’s three statutory purposes

2: objectives: navigation, tourism and recreation appear to have been included as afterthoughts, have been lumped in with one another (OBJ14) and lack focus or any strategic vision.

BA comment:

1: The rest of the vision refers to the things that those navigating the waterways appreciate and experience. The wording used in the representation in relation to navigation is interesting and we will look at how we can capture it. Perhaps in the navigation section somehow.

2: One of the objectives needs to be at number 14 and it happens to be this one. Mr Knight rightly points out that this covers the thrust of our purposes so these three issues cannot be an after thought. Similar to the vision, the rest of the objectives refer to the things that those navigating the waterways appreciate and experience.

8.2 Draft Broads Local Plan Objectives (2012-2036)

Norfolk Wildlife Trust

We support the objectives as set out in section 8.2.

BA summary: Support objectives.

BA comment: Support noted.

North Walsham and Dilham Canal Trust

8.1 Draft Vision for the Broads: By 2036 the Broads will be a place where... The natural environment... The Trust agrees with the tenor of this statement – it fits in well with our Aims and Objectives.

8.2 Draft Broads Local Plan Objectives (2012 – 2036): The Trust agrees in particular with objectives OBJ8, OBJ11, OBJ14 and OBJ15. OBJ8 The area's historic environment and cultural heritage are protected, maintained and enhanced. Local cultural traditions and skills are kept alive. OBJ11 The Broads offers communities and visitors opportunities for a healthy and active lifestyle and a 'breathing space for the cure of souls'. OBJ14 People enjoy the special qualities of the Broads on land and on water. Access and recreation is managed in ways that maximise opportunities for enjoyment without degrading the natural, heritage or cultural resource. Navigation is protected, maintained and appropriately enhanced, and people enjoy the waterways safely. OBJ15 The Broads continues to be important for the function, identity and recreation of the local community as well as over a wider area.

Question 2: Having studied both Plans in some detail it would seem obvious that they should have a shared vision. They complement each other.

Question 3a: Many of the Objectives have relevance to our Canal project, in particular OBJ2, OBJ8, OBJ11, OBJ14 and OBJ15

BA summary:

Vision: The Trust agrees with the tenor of this statement – it fits in well with our Aims and Objectives.

Objectives: The Trust agrees in particular with objectives OBJ8, OBJ11, OBJ14 and OBJ15.

Question 2: Having studied both Plans in some detail it would seem obvious that they should have a shared vision. They complement each other.

BA comment: General support for the vision and objectives noted.

River Waveney Trust

RWT welcomes the particular emphasis given in the Broads Local Plan 'Vision for 2036' to 'the precious nature of clean, fresh water as a fundamental resource' (p.23) and the recognition of declining water quality as a continuing problem (p.20). RWT especially welcomes objectives that aim to enhance, and not simply maintain, local habitats (OBJ4) and water quality (OBJ6), and their associated Strategic and Development Management policies, specifically: POSP 3 (Air, water, waste; enhancement and protection of the environment) together with PODM1 (Water quality), PODM2 (Boat wash down facilities); POSP4 (Flood risk), with PODM4 (Flood risk) and PODM5 (Surface water run-off).

BA summary: General support of vision and objectives.

BA comment: Support noted.

8.2 Draft Broads Local Plan Objectives (2012 to 2036)

RSPB

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We recommend that the text for Objective 5 replaces “balanced way” with “beneficial and integrated way”, which would be consistent with recommendations for policies made in the Habitats Regulations Assessment. The text for Objective 6 should also be amended to “water quality is improved, with appropriate measures implemented to increase capture and efficiency, prevent pollution and reduce nutrients...” Managing water alone will not help to prevent pollution or reduce nutrients, this can only be achieved through appropriate land management and measures to control inputs/discharges to watercourses/bodies.

BA summary:

- 1: We recommend that the text for Objective 5 replaces “balanced way” with “beneficial and integrated way”, which would be consistent with recommendations for policies made in the Habitats Regulations Assessment.
- 2: The text for Objective 6 should also be amended to “water quality is improved, with appropriate measures implemented to increase capture and efficiency, prevent pollution and reduce nutrients...”

BA comment:

- 1: Will make this change.
- 2: Will weave in this wording into this Objective.

Question 2

RSPB

Question 2: The RSPB agrees that a common vision between both the Broads Plan and Broads Local Plan would be sensible. This vision should be a vision for the Broads and should capture both the management issues and planning issues that need to be addressed. Planning for the built and non-built elements within the Broads should be as joined up as possible and a common vision would help ensure this happens.

BA summary: The RSPB agrees that a common vision between both the Broads Plan and Broads Local Plan would be sensible.

BA comment: Support noted.

Somerton Parish Council

We cannot identify with the vision statement in the plan. Without fundamental changes to address the democratic deficiency the vision statement should read “Local communities continue not to have any active part in discussions about their future etc. etc.”. It may have helped if there had been some independent input in preparing the local plan. A condition report on the area combined with some research and investigation as to what concerns local people could have helped shape a more inclusive plan which people can identify with. There is very little in this draft which stands out as something offering benefit and improvement yet alone hope.

BA summary:

- 1: Without fundamental changes to address the democratic deficiency the vision statement should read “Local communities continue not to have any active part in discussions about their future etc. etc.”.
- 2: A condition report on the area combined with some research and investigation as to what concerns local people could have helped shape a more inclusive plan which people can identify with

BA comment:

- 1: It is not for the Local Plan to address this issue. Comment passed onto the Chief Executive. The community has responded and been involved in the shaping of the plan.
- 2: This was completed at the Issues and Options stage of consultation with associated drop in sessions.

South Norfolk Council

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Question 2: South Norfolk Council supports the Broads Plan and the Broads Local Plan having a shared Vision for the Broads as this will be beneficial for integrated planning.

Question 3a: South Norfolk Council supports the draft Objectives for the Broads Local Plan as they appear to strike a good balance between the environmental, social and economic aspects of the Broads. Particular support for OBJ9 – to ensure that the

housing needs of the community are met and OBJ10 – to ensure that the Broads

Authority maintains close cooperation with the Local Planning Authorities adjoining

its executive area.

Question 3b: No specific comments but monitoring indicators should be clear, meaningful and easy to collect and analysis, and where possible use information that already exists. For ease it would be useful to see all the monitoring indicators together in one table in the final version of the Plan.

BA summary:

1: Supports vision

2: Supports objectives.

3: Monitoring indicators should be clear, meaningful and easy to collect and analysis, and where possible use information that already exists. For ease it would be useful to see all the monitoring indicators together in one table in the final version of the Plan.

BA comment:

1 and 2: Support noted.

3: There will be a Monitoring and Implementation Framework that brings them all together. Making monitoring simple and efficient is a key aim of the Framework.

Question 2

Suffolk Wildlife Trust

Question 2: We think that the Broads Local Plan and Broads Plan should have a shared Vision for the Broads. Both documents should be seeking to deliver the same vision to ensure that the area is managed and developed in a holistic way.

BA summary: Supports shared vision.

BA comment: Support noted.

8.2Draft Broads Local Plan Objectives (2012 to 2036)

Suffolk Wildlife Trust

We support the objectives set out in section 8.2 of the preferred options document, in particular OBJ2, OBJ3, OBJ4, OBJ5, OBJ6, OBJ7, OBJ10, OBJ11, OBJ14 and OBJ16.

BA summary: Support objectives.

BA comment: Support noted.

Weymouth, S (Councillor)

Vision statement without changes to address the democratic deficiency local communities continue not to have any active part in discussions about their future etc. etc.". It would appear there was no 'local' input in preparing the local plan. For me there is very little in this draft which stands out as something offering benefit and improvement yet alone hope.

BA summary: Without fundamental changes to address the democratic deficiency the vision statement should read "Local communities continue not to have any active part in discussions about their future etc. etc.".

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BA comment: It is not for the Local Plan to address this issue. Comment passed onto the Chief Executive. The community has responded and been involved in the shaping of the plan. Mrs Weymouth will be contacted to elaborate on the last part of the representation. *Mrs Weymouth met and Local Plan discussed and amendments made where appropriate.*

Question 3a

Historic England

Question 3a: Do you have any thoughts on the draft Objectives for the Broads Local Plan?

We are encouraged that the local plan objectives include Objective 3 (Protection of landscape character and its setting), Objective 8 (Historic Environment and Cultural Heritage and Objective 10 (Management of change) are particularly relevant to the active conservation of the historic environment.

BA summary: General support.

BA comment: Support noted.

8.3 Special Qualities of the Broads

Historic England

This an important section which defines the special qualities that most other policies refer to and against which the impacts of development will be judged. We are pleased to note that the special qualities are diverse and cover many different aspects of the historic environment including less tangible elements such as people's interactions with the landscape and traditional skills and traditions.

BA summary: General support.

BA comment: Support noted.

Page 24 8.3 Special Qualities of the Broads

Norfolk Coast Partnership

The special qualities outlined in section 8.3 could be more specific, in that it is not always clear what is 'special' about the quality quoted. I recognise that these may well be expressed in other documents but it may be worth considering a fuller description of what is special about them in this plan to facilitate good planning applications and planning decisions.

BA summary: It is not always clear what is 'special' about the quality quoted. Consider a fuller description of what is special about them in this plan to facilitate good planning applications and planning decisions.

BA comment: Noted. Will look into this to see if they can be expanded. *Qualiteis not expanded, but introductory text expanded.*

Question 3b

Historic England

Question 3b: As the monitoring indicators are set out with each individual policy, these are addressed within each policy response.

BA summary: As the monitoring indicators are set out with each individual policy, these are addressed within each policy response.

BA comment: Noted.

9 Sustainable Development in the Broads

POSP1 - DCLG/PINS Model Policy

Environment Agency

We would support the inclusion of this policy which is underpinned by the sustainable principles of the NPPF. In particular we welcome the inclusion of the need for development to adapt to the challenges posed by climate change and the need to incorporate design that protects the local ecology and supports green infrastructure. We note that sustainable development will need to consider flood risk, however the justifications for this policy could be strengthened by drawing attention to both the Strategic Flood Risk Assessment and Shoreline Management Plan. Both documents provide key evidence base in regards to flooding but are not referenced in this section.

BA summary: The justifications for this policy could be strengthened by drawing attention to both the Strategic Flood Risk Assessment and Shoreline Management Plan. Both documents provide key evidence base in regards to flooding but are not referenced in this section.

BA comment: These documents are referenced in the flood risk section. This overall strategic policy has various other strands of the Local Plan related to it and it is in those sections where it is most appropriate to refer to evidence. No change.

Historic England

We are satisfied with the wording of this policy.

BA summary: We are satisfied with the wording of this policy.

BA comment: Noted.

Knight, J (BA Navigation Committee Member)

It would have been useful to see a copy of the actual model policy in addition to the altered version, for reference. I do not agree with some of the proposed amendments, which tend to reinforce the widely held perception that the Broads Authority believes itself to be some special case which needs to have its own framework of rules over and above local policies.

Note 2 - the intention of the NPPF is to ensure that the BA will always work proactively with applicants, not just when it feels like it. To refuse to engage from the outset, due to a perception that there is no possibility of making proposals acceptable, shows unacceptable pre-determination. The word 'always' should be retained.

Note 3 - arguably the word 'jointly' is unnecessary but it does serve to stress that the parties should work together and that there is a joint responsibility to identify solutions.

Note 4 - I do not believe that there is any requirement for development to meet the statutory purposes of the Broads Authority. Although development which meets the statutory purposes is of course desirable, the inclusion of these words implies that development which does not meet the statutory purposes is automatically unacceptable. Many proposals may not touch upon any of the 3 statutory purposes, for example, but that doesn't make them unacceptable in planning terms.

Note 7 - this is unnecessary, unless there is an intention to apply disproportionate weight to NPPF policies which expressly relate to the Broads (of which there are in any event only 2).

BA summary:

Does not agree with amendments.

BA comment:

In general, this policy has been rolled forward verbatim from the adopted Sites Specifics Local Plan (2014) policy and has been found sound. No change proposed. Note 2 - see POSP2 wording that reiterates this and goes further.

Les Browne Associates (agent for Brundall West Marina)

The model Policy POSP1 promotes the principle of sustainable development and the need for Authorities to work positively with developers to provide solutions such that the majority of proposals can be approved. This is underpinned by Policy POSP2 which also supports the presumption in favour of development subject to a number of tests. These policies are fully supported.

BA summary: These policies are fully supported.

BA comment: Support noted.

RSPB

The RSPB notes that the supporting text highlights that the presumption in favour of sustainable development proposals does not apply when a Likely Significant Effect on a Natura 2000 sites is identified. This is consistent with paragraph 119 of the National Planning Policy Framework: “119. The presumption in favour of sustainable development (paragraph 14) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.” However, we suggest including this statement within the actual policy text would be stronger.

BA summary: Suggest including NPPF119 within the actual policy text would be stronger.

BA comment: This is the model policy which all Local Plans include on the advice of PINS. We have changed it somewhat to reflect the Broads, but do not intend to change it any more. The Model Policy effectively refers to the NPPF and as such NPPF119 will be in place to help determine planning applications. No change to policy.

POSP2 - Sustainable Development in the Broads

Historic England

We are pleased to note that all changes in land uses / management must ensure that all aspects of the environmental and cultural assets of the Broads’ distinctive landscape are protected, enhanced and restored. We are encouraged that particular attention will be paid to the quality of the built environment. With regard to the efficient use of land, we request the following addition to ensure that density and development is not maximised to the detriment of surrounding landscape character or the setting of nearby historic structures: 'Particular attention will be paid to vi) the efficient use of land, buildings, services and infrastructure where appropriate to the historic environment.'

We also support the encouragement of mitigation of currently intrusive features.

Within the justification of this policy, we appreciate the work that has been carried out to identify landscape character, tranquillity and wildness and design. With regard to historic and cultural environment, we welcome the identification of the Broads’ rich cultural heritage. To improve the scope of this text further, we request that reference is made to the significance of the setting of heritage assets, the value of the intangible historic environment (such as traditional craft skills) and the high potential for archaeological deposits.

BA summary:

1: General support.

2: With regard to the efficient use of land, we request the following addition to ensure that density and development is not maximised to the detriment of surrounding landscape character or the setting of nearby historic structures: 'Particular attention will be paid to vi) the efficient use of land, buildings, services and infrastructure where appropriate to the historic environment.'

3: In the reasoned justification, to improve the scope of this text further, we request that reference is made to the significance of the setting of heritage assets, the value of the intangible historic environment (such as traditional craft skills) and the high potential for archaeological deposits.

BA comment:

1: Support noted.

2: This is a general overarching policy. That particular criterion is not just about the historic environment. There is already a criterion that says: The defining and distinctive qualities of the varied positive landscape characteristics areas and the character, appearance and integrity of the historic and cultural environment. No change.

3: Will amend to reflect this comment.

Knight, J (BA Navigation Committee Member)

a) to c) place a positive obligation on applicants to comply with the Authority's statutory purposes, and to conserve and enhance the special qualities of the Broads. This is unrealistic, unreasonable and often impossible. A more realistic policy would be for applications not to conflict with these purposes and objectives - as in item d).

Generally, the overarching policy places unacceptable positive planning obligations which, if rigidly enforced, would result in development only being possible by the wealthiest individuals and businesses. The thrust of the NPPF is for sustainable development proposals to be approved unless there are good reasons why not - a "what's the harm?" approach. POSP2 takes the reverse approach, only permitting development where there are positive enhancements or benefits beyond the proposal itself. This is contrary to the NPPF.

Much of the reasoned justification demonstrates the subjectivity of the proposed policy. What is included in 'landscape character' for example? Only natural features? Only features more than 100 years old? 50 years old? Only features which have not been managed by humans? The Broads has little or no 'natural beauty' - it is a landscape which has been created and managed by humans over centuries - from the drained marshes and wind pumps, to boatyards, pubs, houses and other buildings. Most of these things which we now value and cherish would never have been permitted under the proposed policy.

Design is another subjective area, especially in view of the varied nature of the local architecture as mentioned in the proposals. Care should be taken to maintain objectivity, especially in the choice of materials. Certainly materials should complement their surroundings, but there are conflicting ideas of 'sustainability'. Is timber, for example, which requires constant maintenance and early replacement, really more sustainable than modern alternatives which might last 25 years or more without attention? The word 'sustainable' is often (incorrectly) taken to mean 'traditional', but traditional materials are often the least sustainable when considered in a whole-life context.

BA summary: General comments on this policy.

BA comment: Noted. We will be reviewing our strategic policies and will take these comments on board during that review.

Les Brown Associates (agent for Brundall West Marina)

The model Policy POSP1 promotes the principle of sustainable development and the need for Authorities to work positively with developers to provide solutions such that the majority of proposals can be approved. This is underpinned by Policy POSP2 which also supports the presumption in favour of development subject to a number of tests. These policies are fully supported. In response to current Environment Agency advice on flood risk and the tests in paragraphs (x) Which seeks sustainability and resistance to climate change is understood and (xiii) Consideration of flood risk taking into account the likely changes as a result of climate changes; We feel there should be a statement in the policy which accepts that in the Broads Area there has historically been many solutions to development and flood risk. In part of the reasoned justifications for the policy it is acknowledged that innovative solutions are required to minimise impact of climate change and flood risk. However the policy itself should recognise there is significant potential for such innovative design solutions in areas of high flood risk and that flood risk solutions put forward by developers will be proactively and positively considered against the Environment Agency advice which is to a large extent generic and does not take account of development in unique locations such as the Broads where some 95% of the area is acknowledged as in an area of high flood risk.

BA summary:

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- 1: These policies are fully supported.
- 2: We feel there should be a statement in the policy which accepts that in the Broads Area there has historically been many solutions to development and flood risk.
- 3: Policy itself should recognise there is significant potential for such innovative design solutions in areas of high flood risk and that flood risk solutions put forward by developers will be proactively and positively considered against the Environment Agency advice which is to a large extent generic and does not take account of development in unique locations such as the Broads where some 95% of the area is acknowledged as in an area of high flood risk.

BA comment:

The Authority is happy to look at innovative ways to deal with all constraints however there is no need to change any policies. The “95% of area at risk from flooding” reference is made in the supporting text. All proposals, including innovative design solutions, would be considered specifically on their merits, and in accordance with national planning policy (and POSP4). The policy doesn’t define possible solutions, although the SPD does discuss some scenarios and options. Of interest is the floating building Topic Paper that can be found here: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0008/875843/Broads-Local-Plan-February-Bite-Size-Pieces.pdf.

Natural England

Under the 'Nature Conservation' bullet point there appears to be a typo in the second sentence “Because all National Nature Reserves (NNRs_ are also SSSIs/ASSIs,..”. In the third sentence Ramsar sites should be added to the text as some NNRs are also designated as these.

BA summary: Under the 'Nature Conservation' bullet point there appears to be a typo in the second sentence “Because all National Nature Reserves (NNRs_ are also SSSIs/ASSIs,..”. In the third sentence Ramsar sites should be added to the text as some NNRs are also designated as these.

BA comment: Will make amendments.

Norfolk Coast Partnership

Draft policy POSP2 Sustainable Development is particularly helpful in defining what the Authority understands by the term ‘sustainable development’, adding much value to the NPPF in this regard.

BA summary: Draft policy POSP2 Sustainable Development is particularly helpful in defining what the Authority understands by the term ‘sustainable development’, adding much value to the NPPF in this regard.

BA comment: Support noted.

Norfolk County Council

We support the principles within this policy. However, in bullet point xii) where reference is made to European conservation designations, we would suggest that the policy could refer to “international conservation designations” so as to include Ramsar sites as well as sites with European designations. Ramsar sites should be treated the same as Natura2000 sites in the context of the Habitat and Species Regulations (as indeed is explicitly stated in the HRA report supporting the plan).

In the same bullet point, we suggest that the word “priority” could be inserted before the phrase “habitats and species” to reflect national biodiversity policy and to be consistent with the NPPF (paragraph 117).

In the reasoned justification (p.28), the wording does not reflect the hierarchy of designated sites as described in the NPPF (Internationally-designated sites -> nationally-designated sites -> locally designated sites; paragraph 117) and there appears to be confusion as to the relationship between the different designations. All component units of internationally-designated sites are Sites of Special Scientific Interest but not all SSSIs have international designations. NNRs are always SSSIs. In this section, no mention is made of Ramsar sites, nor Local Sites (County Wildlife Sites) or Local Nature Reserves. We would suggest that the reference to ASSI – which only operate in the Isle of Man and Northern Ireland - should be removed.

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BA summary:

- 1: in bullet point xii) where reference is made to European conservation designations, we would suggest that the policy could refer to “international conservation designations” so as to include Ramsar sites as well as sites with European designations. In the same bullet point, we suggest that the word “priority” could be inserted before the phrase “habitats and species” to reflect national biodiversity policy and to be consistent with the NPPF (paragraph 117).
- 2: In the reasoned justification (p.28), the wording does not reflect the hierarchy of designated sites as described in the NPPF (Internationally-designated sites -> nationally-designated sites -> locally designated sites; paragraph 117) and there appears to be confusion as to the relationship between the different designations. All component units of internationally-designated sites are Sites of Special Scientific Interest but not all SSSIs have international designations. NNRs are always SSSIs. In this section, no mention is made of Ramsar sites, nor Local Sites (County Wildlife Sites) or Local Nature Reserves.
- 3: We would suggest that the reference to ASSI – which only operate in the Isle of Man and Northern Ireland - should be removed.

BA comment:

- 1: Agree and will amend.
- 2: Agree. Will amend. We will also change p27 final para: ‘the value and integrity of nature conservation interest and objectives of **international** and national nature conservation designations paying attention to habitats and species including ecological networks and habitat corridors, especially linking fragmented habitats of high wildlife value; and’
- 3: Will amend.

Norfolk Wildlife Trust

We support the principle of policy POSP2 relating to Sustainable Development. However, in our view, the policy and supporting information in the section on nature conservation should also refer to Local Wildlife Sites (known as County Wildlife Sites in Norfolk and Suffolk). This is in line with paragraph 113 of the NPPF. A CWS assessment project was carried out by Norfolk Wildlife Trust and The Broads Authority several years ago and a number of CWS are now identified in the Broads Local Plan area. All other Norfolk planning authorities have policies which seek to protect CWS and inclusion of these sites would bring BA in line with national guidance and the policies of other Norfolk LPAs. We are aware that CWS are recognised in a separate Natural Environment Policy but take the view that they should also be referred to in this section

BA summary: Refer to Local Wildlife Sites (known as County Wildlife Sites in Norfolk and Suffolk). We are aware that CWS are recognised in a separate Natural Environment Policy but take the view that they should also be referred to in this section

BA comment: The strategic policies will be reviewed and we will take into account this comment.

River Waveney Trust

The Trust strongly supports PODM13, which sets out the criteria for assessing the impact of proposals on the natural development, but notes that despite OBJ4 on the enhancement of habitats, this matter is only dealt with briefly at strategic policy level in POSP2; RWT considers that protection and promotion of biodiversity is worthy of fuller and more explicit strategic policy support.

BA summary: Despite OBJ4 on the enhancement of habitats, this matter is only dealt with briefly at strategic policy level in POSP2; RWT considers that protection and promotion of biodiversity is worthy of fuller and more explicit strategic policy support.

BA comment: Strategic policies will be reviewed and this comment taken into account.

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RSPB

The RSPB recommends that recognition of the importance of local wildlife is included within consideration (xii).

BA summary: The RSPB recommends that recognition of the importance of local wildlife is included within consideration (xii).

BA comment: The strategic policies will be reviewed and this comment will be considered.

South Norfolk Council

The policy could include mention of the sustainability of local/service centres that serve the Broads e.g. Loddon.

BA summary: The policy could include mention of the sustainability of local/service centres that serve the Broads e.g. Loddon.

BA comment: The Strategic Policies will be reviewed and this comment will be considered as part of that review.

Suffolk County Council

We recommend that a reference to undesignated heritage assets be included in the 'Reasoned Justification' of this policy under Historic and Cultural Environment (page 29).

BA summary: We recommend that a reference to undesignated heritage assets be included in the 'Reasoned Justification' of this policy under Historic and Cultural Environment (page 29).

BA comment: Strategic policies will be reviewed and this comment taken into account.

Suffolk Wildlife Trust

We support the principle of Policy POSP2 (Sustainable Development in the Broads), however we consider that both criterion xii of the policy and the Nature Conservation section of the justification text should include reference to non-statutory designated sites (County Wildlife Sites) in accordance with the requirements of the National Planning Policy Framework (NPPF) (paragraph 113). As part of the Broads Authority area lies within Suffolk, we also recommend that the final paragraph of the Nature Conservation section of the justification text should be amended to include reference to the Suffolk Biodiversity Action Plan BAP) and Suffolk Priority Habitats and Species, alongside the Norfolk BAP.

BA summary:

- 1: Refer to County Wildlife Sits.
- 2: Refer to Suffolk Priority Habitats and Species

BA comment:

1 and 2: Will review the strategic policies and consider this comment,

POSP3 - Air, water and waste

Environment Agency

We support this policy which appears to be based on the Water Framework Directive. Whilst the policy acknowledges the potential for pollution to the water environment from the "run-off" of nutrients used in agriculture, it does not highlight the risk to the water environment from other sources of pollution that may occur outside the boundary of the Broads. Further information regarding the risks posed to the water environment from nitrates can be found in the Nitrates Directive (2013) and should be referenced as supporting this policy. The Nitrate Directive 2013 can be found at <https://www.gov.uk/government/consultations/implementation-of-the-nitrates-directive-in-england-2013-2016>. We acknowledge that SuDS play an important role in surface water flooding and can provide green infrastructure, however it should be noted that

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sufficient treatment steps are required to ensure the water environment is protected. More information can be found at http://www.ciria.org/Resources/Free_publications/SuDS_manual_C753.aspx and we would be willing to assist further. We welcome the aspiration the Broads Authority has in regards to becoming a “zero Waste Authority” by following the Waste Framework Directive 2011.

BA summary:

- 1: Does not highlight the risk to the water environment from other sources of pollution that may occur outside the boundary of the Broads.
- 2: Further information regarding the risks posed to the water environment from nitrates can be found in the Nitrates Directive (2013) and should be referenced as supporting this policy.
- 3: We acknowledge that SuDS play an important role in surface water flooding and can provide green infrastructure, however it should be noted that sufficient treatment steps are required to ensure the water environment is protected.

BA comment:

- 1: This section could refer to this issue. Does the EA raise such comments when responding to the Local Plans of our constituent councils?
- 2: Will review the Nitrates Directive and incorporate into the section.
- 3: Will improve reference to treatment steps in the SuDS policy PODM5.

Woods, C

The recent removal of free waste collection facilities from various waterside moorings is introducing a serious Health Hazard. I understand this is an attempt to save costs by declaring all boat users' waste be classed as 'Industrial Waste', and to be paid for accordingly, on the weak argument that waste produced by people using hire boats can, with a stretch of the imagination, be described as 'industrial'. Well - your removal of free disposal facilities will without doubt encourage waste to be deposited on the river side or in the water, with all the problems this will create, on the health of people living and holidaying in the area, for the environment and for discouraging further visits to the Broads by holiday makers. Does the Broads Authority really want turn this their bailiwick into a floating sewer? I suspect the British Tourist Board will be less than impressed. It also does not take into account the many private boat users on the Broads, for whom these free waste disposal facilities had been provided as part of their Annual Toll charge. If it is a question of cost, I am sure the boat hire association will appreciate an additional Industrial Waste Disposal Tax.

BA summary: The recent removal of free waste collection facilities from various waterside moorings is introducing a serious Health Hazard

BA comment: The Authority recognises that this is a problem and has been working with District Councils to find a solution. Will refer this comment to the Asset Management Officer.

10 Water and Flooding

PODM1 - Water Quality

Broads Reed and Sedge Cutters Association

Quality reed and sedge products suitable for the UK thatching industry require good water quality and good water flow. There is nothing included to resolve the main impacts on water quality and there has been little interest by the Broads Authority on water quality issues in general. Despite this, Brasca has, through direct talks with the Environment Agency, been able to achieve the implementation of the first Broads Water Quality report (2015 River Thurne). Similar reports for the other Broads' catchments have been promised by the Environment Agency. Brasca has also recently obtained the Environment Agency's agreement to increase monitoring for total nitrogen on one water where previously no monitoring was undertaken. The references to water quality in the plan are considered mainly irrelevant and Brasca will continue to seek improvements to the Broads water quality with direct communication with the Environment Agency and Drainage Boards.

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BA summary: There is nothing included to resolve the main impacts on water quality and there has been little interest by the Broads Authority on water quality issues in general. Reference to the successful reporting requests to EA made by BRASCA. The references to water quality in the plan are considered mainly irrelevant and Brasca will continue to seek improvements to the Broads water quality with direct communication with the Environment Agency and Drainage Boards.

BA comment: BRASCA will be contacted to clarify. The Local Plan addresses water pollution sources of anti fouling paint as well as foul drainage. The representation does not identify other specific sources of water pollution that BRASCA thinks the Local Plan should address. The main place that the Broads Authority reports its water quality enhancement activities is within the Broadland Catchment Partnership. further detail can be found here <http://www.broads-authority.gov.uk/looking-after/managing-land-and-water/beyond-the-broads>.

Environment Agency

We agree with this policy and the requirement for new development to connect to the mains foul sewer. The justification correctly states alternative methods of foul water disposal would require Environmental Permitting through ourselves, in order to protect the water environment.

BA summary: We agree with this policy.

BA comment: Support noted.

Environment Agency

Honing – Knackers Wood water recycling centre – We support the statement indicating that all new development in this area will need to connect to the public foul drainage system and that development will not be approved until capacity is demonstrated within the water recycling centre. Development which does not connect to the main sewage system would require permitting and need to demonstrate that it does not cause environment degradation.

BA summary: Support policy wording. Development which does not connect to the main sewage system would require permitting and need to demonstrate that it does not cause environment degradation.

BA comment: Noted. Will add this to the policy: Development which does not connect to the main sewage system would require permitting and need to demonstrate that it does not cause environment degradation.

Knight, J (BA Navigation Committee Member)

This policy is a duplication of effort with the Environment Agency, which is a statutory consultee. Why, for example, does the Broads Authority need to have its own policy on the means of disposing of sewage effluent when it will be consulting with the Environment Agency on individual applications?

BA summary: This policy is a duplication of effort with the Environment Agency, which is a statutory consultee.

BA comment: This policy sets out a range of requirements for situations where the EA are not always a statutory consultee and therefore may not get to see the application; and for where local planning authorities also have responsibilities. Setting out these requirements in policy covers those situations but also ensures that the applicant is able to consider them early. The EA support the inclusion of this useful policy.

RSPB

Whilst the use of reedbeds to filter waste water is encouraged, consideration will need to be given to the management of such measures to ensure they continue to function. Production of a management plan will be required to demonstrate they will continue to function as intended in perpetuity. The text for the Knackers Wood Water Recycling Centre indicates the monitoring should have been completed last year to understand the capacity issues and whether they have been resolved. Clarity on the current situation should be provided for the final iteration of the Local Plan.

BA summary:

1: Whilst the use of reedbeds to filter waste water is encouraged, consideration will need to be given to the management of such measures to ensure they continue to function.

2: Clarity on the current situation re Knackers Wood Water Recycling Centre should be provided for the final iteration of the Local Plan.

BA comment:

1: Agreed. This is a major constraint for site operators taking these on. Will add text.

2: Text will be updated.

PODM2 - Boat wash down facilities

Broads Hire Boat Federation

We note that this policy refers in part to proposed development that increases the use of existing boatyards, marinas and mooring basins. However, emphasis on filtration of waste water from boat wash down facilities to remove antifouling paint residues is considered unnecessary and excessively restrictive in these situations. There is no evidence that modern antifouling paint (which does not contain tributyltin) is a pollutant and, in any event, its use on hire craft is either limited to a very small waterline hull area or not at all. Invasive non-native species will not be introduced by hire craft which operate permanently in the Broads navigable waters. We recognise that cost considerations are mentioned but would seek amendment to the policy wording so that it clearly does not seek to remedy a non-existent situation and impose on existing hire boatyards requirements that are impractical and disproportionately costly.

BA summary: There is no evidence that modern antifouling paint (which does not contain tributyltin) is a pollutant and, in any event, its use on hire craft is either limited to a very small waterline hull area or not at all. We recognise that cost considerations are mentioned but would seek amendment to the policy wording so that it clearly does not seek to remedy a non-existent situation and impose on existing hire boatyards requirements that are impractical and disproportionately costly.

BA comment: Agree that hire boats have little or no anti-fouling paint on their hulls - this reflects their regular usage. There is scientific evidence of the impact of antifouling paints and the chemicals that are used in them, such as copper and biocides are harmful to the environment. There is evidence of elevated concentrations of copper in the sediments around boatyards. The evidence is as follows:

*ENVIRONMENTAL SCIENCE & TECHNOLOGY / September 1, 2009 - 'Widely used antifouling biocide lingers in freshwater ecosystems'.

*Environmental Change Research Centre, Research Report No. 165, Recent heavy metal contamination of the Thurne Broads, Report to the Broads Authority, 2015.

*The following Thesis: Centre for Environmental Policy, Tributyltin and copper in the Norfolk Broads: An assessment of antifouling biocide contamination in shallow lake sediments, By Jonathan Raven, A report submitted in partial fulfilment of the requirements for the MSc and/or the DIC. September 2012.

Finally, it should be noted that this policy does not single out hire boat yards or indeed hire boats, but refers to boatyards in the Broads.

Environment Agency

We welcome this policy in regards to preventing the spread of invasive species and the damage they could inflict on native eco-systems and species. The policy also recognises the potential for pollution of the water environment from such activities.

BA summary: We welcome this policy.

BA comment: Support noted.

Natural England

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We welcome and support this policy to help reduce pollution impacts on the natural environment and the threat from invasive alien species.

BA summary: Support policy.

BA comment: Support noted.

PODM3 - Water Efficiency

Anglian Water

Anglian Water fully support this policy.

BA summary: Anglian Water fully support this policy.

BA comment: Support noted.

Environment Agency

We welcome the inclusion that all new and replacement development served by Anglian Water Service should incorporate designs that limit water usage, including schemes to recycle grey water and shall have a domestic design demand equivalent of 110 l/h/d. Both Anglia Water and Essex and Suffolk water supply areas have serious water stress as shown in the final classification report. If the Broads Authority choose to give further consideration to policies to limit water usage across the whole plan area we work with the Authority to consider the evidence.

BA summary: We welcome the inclusion that all new and replacement development served by Anglian Water Service should incorporate designs that limit water usage.

Both Anglia Water and Essex and Suffolk water supply areas have serious water stress as shown in the final classification report

BA comment: Support noted. Anglian Water also support this policy. On reviewing the evidence from Essex & Suffolk Water there seemed little justification in applying such a standard to their area as well. Indeed, following conversations with representatives, it became apparent that they would not support such an approach as it is not needed in their area.

Knight, J (BA Navigation Committee Member)

No justification is provided for requiring water efficiency measures in excess of the requirements of the Building Regulations, and it is the responsibility of water utility companies to provide adequate infrastructure for existing and new developments. It is not incumbent upon local planning authorities to respond to a lack of investment by utility companies by imposing additional costs on developers. Grey water recycling and rainwater harvesting systems can be prohibitively expensive and consume energy and other resources for pumping and filtration. Where such a system is considered appropriate on riverside sites, consideration should be given to the use of river water, rather than the storing of rainwater next to a natural reservoir.

BA summary: No justification is provided for requiring water efficiency measures in excess of the requirements of the Building Regulations, and it is the responsibility of water utility companies to provide adequate infrastructure for existing and new developments.

BA comment: See Local Infrastructure Study which seeks to justify such an approach http://www.broads-authority.gov.uk/_data/assets/pdf_file/0003/817914/Broads-Local-Plan-Local-Infrastructure-Study.pdf. Also see representation from Anglian Water supporting such an approach. No change to policy.

Norfolk and Suffolk Boating Association

We note the draft policies to restrict personal water usage, draft policy PODM3 on p37 refers, and suggest that this issue is adequately covered by national policy through the control of building design and design of sanitary appliances in The Building Regulations and associated British Standards, which apply to all UK property development.

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BA summary: We note the draft policies to restrict personal water usage, draft policy PODM3 on p37 refers, and suggest that this issue is adequately covered by national policy through the control of building design and design of sanitary appliances in The Building Regulations and associated British Standards, which apply to all UK property development.

BA comment: It is not clear if the NSBA support or do not support this policy. The Local Infrastructure Study sets out clearly the reasons for taking this approach, which national policy says is possible subject to justification. http://www.broads-authority.gov.uk/_data/assets/pdf_file/0003/817914/Broads-Local-Plan-Local-Infrastructure-Study.pdf. No change.

POSP4 - Flood Risk

Broads Reed and Sedge Cutters Association

There is nothing in the Broads Local Plan to address the ongoing problems with the Broads floodplains not being able to function naturally and correctly owing to many sites having their access dykes from the main rivers blocked off. This also impedes natural water flow on and off sites resulting in stagnation and decline.

BA summary: There is nothing in the Broads Local Plan to address the ongoing problems with the Broads floodplains not being able to function naturally and correctly owing to many sites having their access dykes from the main rivers blocked off.

BA comment: The control of water level and flows on individual floodplain fen sites is a matter for landowners and site managers. This occurs in liaison with Natural England if these sites are protected by natural conservation designations sites or are in receipt of agri-environment payments that prescribe management of fen. This routine management does not require planning permission. Where new or modified water control structures require planning permission the Local Plan already specifies that the Flood Risk Assessment 'It would not negatively impact on water quality of surface water and ground water'.

Knight, J (BA Navigation Committee Member)

There is some question as to whether floating holiday accommodation is considered to be a water compatible use. Common sense dictates that it must be, as it is no different to a boat. Floating lodges or camping pods would for example be a popular extension to the Broads Tourism offering - especially with anglers - but have been resisted on the basis that they do not comply with the NPPG definition of 'water compatible'. Arguably, however, they could be considered to fall under the heading of 'docks, marinas and wharves' and consideration should be given to encouraging this form of development.

BA summary: Comments regarding floating holiday accommodation and floating angling platforms and flood risk compatibility.

BA comment: Noted. It is not clear if this is a proposal for something for the local plan to consider, or general thoughts on the matter. We will get in touch with Mr Knight to understand more. *Clarification sought from Mr Knights and response received on 21/5/2017: 'My view is that the BA should, through its planning policies, encourage the introduction of floating accommodation as a sustainable means of providing holiday units as well as permanent dwellings. Clearly access in times of flood needs to be considered as part of the policy, but in general terms structures which are designed to rise and fall with the tide ought to be encouraged as part of a climate smart approach to planning. This is an area of significant growth in the low countries such as the Netherlands, for example'. This is noted. Due to the work required to address floating buildings, it has been decided to wait until after the adoption of this Local Plan before looking into Floating Buildings in the Broads.*

PODM4 - Flood Risk

Waveney District Council

The Council supports the policy but questions whether it ought to apply to all areas with at least a 1 in 1000 year risk of flooding. The Environment Agency's flood zones only show the extent of flood risk today. Flood risk identified in a Strategic Flood Risk Assessment to support a Local Plan should consider the future risk of flood risk over

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the lifetime of a development taking into account climate change. The extent of areas of flood risk once climate change has been modelled can vary significantly from the Environment Agency's flood zones. Waveney District Council has commissioned a Strategic Flood Risk Assessment which will cover the River Waveney. It is expected that this work will be complete in Summer 2017.

BA summary: The Council supports the policy but questions whether it ought to apply to all areas with at least a 1 in 1000 year risk of flooding.

BA comment: The policy includes requirements for development within "EA flood risk zones". This means Flood Zone 3 & 2; Flood Zone 2 includes areas at risk of up to the 0.1% or 1:1000 annual probability flood event. So the policy does apply to all areas with a 1 in 1000 year risk of flooding. The proposed policy does require an FRA to consider flood risk for the lifetime of the development. Once the full BESL model is available, the current SFRA for the BA area will be able to be updated with the revised (fluvial) climate change flood outlines. When such mapping has been completed, a Local Plan could reference/highlight that there are areas that will become at increased risk of flooding, and that proposals in those areas should therefore give some consideration to that future flood risk. However, the EA would not be a consultee for any such applications if they are outside the current FZ2&3, so an LPA would need to be comfortable reviewing any submitted flood risk considerations.

Norfolk County Council

The second paragraph detailing that development will only be permitted in EA Flood Zones 2 and 3 should include references to 'all sources of flood risk' as this is the description of the NPPF para 100 otherwise you are narrowing its scope. Under evidence used to inform this section it should include references to The EA Risk of flooding from Surface Water maps as well as the Norfolk Local Flood Risk Management Strategy. Under monitoring indicators it should also state permissions granted contrary to the advice of the Lead Local Flood Authority.

BA summary: The second paragraph detailing that development will only be permitted in EA Flood Zones 2 and 3 should include references to 'all sources of flood risk' as this is the description of the NPPF para 100 otherwise you are narrowing its scope. Under evidence used to inform this section it should include references to The EA Risk of flooding from Surface Water maps as well as the Norfolk Local Flood Risk Management Strategy. Under monitoring indicators it should also state permissions granted contrary to the advice of the Lead Local Flood Authority.

BA comment: Noted and will make these amendments.

RSPB

The penultimate paragraph/sentence of the policy text needs to be amended to state "...habitats of national or local importance." There are no site designations of regional importance and the policy should accurately reflect the hierarchy for protected areas: international, European, national and local sites of importance.

BA summary: The penultimate paragraph/sentence of the policy text needs to be amended to state "...habitats of national or local importance."

BA comment: Will amend.

Environment Agency

We agree with policy PODM4 on flood risk and the majority of the requirements of the Flood Risk Assessment (FRA). We recommend that the policy is amended to also include the requirement for a Flood Response Plan to be included within the FRA. This is particularly important as policy PODM4 part n) requires the FRA to demonstrate safe access and egress from the site, which will not be possible for many sites within the Broads during a flood event due to unsafe flood depths. Therefore the safety of people will need to be managed through a Flood Response Plan which advocates evacuation in advance of flooding or remaining in situ within an appropriate refuge. The NPPG requires flood response plans to be included and considered as part of a Flood Risk Assessment. Unless point n) of the policy requiring safe access requires new development to have safe access during the peak of a flood (flood depths less than 250mm) and does not allow the lack of safe access to be managed through submission of a Flood Response Plan. If this is the case, then this should be clearly stipulated within the policy to avoid any confusion. Page 41 states 'For the purposes of this policy,

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footprint will be defined as the ground floor area of the existing buildings, excluding temporary buildings, open spaces with direct external access between wings of a building, and areas of hardstanding'. It is unclear from this whether the 'open spaces with direct external access between wings of a building, and areas of hardstanding' are included or excluded from the footprint. This requires clarification in the report.

Environmental Permitting Regulations 2010: We recommend that flood risk policy PODM4 makes reference, either in the policy or the explanatory text, to the need to obtain an Environmental Permit from us, for flood risk activities for work or structures in, under, over or within 16m from a main river and from any flood defence structure or culvert. The EPR are a risk-based framework that enables us to focus regulatory effort towards activities with highest flood or environmental risk. Lower risk activities will be excluded or exempt and only higher risk activities will require a permit. The works may fall under either one or more of the below: 'Exemption', 'Exclusion', 'Standard Rules Permit', 'Bespoke permit. New forms and further information can be found at: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. Anyone carrying out these activities without a permit where one is required, is breaking the law.

Access and Maintenance: We will always seek an undeveloped margin between built development and the top of bank or rear edge of river wall/defence as a starting position when we are advised about any proposals close to a main river watercourse. We would also highlight that maintenance of the area close to and within a watercourse, out to the centreline of the channel, is a riparian responsibility. More details about this are in our 'Living on the Edge' document which can be found at : <http://www.environment-agency.gov.uk/homeandleisure/floods/31626.aspx>

BA summary: Many comments on the detail of the flood risk section.

BA comment: On adoption of the new Flood Risk SPD, this section will be thoroughly checked to reflect that SPD as well as to reflect this comment. EA's assistance in checking the section may be useful.

Knight, J (BA navigation Committee Member)

There is some question as to whether floating holiday accommodation is considered to be a water compatible use. Common sense dictates that it must be, as it is no different to a boat. Floating lodges or camping pods would for example be a popular extension to the Broads Tourism offering - especially with anglers - but have been resisted on the basis that they do not comply with the NPPG definition of 'water compatible'. Arguably, however, they could be considered to fall under the heading of 'docks, marinas and wharves' and consideration should be given to encouraging this form of development.

BA summary: Comments regarding floating holiday accommodation and floating angling platforms and flood risk compatibility.

BA comment: Noted. It is not clear if this is a proposal for something for the local plan to consider, or general thoughts on the matter. We will get in touch with Mr Knight to understand more. *Clarification sought from Mr Knights and response received on 21/5/2017: 'My view is that the BA should, through its planning policies, encourage the introduction of floating accommodation as a sustainable means of providing holiday units as well as permanent dwellings. Clearly access in times of flood needs to be considered as part of the policy, but in general terms structures which are designed to rise and fall with the tide ought to be encouraged as part of a climate smart approach to planning. This is an area of significant growth in the low countries such as the Netherlands, for example'. This is noted. The Authority will be liaising with EA about using floating buildings to manage residual risk and will work on the idea of floating buildings being used to enable development which is unacceptable in flood risk terms, acceptable for the next Local Plan.*

PODM5 - Surface water run-off

Anglian Water

Surface Water: With regards to surface water, disposal to surface water should be seen as the last option when all sustainable drainage solutions (SuDS) and discharge direct to watercourses have been investigated and proven non viable. Anglian Water strongly recommends that there is inclusion of a district wide or site specific policy regarding SuDS in the Local Plan.

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BA summary: Disposal to surface water should be seen as the last option when all sustainable drainage solutions (SuDS) and discharge direct to watercourses have been investigated and proven non viable.

BA comment: Clarification will be sought with AWS on two issues:

Firstly, there is a SuDS policy so need to clarify their comment about needing a SuDS policy.

Secondly, the SuDS policy has discharge direct to a combined sewer as the last resort with discharge direct to a surface water drain being the penultimate options in the hierarchy.

Environment Agency

We acknowledge that sustainable drainage systems (SuDS) can play an important role in managing surface water run-off. SuDS mimic natural drainage systems and retain water on or near site as opposed to traditional drainage approaches that involve piping water off site as quickly as possible. Where SuDs are incorporated in developments we would wish to see sufficient treatment steps to avoid pollution to the water environment and this should be included in the policy. Generally we would not support the use of deep bore soakaway systems as these can present an unacceptable risk to groundwater environment. If deep bore soakaways are proposed the developer may require an environmental permit from ourselves for a direct discharge to groundwater. SuDS can also be used to enhance the environment of a site by contributing to green infrastructure and providing habitats for wildlife. To be most effective SuDS proposals need to be integrated into scheme designs at an early stage and not retro-fitted once layout has already been established.

BA summary: Where SuDs are incorporated in developments we would wish to see sufficient treatment steps to avoid pollution to the water environment and this should be included in the policy. Generally we would not support the use of deep bore soakaway systems as these can present an unacceptable risk to groundwater environment. If deep bore soakaways are proposed the developer may require an environmental permit from ourselves for a direct discharge to groundwater. SuDS can also be used to enhance the environment of a site by contributing to green infrastructure and providing habitats for wildlife. To be most effective SuDS proposals need to be integrated into scheme designs at an early stage and not retro-fitted once layout has already been established.

BA comment: These comments will be included in this section to improve it.

Knight, J (BA Navigation Committee Member)

This policy duplicates NPPF & NPPG policies and is therefore unnecessary.

BA summary: This policy duplicates NPPF & NPPG policies and is therefore unnecessary.

BA comment: We will liaise with the Lead Local Flood Authorities and the Environment Agency regarding this suggestion as well as Anglian Water and amend the policy as per their recommendations.

Norfolk County Council

There is some confusion over what is being attempted by this policy. The LLFA is happy to meet with the Broads Authority to discuss the issues with this as it is complex. Specifically the discharge hierarchy and storage requirements are confused. It may also be difficult to relate this to the requirements of the national standards as set out in the reasoned justification. The statement beneath the priority list is incorrect. Some SuDS measures such as permeable paving can be used in combination with other drainage methods to reduce run-off even on sites which ultimately don't use infiltration as a final discharge location. This statement should be amended to reflect this. The monitoring statement is useful but needs to reflect how this would be targeted to those sites that would require it and be linked to the water level requirements of infiltration devices i.e. no ground water within 1.2 m of the base of infiltration devices. It is unclear what the intention is behind the statement referring to minor development. It is a requirement of development to ensure no flood risk is posed to the development or elsewhere in the 1 in 100 plus climate change otherwise it may be

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argued the development is not sustainable. Is it the intention to encourage developments to provide greater mitigation that this if possible. If so we would encourage this approach but would suggest it needs to be reworded to reflect the minimum requirement to ensure the development itself is sustainable and then reflect the additional ask. The Flood and Water Management team are in the process of reviewing sites for different levels risk to those outlined above.

BA summary: Various comments on this policy and an offer to meet to discuss it.

BA comment: Will meet with the LLFA to improve this policy.

RSPB

It is unclear in the supporting text (p.44) why management of the SuDS "...during construction phase" only is required to ensure they operate effectively. Once constructed a management plan should be in place, along with appropriate resources, to ensure they continue to operate in perpetuity. Management during construction only is inadequate and the text needs to be strengthened. Planning for management of such features into the future will also help maximise the full range of benefits that SuDS can provide, for example, habitat and biodiversity enhancement. Good examples of how development can be planned to manage water and deliver multiple benefits effectively are outlined in the RSPB/WWT report 'Sustainable drainage systems: maximising the potential for people and wildlife – A guide for local authorities and developers' (available at https://www.rspb.org.uk/Images/SuDS_report_final_tcm9-338064.pdf).

BA summary: Suds can provide many benefits. Once constructed a management plan should be in place, along with appropriate resources, to ensure they continue to operate in perpetuity

BA comment: Whilst the point is valid, the RSPB have misread the text. The text does not include the wording 'only' but says 'also' which is meant to imply management and maintenance from construction and throughout its lifetime. Section will be improved in liaison with the LLFA.

PODM6 - Open spaces on land, play, sports fields and allotments

Environment Agency

We welcome this policy in regards to biodiversity and new habitat creation and note that any new cemetery or an extension to an existing site would require and assessment of the risk posed to groundwater.

BA summary: We welcome this policy.

BA comment: Support noted.

Great Yarmouth Borough Council

The Borough Council supports in principle the proposal to 'defer' to the standard set by the relevant constituent district council, and the ongoing liaison between the Broads Authority and district councils for the location and management of offsite provision. (This would, however, more properly be written as 'will have regard to', in order to avoid the implication that development plan weight will be given to documents and standards which are not (currently) available for scrutiny through the development plan adoption process.) Note that it should not be assumed that the Borough Council would necessarily accept responsibility for the management of any such provision.

BA summary: Supports thrust of policy. This would, however, more properly be written as 'will have regard to'. Note that it should not be assumed that the Borough Council would necessarily accept responsibility for the management of any such provision.

BA comment: Agreed. Will amend text to say 'will have regard to'.

Knight, J (BA navigation Committee Member)

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The joined-up approach with district authorities is applauded.

BA summary: The joined-up approach with district authorities is applauded.

BA comment: Support noted.

Norfolk County Council

Public Health welcome the acknowledgements given to the value of open spaces, play etc. to public health and the consideration given to approaches to address land-based open space, allotments and play requirements in the Broads.

BA summary: Public Health welcome the acknowledgements given to the value of open spaces, play etc. to public health and the consideration given to approaches to address land-based open space, allotments and play requirements in the Broads.

BA comment: Support noted.

South Norfolk Council

Under clause i) South Norfolk Council supports the statement that refers to there being an excess of recreational or amenity open space in the entire settlement (in and out of the Broads). Under b) and c), South Norfolk Council supports the statement that defers to the standards set by relevant constituent district councils. For information South Norfolk Council is currently updating its Recreational Open Space SPG into an SPD. With regard to maintenance, the Council will, from later in 2017, no longer take on responsibility for the management of open spaces; in future developers will need to ensure that this maintenance is carried out either by the parish council or a management Company. Does the statement under b) which states that 'All residential development (other than householder development) is expected to provide a contribution towards outdoor playing space' mean that even a scheme for one dwelling will have to make a contribution? If so, is this a realistic aim?

BA summary:

1: General support for policy.

2: For information South Norfolk Council is currently updating its Recreational Open Space SPG into an SPD. With regard to maintenance, the Council will, from later in 2017, no longer take on responsibility for the management of open spaces; in future developers will need to ensure that this maintenance is carried out either by the parish council or a management Company.

3: Does the statement under b) which states that 'All residential development (other than householder development) is expected to provide a contribution towards outdoor playing space' mean that even a scheme for one dwelling will have to make a contribution? If so, is this a realistic aim?

BA comment:

1: Support noted.

2: Will make a general statement relating to management and maintenance that reflects this comment.

3: Noted. Will review this part of the policy and refer to the NPPG as well.

Sport England

Sport England OBJECTS to this policy, which applies to playing fields as well as other types of public open space, as it conflicts with Sport England's policy 'A sporting Future for the Playing Fields of England' and Para 74 of the NPPF. Our particular concern is criteria (ii) which appears to advocate 'enabling development' on part of the existing open space as a means of enhancing the remaining facility. Playing fields should not be lost unless there is a proven surplus of provision in the catchment area, as evidenced in a robust local assessment. Sport England would not object to appropriate ancillary development on playing fields which enhances the main use of the site, for example pavilions, changing rooms, car parking etc. However, it is not clear from the wording of the policy whether 'development' refers to enabling development (e.g.

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housing) or appropriate ancillary development. In addition, criteria (i) should refer to a surplus of provision in the 'catchment area' rather than the 'settlement', as facilities such as playing fields often serve users beyond the immediate settlement they are located in. With regard to criteria (iii), the wording should more closely reflect exception E4 of Sport England's playing fields policy (and NPPF Para 74), which states: 'The playing field or playing fields, which would be lost as a result of the proposed development, would

be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development'. For reference, Sport England's full policy in relation to playing fields can be accessed here:

<https://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/>

BA summary:

1: Sport England OBJECTS to this policy.

2: Our particular concern is criteria (ii) which appears to advocate 'enabling development' on part of the existing open space as a means of enhancing the remaining facility. Playing fields should not be lost unless there is a proven surplus of provision in the catchment area, as evidenced in a robust local assessment. Sport England would not object to appropriate ancillary development on playing fields which enhances the main use of the site, for example pavilions, changing rooms, car parking etc. However, it is not clear from the wording of the policy whether 'development' refers to enabling development (e.g. housing) or appropriate ancillary development.

3: Criteria (i) should refer to a surplus of provision in the 'catchment area' rather than the 'settlement', as facilities such as playing fields often serve users beyond the immediate settlement they are located in.

4: Criteria (iii), the wording should more closely reflect exception E4 of Sport England's playing fields policy (and NPPF Para 74), which states: 'The playing field or playing fields, which would be lost as a result of the proposed development, would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development'.

5: For reference, Sport England's full policy in relation to playing fields can be accessed here:

<https://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/>

BA comment:

1: Noted, although there are amendments suggested which if made to the policy, it is presumed will make the policy acceptable.

2: Will amend to reflect comment – ancillary development and give examples.

3: Will amend to say catchment.

4: Will review text against SE policy.

5: Noted.

Waveney District Council

Waveney District Council has not yet concluded on how it will address open space requirements in the emerging Local Plan. Policy DM25 of the Council's Development Management Policies which forms part of the Local Plan sets guidelines for approximately 53m² per dwelling dependant on density. The Council may not continue with these guidelines in the new Local Plan, and may not set a quantitative standard.

BA summary: Waveney District Council has not yet concluded on how it will address open space requirements in the emerging Local Plan. The Council may not continue with these guidelines in the new Local Plan, and may not set a quantitative standard.

BA comment: Noted. The policy will be reviewed in line with this comment and emerging information about the related policies in all our constituent council's Local Plans.

12 Water open space/blue infrastructure

PODM7 - Staithes

Somerton Staithe and Boat Dyke Charity

- 1) "Public Staithe, with 24 hour Broads Authority moorings, owned by Somerton Parish Council". Somerton Staithe is a Parish Staithe, with moorings restricted, via a waiting list, to residents of Somerton and Winterton. Beyond the parish Staithe, where the dyke joins the main river, are the Broads Authority free 24 hour moorings. These are quite separate from the restricted moorings by the Staithe, and are NOT owned by Somerton Parish Council, or managed by the Somerton Staithe and Boat Dyke Trust
- 2) We feel your whole conclusion that, despite Somerton Council having ownership of the staithe, and the surrounding land, registered with the Land Registry, the public should have free access, "and as one for vehicles, not just on foot", including mooring as "a right independent of ownership", is unrealistic. Are you suggesting that anyone who owns property with access to the river should allow unlimited access to the public including mooring and vehicles, and only be trustee owners?
- 3) We have allocated moorings for Somerton and Winterton parishioners with no free spaces for visitors. The slipway is restricted to those parishioners too. We allow free access to the river and footpaths for walkers and anglers, and free parking on the very limited space available in the car park we own. something not readily found elsewhere in the Broads Authority area.
- 4) We would question whether your conclusions on "rights" here are based on any aspect of law, or just your opinion with some ulterior motive not explained.
- 5) For all the reasons stated, the Somerton Staithe & Boat Dyke Charity Trustees object to proposed policy PODM7: Staithes of the Broads Local Plan.

BA summary:

- 1: Detailed comments on the Staithes report.
- 2: Objects to policy.

BA comment:

- 1: Comments passed on to Officer leading on report.
- 2: Objection noted. Charity will be contacted to see if there are amendments to the policy they would like to suggest.

Broads Reed and Sedge Cutters Association

Reed and sedge has been harvested for centuries in the Broads and staithes are vital for our industry since they provide locations to stack and load reed and sedge for onward transportation by road. Our members do not take the use of these staithes for granted. They do not consider the use of staithes comes with any rights but always ask permission from the persons/bodies charged with the upkeep and/or ownership of the individual staithes. We had, therefore, looked forward to the staithes report on which policy PODM7 has been used as evidence. It is regrettable that the majority of the public will not be able to comment on this report during the time allocated for the consultation period of the Local Plan since it does not or has not to date, been put on the Authority's website. We have been fortunate to have been sent a copy of the report although the final version is not, we understand, ready. Unfortunately, the report is not the accurate document expected. Apart from missing out some private owned staithes which have considerable importance for the Broads' history i.e. staithes where wherries were built, coal was landed to power steam drainage pumps, etc., there are many inaccuracies in the report. One example of this is the reference to Damgate Staithe at Martham in which the author refers to "the frontage is used for moorings". Having cut reed opposite this location for 34 years, I have never seen any boat moored at this location! Once again the report is an opportunity wasted by the Broads Authority. It is a great pity that no consultation was done with those who own or look after the Broads Staithes. We therefore object to Policy PODM7 on the grounds that the report used as evidence is not accurate therefore the policy is not sound. We do hope that the report is not abandoned and local people be given the opportunity to contribute to what could be a useful reference document with accurate information of both historical interest and current arrangements at the individual staithes.

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BA summary: Staithes are vital for our industry. It is regrettable that the majority of the public will not be able to comment on this report during the time allocated for the consultation period of the Local Plan since it does not or has not to date, been put on the Authority's website. Unfortunately, the report is not the accurate document expected. We therefore object to Policy PODM7 on the grounds that the report used as evidence is not accurate therefore the policy is not sound.

BA comment: The Association will be contacted to see if they wish to meet to clarify their comments. Comments on the detail of the report to be passed onto the Waterways and Recreation Officer.

Historic England

We request that this policy specifically refers to the historic character of staithes. Staithes may not always be designated assets or located within Conservation Areas. They may physically be contemporary replacements of earlier fabric but are a unique and distinctive feature of the historic environment typifying the Broads area. As such, we request that the following additional bullet point is added to the policy: 'The staithes identified on the policy map are protected from: Development which detrimentally impacts their historic character and setting.'

BA summary: Request that the following additional bullet point is added to the policy: 'The staithes identified on the policy map are protected from: Development which detrimentally impacts their historic character and setting.'

BA comment: Agree. Policy will be amended accordingly.

North Walsham and Dilham Canal Trust

There were several staithes on the North Walsham & Dilham Canal and it is the policy of the Trust to restore as many of these as is possible. We are therefore very supportive of the Broads Authority policy on staithes. Early restoration work on the Honing to Briggate section of the Canal saw the restoration of the staithe at Honing. Sadly the immense amount of volunteer work put into the restoration of Honing Staithe Cut, which was used by the public for walking, picnicking and launching of canoes has been lost by our inability to maintain the staithe due to withdrawal of access by the Canal section owners.

BA summary: There were several staithes on the North Walsham & Dilham Canal and it is the policy of the Trust to restore as many of these as is possible. We are therefore very supportive of the Broads Authority policy on staithes.

BA comment: Support for policy noted.

Somerton Parish Council

The worse possible example is Policy PODM7 Staithes. Somerton, like many villages in the Broads, has a Parish Staithe and therefore any new policy on staithes may have importance for this village. The Local Plan's policy for staithes is based on the "Evidence" from the Broads Authority commissioned report "The Public Staithes of the Broads: a History and Assessment (2016)". This report has not, to date, been made available to the public and therefore the information contained in the report cannot be accessed for the full period of this consultation. As this Parish Council meets every 2 months, we will not be able to comment on this policy which may or may not have important implications for Somerton. It appears some individuals and Broads Authority Staff members have been able to access (read) the report but for this Parish Council and for the residents of Somerton, it remains yet another example of the Authority's selective secrecy. We therefore formally object to this Policy on the grounds that the evidence report has not been made available for public inspection/comment. For this reason alone, the Broads Local Plan should be judged unsound as background papers have not been made available for the full period of the consultation. Somerton Parish Council received the staithes report which was used as evidence for the proposed Policy PODM7 Staithes in the Broads Local Plan, on the 9th January 2017. This was 6 days after our meeting on the 3rd January 2017 when we agreed the Parish Council's responses to the Broads Local Plan. In our initial response, the Parish Council was unable to comment on Policy PODM7 as the report had not been made available to the public. Having now received the report, the Parish Council wishes to make the following addendum to our original response. The staithes report was completed without any

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consultation with Somerton Parish Council or Somerton Staithe & Boat Dyke Charity Trustees, the body who administer our staithe on behalf of the Parish Council. The report acknowledges that the staithe at Somerton belonged to the Drainage Commissioners in 1841 but, by 1910, it was considered the property of the Parish Council. Unfortunately, the reference at the end of the section covering Somerton Staithe is incorrect. It would have been ideal to have included a map clearly showing the areas owned by the Parish and the separate section of nearby riverbank used as 24hours Broads Authority moorings. Can we first suggest that the report be corrected to read; “The Parish Staithe at Somerton is now administered by the Somerton Staithe and Boat Dyke Charity (Reg.No.801536) on behalf of Somerton Parish Council. The Charity was established with a Charity Commission scheme sealed on the 8th July 1988. The mooring and launching of boats is restricted for the owners of properties in West & East Somerton and Winterton-on-Sea. The nearby Broads Authority 24hrs moorings are not owned by Somerton Parish Council. The Parish Council strongly objects to any proposal in Policy PODM7 to change the existing mooring and boat access arrangements at Somerton Staithe which could be included in the policy statement “Their access being obstructed”. The Broads Authority should clarify just what this statement refers to and whether it includes boats owned by the general public or not. Access for and moorings for boats at Somerton Parish Staithe remains limited and is not open to the general public. Somerton Parish Council further suggests that all Parishes mentioned in the Staithe report have the opportunity to access the report and comment on it’s contents before Policy PODM7 is formulated.

BA summary:

- 1: This report has not, to date, been made available to the public and therefore the information contained in the report cannot be accessed for the full period of this consultation. It appears some individuals and Broads Authority Staff members have been able to access (read) the report but for this Parish Council and for the residents of Somerton, it remains yet another example of the Authority’s selective secrecy.
- 2: We therefore formally object to this Policy on the grounds that the evidence report has not been made available for public inspection/comment. For this reason alone, the Broads Local Plan should be judged unsound as background papers have not been made available for the full period of the consultation.
- 3: Detailed comments on the report.
- 4: The Parish Council strongly objects to any proposal in Policy PODM7 to change the existing mooring and boat access arrangements at Somerton Staithe which could be included in the policy statement “Their access being obstructed”. The Broads Authority should clarify just what this statement refers to and whether it includes boats owned by the general public or not. Access for and moorings for boats at Somerton Parish Staithe remains limited and is not open to the general public.
- 5: Somerton Parish Council further suggests that all Parishes mentioned in the Staithe report have the opportunity to access the report and comment on it’s contents before Policy PODM7 is formulated.

BA comment:

- 1: The report was in draft format when it informed this policy. This stage of the local plan preparation is not set out in regulations and can be seen as a bonus consultation stage. As such, to base a draft policy on a draft report is acceptable as there is another stage of the consultation process to go. The Parish Council representatives were told that the report was being finalised. By sharing the report with the Parish Council, it is not clear how the Authority is being secretive. Finally, the Parish Councils will be sent the final report in the next few months for comment.
- 2: Objection noted. We will contact the Parish Council to see what changes they propose or if they would prefer to not have a policy on staithe and understand the reasons (notwithstanding the report issues).
- 3: Detailed comments will be passed on to the Officer who is leading on the report.
- 4: It appears that the Parish Council are interpreting what is intended to be a policy that seeks to protect staithe for the use they are meant to be used for as intentions to open up their access. We will contact the Parish Council to see if any improvements can be made to the policy.
- 5: Will pass on this suggestion to the officer leading on the staithe report.

Weymouth, S (Councillor)

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Somerton has a Parish Staithe and therefore any new policy on staithes may have importance for this village. As I understand The Somerton Staithe and Boat Dyke Trustees were not approached to give their views, surely this should have been the first port of call, likewise all areas with a public staithe the Parish Council's should have been contacted for their views before deciding on 'policies' it is closed shop. Somerton Parish Council are formally object to this Policy on the grounds that the evidence report has not been made available for public inspection/comment. For this reason alone, the Broads Local Plan should be judged unsound as background papers have not been made available for the full period of the consultation.

BA summary: Objects to policy as background papers have not been made available for the full period of the consultation.

BA comment: Objection noted. We will contact the Parish Council to see what changes they propose or if they would prefer to not have a policy on staithes and understand the reasons (notwithstanding the report issues)

BRASCA and Somerton Parish Council representative and Mrs Weymouth were met to discuss this policy. An amended policy was circulated to these as well as the Somerton Staithe and Boat Dyke Charity. Comments logged in consultation statement however as summary, stance of objection continued.

13 Green Infrastructure

PODM8 - Green Infrastructure

Environment Agency

We welcome the expectation that developers should incorporate green infrastructure into their schemes and agree with the positive effects of green infrastructure that are outlined in the policy. In particular we would stress the requirement to connect areas of green infrastructure in order to prevent habitat fragmentation.

As previously stated the inclusion of SuDS can provide an opportunity to contribute to green infrastructure and this policy would appear to compliment policy PODM5.

Whilst the many advantages of green infrastructure are noted in the justified reasoning, you should also consider adding the benefits green infrastructure can provide in relation to reducing the impacts of climate change.

BA summary: Would stress the requirement to connect areas of green infrastructure in order to prevent habitat fragmentation. The inclusion of SuDS can provide an opportunity to contribute to green infrastructure. You should also consider adding the benefits green infrastructure can provide in relation to reducing the impacts of climate change.

BA comment: Noted. Will improve reference to connecting areas of GI, that SuDS can contribute to GI and that other benefits of GI relate to impacts of climate change.

Historic England

We welcome the requirement for green infrastructure 'to protect and enhance the natural environment'.

BA summary: Support policy.

BA comment: Support noted.

Norfolk County Council

The Natural Environment Team makes representations regarding biodiversity, ecological networks, Public Rights of Way and Norfolk Trails as outlined in the Norfolk County Council Planning Obligations Standards (April 2016). We support the policies relating to biodiversity, landscape and green infrastructure. However, we believe the Local Plan document is not consistent in the description or explanation of nature conservation designations. We note inconsistencies in our comments on specific policies.

BA summary: We believe the Local Plan document is not consistent in the description or explanation of nature conservation designations.

BA comment: Noted and will address areas for improvement identified in specific policies.

Norfolk County Council

We support this policy and recognise that comments that we made previously have been incorporated to the policy.

BA summary: Support policy.

BA comment: Support noted.

Norfolk Wildlife Trust

We support the policy PODM8 on green infrastructure and take the view that GI is important not only for creating new areas of ecological importance but also in providing recreational opportunities close to residential areas that will help steer residents away from sensitive ecological sites. In this context it is important that measures are put in place to ensure that funding for GI is secured through planning decisions and that a mechanism is put in place to allocate funding. A GI Strategy and Delivery Plan along with mechanisms to ensure delivery is in place within the Greater Norwich planning area and it make sense for a similar system to be established within BA area and co-ordinated with the system within Greater Norwich

BA summary: A GI Strategy and Delivery Plan along with mechanisms to ensure delivery is in place within the Greater Norwich planning area and it make sense for a similar system to be established within BA area and co-ordinated with the system within Greater Norwich

BA comment: Noted. The Authority does have the Integrated Access Strategy and a general duty to look after and promote a number of sites. There is also Norfolk-wide Green Infrastructure and Ecological Network work underway. This work is not central to the Local Plan, but it could be something undertaken on adoption of the Local Plan.

North Walsham and Dilham Canal Trust

Although not a planning issue with the Canal, restoration of the Canal will fit in well with Policy PODM8. The Canal restoration is not 'development' as such as the Canal and its structures are pre-existing but paragraph 5, 'Green infrastructure proposals should': gives five proposals (a) to (e) which are fully supported by the Trust's Aims and Objectives. The Canal restoration project is identified within PODM8 Infrastructure typologies/components as a Green Corridor '...canals including their banks, hedgerows and other natural features, cycling routes, pedestrian paths, commons and public rights of way'. There are three elements to the Policy: The third element sets out the criteria that proposals for Green Infrastructure need to address and the benefits they can provide: Bullet points 1, 2, 3, 5, 6, 7, 8, 9 and 11 all relate to the Canal restoration project.

BA summary: Consider that the Canal relates well to this policy.

BA comment: Noted.

RSPB

The green infrastructure typologies appear to have been taken from Natural England's Green Infrastructure Guidance (2009). The habitat types listed are intended to cover the whole of England. It would be appropriate to tailor the habitat examples provided to fit with the Broads and it is recommended that reference to 'downland' and 'moor' be removed. The RSPB recognises the extra information on biodiversity enhancements contained within the standalone guide produced by the Broads Authority in 2016.

We support the reference to this guide to ensure it is given appropriate consideration in the decision-making process.

BA summary: The habitat types listed are intended to cover the whole of England. It would be appropriate to tailor the habitat examples provided to fit with the Broads and it is recommended that reference to 'downland' and 'moor' be removed.

BA comment: Noted. Will make this amendment.

South Norfolk Council

South Norfolk Council supports the aim of the policy to contribute to the delivery and management of green infrastructure that meets the needs of communities and biodiversity both within and beyond the proposal boundaries. The Council also supports the statement in the policy that relates to the delivery of Green Infrastructure strategies and complying with the findings of relevant studies of the Broads Authority's constituent districts as this represents a joined up and coordinated approach to the provision of green infrastructure.

BA summary: Support policy.

BA comment: Support noted.

Suffolk Wildlife Trust

In principle, we support Policy PODM8 (Green Infrastructure), in particular criterion (a) and the reference to protecting and enhancing natural environments. However, we query whether the policy could be enhanced by the inclusion of measures to secure the long term beneficial management of new green infrastructure. Green infrastructure has an important role to play in both securing and enhancing biodiversity and in enhancing places for people, however, the quality of this provision relies on long term appropriate management. Failure to secure such management, including the relevant financial contributions required to deliver it, for the life of the development, will result in significantly less effective green infrastructure be delivered.

BA summary: We query whether the policy could be enhanced by the inclusion of measures to secure the long term beneficial management of new green infrastructure.

BA comment: Noted. Will include reference to management.

14 Climate Change

Somerton Parish Council

Likewise, we cannot comment on the references to Climate Change since these have been formulated in secret by the Broads Climate Partnership at meetings where the public are unable to attend . The minutes of these meetings are not readily available and should be posted on the Broads Authority's website. We are therefore unable to access any background papers or information related to Climate Change in the draft plan.

BA summary:

1: We cannot comment on the references to Climate Change since these have been formulated in secret by the Broads Climate Partnership at meetings where the public are unable to attend . The minutes of these meetings are not readily available and should be posted on the Broads Authority's website.

2: We are therefore unable to access any background papers or information related to Climate Change in the draft plan.

BA comment:

1: Noted and will pass on this comment to the Officer who works on Climate Change at the Broads.

2: The main climate change document to which the Local Plan refers to is here: <http://www.broads-authority.gov.uk/looking-after/climate-change>.

Weymouth, S (Councillor)

Likewise, we cannot comment on the references to Climate Change since these have been formulated in secret by the Broads Climate Partnership at meetings where the public are unable to attend . The minutes of these meetings are not readily available and should be posted on the Broads Authority's website. We are therefore unable to access any background papers or information related to Climate Change in the draft plan. Can we suggest that the plan includes accurate references in Policy POXNS3: The

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Coast regarding the agreed shoreline management plan for the relatively small section of coast which falls within the Broads Authority Area (the Horsey to Winterton frontage). This is included in Policy Unit Reference 6.13 of the current Shoreline Management Plan. This plan policy for the time period “By 2055” is to ‘Hold the Line’ with predicted implications of “No loss of property or land behind the existing defences”. The Broads Draft Plan references in Policy POXNS3: The Coast “in view of the high flood and tidal inundation risk to the area” are exaggerated, alarmist and do not reflect the fact that the sea defences and dune system are currently in a good state of repairs and well maintained by the Environment Agency.

BA summary:

- 1: We cannot comment on the references to Climate Change since these have been formulated in secret by the Broads Climate Partnership at meetings where the public are unable to attend . The minutes of these meetings are not readily available and should be posted on the Broads Authority’s website.
- 2: We are therefore unable to access any background papers or information related to Climate Change in the draft plan.

BA comment:

- 1: Noted and will pass on this comment to the Officer who works on Climate Change at the Broads.
- 2: The main climate change document to which the Local Plan refers to is here: <http://www.broads-authority.gov.uk/looking-after/climate-change>.

POSP5 - Climate Change

Environment Agency

Whilst this policy outlines two approaches for dealing with climate change, we would highlight that development should be avoided in areas that are considered most vulnerable to future flood risk rather than merely building in mitigation measures. We recognise that a high standard of design will be promoted in order to incorporate resource efficiency and energy conservation into future developments. Water resource is a further key issue linked to climate change and should be referenced by this policy.

This section should also highlight the importance of identifying and using opportunities to help wildlife adapt to climate change. This maybe through the use of sustainable drainage systems, wetland creation and restoration, promoting green infrastructure and creating green corridors.

BA summary:

- 1: Would highlight that development should be avoided in areas that are considered most vulnerable to future flood risk rather than merely building in mitigation measure.
- 2: Water resource is a further key issue linked to climate change and should be referenced by this policy.
- 3: This section should also highlight the importance of identifying and using opportunities to help wildlife adapt to climate change. This maybe through the use of sustainable drainage systems, wetland creation and restoration, promoting green infrastructure and creating green corridors.

BA comment:

- 1: Noted. We have policies on flood risk as well as National policies. This policy is about other climate change issues as well.
- 2: We have a water resource policy. Will look into potential to cross-refer.
- 3: Noted and will incorporate.

Great Yarmouth Borough Council

The Borough Council supports the promotion of green travel, and supports the promotion of Great Yarmouth as a gateway between the sea and the Broads. (Note the current wording of the document excludes Broads based boats and departing visitors.)

BA summary: GYBC asked for clarification. The comment refers to GY being a gateway to the Broads and that the current wording only applies to inbound visiting boats.

BA comment: Noted. Will change to 'promoting the port gateways at Great Yarmouth and Lowestoft for boats arriving and leaving the area'

Knight, J (BA Navigation Committee Member)

This policy duplicates national guidance, is unnecessary and will quickly become out of date. Encouraging a climate smart approach to development is supported, however.

BA summary: This policy duplicates national guidance, is unnecessary and will quickly become out of date. Encouraging a climate smart approach to development is supported, however.

BA comment: Noted. Will check against national policy. *The Authority considers this an appropriate strategic policy to address climate change which is an important issue for the Broads.*

Norfolk Coast Partnership

The climate change policy POSP5 is also excellent in principle, covering mitigation, resilience and adaptation but doesn't appear to actually require developers to take measures to ensure adaptation and resilience. This may be covered by policy PODM9 but perhaps the wording "and incorporating measures to provide resilience and adaptation to climate change impacts" might be added to "iv) Considering the potential impacts as a result of climate change on development, the natural and historic environment and users of the development"

BA summary: Doesn't appear to actually require developers to take measures to ensure adaptation and resilience

BA comment: Noted. We will add this to iv)

North Walsham and Dilham Canal Trust

Potential impacts will be identified... ii). Since the early days of the Canal restoration project it was recognised that the Canal has the potential to produce renewable electricity. As the Canal is continuously fed by the feed-water and there are four locks with falls of between 2.4m and 4.6m, it has been calculated that there is potential to generate up to a total of 25kw of electricity.

BA summary: The Canal is continuously fed by the feed-water and there are four locks with falls of between 2.4m and 4.6m, it has been calculated that there is potential to generate up to a total of 25kw of electricity.

BA comment: Noted. The Renewable Energy policy is in place to determine if permission should be granted for such projects. The Trust could take advantage of the free pre-application planning advice that is on offer.

PODM9 - Climate Smart Checklist

Knight, J (BA navigation Committee Member)

This policy duplicates national guidance, is unnecessary and will quickly become out of date. Encouraging a climate smart approach to development is supported, however.

BA summary: This policy duplicates national guidance, is unnecessary and will quickly become out of date. Encouraging a climate smart approach to development is supported, however.

BA comment: Noted. Will check against national policy. *The Authority considers this an appropriate strategic policy to address climate change which is an important issue for the Broads.*

15 Soils

PODM10 - Peat

Broads Reed and Sedge Cutters Association

Another commendable policy but the reality on the ground is that traditional broads fen and reed bed dykes continue to be dug wider and deeper regardless of whether any peat is present and some peat sites have been subjected to 'improvements' by digging scrapes, ponds in peat areas. Is this do as I say but not as I do?

BA summary: Traditional broads fen and reed bed dykes continue to be dug wider and deeper regardless of whether any peat is present and some peat sites have been subjected to 'improvements' by digging scrapes, ponds in peat areas

BA comment: Maintenance of existing dykes does not require planning permission. Best practice dyke management includes discussion of plans with the local cutters to ensure that their site management requirements are met.

Environment Agency

This section highlights the environmental benefits provided by peat, including those related to biodiversity and in relation to flooding. In addition peatland restoration delivers greenhouse gas benefits by protecting stored carbon and drastically reducing the amount of carbon dioxide emitted. We welcome the commitment to protect soils. In particular consideration should be given to the transportation and disposal of soil during development to prevent possible movement of invasive species. The issue of soil erosion and possible contamination of the water environment should also be considered.

BA summary: We welcome the commitment to protect soils. In particular consideration should be given to the transportation and disposal of soil during development to prevent possible movement of invasive species. The issue of soil erosion and possible contamination of the water environment should also be considered.

BA comment: Noted and will inform soils section.

Historic England

We welcome the protection offered to historic peat environments and the requirement for an evaluation for paleoenvironments and archaeology. We also welcome the requirement for suitable recording and interpretation prior to the commencement of development.

BA summary: Welcome policy.

BA comment: Support noted.

Norfolk Wildlife Trust

We support the policy PODM10 on peat and support the views of Suffolk Wildlife Trust with regard to terminology. We also support the view that there should be a wider policy relating to soils.

BA summary: We support the policy PODM10 on peat and support the views of Suffolk Wildlife Trust with regard to terminology. We also support the view that there should be a wider policy relating to soils.

BA comment: Support noted.

RSPB

This is comprehensive, well thought through and if properly implemented, should go a good way to protecting peat in the Broads and supporting sustainable development.

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Whilst supportive of the policy, the first sentence should be amended to “Peat soils”. This more accurately reflects that the policy is seeking protection for this soil type across the Broads rather than a few specific locations. The supporting text needs amending to accurately describe the habitat type that is affected in the Broads; the currently used term “lowland peat bog” is inaccurate. The peat forming habitat of the Broads should be defined as lowland fen, the majority of which is calcareous in nature. The JNCC website defines this particular habitat in more detail (emphasis added): “Lowland fens are minerotrophic peatlands (i.e. their nutrients come from ground water as well as rain water), that are at least periodically waterlogged. Although they are underlain by peat, decomposition tends to be relatively high and so the peat depth is shallow and there is no peat dome (as with raised bogs). Fens are complex and dynamic systems; they frequently form complex mosaics with a number of associated habitat types, including wet woodland (fen carr), reedbed, lowland heathland and lowland meadow. The predominant European habitat types of importance to the Broads are set out in the citation for The Broads Special Area of Conservation (SAC)[Ref1: JNCC (undated) Site account of The Broads Special Area of Conservation. Accessed from web page 16 January 2017] (broad habitat and priority habitat category types added in bold) [Ref2: Information taken from <http://jncc.defra.gov.uk/page-5706>. Accessed from web page 16 January 2017] [Ref3: Information taken from <http://jncc.defra.gov.uk/page-3526>. Accessed 16 January 2017]:

- 3140 Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. [UK standing water habitat – Oligotrophic & Dystrophic Lakes]
- 3150 Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation [UK standing water habitat – Eutrophic Standing Waters]
- 7140 Transition mires and quaking bogs [UK Fen, Marsh & Swamp - lowland fen habitat]
- 7210 Calcareous fens with Cladium mariscus and species of the Caricion davallianae* [Ref4: The JNCC website regarding ‘priority natural habitat types’ under the EU Habitats Directive states: A sub-set of the Annex I habitat types are defined as being ‘priority’ because they are considered to be particularly vulnerable and are mainly, or exclusively, found within the European Union (Article 1d). The importance of these priority habitat types is emphasised at several places in the Directive (Articles 4 and 5 and Annex III), not only in terms of the selection of sites, but also in the measures required for site protection (Article 6) and surveillance (Article 11). Such ‘priority’ habitats are denoted with an asterisk.] [UK Fen, Marsh & Swamp - lowland fen habitat]
- 7230 Alkaline fens [UK Fen, Marsh & Swamp - lowland fen habitat]
- 91E0 Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)* [Ref2: Information taken from <http://jncc.defra.gov.uk/page-5706>. Accessed from web page 16 January 2017.] [UK broadleaved and mixed woodland habitat – Wet Woodland]
- 6410 Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [Ref 5: Annex I habitat present as a qualifying feature, but not a primary reason for selection of this site.] [UK Fen, Marsh & Swamp - lowland fen habitat]

Based on the SAC citation the features of importance justify the need to amend the broad peat-forming habitat type used in the Local Plan as ‘lowland fen’.

BA summary:

- 1: First sentence should be amended to “Peat soils
- 2: The currently used term “lowland peat bog” is inaccurate. The peat forming habitat of the Broads should be defined as lowland fen, the majority of which is calcareous in nature

BA comment:

- 1: Will make change.
- 2: Will make change.

Suffolk Wildlife Trust

We support policy PODM10 (Peat), although it should use the term ‘peat soils’ rather than ‘peat’. In the justification text the habitat type should be ‘lowland fen’ rather than ‘lowland peat bog’.

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Question 4: We consider that the absence of a specific policy relating to soils (other than peat) has the potential to leave a policy gap if there are found to be any differences between high level national policy and conditions specific to the Broads. The inclusion of a soil policy within the Local Plan would allow for the consideration of protecting soils from a number of issues, including prevention of development which increase sedimentation or eutrophication of watercourses.

BA summary:

1: Use 'peat soils' and 'lowland fen' rather than 'lowland peat bog'.

2: The inclusion of a soil policy within the Local Plan would allow for the consideration of protecting soils from a number of issues, including prevention of development which increase sedimentation or eutrophication of watercourses.

BA comment:

1: Will make amendments.

2: Noted.

Question 4

RSPB

Question 4: The RSPB supports the approach to protecting peat soils. However, many of the issues affecting the Broads habitats and species relate to the need to conserving soils in general. This is particularly important to reduce sedimentation of watercourses and waterbodies and limit nutrient inputs through surface run-off. The RSPB considers a separate policy for soils may be appropriate for the reasons set out by Natural England. This is a topic related to land management which should be covered within the Broads Plan, but could also be affected by development. The RSPB, therefore, supports Option 2 of the ways to “address soil in the Local Plan.”

BA summary: RSPB, therefore, supports Option 2 of the ways to “address soil in the Local Plan.”

BA comment: Support for option 2 noted.

Natural England

Regarding the question on how the Local Plan should address soil issues, we recommend that an additional generic soil policy is added (in addition to Policy PODM10: Peat) which covers the issues raised in our previous response (our ref 179178) to the Issues and Options consultation stage (our letter dated 1 April 2016), and copied below: “Soils (including protection of BMV land) – the issues of peat and mineral resources have been identified but we advise that soils in the wider sense should also be scoped in. Soil is a finite resource and fulfils many roles that are beneficial to society. As a component of the natural environment, it is important soils are protected and used sustainably. The plan should recognise that development (soil sealing) has a major and usually irreversible adverse impact on soils. Mitigation should aim to minimise soil disturbance and to retain as many ecosystem services as possible through careful soil management during the construction process. Soils of high environmental value (e.g. wetland and carbon stores such as peatland) should also be considered as part of ecological connectivity. We advise that the Plan policies refer to the Defra Code of practice for the sustainable use of soils on construction sites. Reference should also be made to Best and Most Versatile (BMV) agricultural land. BMV land is defined as Grades 1, 2 and 3a in the Agricultural Land Classification (ALC) system. The plan should recognise that development (soil sealing) has an irreversible adverse (cumulative) impact on the finite national and local stock of BMV land. Avoiding loss of BMV land is the priority as mitigation is rarely possible. Retaining higher quality land enhances future options for sustainable food production and helps secure other important ecosystem services. In the longer term, protection of BMV land may also reduce pressure for intensification of other land.”

BA summary: Recommend that an additional generic soil policy is added. Repeats representation to Issues and Options consulted.

BA comment: Noted.

16 Heritage and Historic Assets

POSP6 - Heritage Assets

Historic England

Whilst we appreciate that the plan makes provision for the historic environment and heritage assets. we note that the strategic policy addresses heritage assets whilst the specific development policy addresses the historic environment. We would prefer to see that the historic environment is considered strategically and this may be achieved by altering the name of Policy POSP6 to 'The Historic Environment'.

We request that the opening paragraph which highlights the key buildings, structures and features makes reference to the historic environment, the significance of any identified heritage asset and their setting.

We welcome the requirement to maintain, enhance and provide a better understanding of the significance of cultural heritage value. In bullet point (ii) we request the following amendments to widen the scope of protection to the historic environment more generally: '(ii) Requiring the highest standard of design which will protect existing assets the historic environment and add to the future cultural heritage value.'

We also request the following amendment for better clarity that the significance of a heritage asset is the critical factor which development should be appropriate to: 'Development proposals that bring into use or remove an asset from the heritage at risk register will be supported where appropriate to their significance.'

As a minor point, and to widen the applicability of the policy as far as possible, we request the following substitution in the penultimate paragraph of Page 59:

'Policies aim to set new standards to complement the current character and to create development that will be valued in the future.'

We welcome recognition of heritage assets and archaeology. We would also welcome provision for the creation and management of a locally managed heritage at risk register over the plan period for Grade II buildings and locally listed structures, neither of which appear on the nationally managed heritage at risk register but which may include buildings that typify and provide evidence for the Broads' unique landscape character and heritage.

BA summary:

1: alter the name of Policy POSP6 to 'The Historic Environment'.

2: We request that the opening paragraph which highlights the key buildings, structures and features makes reference to the historic environment, the significance of any identified heritage asset and their setting.

3: change bullet ii to: '(ii) Requiring the highest standard of design which will protect existing assets the historic environment and add to the future cultural heritage value.'

4: Suggest this change: 'Development proposals that bring into use or remove an asset from the heritage at risk register will be supported where appropriate to their significance.'

5: make the following substitution in the penultimate paragraph of Page 59: 'Policies aim to set new standards to complement the current character and to create development that will be valued in the future.'

6: We would also welcome provision for the creation and management of a locally managed heritage at risk register over the plan period for Grade II buildings and locally listed structures, neither of which appear on the nationally managed heritage at risk register but which may include buildings that typify and provide evidence for the Broads' unique landscape character and heritage.

BA comment:

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- 1: Will contact HE about this comment as Heritage Assets is also a term used in the NPPF. The two historic/heritage policies that start this section would be called the same thing. *Clarification received 23 June: Having reviewed our comments and the document, this appears to be a policy name point which could be addressed by switching the policy names, i.e. calling the strategic policy 'POSP6 Historic Environment' and the DM policy 'PODM11 Heritage Assets'. Will make amendments as suggested.*
- 2: Amendment will be made in line with this comment.
- 3: Amendment will be made in line with this comment.
- 4: Will contact HE to clarify what this means. *Clarity sought and policy amended.*
- 5: Amendment will be made in line with this comment.
- 6: Noted. The Authority have an internal record of such assets that are reviewed every five years.

Knight, J (Broads Authority Navigation Committee Member)

Heritage assets deteriorate automatically with time, unless they are properly maintained. Without grant or charitable aid, assets need to have an economic value to ensure their future. Resisting any development which is perceived to be detrimental to the character, appearance or integrity of the building or structure, or insisting on unrealistic standards of design, may result in the asset deteriorating further or being lost.

BA summary: Resisting any development which is perceived to be detrimental to the character, appearance or integrity of the building or structure, or insisting on unrealistic standards of design, may result in the asset deteriorating further or being lost.

BA comment: This interpretation of the consequences of the policy is noted. We will take this into account as the strategic policies are reviewed. That being said, the Authority has a statutory duty to protect the historic environment as do owners of individual assets.

North Walsham and Dilham Canal Trust

The Trust considers that the 4.4km of the North Walsham & Dilham Canal within the Broads area should be recognised as a key Heritage feature in the northern reaches of the Broads footprint. The Canal, its bridges, spillways and locks are heritage structures over 190 years old, although not formally recognised as a 'heritage asset'.

BA summary: The Canal, its bridges, spillways and locks are heritage structures over 190 years old, although not formally recognised as a 'heritage asset'.

BA comment: Noted. Will pass this onto the Historic Environment Manager and ask them to get in touch with the Trust.

PODM11 - Historic Environment

Historic England

We welcome this development management policy which might be better considered to be the historic environment and development. To assist with the widest application of this policy, we request some minor amendments as follows:

All development will be expected to protect, preserve or enhance the significance and setting of historic, cultural and architectural heritage assets and elements of the wider historic environment that give the Broads its distinctive character.

We note that designated assets are to be considered against the context of national policy whereas non-designated assets are to be considered against scale, significance and public benefits. We would reiterate that non-designated assets are heritage assets as defined within the NPPF and are subject to the protection and tests of national policy, applied commensurate with their significance.

We are very supportive of the positive approach to archaeology including the protection of archaeological and built structures which have not previously been identified.

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We are encouraged by the supportive text to this policy which seeks a heritage statement for any development that may affect a heritage asset or its setting. We request that this includes reference to affecting the significance of any asset rather than just the asset itself. It may also avoid confusion to specifically include locally listed buildings within the list of heritage assets requiring a Heritage Statement.

BA summary:

- 1: Make the first sentence: All development will be expected to protect, preserve or enhance the significance and setting of historic, cultural and architectural heritage assets and elements of the wider historic environment that give the Broads its distinctive character.
- 2: We note that designated assets are to be considered against the context of national policy whereas non-designated assets are to be considered against scale, significance and public benefits. We would reiterate that non-designated assets are heritage assets as defined within the NPPF and are subject to the protection and tests of national policy, applied commensurate with their significance.
- 3: Reasoned justification: We request that this includes reference to affecting the significance of any asset rather than just the asset itself. It may also avoid confusion to specifically include locally listed buildings within the list of heritage assets requiring a Heritage Statement.

BA comment:

- 1: Will make this change.
- 2: Unclear of the change that is being suggested. Will seek clarity from HE. *Clarification received 23 June: 'the wording of the policy could be interpreted to deviate from the NPPF. Therefore we recommend that PODM11 b is reviewed in the light of our comments to ensure that it is compatible with the NPPF.'*
- 3: Will make this change.

Knight, J (Broads Authority Navigation Committee Member)

Old does not equal significant. Care must be taken to avoid imposing additional costs on developments just to preserve things which are old or keep things the same. The Broads has evolved over time and must be allowed to continue to do so. Planning conditions requiring archaeological surveys or watching briefs should only be imposed when there are reasonable site specific grounds for doing so. Even a watching brief on a small site is likely to cost a 4-figure sum, which can impact the viability of the development.

BA summary: Care must be taken to avoid imposing additional costs on developments just to preserve things which are old or keep things the same. Even a watching brief on a small site is likely to cost a 4-figure sum, which can impact the viability of the development.

BA comment: Currently, the County Council who run the Historic Environment Record (which is the definitive documentation for known archaeology and historic interest in the County) are sent the weekly list of validated planning applications. They then inform the Authority of any proposals that could have an archaeological implication. This is just areas where there is known potential for archaeology. That being said, it is important to note that the entire area of the Broads has been identified by Historic England as an area of exceptional potential for waterlogged archaeology. Whilst this is not a statutory designation currently, it is possible that in the future further requirements in relation archaeology may arise. The Authority is in regular contact with Historic England about this designation.

South Norfolk Council

Re-use of Historic Buildings as both broadly in line with equivalent South Norfolk Council policies.

BA summary: Supports policy.

BA comment: Support noted.

PODM12 - Re-use of Historic Buildings

Historic England

We welcome the inclusion of this policy and the proposed wording.

Link to practice guides

We note that the plan includes links to practice guides that are long out of date, even where the text refers to current guidance. We suggest that the plan is updated to include the link to the Good Practice Advice in Planning Note 1 at least, preferably with links to the additional good practice advice notes 2 and 3. It would also be useful to directly reference The Historic Environment and Site Allocations in Local Plan - Advice Note 3 which we hope has also informed the plan.

<<https://historicengland.org.uk/images-books/publications/gpa1-historic-environment-local-plans/>>

and

<<https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans/>>.

BA summary: Improve reference to guidance notes.

BA comment: Noted and will amend accordingly.

Knight, J (Broads Authority Navigation Committee Member)

In the absence of grant or charitable aid, historic buildings must continue to have an economic value in order to ensure their future. Resisting 'inappropriate' changes of use must be balanced against the need to ensure that the building has some future. It simply is not possible - or even necessarily desirable - to continue to use all buildings for the purpose for which they were originally designed. This policy is unnecessarily restrictive and generalised.

BA summary:

1: Resisting 'inappropriate' changes of use must be balanced against the need to ensure that the building has some future.

2: It simply is not possible - or even necessarily desirable - to continue to use all buildings for the purpose for which they were originally designed.

BA comment:

1: This is what the policy is intended to do.

2: This is understood and recognised in the policy.

Norfolk Coast Partnership

Many other draft policies, too numerous for me to deal with individually, are also exemplars of what I consider are good policies for a protected landscape, but include PODM12, PODM15, PODM16, PODM22, policies relating to housing /including conversions and extensions etc., and sustainable tourism.

BA summary: General support for some specific policies.

BA comment: Support noted.

South Norfolk Council

Reuse of Historic Buildings as both broadly in line with equivalent South Norfolk Council policies.

BA summary: Supports policy.

BA comment: Support noted.

17 Biodiversity

PODM13 - Natural Environment

Environment Agency

This policy seems to identify the threats posed to the biodiversity of the Broads including the threats from climate change, deteriorating water quality and invasive species. This policy is closely linked to other policies such as PODM8 and appears to compliment these. Whilst the policy indicates that any adverse impact from a development would require appropriate mitigation measures, we would prefer that it includes a requirement to consider alternative development sites are in order to protect sensitive and designated sites.

BA summary: Whilst the policy indicates that any adverse impact from a development would require appropriate mitigation measures, we would prefer that it includes a requirement to consider alternative development sites are in order to protect sensitive and designated sites.

BA comment: Our text is very focused on European Protected Species or and HRA process and needs to be altered to include that when there is adverse impact to any site that the scheme considers, as this is only set out in the HRA context (e.g. 'alternative development sites in no satisfactory alternatives, in terms of the form of, or location for, the development, that would have a lesser impact on the species or habitats').

Natural England

Monitoring indicator – 'Planning Application Habitat Regulation Assessments completed'. We suggest that as most local planning authorities usually seek to adopt the 'shadow HRAs' provided by applicants, the indicator could be amended reflect the quality of HRAs submitted and adopted by the Broads Authority. It could be amended to read 'Planning Application Habitat Regulation Assessments completed correctly at first attempt'.

BA summary: HRA indicator could be amended to reflect the quality of HRAs submitted and adopted by the Broads Authority.

BA comment: Thrust of comment noted. Will consider how to improve indicator.

Norfolk County Council

We support the policy. However, given that all NNRs are also SSSIs we would suggest the reference to NNRs in the policy is superfluous and could be removed. We agree that development proposals where the principal objective is to restore or create new habitat should be supported. However we feel it may be useful to state explicitly that the creation of new habitat should not be at the detriment to other existing valuable habitats (e.g. proposals for the creation of new woodland habitat should not be supported if they are proposed on existing valuable grassland habitat). The policy refers to section 41 priority habitats, so we would suggest that for consistency the reference to priority species in the same paragraph should be "section 41 priority species". In the reasoned justification, reference to the national Biodiversity Action Plan should be removed, as the national BAP process has been superseded. Reference is made to local sites for geodiversity but not County Wildlife Sites which have the same status; for consistency, either both or neither should be mentioned. Reference is made to a Norfolk Ecological Network Mapping Report which it states is in preparation. This should be explained – what is the report and who is undertaking the study?

BA summary:

1: given that all NNRs are also SSSIs we would suggest the reference to NNRs in the policy is superfluous and could be removed.

2: it may be useful to state explicitly that the creation of new habitat should not be at the detriment to other existing valuable habitats (e.g. proposals for the creation of new woodland habitat should not be supported if they are proposed on existing valuable grassland habitat)

3: The policy refers to section 41 priority habitats, so we would suggest that for consistency the reference to priority species in the same paragraph should be "section 41 priority species".

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- 4: In the reasoned justification, reference to the national Biodiversity Action Plan should be removed, as the national BAP process has been superseded.
- 5: Reference is made to local sites for geodiversity but not County Wildlife Sites which have the same status; for consistency, either both or neither should be mentioned.
- 6: Reference is made to a Norfolk Ecological Network Mapping Report which it states is in preparation. This should be explained – what is the report and who is undertaking the study?

BA comment:

- 1: Disagree. NNRs represent distinct and values of exemplar quality and public access/education.
- 2: Agreed. Perhaps amend to: 'Habitat and species enhancement will be required providing they are not at the detriment to other existing valuable habitats.'
- 3: Will amend text.
- 4: Will amend text.
- 5: Will amend text.
- 6: Noted. We will update to reflect the situation when the publication version of the Local Plan is produced.

Norfolk Wildlife Trust

We support the policy PODM13 on Natural Environment and are pleased to see that County Wildlife Sites and Section 41 habitats are referred to in this policy.

BA summary: Supports policy.

BA comment: Support noted.

River Waveney Trust

The Trust strongly supports PODM13, which sets out the criteria for assessing the impact of proposals on the natural development, but notes that despite OBJ4 on the enhancement of habitats, this matter is only dealt with briefly at strategic policy level in POSP2; RWT considers that protection and promotion of biodiversity is worthy of fuller and more explicit strategic policy support.

BA summary: Supports policy.

BA comment: Support for PODM13 noted.

RSPB

The RSPB fully supports this policy. This provides a robust approach to ensuring development is appropriate and will not only protect and maintain habitats and species but also seek enhancements. This reflects the approach to sustainable development set out in the National planning policy Framework (NPPF).

However, some amendment is needed to clarify the Habitats Regulations approach to identifying Imperative Reasons of Overriding Public Interest. In the supporting text the paragraph split between pages 67 and 68 outlines what factors may constitute “public interest.” It should be clearly stated that for Special Areas of Conservation, where ‘priority’ [Ref 2: Information taken from <http://jncc.defra.gov.uk/page-5706>. Accessed from web page 16 January 2017.], [Ref 6: “i.e...Habitats legislation differentiates between “priority” habitats and species and other protected habitats and species, with the former receiving a higher level of protection.” Taken from: Defra (2012) Habitats and Wild Birds Directives: guidance on the application of article 6(4) Alternative solutions, imperative reasons of overriding public interest (IROPI) and compensatory measures. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69622/pb13840-habitats-iropi-guide-20121211.pdf] habitats and species will be affected, only factors relating to public health, public safety and beneficial consequence of primary importance to the environment would constitute IROPI. It should also be clearly stated that the IROPI test can only be considered once all alternative solutions that would be less environmentally damaging have been assessed. Developments for which IROPI could apply will be exceptional.

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It is helpful to see that the condition of SSSIs within the Broads has been assessed. However, this highlights that there remains a lot of work to be done to restore and protect such sites which are identified for their national importance for habitats and species. Of particular concern is that the proportion of sites “in an ‘unfavourable condition’ is significantly above the national average.” This justifies the need for strong policies to protect the Broads environment for its own sake and the additional natural capital benefits that it provides.

BA summary:

- 1: The RSPB fully supports this policy.
- 2: The paragraph split between pages 67 and 68 outlines what factors may constitute “public interest.” It should be clearly stated that for Special Areas of Conservation, where ‘priority’ habitats and species will be affected, only factors relating to public health, public safety and beneficial consequence of primary importance to the environment would constitute IROPI. It should also be clearly stated that the IROPI test can only be considered once all alternative solutions that would be less environmentally damaging have been assessed. Developments for which IROPI could apply will be exceptional.

BA comment:

- 1: Support noted.
- 2: Will amend text.

Suffolk Wildlife Trust

We support Policy PODM13 (Natural Environment).

BA summary: Supports policy.

BA comment: Support noted.

18 Renewable Energy

PODM14 - Energy demand and performance

Knight, J (Broads Authority Navigation Committee Member)

The policy appears to value the character & appearance of heritage assets - along with historic interest and conservation - above the need for energy efficiency. Logically, if the Authority places such importance on reducing the impact of climate change, then energy efficiency should take priority. At the very least, the policy should be seeking a balance between heritage/conservation considerations and the need to reduce energy demand. The Authority is basing its energy efficiency policy on its limited experience of two schemes - only one of which has actually been constructed. This is not a sufficiently broad evidence base and it would make more sense to require proposals to comply with relevant national policies.

BA summary:

- 1: The policy should be seeking a balance between heritage/conservation considerations and the need to reduce energy demand.
- 2: The Authority is basing its energy efficiency policy on its limited experience of two schemes. Would make more sense to require proposals to comply with relevant national policies.

BA comment:

- 1: The policy allows appropriate schemes to improve the energy performance of heritage assets taking into account the reasons for the asset being of heritage value in the first place. There is a balance there. The policy does not say no to any improvements.

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2: As is stated in the Reasoned Justification, there is still the potential for Local Plans to ensure that buildings are designed as sustainably as possible and to require that a reasonable proportion of energy demand is met from renewable or low carbon solutions. The Authority requires buildings to reduce demand before using renewable forms of energy. The Authority is content with this approach. No change.

North Walsham and Dilham Canal Trust

Our thoughts on the use of the Canal feed-water system to generate renewable energy, has been described in Section 14, Climate Change.

BA summary: Our thoughts on the use of the Canal feed-water system to generate renewable energy, has been described in Section 14, Climate Change.

BA comment: Noted.

PODM15 - Renewable Energy

Knight, J (Broads Authority Navigation Committee Member)

The Broads needs to play its part in supporting renewable energy generation. It should not simply play lip service to the importance of renewable energy and then opt out on the basis that the Broads is 'special' - everywhere is special, in its own way. The fact that a development might alter the look of a landscape does not automatically make it inappropriate or undesirable. There would be no wind pumps across the Broads if that view had been taken in the 19th century, and the wind farm at Martham (for example) has its own beauty which adds to the character of the locality. All projects should be considered on their own merits and the plan should not discourage any form of renewable energy as a matter of principle.

BA summary: The Local Plan should not simply play lip service to the importance of renewable energy and then opt out on the basis that the Broads is 'special' - everywhere is special, in its own way. All projects should be considered on their own merits and the plan should not discourage any form of renewable energy as a matter of principle.

BA comment: Again, this policy is not saying no to renewable energy. It is setting a framework in which proposals need to operate. The Broads is a nationally protected landscape and through the various acts and Government policies is to be protected from inappropriate development. The author seems to be limiting his reference to windpower. The Renewable Energy Topic Paper http://www.broads-authority.gov.uk/_data/assets/pdf_file/0006/817917/Renewable-Energy-Topic-Paper.pdf discusses other types of renewable energy and the policy itself does not apply to wind power on its own and the thrust seeks to consider each proposal on their own merits as is suggested.

Norfolk Coast Partnership

Many other draft policies, too numerous for me to deal with individually, are also exemplars of what I consider are good policies for a protected landscape, but include PODM12, PODM15, PODM16, PODM22, policies relating to housing /including conversions and extensions etc., and sustainable tourism.

BA summary: General support for some specific policies.

BA comment: Support noted.

Norwich City Council

Norwich City Council recently commissioned a study into the technical and financial feasibility of water source heat pumps in the River Wensum which concluded that this technology offers potential carbon reductions compared to conventional forms of energy generation and merits further investigation. It would therefore be beneficial to add a reference to water source heat pumps within the reasoned justification (third paragraph, first sentence) acknowledging it as a form of renewable energy that is potentially suitable within the Broads area.

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BA summary: Would therefore be beneficial to add a reference to water source heat pumps within the reasoned justification (third paragraph, first sentence) acknowledging it as a form of renewable energy that is potentially suitable within the Broads area.

BA comment: We do refer to water source heat pumps and the study in our Renewable Energy Topic Paper. Will consider reference in the reasoned justification.

RSPB

The RSPB recommends that the term “unacceptable impact” be amended to “adverse effect”. This would provide consistency with other policies. It is also suggested that the supporting text be strengthened to include avoidance of adverse effects on SSSIs and local sites as well as international sites to ensure consistency with the whole of Policy PODM13 (Natural Environment). This change would be consistent with the HRA recommendation for Policy POSP9 (Sustainable Tourism).

BA summary:

1: The RSPB recommends that the term “unacceptable impact” be amended to “adverse effect”.

2: Supporting text be strengthened to include avoidance of adverse effects on SSSIs and local sites as well as international sites

BA comment:

1: We will check the wording in relation to effects (in relation to adverse, unacceptable and significant) throughout the document

2: Will make change.

19 Landscape Character

Suffolk County Council

The plan effectively articulates what is important in this protected landscape and how it will be conserved and enhanced as part of the development management process. In addition, it is notable and important that the plan identifies that the landscapes of the Broads is rooted in particular economic activity such that it is; “the economies, practices and ways of life that generated and sustained those landscapes.” And furthermore it goes on to say that, “While protection is recognised as important, the needs of a ‘living landscape’, which will involve permitting development necessary to support local communities and the economy, are recognised, subject to criteria that protect and enhance the essential qualities of the landscape, since it is that landscape which provides the basis of their livelihoods.” And that the Broads Authority will; “explore the future in innovative ways that are compatible with the local heritage and culture as well as potentially stimulating the local economy”. Recognition that the character and special qualities of the landscape is rooted in local economic and cultural activities, and that a sustainable and functional economic future is needed to protect the unique landscape of the Broads is welcome.

BA summary: Recognition that the character and special qualities of the landscape is rooted in local economic and cultural activities, and that a sustainable and functional economic future is needed to protect the unique landscape of the Broads is welcome.

BA comment: Support noted.

PODM16 - Landscape

Historic England

We welcome the inclusion of this policy and the recognition within it that historic features and overall perceptions of landscape character form a part of the historic environment typifying the Broads and are worthy of protection and conservation.

BA summary: Support policy.

BA comment: Support noted.

Knight, J (Broads Authority Navigation Committee Member)

Trees do not necessarily form an essential feature of the Broads landscape. In fact, in many areas immediately adjacent to the rivers and Broads they may have a detrimental impact on habitat and ecology. The policy should recognise that tree clearance is desirable in some areas, whilst other areas may need to be protected.

BA summary: The policy should recognise that tree clearance is desirable in some areas, whilst other areas may need to be protected.

BA comment: Noted. As stated in the representation, it depends on the location and depends on the circumstances. This is a Development Management Policy that applies across the entire area and as such its wording is adequate. The paragraph when read as a whole does not go against the comment.

Norfolk Coast Partnership

Many other draft policies, too numerous for me to deal with individually, are also exemplars of what I consider are good policies for a protected landscape, but include PODM12, PODM15, PODM16, PODM22, policies relating to housing /including conversions and extensions etc., and sustainable tourism.

BA summary: General support for some specific policies.

BA comment: Support noted.

Norfolk County Council

We agree with the principles within this policy, which must be consistent across LPA boundaries.

BA summary: Support policy.

BA comment: Support noted.

South Norfolk Council

South Norfolk Council supports the inclusion of a general landscape policy but it is important that there is consistency across Local Planning Authority boundaries to ensure a joined up approach.

BA summary: Supports the inclusion of a general landscape policy but it is important that there is consistency across Local Planning Authority boundaries to ensure a joined up approach.

BA comment: Support noted. Not clear if South Norfolk are saying our approach is different. Will contact for clarity. *Received clarification 28 July referring to reference to district's landscape character assessments – will add this to reasoned justification.*

PODM17 - Land Raising

Historic England

We welcome the inclusion of this policy and the elements of the historic environment that are required to be considered. We request that an additional point is included as follows; 'e) the setting and significance of any heritage asset.'

BA summary: Refer to historic environment.

BA comment: Will add this to criterion d.

Knight, J (Broads Authority Navigation Committee Member)

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This criteria-based approach is preferable to a ban on land raising. In an area where land is slowly sinking, and water levels are slowly rising, it is inevitable that some land raising operations will be necessary and not necessarily undesirable. Whilst it is accepted that it can be desirable to discover evidence of past human interaction with the environment, the future is at least as important as the past and the possible presence of hidden archaeology should not usually be an obstacle to development unless there are site specific considerations which indicate a likelihood of significant finds.

BA summary: This criteria-based approach is preferable to a ban on land raising. Archaeology should not usually be an obstacle to development

BA comment: Noted. This representation seems to support the policy.

RSPB

The RSPB recommends that the term “unacceptable adverse impacts” be amended to “adverse effects”. This is necessary as the current wording indicates that some level of adverse effect would be acceptable, which clearly is not the case, for example, when compared to the Habitats Regulations process. This would also ensure consistency with other policies, for example, the approach taken in Policy PODM13 (Natural Environment).

Subject to the factors that must not be adversely affected, some land raising may be necessary for habitat creation/restoration. The positive benefits that can be derived from land raising should not be prevented.

BA summary:

1: The RSPB recommends that the term “unacceptable adverse impacts” be amended to “adverse effects”. This is necessary as the current wording indicates that some level of adverse effect would be acceptable, which clearly is not the case, for example, when compared to the Habitats Regulations process.

2: Subject to the factors that must not be adversely affected, some land raising may be necessary for habitat creation/restoration. The positive benefits that can be derived from land raising should not be prevented.

BA comment:

1: Noted. Will amend to say ‘adverse effects which cannot be satisfactorily mitigated’ as an adverse effect might be acceptable if it can be adequately mitigated.

2: Noted. Will address this in the supporting text.

PODM18 - Excavated material

Environment Agency

We support this policy and welcome the inclusion of the statement that material that is disposed of in development will require an Environmental Permit.

BA summary: We support this policy.

BA comment: Support noted.

PODM19 - Utilities Infrastructure Development

Historic England

Where point (c) requires infrastructure development to have regard to character of the locality, landscape and amenity we request that the additional point of character and significance of the historic environment is also included. We are encouraged that the authority has included a specific policy that relates to this form of development which can be well integrated into the landscape where it fully considered good design.

BA summary: Refer to historic environment.

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BA comment: Noted. The policy already refers to character in that particular criterion. And in the comment on PODM32 the HE seemed content with the general reference to 'character' which is already included within this policy. As such, no change.

Knight, J (Broads Authority Navigation Committee Member)

It is not clear why there needs to be a special policy for infrastructure development, as any such development would already need to comply with other relevant policies, for example in relation to visual impact. Once again there appears to be a presumption against development unless there is special justification, whilst appearing to accept the fact that utilities infrastructure is a requirement of a modern society. Communications infrastructure is of particular importance, as rural coverage in the Broads is poor and planning authorities should be actively encouraging and facilitating such development.

BA summary: It is not clear why there needs to be a special policy for infrastructure development, as any such development would already need to comply with other relevant policies, for example in relation to visual impact. Communications infrastructure is of particular importance, as rural coverage in the Broads is poor and planning authorities should be actively encouraging and facilitating such development.

BA comment: Some of the criteria are unique to this policy (such as sharing masts). The other criteria may repeat other policies, but it seems prudent and useful to bring together in one place the special qualities that need to be considered in relation to such development. This is not saying a flat no to utilities development, but, like renewable energy, is setting a framework in which proposals need to operate.

Natural England

We welcome and support this policy to help protect the nationally important landscape of the Broads.

BA summary: Supports policy.

BA comment: Support noted.

Norfolk County Council

In the final bullet point, should it refer to 'priority' habitats or 'habitats within protected sites' or all habitats?

BA summary: In the final bullet point, should it refer to 'priority' habitats or 'habitats within protected sites' or all habitats?

BA comment: We are satisfied with the text remaining as it is.

RSPB

The RSPB recommends that the term "unacceptable impact" be amended to "adverse effect". This would provide consistency with other policies.

BA summary: The RSPB recommends that the term "unacceptable impact" be amended to "adverse effect".

BA comment: Noted, although the NPPF itself uses either term, or variations of. The Authority is content with the wording of "unacceptable impact". *Update, as the local plan is being produced, we will check these terms for consistency and appropriateness.*

Warner, P (BA Member)

This deals with development by utilities BUT should you not ought to include development by statutory undertakings (where planning permission is required) within this policy category as well?

BA summary: Should you include development by statutory undertakings (where planning permission is required) within this policy category as well?

BA comment: We will make the amendment.

PODM20 - Protection and enhancement of settlement fringe landscape character

Historic England

The transitional area between settlements and their surroundings is particularly subject to development pressure. These areas are often owe their form and character to historic natural and man-made boundaries and are important elements of the historic environment. We are particularly please therefore to read this well-written and important policy.

BA summary: We are particularly please therefore to read this well-written and important policy.

BA comment: Support noted.

21 Light Pollution

PODM22 - Light pollution and dark skies

Broads Reed and Sedge Cutters Association

PODM22 Light Pollution policy does have merits but the general feeling is that since the majority of light pollution originates outside the Broads Authority area, it would be best to concentrate pollution reduction at source by engaging with those responsible. This can only be done by a light pollution reduction initiative with Parish/District Councils and perhaps schools to increase light pollution awareness.

BA summary: Most light pollution from outside of the area. Engage with those parish/district councils.

BA comment: It is not clear if the Association are suggesting to delete this policy. The Authority needs to ensure it has high light pollution standards in place (this policy) to then seek to influence outside of the Broads. The Authority does and will continue to respond to consultation stages of our constituent district councils' Local Plans with the light pollution/dark skies evidence and proposed approach within the Broads Local Plan as a way of seeking to influence their plans. Furthermore, if Dark Sky Status is sought and then awarded, it will be important to continue to work with all the community. No change to policy.

Great Yarmouth Borough Council

Should read Appendix E, not C, and categories 1 & 2, not A & B.

BA summary: Should read Appendix E, not C, and categories 1 & 2, not A & B.

BA comment: Noted. Will amend references in policy accordingly.

Norfolk and Suffolk Boating Association

Light pollution: In April 2016, we commented on the draft Issues and Options document in connection with bright waterside lighting interfering with helm's night vision, thus having an impact on safety. We note that the IWA also commented on this issue. The proposed PODM22 in section 21 (Light Pollution, p85) is not adequate to address this issue, which should in any case be identified under the Navigation heading, because primary safety on the water is a different issue to on-shore irritation/loss of amenity resulting from inappropriately or badly designed artificial lighting.

BA summary: The proposed PODM22 in section 21 (Light Pollution, p85) is not adequate to address this issue, which should in any case be identified under the Navigation heading, because primary safety on the water is a different issue to on-shore irritation/loss of amenity resulting from inappropriately or badly designed artificial lighting.

BA comment: It is not clear what changes the author would like to see to the policy. It seems the policy in general is supported, but perhaps an addition in the reasoned justification to refer to helm's vision might be adequate. Will contact the NSBA for clarity. *NSBA contacted. Some comments taken on board in this section.*

Norfolk Coast Partnership

Many other draft policies, too numerous for me to deal with individually, are also exemplars of what I consider are good policies for a protected landscape, but include PODM12, PODM15, PODM16, PODM22, policies relating to housing /including conversions and extensions etc., and sustainable tourism.

BA summary: General support for some specific policies.

BA comment: Support noted.

Norfolk Wildlife Trust

We support the policy on light pollution, particularly the recognition that this can have adverse impacts on biodiversity.

BA summary: Supports policy.

BA comment: Support noted.

Somerton Parish Council

Policy PODM22(reference to addressing potential light pollution in the Upper Thurne area) may have reasonable intentions but the Broads Authority could achieve better results by entering into discussions with the District Councils in whose areas the overwhelming majority of light pollution originates. This is particularly important in Somerton where 90%+ of the light pollution originates from the 'high ground' to the south and in particular from Martham and Hemsby.

BA summary: Broads Authority could achieve better results by entering into discussions with the District Councils in whose areas the overwhelming majority of light pollution originates.

BA comment: Noted. We do through Local Plan consultations. If the area is designated Dark Sky Status, there is a commitment to further work with communities and councils.

Weymouth, S (Councillor)

Policy PODM22(reference to addressing potential light pollution in the Upper Thurne area) may have reasonable intentions but the Broads Authority could achieve better results by entering into discussions with the District Councils in whose areas the overwhelming majority of light pollution originates. This is particularly important in Somerton where 90%+ of the light pollution originates from the 'high ground' to the south and in particular from Martham and Hemsby.

BA summary: Broads Authority could achieve better results by entering into discussions with the District Councils in whose areas the overwhelming majority of light pollution originates.

BA comment: Noted. We do through Local Plan consultations. If the area is designated Dark Sky Status, there is a commitment to further work with communities and councils.

Question 5

South Norfolk Council

Question 5: It may be appropriate to produce a guidance note to address light pollution in the Broads as there may need to be different approaches to light pollution depending upon location e.g. the edge of Norwich compared to the rural Broads. There may be safety issues relating to a lack of light in certain areas and a cost implication of imposing specific types of lighting on developers – link to S106 agreements. Overall a bespoke guide for lighting proposals on development would be welcomed and may be of use for adjoining parishes in South Norfolk.

BA summary:

- 1: Overall a bespoke guide for lighting proposals on development would be welcomed and may be of use for adjoining parishes in South Norfolk.
- 2: There may be safety issues relating to a lack of light in certain areas and a cost implication of imposing specific types of lighting on developers – link to S106 agreements

BA comment:

- 1: Noted. We will consider producing guidance in due course.
- 2: Tackling light pollution is not about turning lights off necessarily, but rather making them do what they are intended to do with limited light pollution. The cost of schemes could be the same, but installation and operation improved. The policy talks about 'unnecessary forms of artificial light' and therefore if there is an inherent safety concern, then this will be an important consideration.

North Walsham and Dilham Canal Trust

Question 5: A good idea but from the Trust's point of view we think it would be a good idea to incorporate information about our Canal project. It is partly within the Broads boundary and the wherries which used to ply it for trade in the past used the Broad's rivers to and from Gt. Yarmouth.

BA summary: A good idea but from the Trust's point of view we think it would be a good idea to incorporate information about our Canal project.

BA comment: Unclear how response relates to question 5 on lighting guidance. Will clarify with the Trust. *Clarification sought and response received 19/5/17. The Trust misread the question and asked the Authority to ignore this response.*

Suffolk Wildlife Trust

Question 5: Badly designed or insensitive lighting can have a significant adverse impact of biodiversity, we would therefore support a bespoke, user friendly guide. Such a guide should include links to other existing, related guidance such as the Biodiversity Enhancements Guide.

BA summary: Supports the idea of a guide.

BA comment: Noted.

22 Retail

Knight, J (Broads Authority Navigation Committee Member)

Oulton Broad needs special consideration as a village in decline, with a continued loss of shops and other services. As the southern 'gateway to the Broads', the Broads Authority and Waveney District Council need to take active steps to encourage and facilitate development in order to protect the heritage of this location as a tourist destination.

BA summary: Oulton Broad needs special consideration as a village in decline, with a continued loss of shops and other services.

BA comment: Noted. We have worked up a shared policy with Waveney District Council regarding the District Centre.

South Norfolk Council

In general South Norfolk Council would support the inclusion of a retail policy in the Broads Local Plan. The Council would be keen to work with the Broads Authority to develop a retail policy for inclusion in the publication version of the plan because although South Norfolk does not have any areas identified in the Preferred Options document such as those in North Norfolk and Waveney there is retail provision in South Norfolk close to the Broads at Loddon and any policy needs to protect retail centres outside the Broads Local Plan area.

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BA summary: Although South Norfolk does not have any areas identified in the Preferred Options document such as those in North Norfolk and Waveney there is retail provision in South Norfolk close to the Broads at Loddon and any policy needs to protect retail centres outside the Broads Local Plan area

BA comment: We will contact South Norfolk to see how this can be addressed. *Clarification received 28 June: 'Perhaps just a mention in the supporting text that consideration needs to be given to the impact of any proposal on retail centres outside the Broads Local Plan area e.g. Loddon'. Noted although the retail policies are specifics to Hoveton Town Centre and Oulton District Centre.*

Waveney District Council

The Council supports the proposed consistent policy approach to the District Centre in Oulton Broad.

BA summary: The Council supports the proposed consistent policy approach to the District Centre in Oulton Broad.

BA comment: Support noted.

23 Transport

POSP7 - Getting to the Broads

Great Yarmouth Borough Council

Attention is drawn to the potential value of engaging with the Great Yarmouth Cycle Forum (hosted by the Borough Council) to maximise opportunities for connections and looped routes.

BA summary: Attention is drawn to the potential value of engaging with the Great Yarmouth Cycle Forum (hosted by the Borough Council) to maximise opportunities for connections and looped routes.

BA comment: Noted. Will add this group as a consultee as well as ensure the Waterways and Recreation Officer contacts them in relation to their work.

Historic England

We appreciate the encouragement of access to and enjoyment of the historic environment. We request the following additional wording: 'The creation of links to/from settlements where appropriate to the historic character.'

BA summary: Refer to historic environment.

BA comment: We already say that such improvements would be subject to compatibility with sustainability objectives which would cover the historic environment. No change.

Knight, J (Broads Authority Navigation Committee Member)

This policy lacks focus or detail. Although there is a general presumption in favour of the bicycle, the policy provides no clue as to how such a modal shift might be achieved, and does not consider the practicalities of expecting people to use a bicycle as their primary means of reaching a destination which may be a considerable distance away. The Broads is not a city, settlements are dispersed across a wide rural area and cars are often the only practical means of transportation.

BA summary: This policy lacks focus or detail. No clue as to how such a modal shift might be achieved. Settlements are dispersed across a wide rural area and cars are often the only practical means of transportation.

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BA comment: Comments noted. As previously stated, all strategic policies will be reviewed. We will take on board these comments. It should be noted however that strategic policies are strategic and by their very nature tend not to be focussed. *Note that Norfolk County Council were contacted regarding the transport policies and there was general support for them.*

Warner, P (BA Member)

Should not this read 'the promotion of access to enjoy the built, historic, cultural and natural....'?

BA summary: Should not this read 'the promotion of access to enjoy the built, historic, cultural and natural....'?

BA comment: Will discuss with HRA consultants regarding appropriate wording.

Waveney District Council

The Council supports this Policy and draws attention to the Waveney Cycle Strategy 2016 (<http://www.eastsuffolk.gov.uk/planning/local-plans/waveney-local-plan/existing-waveney-local-plan/background-studies/culture-tourism-and-leisure/waveney-cycle-strategy/>), which could help in meeting the objectives of this policy. It should be noted that the A12 between Great Yarmouth and Lowestoft is soon to be named the A47. The supporting text could also mention the planned third crossing over Lake Lothing in Lowestoft and improvements which will help address congestion issues in the town and as such make access to the southern end of the Broads more efficient. Suffolk authorities are also promoting improvements to the A12 south of Lowestoft which will further aid access to the Broads.

BA summary:

- 1: The Council supports this Policy and draws attention to the Waveney Cycle Strategy
- 2: the A12 between Great Yarmouth and Lowestoft is soon to be named the A47
- 3: The supporting text could also mention the planned third crossing over Lake Lothing in Lowestoft and improvements which will help address congestion issues in the town and as such make access to the southern end of the Broads more efficient

BA comment:

- 1: Noted.
- 2: Will amend.
- 3: Will make reference. *On reflection and on reading the policy, whilst this is of relevance, mentioning the scheme provides detail that does not add to the policy.*

POSP8 - Getting around the Broads

Historic England

We again appreciate the encouragement of access to and enjoyment of the historic environment but again request the following addition: 'Improved access will only be permitted where impacts on the natural and historic environment have been assessed and mitigated for.'

BA summary: Refer to historic environment.

BA comment: Will add historic environment to last sentence.

Knight, J (Broads Authority Navigation Committee Member)

The policy's objective of improving access to the water and creating new launching facilities is applauded.

BA summary: The policy's objective of improving access to the water and creating new launching facilities is applauded.

BA comment: Support noted.

Norfolk County Council

We feel it would be appropriate to make reference in the Policy specifically to the England Coast Path and the Norfolk Trails that are within the Broads area.

BA summary: We feel it would be appropriate to make reference in the Policy specifically to the England Coast Path and the Norfolk Trails that are within the Broads area.

BA comment: We will mention these routes in the reasoned justification.

River Waveney Trust

The RWT also supports POSP8 (Getting around the Broads) and notes that projects such as its pocket parks at Scole and Homersfield help implement these strategic aims.

BA summary: Support policy.

BA comment: Support noted.

RSPB

The RSPB recommends that the final sentence of the policy be amended to “...assessed and appropriately mitigated.” This will help with clarity on the need for mitigation to be of a suitable scale and type to address impacts.

BA summary: The RSPB recommends that the final sentence of the policy be amended to “...assessed and appropriately mitigated.” *Note that this type of wording is being assessed throughout the document for consistency and appropriateness.*

BA comment: Will make amendment.

PODM23 - Transport, highways and access

Knight, J (Broads Authority Navigation Committee Member)

This policy continues the anti-car theme of the Local Plan, whilst ignoring the fact that, for most people, the car is the only practical means of transport within a rural area. Congestion is undesirable but can be reduced by a planning policy which encourages adequate parking provision and the free flow of vehicular traffic. The focus should be getting cars to their destination and off the road as quickly as possible, rather than pretending that everyone is suddenly going to abandon their car and ride a bicycle.

There is no mention anywhere in the Local Plan of the importance of ferries and river taxis to an integrated transport strategy. The Authority should be actively supporting and facilitating these sustainable services, through reduced (or free) tolls and mooring facilities. This is a surprising and concerning omission.

BA summary:

1: Policy continues the anti-car theme of the Local Plan. The focus should be getting cars to their destination and off the road as quickly as possible, rather than pretending that everyone is suddenly going to abandon their car and ride a bicycle.

2: The Authority should be actively supporting and facilitating ferries and river taxis as sustainable services, through reduced (or free) tolls and mooring facilities.

BA comment:

1: Noted. Will check policy against the Sustainable Transport section of the NPPF.

2: The Integrated Access Strategy recognises the importance of ferries. The Authority, through that document, encourages the maintenance of existing and establishment of new ferries. With regards to any part of the operation of these ferries that require planning permission, the general policies of the Local Plan will be used to determine such applications. We will add reference to the IAS to POSP8. *Note that we reference the IAS at the evidence section.*

RSPB

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The RSPB supports measures to encourage people to explore and enjoy the Broads environment in ways that are appropriate to the sensitivities of particular locations. Where appropriate, improved access could be positive. However, it is unclear who will have responsibility for managing any enhanced Public Right of Way network. It is one thing to designate a route, but another to maintain management that allows it to be used. Further detail should be provided on future management, specifically the role of landowners/ managers.

BA summary: It is unclear who will have responsibility for managing any enhanced Public Right of Way network. Further detail should be provided on future management, specifically the role of landowners/ managers.

BA comment: It is usual practice that where new routes are identified, the maintenance and management to enable the ongoing use of the route by the public in a safe way is a fundamental consideration in deciding if the route should be created. The County Councils as Highway Authorities have a duty to maintain the PROW network. The Broads Authority's approach (as we are not a Highway Authority) is usually to create routes by working with landowners to provide permissive paths and the maintenance of these new routes is agreed at the outset of the creation of the route.

PODM24 - Changes to the Acle Straight (A47T)

Broads Reed and Sedge Cutters Association

The environmental concerns for upgrading to a dual carriageway status seem to have completely ignored the ongoing current environmental pollution from the existing road. Salt applied during the winter months washes off the road directly into the nearby dykes. The road has become notorious for frequent road accidents/incidents resulting in vehicles ending up submerged in the dykes running parallel to the highway. Apart from the tragic loss of life, when vehicles crash into and become submerged in the dykes, fuel, brake fluid, radiator & screen water, gear oil, lubricants etc. together with plastics and metals enter the environment. Water from the roadside dykes flows, in places, through SSSI areas via the adjoining dyke network to drainage pumps.

A modern dual carriageway would include pollution control measures as standard and therefore, on environmental grounds alone, should be welcome.

BA summary: The existing road leads to water pollution. When accidents happen then also result in water pollution. A dualled road would include pollution control measures and should be welcomed.

BA comment: Noted. The policy includes the issue of surface run off. The policy is neutrally worded and states issues that should be addressed. No change.

CPRE Norfolk

On Transport issues, we commend Policy PODM 24, pages 93-99, on the Acle Straight. This gives a reasoned framework as regards future changes and options for this road. This road of course traverses the Broads area and changes could have a profound impact, in particular for dualling. The need for this analysis is well met; put that also points to the stark contrast for absence of discussion on the huge impact of major road schemes around Norwich, and associated with that the role as unlocking the potential for housing and other development; as made clear in the funding support from the DfT, and NSIP status.

BA summary: General support for policy.

BA comment: Support noted.

Environment Agency

We welcome the policy's aim to address environmental issues raised by the policy in regards to straightening the Acle straight. In particular we note the aim to protect and where possible enhance biodiversity as this project is delivered. We also support the use of SuDS in order to maintain water quality and prevent pollution through spills or water run-off and would reinforce the need to include appropriate treatment steps in order to ensure the water environment is protected. It should be added, that any work on the road that crosses or requires work to be undertaken close to a main river may need a permit under the Environmental Permitting Regulations 2010.

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BA summary: General support of policy. Reinforce the need to include appropriate treatment steps in order to ensure the water environment is protected. It should be added, that any work on the road that crosses or requires work to be undertaken close to a main river may need a permit under the Environmental Permitting Regulations 2010

BA comment: Support noted. We will add about treatment steps and reference to Regulations.

Great Yarmouth Borough Council

The Borough Council strongly supports and promotes improvements to the Acle Straight, including dualling of its entire length and improvements to the Vauxhall roundabout (A12/A47 junction). This is in the interests of the long term growth of the local and national economy, as well as road safety and reducing congestion. The Council recognises the generality of the issues raised in the policy and supporting text, but considers that these are presented in an overly negative and defensive way, and that there are also potential advantages and improvements to Broads interests and special qualities (including delivery of aspects of other policies of the Preferred Options Draft Plan) which have not been fully recognised or given due prominence.

BA summary: GYBC strongly supports improvements to the Acle Straight. The Council recognises the generality of the issues raised in the policy and supporting text, but considers that these are presented in an overly negative and defensive way, and that there are also potential advantages and improvements to Broads interests and special qualities (including delivery of aspects of other policies of the Preferred Options Draft Plan) which have not been fully recognised or given due prominence.

BA comment: Noted. The Authority considers the policy to be neutrally worded and not negatively worded. The special qualities of the Broads are well known and publicised and the policy seeks to address the relevant special qualities that could be affected by changes to the Acle Straight. As such the policy is probably defensive in respect of these characteristics and the Authority considers this to be justified and prudent given the national importance of the Broads and the potential harm to the special qualities some changes to the Acle Straight could result in. The policy does appreciate the opportunities change could result in by referencing a walking/cycle/horse route that could run parallel to the road, referring to the potential for opportunities to appreciate and interpret the landscape as well as any finds through an appropriate archaeological survey. No change to the policy as a result representation although the Authority is willing to talk through the policy with GYBC.

Highways England

Highways England have no objections to the Broads Policy Plan on Acle Straight. If Highways England do make any changes at Acle Straight we will take into account the Broads Authority policies and liaise with both the Authority and Norfolk County Council on any improvements of significant impact that we would wish to make. Highways England already support the relocation of the Little Whirlpool Ramshorn snails to another environment that is equally habitable for them. Highways England supports the Broads Local Plan.

BA summary: Generally supports policy.

BA comment: Support noted.

Historic England

We are pleased to see specific policy provision for the Acle Straight where this passes through the Broads, particularly with reference to the highly significant Grade II* listed Stacey Arms Windpump. This listed windpump is not the only designated heritage asset in close proximity to the road however with the route in close proximity to two Grade II listed mills (the Kerrisons Level Drainage Mill and the Tunstall Dyke Smock Mill) and forming part of the setting of the wider landscape, most of which is within the designated Halvergate Marshes Conservation Area. Historic England will closely monitor any proposal for development of the Acle Straight that impacts the historic character of this landscape and the setting and significance of listed structures along its route.

BA summary: General support for policy. Refers to other listed buildings close to the A47.

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BA comment: Noted. This is adequately covered in the constraints section as well as the accompanying map. No change.

Knight, J (Broads Authority Navigation Committee Member)

This policy demonstrates a clear predisposition against the principle of dualling this important trunk road. There are clear economic and safety benefits to upgrading this stretch of road, and the constant blocking of this (and other A47 improvement schemes) over decades for environmental reasons has resulted in loss of life. Any ecological impact to such a scheme will be extremely short term, and it is not appropriate for the Broads Authority to seek to block trunk road improvements which will have considerable economic benefits to communities both within and outside of the Broads executive area.

The scheme is unlikely to have significant ecological impacts in excess of those already experienced through the routine management of the marshes and dykes - which include regular ditching operations - and the iconic views of the mills and marshes will not be lost by the widening of the road. The existing road is already a barrier for wildlife, and widening it is therefore unlikely to exacerbate the existing conditions in any meaningful way. This policy can, by all means, list specific concerns which need to be addressed as part of any scheme, but at present it gives the impression that it seeks to make the project prohibitively expensive in the hope that it might be abandoned. The mitigation measures proposed are considered excessive in the context of the widening of a pre-existing trunk road.

BA summary: This policy demonstrates a clear predisposition against the principle of dualling this important trunk road. There are clear economic and safety benefits to upgrading this stretch of road, and the constant blocking of this (and other A47 improvement schemes) over decades for environmental reasons has resulted in loss of life

BA comment: The policy is neutral and talks about topics which any changes to the A47 need to address. This policy does not block any development. It seeks to raise the importance of the special characteristics of the Broads. No change.

Natural England

Natural England supports this policy and has the following comments to make: In the policy under e) delete the word 'Authority'. Amend the wording under i) as follows "...wildlife areas and species, and to land management practices." The impacts on land management practices needs to be assessed and understood as these could affect the designated areas, wildlife and landscapes of the Broads. On p94 under the list of 'Constraints and features' the list for the western and eastern ends is incomplete and should be amended to include all SSIs, SACs, SPAs and Ramsar sites, and note the RSPB reserve should be listed. On p95 under 'Wildlife and habitats' the text should be amended as water voles are protected under national legislation, so they are not a European Protected Species as stated.

BA summary: e) delete the word 'Authority'

i) as follows "...wildlife areas and species, and to land management practices."

On p94 under the list of 'Constraints and features' the list for the western and eastern ends is incomplete and should be amended to include all SSIs, SACs, SPAs and Ramsar sites, and note the RSPB reserve should be listed.

On p95 under 'Wildlife and habitats' the text should be amended as water voles are protected under national legislation, so they are not a European Protected Species as stated.

BA comment: We will make these amendments.

Norfolk County Council

Policy PODM24 sets out a number of aspects that the Broads Authority considers should be assessed in relation to improvements on the Acle Straight. However, the derivation of this set of criteria is not clear to the Highways Authority; it appears to be an arbitrary, non- defined list of selective criteria. Highways England, who will make recommendations about whether to bring forward improvements, state (in their Route Strategies Approach, which details how they will do this) that government's vision for transforming the strategic road network is described in the Road Investment Strategy post 2020: Planning Ahead. This sets out that evidence will be assessed relating to

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five broad aims published in the Road Investment Strategy for 2015-2020: economy, network capability, integration, safety and the environment. Detailed assessment and appraisal is described in a number of technical documents and manuals published by the Department for Transport. Decisions about whether to take forward an improvement, and assessment of any impacts arising from any such proposals, will be taken in accordance with these documents. On the whole the criteria listed in the policy are requirements of the design manuals and appraisal guidance. However, these manuals provide a comprehensive list of criteria. Whilst it is recognised that the Broads Authority might have some special considerations they would like taken into account the rationale for the list set out in the policy is not clear. The Highways Authority note that Policy PODM24 and the supporting information are on the whole focused on the presumption that the much needed road improvements on the Acle straight will have a presumptive negative impact on the local environment. The Highways Authority feel the policy and supporting text should be re written to bring a more balanced view, i.e. to consider the likely and many positive impacts a new high quality road improvement could have on the local environment. We would expect to see the positive benefits included in the policy and supporting text such as the wider socio-economic benefits. On the point of the snail relocation trial this study is ongoing and no presumption on its success or otherwise can be made at this stage. The Highways Authority would like clarity on the policy and the planning references stipulating the scheme requirements and criteria that need to be addressed through the design and delivery of the scheme. We also urge the Broads Authority to consult Highways England on the plan and the policies as the A47 is a trunk road. In summary, whilst environmentally very challenging it is not unexpected given the location. A very thorough environmental assessment and provision for future monitoring should cover all the issues raised and the local plan actually helps scope what is required. If the Broads Authority are not minded to amend Policy PODM24 as suggested above this could mean the plan is found unsound.

BA summary:

- 1: an arbitrary, non- defined list of selective criteria. On the whole the criteria listed in the policy are requirements of the design manuals and appraisal guidance.
- 2: The Highways Authority feel the policy and supporting text should be re written to bring a more balanced view, i.e. to consider the likely and many positive impacts a new high quality road improvement could have on the local environment.
- 3: On the point of the snail relocation trial this study is ongoing and no presumption on its success or otherwise can be made at this stage.
- 4: We also urge the Broads Authority to consult Highways England on the plan and the policies as the A47 is a trunk road.
- 5: A very thorough environmental assessment and provision for future monitoring should cover all the issues raised and the local plan actually helps scope what is required

BA comment:

- 1: The criteria were worked up with Broads Authority Officers with specialism in the topic areas covered. The criteria also reflect the special qualities of the Broads as discussed in section 8.
- 2: We will look at improving the supporting text.
- 3: Noted and agreed
- 4: Highways England have been consulted as they are a statutory consultee.
- 5: It seems that Norfolk County Council are concluding that the content of this policy helps scope what the scheme needs to address which is the intention of this policy.

Norfolk Wildlife Trust

We fully support the inclusion of impacts on designated sites and protected species within the policy PODM24 on the Acle Straight.

BA summary: Support policy.

BA comment: Support noted.

South Norfolk Council

South Norfolk Council supports the dualling of the Acle Straight and would give general support to the criteria based policy as proposed.

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BA summary: South Norfolk Council supports the dualling of the Acle Straight and would give general support to the criteria based policy as proposed.

BA comment: Support noted.

Waveney District Council

Waveney District Council supports proposals to improve and specifically dual the Acle Straight and believe that there are compelling reasons in the interests of safety and economic growth for improvements to be made to this stretch of the trunk road network.

BA summary: WDC supports the dualling of the Acle Straight.

BA comment: Noted.

PODM25 - Recreation Facilities Parking Areas

Knight, J (Broads Authority Navigation Committee Member)

This policy appears to ignore the fact that slipways and boat launching facilities can only be utilised by vehicles towing boats (although it is touched upon within the justification). A preference for public transport, walking and cycling for such facilities is clearly nonsensical and impractical. If slipways and boat launching facilities are to be encouraged, then it should be accepted that such facilities will be accessed by car and that adequate car and trailer parking must be provided.

BA summary: If slipways and boat launching facilities are to be encouraged, then it should be accepted that such facilities will be accessed by car and that adequate car and trailer parking must be provided.

BA comment: The author of the comment seems to have focussed in on slipways whereas the policy is clearly titled 'recreation facilities' and mentions recreation routes. Someone bringing a boat to the site will not be able to use a bus, but someone wishing to walk along one of the routes in the Broads may wish to access by bus if possible. The policy seeks parking for cycles, cars and trailers. No change.

24 The Broads Economy

Broads Hire Boat Federation

Redundant Boatyards: Whilst we are anxious to see boatyard facilities retained as far as economically and practically possible for service and moorings provision, where this is not a realistic possibility it would be preferable to permit suitable development rather than allow the site to become derelict.

BA summary: Redundant Boatyards: it would be preferable to permit suitable development rather than allow the site to become derelict.

BA comment: Noted. This will be considered as the Employment section of the Local Plan is worked up.

Evolution Town Planning (for Somerleyton Marina Ltd)

We look forward to discussing with the Broads Authority how the economy section of the Local Plan Review is taken forwards. As set out in our representations to the Issues and Options consultation the Somerleyton Estate are keen to secure a positive policy landscape in order to consider the potential for expanding the existing boatyard buildings in order to maintain and enhance the boat repair and service function. It will be important for the Broads Authority to recognise the unique range of facilities and services at Somerleyton Marina (moorings, hardstand, storage, boat lift, slipway, nearby pub, footpath access to railway station and a village with facilities in walking distance).

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BA summary: Somerleyton Estate are keen to secure a positive policy landscape in order to consider the potential for expanding the existing boatyard buildings in order to maintain and enhance the boat repair and service function. It will be important for the Broads Authority to recognise the unique range of facilities and services at Somerleyton Marina.

BA comment: Noted.

Knight, J (Broads Authority Navigation Committee Member)

Question 6: Planning needs to be able to react to changes in the economy and market demands. Positive planning which lists 'desirable' uses of land and buildings in the minds of planners rarely matches what is commercially viable and this can result in derelict buildings and delays in project delivery. The National Planning Policy Framework makes clear that there should be a presumption in favour of sustainable development and it is inappropriate, time consuming and ultimately fruitless for planning authorities to draw up lists of 'appropriate' uses for existing buildings for which there may be no demand. Proposals for change of use of existing buildings should be considered in the light of the wider policies for protecting and enhancing the Broads (which should themselves be compliant with the NPPF) rather than getting hung up on historic uses of buildings for which there is no longer a demand. The Broads economy is changing at an ever increasing pace, in common with the rest of the UK. Retailing has been - and will continue to be - greatly affected by changes in shopping habits driven by the availability of online options. Traditional boat building and other manufacturing will be affected by technological changes allowing rapid prototyping and more efficient build processes, which will inevitably result in the redundancy of some jobs and the creation of new ones with different skill requirements. Businesses may have to relocate, consolidate or close, and the planning process must be able to cope with these rapidly changing circumstances. Flexibility is therefore essential, meaning that policies should not be overly restrictive and must be capable of evolving over the life of the Local Plan. The tourism industry has also experienced significant and accelerating change over the past 2 decades and there is every reason to suppose that this will continue. Customers demand ever higher quality at a lower price, and are constantly looking for something different to their previous experiences. This presents huge challenges to businesses which must be able to adapt quickly in order to compete, and planning policies should facilitate necessary changes without delay. A delay of a few months can easily mean that a whole year is lost, due to the seasonal nature of UK tourism. More generally, the Authority should be proactive in encouraging developers to create employment opportunities and improved facilities both for visitors and the local community. Economic development should be at the heart of good planning, as a vibrant local economy provides the means of preserving the special characteristics of the Broads.

BA summary: General thoughts relating to the economy.

BA comment: Provides useful thoughts for consideration as this section is worked up. Noted.

Norfolk County Council

It is felt that either no change to the existing policy or having a less restrictive policy would be the preferred options in relation to redundant boat yards or buildings from an economic development perspective. It is felt that reintroducing the approach from the 1997 local plan with development boundaries relating to employment development would be the preferred option from an economic development perspective.

BA summary: It is felt that either no change to the existing policy or having a less restrictive policy would be the preferred options in relation to redundant boat yards or buildings from an economic development perspective. It is felt that reintroducing the approach from the 1997 local plan with development boundaries relating to employment development would be the preferred option from an economic development perspective.

BA comment: Noted. Comments to be taken on board when this section is worked up.

South Norfolk Council

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Question 6: South Norfolk Council would support the retention of redundant boatyards or boatyard buildings for commercial/employment use before the consideration of alternative uses with a hierarchy of acceptable uses with boat related employment as the preferred use. This acknowledges that boatyards are part of the unique culture of the Broads and should be retained where possible but recognising that a less restrictive policy may see such buildings brought back into life for other commercial uses more quickly. South Norfolk Council would suggest that if any allocations for employment land are needed then these should be directed to sustainable locations, working with neighbouring authorities to ensure that no conflicts arise. South Norfolk would welcome the commissioning of work to better understand the economy and employment needs of the Broads and would be keen to work with the Broads Authority in developing any economic policy for the publication version of the plan to ensure that any cross boundary issues are addressed.

BA summary: Detailed comments relating to the economy of the Broads.

BA comment: Noted and will inform the economy section as it is worked up.

25 Sustainable Tourism

Norfolk County Council

It is felt that no new policy is needed for sustainable tourism and existing policies would cover what is required from an economic development perspective.

BA summary: It is felt that no new policy is needed for sustainable tourism and existing policies would cover what is required from an economic development perspective.

BA comment: Support noted.

POSP9 - Sustainable Tourism

Note that the entire Tourism section has been re-worked taking into consideration these comments, but also more fundamentally to make it simpler to use and understand.

Boyer Planning (agent for East Anglian Group)

We support Policy POSP9 and PODM26 which details sustainable tourism due to the fact tourist attractions and tourism infrastructure will be supported. Particular emphasis is placed on improving the quality of visitor accommodation as well as broadening the range of accommodation provided. 1.10 The proposed development at Marina Quays will provide additional visitor accommodation for the area and therefore conforms to proposed Policies POSP9 and PODM26. This policy is supported.

BA summary: This policy is supported.

BA comment: Support noted.

Broads Hire Boat Federation

In the context of “encouraging an appropriate network of tourism and recreational facilities” it would be helpful to include somewhere the need to promote, or even require in some cases, the provision of toilets and refuse disposal points available to the general public. This is covered in POSP11 but not elsewhere as far as we could see.

BA summary: it would be helpful to include somewhere the need to promote, or even require in some cases, the provision of toilets and refuse disposal points available to the general public.

BA comment: Noted. We will make reference to this in the reasoned justification of the policy.

Great Yarmouth Borough Council

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The Borough Council is in support of Broads tourism and promoting the distinctive identity of the area. Attention is drawn, however, to the potential to encourage a wider “network of tourism and recreational facilities” by exploiting the proximity to the coast. This could expand the offerings available for tourists, promote a wider distribution of visitor pressure and potentially draw visits from some of the millions who visit the coastline for holidays and day trips.

BA summary: GYBC asked for clarification: The comment is about taking a wider geographic view of tourism potential - recognising Broads tourism isn't necessarily just about the Broads, and GY tourism isn't just about seafront. It is about recognising that even if a tourist/visitor is coming primarily for, say, Great Yarmouth's offer, the availability of the fantastic opportunities in the Broads could be an additional draw and provide a variety of experiences and possibilities for the GY visitor and vice versa.

BA comment: Comment noted. This will be shared with the tourism team and we will take any suitable/appropriate opportunities in the Local Plan to reflect this if they arise.

Historic England

We recognise the value of sustainable tourism in the active conservation of the historic Broads. We would welcome recognition that the historic environment conversely, provides direct opportunities for tourism and the local economy as part of the attraction and character of the Broads landscape. There is an opportunity within this policy to emphasise and promote heritage assets and the wider historic landscape as a positive contribution to sustainable tourism. In Paragraph 131, the NPPF requires local authorities to 'take account of the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality' and we welcome reference to this within Policy POSP9.

BA summary: Refer to historic environment.

BA comment: POSP9 in general needs a review as it is quite long and perhaps repeats other DM policy content. Will review with this comment in mind.

Knight, J (Broads Authority Navigation Committee Member)

This policy lacks objectivity and is full of words like 'appropriate', 'suitable' and 'sustainable' which are not clearly defined. This has the effect of allowing planning applications to be determined based on personal opinions of what is appropriate, suitable or sustainable, which is fair on neither the applicant nor planning officers. The lack of certainty or clarity in this policy is in breach of the guiding principles of the NPPF and National Planning Policy Guidance. The policy, and the reasoned justification, has built-in conflicts such as “supporting diversification of tourism where economically and environmentally sustainable”. This may lead to subjective judgements on what weight to apply to the conflicting demands of “diversification” and “sustainability”, meaning that the policy can be used to defend any outcome at all. The policy needs to be clearer on how it will “protect against the loss of existing tourism and recreation facilities”. Simply preventing a change of use or development will not protect an existing facility, in fact it is likely to have the opposite effect. Successful tourism businesses - like any other - are driven by changes in customer demand and operators need to be able to adapt quickly in order to ensure the viability of their business. The fixation on accessibility by means “other than a private car” rules out the vast majority of the Broads from any form of development at all - especially when you consider that “small scale” or “local” development is rarely economically viable and is therefore, by definition, unsustainable. The reasoned justification seeks to spread visitor pressure across the system rather than focus on “honey pot” locations but the policy prevents this by permitting developments only in locations which are accessible by “sustainable” forms of transport - which inevitably are the existing “honey pot” locations. The recognition of the need for development to support land-based accommodation and encourage diversification of the tourism base in the reasons justification is applauded, but this needs to be reflected more positively in the policy.

BA summary: Many comments relating to this strategic policy.

BA comment: Noted and as the strategic policies are reviewed, this comment will be considered.

La Ronde Wright (agent for Arminghall Settlement Crown Point Estate)

Policy supported.

BA summary: Policy supported.

BA comment: Support noted.

Les Brown Associates (agent for Brundall West Marina)

Policy POSP9 (PODM26/PODM27): These policies are supported however there should again be recognition that in areas of high flood risk innovative solutions to buildings which can be shown to be sustainable in the light of flood risk and climate change will be encouraged/supported as well as considering the advice within the Flood Risk SPD and Environment Agency recommendations.

BA summary: Policies are supported however there should again be recognition that in areas of high flood risk innovative solutions to buildings which can be shown to be sustainable in the light of flood risk and climate change will be encouraged/supported as well as considering the advice within the Flood Risk SPD and Environment Agency recommendations.

BA comment: The Authority is happy to look at innovative ways to deal with all constraints however there is no need to change any policies. Of interest is the floating building Topic Paper that can be found here: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0008/875843/Broads-Local-Plan-February-Bite-Size-Pieces.pdf. The “95% of area at risk from flooding” reference is made in the supporting text. All proposals, including innovative design solutions, would be considered specifically on their merits, and in accordance with national planning policy (and POSP4). The policy doesn’t define possible solutions, although the SPD does discuss some scenarios and options.

South Norfolk Council

South Norfolk Council would offer general support for the encouragement of sustainable tourism in the Broads as it will also have benefits for the wider economy of South Norfolk. It is important to consider the potential impact of tourism on service centres and villages that serve the Broads but are outside the Broads Authority Executive Area.

BA summary: General support for policy. It is important to consider the potential impact of tourism on service centres and villages that serve the Broads but are outside the Broads Authority Executive Area.

BA comment: Noted and will contact South Norfolk to see how they feel the Local Plan addresses their final comment. *Clarification received 28 June: ‘something in the supporting text that refers to the need to consider the potential impact of any tourism proposals in service centres and villages that serve the Broads but are outside the Broads Authority Executive Area’. Noted and we will see how this can be weaved into the policy.*

Waveney District Council

Tourism is of significant importance to the Waveney economy and the Council support this policy which promotes sustainable tourism growth of the Broads area. Lowestoft and Beccles provide sustainable access points to the Broads, with good public transport links including regional bus links and train lines.

BA summary: Support policy. Lowestoft and Beccles provide sustainable access points to the Broads, with good public transport links including regional bus links and train lines.

BA comment: Noted.

PODM26 - Sustainable Tourism and Recreation Development

Note that the entire Tourism section has been re-worked taking into consideration these comments, but also more fundamentally to make it simpler to use and understand.

Boyer Planning (agent for East Anglian Group)

We support Policy POSP9 and PODM26 which details sustainable tourism due to the fact tourist attractions and tourism infrastructure will be supported. Particular emphasis is placed on improving the quality of visitor accommodation as well as broadening the range of accommodation provided. 1.10 The proposed development at Marina Quays will provide additional visitor accommodation for the area and therefore conforms to proposed Policies POSP9 and PODM26. This policy is supported.

BA summary: This policy is supported.

BA comment: Support noted.

Historic England

Recognising the importance of sustainable tourism to the sustainable management of the Broads, we welcome the requirements within this policy for such developments to respect landscape character. We request that a similar level of protection is added for the wider historic environment with the following wording or similar:

'Tourism and recreational facilities in the open countryside will be permitted only where there is a clear and demonstrable need for the facilities to be situated in the open countryside and where they: ix) preserve or enhance the historic environment.'

We particularly welcome the policy wording which allows the consideration of the scale of activity and use rather than the development itself.

BA summary: Refer to historic environment.

BA comment: Amend vi) to include historic environment as well.

Knight, J (Broads Authority Navigation Committee Member)

Most of the comments above for POSP9 apply also to this policy. I consider that the list of 12 principles of sustainable tourism & recreation development is overly restrictive and that it would be next to impossible for any development to comply with all of them. The reasoned justification completely contradicts POSP9 which seeks to spread development across the system and avoid honey pot locations, by proposing that new tourism and recreational development should be in or adjacent to defined settlements and existing tourism sites. Whilst the reasons for the conflict are clear, the policies need either to resolve this conflict, or accept that it exists and create a much looser policy which allows all proposals to be considered on their own merits. The plan as drafted encourages subjective judgements on the suitability of a given location, justified by the application of arbitrary weight to either POSP9 or PODM26.

BA summary: Many comments about the policy.

BA comment: Noted. The strategic policy and this policy will be reviewed and these comments will be considered.

La Ronde Wright (agent for Arminghall Settlement Crown Point Estate)

Policy supported.

BA summary: Policy supported.

BA comment: Support noted.

Les Brown Associates (agent for Brundall West Marina)

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Policy POSP9 (PODM26/PODM27): These policies are supported however there should again be recognition that in areas of high flood risk innovative solutions to buildings which can be shown to be sustainable in the light of flood risk and climate change will be encouraged/supported as well as considering the advice within the Flood Risk SPD and Environment Agency recommendations.

BA summary: Policies are supported however there should again be recognition that in areas of high flood risk innovative solutions to buildings which can be shown to be sustainable in the light of flood risk and climate change will be encouraged/supported as well as considering the advice within the Flood Risk SPD and Environment Agency recommendations.

BA comment: The Authority is happy to look at innovative ways to deal with all constraints however there is no need to change any policies. Of interest is the floating building Topic Paper that can be found here: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0008/875843/Broads-Local-Plan-February-Bite-Size-Pieces.pdf

RSPB

The RSPB recommends that in bullet point (ix) the term “unacceptable adverse impacts” be amended to “adverse effects”. This is necessary as the current wording indicates that some level of adverse effect would be acceptable, which clearly is not the case, for example, when compared to the Habitats Regulations process. This would also ensure consistency with other policies, for example, the approach taken in Policy PODM13 (Natural Environment). This change would be consistent with the HRA recommendation for Policy POSP9 (Sustainable Tourism).

BA summary: The RSPB recommends that in bullet point (ix) the term “unacceptable adverse impacts” be amended to “adverse effects”.

BA comment: We will check the wording in relation to effects (in relation to adverse, unacceptable and significant) throughout the document.

PODM27 - Holiday Accommodation - New Provision and Retention

Boyer Planning (agent for East Anglian Group)

We support Policy PODM27 which deals with holiday accommodation. We agree with points A - E within the policy and the supporting text that accompanies it. The proposed development at Marina Quays will be in line with this policy in the Preferred Options Local Plan.

BA summary: Agree with points A - E within the policy and the supporting text that accompanies it.

BA comment: Support noted.

Knight, J (Broads Authority Navigation Committee Member)

Whilst the overall objective of this policy in supporting tourism is applauded, the policy is considered to be unreasonably restrictive and takes an overtly political stance against second-home ownership which does not relate to planning. This might be defensible if properties in the Broads were being priced out of the reach of local residents and/or communities being compromised by a proliferation of second home owners who rarely visit or do not make use of local facilities - but there is little or no evidence of this. Second home ownership is a valuable part of the tourism mix within the Broads, with owners often being “regulars” in the local pubs & shops when they are in occupation and frequently letting their properties out to others - either informally (to friends and family) or to other visitors on a commercial basis. Whilst the difference between permanent residential accommodation and holiday accommodation is understood and accepted, the distinction between a “second home” and “short-stay accommodation” is woolly, vague, arbitrary and smacks of the politics of envy. The requirement to “prove” that holiday accommodation will be “viable in perpetuity” (condition d) is impossible to comply with and should be removed. The presumption against static caravans should be tempered with an acceptance not only that they can be appropriate in some locations, but that not all caravans have the appearance of “tin boxes”. Timber (or faux-timber) exterior cladding can make caravans visually attractive and “appropriate” in many Broads locations, including environmentally sensitive areas which reflect the special qualities of the Broads. The requirement to prove

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that a business is economically unviable over a period of 12 or even 24 months is grossly unreasonable and could easily result in the failure of a business which might otherwise be saved through a change of use or other development. Requiring the owner to fund this destruction of his asset simply adds insult to injury!

BA summary:

- 1: the policy is considered to be unreasonably restrictive and takes an overtly political stance against second-home ownership which does not relate to planning. Second home ownership is a valuable part of the tourism mix within the Broads, with owners often being “regulars” in the local pubs & shops when they are in occupation and frequently letting their properties out to others - either informally (to friends and family) or to other visitors on a commercial basis.
- 2: The distinction between a “second home” and “short-stay accommodation” is woolly, vague, arbitrary and smacks of the politics of envy.
- 3: The requirement to “prove” that holiday accommodation will be “viable in perpetuity” (condition d) is impossible to comply with and should be removed.
- 4: The presumption against static caravans should be tempered with an acceptance not only that they can be appropriate in some locations, but that not all caravans have the appearance of “tin boxes”. Timber (or faux-timber) exterior cladding can make caravans visually attractive and “appropriate” in many Broads locations, including environmentally sensitive areas which reflect the special qualities of the Broads.
- 5: The requirement to prove that a business is economically unviable over a period of 12 or even 24 months is grossly unreasonable and could easily result in the failure of a business which might otherwise be saved through a change of use or other development. Requiring the owner to fund this destruction of his asset simply adds insult to injury!

BA comment:

- 1: Broads is an area where the opportunity for development is limited and priority should be given to development resulting in a home to live in or make maximum contribution to tourism.
- 2: It is not clear which bit Mr Knight is referring to. Will contact for clarity. *Clarification sought 21 May 2017. My Knight said ‘in the absence of any evidence of harm caused by second home ownership in the Broads, there is no objective reason for a policy which discourages it’. Noted, however see point 1 above.*
- 3: The policy says ‘will likely be viable in perpetuity’. The policy which permits holiday accommodation is less restrictive than policy for market residential so there is a need to ensure there is a demand for holiday accommodation so as to not circumvent the planning system to get market residential in the countryside. Happy to consider alternative options and will discuss with Mr Knights. *Clarification sought 21 May 2017. My Knight said ‘I think that the Authority needs to accept that, whilst it has a duty to protect the landscape and character of the Broads for future generations, attempts to micro-manage the precise use of buildings in perpetuity on idealistic grounds is likely to result in derelict buildings and business failures down the line, as well as further expensive and pointless legal battles with disgruntled landowners’. Noted and we are reviewing the tourism policies and will consider this comment.*
- 4: there is not a presumption against static caravans. The policy sets out criteria where they would be allowed.
- 5: Other people raised issues with 24 months so will look at that. The purpose of this again is to try to prevent circumvention of planning system. It will not be clear what other businesses might want to located in a former holiday property unless it is marketed. Regarding getting them to pay for the independent assessment, it is generally an accepted approach as it is inappropriate for tax payer to fund something that results in private gain.

La Ronde Wright (agent for Arminghall Settlement Crown Point Estate)

Policy supported.

BA summary: Policy supported.

BA comment: Support noted.

Les Brown Associates (agent for Brundall West Marina)

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Policy POSP9 (PODM26/PODM27): These policies are supported however there should again be recognition that in areas of high flood risk innovative solutions to buildings which can be shown to be sustainable in the light of flood risk and climate change will be encouraged/supported as well as considering the advice within the Flood Risk SPD and Environment Agency recommendations.

BA summary: Policies are supported however there should again be recognition that in areas of high flood risk innovative solutions to buildings which can be shown to be sustainable in the light of flood risk and climate change will be encouraged/supported as well as considering the advice within the Flood Risk SPD and Environment Agency recommendations.

BA comment: The Authority is happy to look at innovative ways to deal with all constraints however there is no need to change any policies. Of interest is the floating building Topic Paper that can be found here: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0008/875843/Broads-Local-Plan-February-Bite-Size-Pieces.pdf

26 Navigation

Bacon, R (MP South Norfolk)

I am writing in order to comment on the preferred options of the Broads Authority's draft Local Plan. The central part of the Broads Executive Area overlaps with much of the eastern boundary of my constituency. As you will be aware, the Broads differ from other National Parks in that a third purpose - Navigation - sits alongside the traditional National Park purposes of public enjoyment and conservation. I am firmly of the view that navigation must not be diluted or downgraded in favour of the other two National Park purposes. I therefore welcome the emphasis on navigation within the draft Broads Local Plan. In particular, I am pleased that the strategic policies of the draft Plan allow for not only the maintenance but also the enhancement and extension of navigation, subject to other policies being adhered to. However, whilst Local Plans are predominantly about development, I would welcome navigation being given greater prominence within the plan, which would be appropriate given its importance to the Broads.

BA summary: I therefore welcome the emphasis on navigation within the draft Broads Local Plan. However, whilst Local Plans are predominantly about development, I would welcome navigation being given greater prominence within the plan, which would be appropriate given its importance to the Broads.

BA comment: Measures to improve navigation and improve enjoyment of navigation are embedded within all sections of the document. The Local Plan makes provision for development that supports navigation and as such consider the Plan is positive in relation to navigation. The Plan is ordered in Environment, Economy and Social aspects with navigation forming part of the Economy section.

Hipperson's Boatyard

On the subject of the new local plan I would like to see the navigation into Norwich maintained for larger vessels. Although there has been no commercial activity for a number of years, it has been an active port for centuries. The need may arise again in the future so it's important that the infrastructure is maintained. There are also opportunities for leisure/commercial use such as trip boats or maritime festivals.

BA summary: I would like to see the navigation into Norwich maintained for larger vessels.

BA comment: Noted. This is the general thrust of POSP10.

POSP 10 - Navigable Water Space.

Dilham Boating Club

a) Whilst the depth of navigable water, by dredging or de-silting (two entirely different actions), is covered in this policy, there is no mention of headroom clearances, another major requirement for safe navigation.

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b) I refer particularly here to Wayford Bridge, which is, I am informed, slowly sinking. Today there are times when the air-draft is below 6 feet, thus preventing navigation to many vessels, some of which are moored upstream of this bridge. The other road bridges on the North Walsham & Dilham Canal (The Canal) all have an air-draft of 8' 6", as was the case at Wayford Bridge. The enabling Act of Parliament for construction of the Canal, signed by King George III on 5th May 1812 (The Act) stated that vessels plying the canal should carry goods from '...North Walsham...' to Wayford and Great Yarmouth. The current air-draft at Wayford Bridge would not permit this and is therefore in contravention of The Act, which is extant.

BA summary:

a) there is no mention of headroom clearances, another major requirement for safe navigation.

B) Wayford Bridge, which is, I am informed, slowly sinking. Today there are times when the air-draft is below 6 feet, thus preventing navigation to many vessels, some of which are moored upstream of this bridge. The other road bridges on the North Walsham & Dilham Canal (The Canal) all have an air-draft of 8' 6", as was the case at Wayford Bridge.

BA comment:

a) We seek to provide in some way de-masting facilities at all bridges that span the navigation. Proposals for new bridges are assessed in the context of the river they are on to reflect the air draft of existing structures. We will add reference to air draft in the policy.

B) Noted. We will pass this comment on to Norfolk County Council as Highways Authority. The Broads Authority does not manage this structure.

Knight, J (Broads Authority Navigation Committee Member)

This policy is supported, particularly the focus on enhancing the navigation rather than simply preserving what we have. It should be noted that para 5 of the reasoned justification asserts that landowners require planning consent for dredging disposal - but this is not always the case. Planning consent is only required where the disposal would result in a material change to the receiving land. The insertion of the word "may" ("who may require planning consent") would fix this. The words "beneficial use of dredgings will be expected" are over prescriptive, as beneficial use is often not economically practical. For example, transporting dredged material by road to a site which needs to be raised may be undesirable and unaffordable compared to simply disposing of the material on site. "Beneficial use of dredgings will be encouraged" would be a more pragmatic and realistic approach.

BA summary:

1: This policy is supported.

2: It should be noted that para 5 of the reasoned justification asserts that landowners require planning consent for dredging disposal - but this is not always the case. The insertion of the word "may" ("who may require planning consent") would fix this.

3: The words "beneficial use of dredgings will be expected" are over prescriptive, as beneficial use is often not economically practical. For example, transporting dredged material by road to a site which needs to be raised may be undesirable and unaffordable compared to simply disposing of the material on site. "Beneficial use of dredgings will be encouraged" would be a more pragmatic and realistic approach.

BA comment:

1: Support noted.

2: Will amend text.

3: Will cross refer to land raising policy and excavated material policy. Change to 'will be expected where practicable'.

Norfolk and Suffolk Boating Association

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We note and broadly agree the draft policies as set out in their respective boxes for strategic, development management and site specific types of policy: POSP10 Navigable water space. However, we do not agree with all of the supporting text, which appears in places to have been poorly drafted. Whilst we do not propose to go through the text in detail, examples include: The paragraph on p110 starting with “The principles for sediment management of Reduce/Reuse/Recycle should be adopted by relevant bodies”, and concludes with this bullet point 'Disposal - land filling should only be considered as a last resort, and in any event minimised as far as is possible', is in our view potentially misleading. Sediment management is a large specialist topic beyond the scope of the Local Plan. Dredging from immediately downstream of the Whitlingham STW, with heavy metal contamination, ought to continue to go to the licenced tip opposite. The term ‘land filling’ requires much more clarification than is presented. All dredging processes, which are very necessary in the Broads, involve taking sediment out of the water (i.e. off the river bed) and placing it somewhere, albeit preferably with a beneficial use, on land.

BA summary: Broadly agree the draft policies. Do not agree with all of the supporting text, which appears in places to have been poorly drafted. Sediment management is a large specialist topic beyond the scope of the Local Plan. Dredging from immediately downstream of the Whitlingham STW, with heavy metal contamination, ought to continue to go to the licenced tip opposite. The term ‘land filling’ requires much more clarification than is presented. All dredging processes, which are very necessary in the Broads, involve taking sediment out of the water (i.e. off the river bed) and placing it somewhere, albeit preferably with a beneficial use, on land.

BA comment: In the case of 'Postwick Tip', the sediment being disposed of there has a low level mercury contamination. The future aspiration for this site is to turn it into a wildlife walk so is actually re-use. The Authority is content with the wording (minor change to say landfill) as sediment has not been disposed of to landfill for many years due to the cost being a prohibiting factor. Finally the wording in the Local Plan reflects the policy of the Broads Authority.

Norfolk Wildlife Trust

We support the inclusion of wording to ensure that conservation will be maintained and enhanced within Policy POSP10 on Navigable Water Space. However, we are concerned that the wording implies that adverse impacts are acceptable and we support the views of the RSPB with regard to this policy.

BA summary: However, we are concerned that the wording implies that adverse impacts are acceptable and we support the views of the RSPB with regard to this policy.

BA comment: We will review the policy in light of these comments, although note that no specific text has been identified and no suggested amendments provided. We will contact NWT. *Noet that the use of such phrases as unacceptable impacts etc will be reviewed for consistency and appropriateness as the local plan is produced.*

North Walsham and Dilham Canal Trust

Policy POSP10 is fully supported by the Trust. It is welcomed for its positive approach to maintaining and increasing Navigable Water Space – a policy which directly impacts on the North Walsham & Dilham Canal restoration project, especially the section within the Broads Authority area. The Trust welcomes the recognition of ‘opportunities for the extension or creation of navigable/recreational water space which will be promoted...’

The Trust welcomes the policy of maintaining ‘adequate water depths for safe navigation...’ This policy is extremely important to the Canal restoration as the entrance and the first 4.4km of the Canal to Dee Bridge in Honing is within the Broads Area boundary. This section of the Canal has been allowed to become virtually un-navigable beyond the junction with the East Ruston branch due to a failure by the Canal section owners to observe the ‘no closure’ stipulation in the extant 1866 Canal Act. The Trust needs the support of the Broads Authority to further our Aim of re-opening the entire length of the historic North Walsham and Dilham Canal for the public benefit, especially as the entrance to the Canal is within the Broads Authority boundary. Keeping it fully navigable for day boats and canoes, locally hired from Banks or the Canoe Man, boosts tourist potential. There is a need for canoe portaging facilities at Honing Lock and mooring at the north end of the East Ruston Arm, which would bring business to the village and its pub. There is one further possible threat to navigation which could affect the access to Dilham Cut and the North Walsham & Dilham Canal. To access both from the River Ant requires passage under the A149 Wroxham to Stalham road at Wayford. The ‘modern’ flat steel girder bridge is now reported to have sunk

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on its foundations reducing the available headroom to some 7 feet (8ft 6in in 1938) with 'normal' water level – but reducing to less than 6 feet (6ft 5½in in 1939) in flood conditions. (In 1956 the original arched Canal bridges had a recorded headroom of 8ft 6in).

BA summary: General support of policy. Policy supports Trust's North Walsham & Dilham Canal restoration project as part is within Broads area. Need for canoe portaging facilities and moorings. Bridge at A149 Wroxham to Stalham Road at Wayford sunk.

BA comment: Support for policy noted. The general policies in the Local Plan can be used to determine applications for moorings or canoe portage. Re moorings, please see our Mooring Guide. The Broads Authority recognises the importance of this Canal for recreation in the Broads. The Authority is willing to work with the Trust and any relevant owners of the Canal to explore the possibilities of making improvements for access. Regarding the sinking bridge, will refer to Norfolk County Council Highways Authority.

Norwich City Council

The proposed text is helpful in understanding some of the key considerations for navigation in relation to new development but it would be useful to have some further clarification in the reasoned justification, for example an indication of what constitutes the 'importance' of the water space in question and 'levels of use'. In recent discussion with Adrian Clarke as part of the River Wensum Strategy work, we have been exploring the potential for an advice note providing information about navigation considerations which could be helpful for developers and there is potential for some of this explanation to either be added into the explanatory text for this policy or for the BA to publish an advice note (if agreed) which would be helpful for both the Broads Local Plan and River Wensum Strategy.

BA summary: It would be useful to have some further clarification in the reasoned justification, for example an indication of what constitutes the 'importance' of the water space in question and 'levels of use'. Have been exploring the potential for an advice note providing information about navigation considerations which could be helpful for developers

BA comment: Noted. Will look into this as review this section. Advice note might be useful as we have similar approaches for other topics in the Broads.

RSPB

It is recommended that the first sentence of the final policy paragraph be amended to read: "...carried out in ways that avoid adverse effects on the environment, with appropriate mitigation measures implemented as required." This is necessary as the current wording indicates that some level of adverse effect would be acceptable, which clearly is not the case when compared to the Habitats Regulations process. It is also essential that the policy is consistent with processes set out in other policies, for example, the Habitats Regulations approach set out in Policy PODM13 (Natural Environment). In order to ensure that dredged material is appropriately disposed of the Broads Authority has followed its sediment management strategy. However, it appears that the current strategy is several years old and would benefit from a revision. It is recommended that the supporting text refer to keeping the sediment management plan updated. This will be important in ensuring the delivery of Policy POSP10 and that the work is appropriately coordinated and conducted in accordance with all necessary consents processes.

BA summary:

1: It is recommended that the first sentence of the final policy paragraph be amended to read: "...carried out in ways that avoid adverse effects on the environment, with appropriate mitigation measures implemented as required."

2: In order to ensure that dredged material is appropriately disposed of the Broads Authority has followed its sediment management strategy. However, it appears that the current strategy is several years old and would benefit from a revision. It is recommended that the supporting text refer to keeping the sediment management plan updated.

BA comment:

1: Will amend text.

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2: There are no plans currently to update the strategy itself as the science behind the strategy remains valid and the strategy appropriate. There is an action plan which is updated on a yearly basis.

Suffolk Wildlife Trust

We support the requirement in Policy POSP10 (Navigable Water Space) for the beneficial use of dredgings where they will help deliver ecological gain, as identified in the Reasoned Justification. We would recommend that the policy is expanded ensure that the use of innovative techniques, as are already underway in the Broads, are promoted to maximise the beneficial uses of such material.

BA summary: We would recommend that the policy is expanded ensure that the use of innovative techniques, as are already underway in the Broads, are promoted to maximise the beneficial uses of such material.

BA comment: Noted however the term 'reuse' does adequately cover the innovative techniques which are constantly changing.

PODM28 - Access to the Water

Historic England

We recognise the importance of the positive presumption for development allowing access to the water although we request that this is caveated so that development will be approved 'where there is no harm to the character and significance of the historic environment'.

BA summary: Refer to historic environment.

BA comment: We will look at adding something to criterion f.

Knight, J (Broads Authority Navigation Committee Member)

This policy is supported, particularly the focus on encouraging access to and use of the waterways.

BA summary: This policy is supported, particularly the focus on encouraging access to and use of the waterways.

BA comment: Support noted.

Knight, J (Broads Authority Navigation Committee Member)

Piling has traditionally been used as a means of stabilising banks and providing moorings throughout the Broads and the presumption against this is not supported. Soft engineering is certainly appropriate in some locations, but this comes with its own risks of increased siltation and erosion and can often result in hazards to navigation requiring marker posts which can be more visually intrusive than piling and less safe especially when visibility is poor. Piling in itself does not give an urban feel - it simply shows evidence of human intervention which is true of the entire Broads. The Broads themselves, wind pumps and open marshes are all evidence of human intervention and piling is simply one other method by which humans have managed the Broads over centuries. Certainly longevity and the cost of maintenance is an important consideration, however, and therefore encouragement should be given to the use of sustainable materials with a longer life such as recycled plastics, which have a similar appearance to steel piling. The presumption against piling - particularly in the Broadland Flood Alleviation Project - has also resulted in a huge reduction in the availability of informal moorings, to the detriment of the visitor experience.

BA summary: Piling has traditionally been used as a means of stabilising banks and providing moorings throughout the Broads and the presumption against this is not supported. Soft engineering is certainly appropriate in some locations, but this comes with its own risks of increased siltation and erosion and can often result in hazards to navigation requiring marker posts which can be more visually intrusive than piling and less safe especially when visibility is poor

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BA comment: Comments noted. This policy should be read alongside the guidance note on this topic <http://www.broads-authority.gov.uk/planning/Planning-permission/design-guides/river-bank-stabilisation>. The issue of hazard to navigation for example is raised in that guidance. Plastic in particular is discussed in the mooring design guide http://www.broads-authority.gov.uk/data/assets/pdf_file/0005/703940/Mooring-design-guide.pdf. This policy is sufficiently flexible to react to the particular circumstances and raises various issues that need to be considered when planning for stabilisation.

PODM29 - Riverbank stabilisation

Norfolk and Suffolk Boating Association

We note and broadly agree the draft policies as set out in their respective boxes for strategic, development management and site specific types of policy: POM29 Riverbank stabilisation. However, we do not agree with all of the supporting text, which appears in places to have been poorly drafted. Whilst we do not propose to go through the text in detail, examples include: b) The “reasoned explanation” (p112) for PODM29 “Riverbank stabilisation” states: 'Traditionally riverbanks in the Broads have been protected using timber or steel piling driven into the riverbed at the bank edge. However, this approach can damage riverbank habitats, adversely affect protected species, encourage boat mooring in inappropriate locations and create an urban feel in an otherwise rural area. In many parts of the Broads, particularly those with an open rural location, natural or less intrusive engineering techniques such as alder poles, faggots, willow spilling, biodegradable geotextiles and vegetation will represent a more visually and ecologically appropriate solution that should be used in preference to piling where technically feasible. Accordingly, the Authority will ensure that the piling of banks only takes place where there is demonstrable need to prevent bank erosion by this means, where it is appropriate to the local character of the area or for the use of the frontage for mooring. If a proposal is considered in the context of this policy to potentially have an effect on an internationally designated site then it will need to be considered against the Habitats Regulations and a project level Appropriate Assessment undertaken.' It is not helpful or accurate to state that the riverbanks have traditionally been piled. Whilst this became the preferred treatment post WWII, at those locations where the authorities intervened to control scour and erosion, the piled treatment was only ever applied to a small proportion of the Broads rivers and even smaller proportion of the Broads. Neither is a biodegradable geotextile, bunch of willow or whatever, the answer where the tidal flow is fast or adjacent to infrastructure including pump stations, bridges, mills or staithes. All of these issues are addressed in various BA reports and in the environmental assessment reports prepared by BESL for the Broads Flood Alleviation Project, to which this Plan could constructively refer. Whilst we are in agreement with the draft policy PODM29, the “reasoned explanation” falls short of the required clarity.

BA summary: Generally agree with policies but supporting text poorly drafted. It is not helpful or accurate to state that the riverbanks have traditionally been piled. Whilst this became the preferred treatment post WWII, at those locations where the authorities intervened to control scour and erosion, the piled treatment was only ever applied to a small proportion of the Broads rivers and even smaller proportion of the Broads. Neither is a biodegradable geotextile, bunch of willow or whatever, the answer where the tidal flow is fast or adjacent to infrastructure including pump stations, bridges, mills or staithes. All of these issues are addressed in various BA reports and in the environmental assessment reports prepared by BESL for the Broads Flood Alleviation Project, to which this Plan could constructively refer. Whilst we are in agreement with the draft policy PODM29, the “reasoned explanation” falls short of the required clarity.

BA comment: Support for policy noted. Regarding comments on piling - will review text. Regarding comments on softer techniques, the policy, supporting text and related guidance already refers to the thrust of the comment - that the appropriate method depends on the local characteristics. No change.

PODM30 - Moorings, mooring basins and marina

Evolution Town Planning (for Somerleyton Marina Ltd)

These representations focus on the proposed draft policy PODM30 and follow on from our representations at Issues and Options Stage and should be read in context. Appendix J of the Preferred Options consultation document indicates that emerging policy PODM30 is a replacement for policy DP16. In our response to the Issues and

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Options consultation we expressed a preference for policy DP16 to be continued generally in its current form with appropriate updating as relevant. This consultation document states that the preferred option is to adopt policy PODM30 which is very similar to DP16. One of the principle changes is the reference to the mooring 'Pre-application Questionnaire' and the requirement for short stay moorings. The pre-application questionnaire is useful and will aid the preparation of planning applications. The requirement for short stay moorings is clearly explained and in a location such as Somerleyton the provision of short stay (tourist) moorings in any future marina expansion has direct benefits to the village of Somerleyton and the nearby Dukes Head pub. The proposed draft policy PODM30 repeats the key policy criteria we identified as being important and positive in their approach in relation to the Estate's plans for the marina and moorings. As such we support the Preferred Option for policy DM30.

BA summary: We support the Preferred Option for policy DM30. The pre-application questionnaire is useful and will aid the preparation of planning applications.

BA comment: Support noted.

Historic England

We recognise the importance of the positive presumption for development allowing access to the water although we request that this is caveated so these developments will be approved 'where there is no harm to the character and significance of the historic environment'.

BA summary: Refer to historic environment.

BA comment: Noted. Although in the comment on PODM32 the HE seemed content with the general reference to 'character' which is already included within this policy. As such, no change.

Residential Boat Owners' Association

In response to policies PODM30, moorings, mooring basins and marinas, and PODM35, new residential mooring criteria we wish to make the following additional point. The RBOA advocates the inclusion of at least a few residential moorings at all appropriate mooring basins and marinas. This is important in supporting the viability of the businesses that may rely on income from such moorings. Boating activity naturally slows down out of the main season and this can make the sustainability of such businesses difficult. Residential moorings will sustain a demand for services and supplies throughout the year and may actually provide the income to enable business to increase the services for visiting leisure boats. Along with this are the well established benefits of residential moorings including added security, particularly during the winter period when the management may not have a regular presence on site.

BA summary: The RBOA advocates the inclusion of at least a few residential moorings at all appropriate mooring basins and marinas. This is important in supporting the viability of the businesses that may rely on income from such moorings.

BA comment: Noted. It is not clear if this is supporting the policy or suggesting changes. Will contact RBOA to clarify. *Clarification sought 26 May 2017 and the RBOA support the policy.*

Knight, J (Broads Authority Navigation Committee Member)

The overall thrust of this policy is supported, particularly the recognition of the need to improve the availability of short stay visitor moorings throughout the Broads. However, imposing a requirement on developers to provide short stay moorings should not be used as a way of the Authority avoiding its own responsibility to provide moorings at strategic locations. The prescriptive approach to providing visitor moorings as part of any development may not be appropriate in all circumstances - although there is undeniably a shortage of visitor moorings in the Broads, this shortage tends to be focused in specific areas rather than across the entire system. In some areas (especially in the southern broads where hire fleet numbers have collapsed), there may be an over-supply of visitor moorings in relation to demand, and so adding further visitor moorings in those locations would be pointless. This policy needs to be supported by a map of visitor mooring provision, with deficiencies identified and specifically addressed in the policy rather than making sweeping generalisations. The attempt to define 6 different "mooring types" is arbitrary and doesn't recognise the fact that

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mooring provision and occupation is rarely defined in this way. In most marinas, there will be varying intensities of use of the vessels moored within them - with some boats hardly used at all and others used for months at a time. Clearly, a marina which was suddenly filled with full time live aboard families instead of casually used boats would represent an intensification of use - but there is no evidence of such a development anywhere on the Broads. This arbitrary distinction of mooring types could, if translated into policy, lead to a ghetto effect, where different areas are zoned for different “mooring types” and this would be undesirable, compared to the current mix of uses which works well and encourages co-operation and tolerance amongst different users of the system. A better approach would be to identify specific issues - such as a lack of visitor moorings in one location, or demand for residential moorings in another, and apply a maximum permitted percentage for those “types”. This would allow for a mix of uses according to demand, whilst maintaining a sensible level of control to ensure undesirable intensifications of specific uses which might have other adverse effects.

BA summary:

- 1: Imposing a requirement on developers to provide short stay moorings should not be used as a way of the Authority avoiding its own responsibility to provide moorings at strategic locations
- 2: In some areas (especially in the southern broads where hire fleet numbers have collapsed), there may be an over- supply of visitor moorings in relation to demand, and so adding further visitor moorings in those locations would be pointless
- 3: This policy needs to be supported by a map of visitor mooring provision, with deficiencies identified and specifically addressed in the policy rather than making sweeping generalisations.
- 4: The attempt to define 6 different “mooring types” is arbitrary and doesn't recognise the fact that mooring provision and occupation is rarely defined in this way. This arbitrary distinction of mooring types could, if translated into policy, lead to a ghetto effect, where different areas are zoned for different “mooring types” and this would be undesirable, compared to the current mix of uses which works well and encourages co-operation and tolerance amongst different users of the system.
- 5: A better approach would be to identify specific issues - such as a lack of visitor moorings in one location, or demand for residential moorings in another, and apply a maximum permitted percentage for those “types”. This would allow for a mix of uses according to demand, whilst maintaining a sensible level of control to ensure undesirable intensifications of specific uses which might have other adverse effects.

BA comment:

- 1: This is not the intention of the policy. The Authority does not own suitable land and therefore our approach is to work with landowners to seek the provision of appropriate mooring facilities. The Broads Act 1988 does not set a requirement on the Broads Authority to provide moorings itself in specific locations. The Navigation Committee have supported an approach of trying to encourage bodies other than the Authority to provide mooring facilities. This policy does not intend to absolve the Authority from carrying out its duties as set out in the Norfolk and Suffolk Broads Act 1988.
- 2: Tourism in the Broads is dependent on adequate mooring provision, both to cater for existing boat use and encourage increased boat use in specific areas. While there are moorings in the Southern Broads, many of these do not provide capacity for large numbers of boats and any loss of moorings would reduce facilities for tourism in the southern Broads. The Broads Sustainable Tourism Strategy recognises the importance of maintaining tourist facilities in the southern Broads.
- 3: The Broads Authority prioritises the provision of moorings in accordance with its Mooring and Integrated Access Strategy. This assesses where there are gaps in provision. This is already stated in the Reasoned Justification to the policy.
- 4: This list of mooring types is simply intended to identify the types of moorings that are in existence in the Broads. We will emphasise that these are general categories of mooring types. It is not intended to create enclaves of specific mooring types in particular locations. This support text simply seeks to elaborate and provide more explanation in relation to the policy.
- 5: Regarding the demand for residential moorings, we await a study that is looking into this as per the requirements of the Housing and Planning Act 2016. That will inform the next version of the Local Plan. We do to some extent say where residential moorings will be acceptable through the criteria of policy PODM35. Every mooring provision

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that is made is dealt with on a site-specific assessment of the area and as stated in the Reasoned Justification, the Integrated Access Strategy (which includes the Mooring Strategy) will be the starting point.

POSP11 - Mooring Provision

Historic England

We recognise the importance of the positive presumption for development allowing access to the water although we request that this is caveated so these developments will be approved 'where there is no harm to the character and significance of the historic environment'.

BA summary: Refer to historic environment.

BA comment: Noted. This is a general strategic policy. It seeks to be high level. The detailed policy that is related to it refers to character as per the response to the comment on PODM30. No change.

Knight, J (Broads Authority Navigation Committee Member)

This (short) policy is in conflict with PODM29 which discourages the use of piling and, by extension, the provision of moorings.

BA summary: This (short) policy is in conflict with PODM29 which discourages the use of piling and, by extension, the provision of moorings.

BA comment: The author of the comment has focussed their response on piling. There are many ways to provide moorings. Please see the mooring design guide: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0005/703940/Mooring-design-guide.pdf. PODM29 does not say no to piling, but gives a framework for such an option.

Norfolk and Suffolk Boating Association

We note and broadly agree the draft policies as set out in their respective boxes for strategic, development management and site specific types of policy: POSP11 Mooring provision. However, we do not agree with all of the supporting text, which appears in places to have been poorly drafted. Whilst we do not propose to go through the text in detail, examples include: The "reasoned explanation" (p114) for PODM30 "Moorings etc." states: 'De-masting moorings: Used to moor a vessel to in order to lower the mast to enable the vessel to continue with their journey. Likely to be near bridges where the air draught (height between water and bridge) means the mast must be lowered. Again, these do not have to access land.' This fails to record BA policy to aim to provide mast lowering moorings on all four quadrants at bridges crossing the main rivers. Second, it is generally not true that they do not have access to land. Whilst true at Somerleyton, it isn't at Beccles, Potter Heigham, Wroxham, Gt Yarmouth, Ludham Bridge, and Wayford Bridge. It is part of the cultural landscape of the Broads that settlements became established where the roads met the rivers, with the formalised establishment of the network of staithes, to which modern amenities and visitor facilities have been added.

BA summary:

1: re demasting moorings explanation of the term, this fails to record BA policy to aim to provide mast lowering moorings on all four quadrants at bridges crossing the main rivers.

2: Again re demasting moorings, second, it is generally not true that they do not have access to land

BA comment:

1: This is a general description of what a de-masting mooring is in broad and general terms. The explanation in general is satisfactory and it is not the intention of the Local Plan to copy all policies of the Broads Authority. No change.

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2: Regarding access to land. The wording is quite clear where it says 'do not have to access land'. The author has misread this to say 'do not have access to land'. No change to text.

27 Housing

Norfolk County Council

In section 27 it is felt that there is an opportunity to promote the health and well-being benefits of the Broads and the connection to the natural environment.

BA summary: In section 27 it is felt that there is an opportunity to promote the health and well-being benefits of the Broads and the connection to the natural environment.

BA comment: Noted although there is a section entitled 'Health benefits of using the Broads'.

Shepherd, I (CPRE Norfolk)

The new layout, launched on the 26th, included what was the Section, is now entitled HOMES: Property/Lifestyle/Interiors. We ask that you look at the article 'The beauty that is Norfolk'. 'Those in the new homes market believe there are many reasons to build in Norfolk'. The article goes on at some length on targeting on the Norfolk hot-spots, including of course the Broads. The pressure will not just come for a much increased demand for housing close to the Broads, but also the coast. Also, but not mentioned by this article, there will be a step-change in the number of day visitors, which will extend as far as London and the Midlands; hence affecting the Broads Plan as well as the Broads Local Plan and the need to seek to strengthen policies as far as possible with adjacent LPAs on the Duty to Cooperate on housing and associated development; and as regards the Broads Plan, on the management of visitors, including transport issues which we mention.

BA summary: There will be a step-change in the number of day visitors, which will extend as far as London and the Midlands; hence affecting the Broads Plan as well as the Broads Local Plan and the need to seek to strengthen policies as far as possible with adjacent LPAs on the Duty to Cooperate on housing and associated development; and as regards the Broads Plan, on the management of visitors, including transport issues which we mention.

BA comment: Work has recently been completed relating to understanding visitor pressure at sites around Norfolk. This will inform Habitats Regulation Assessments.

South Norfolk Council

In general the Housing section is well constructed and appropriate to the Broads context. The Council would suggest in terms of monitoring that the Plan should be explicit that monitoring is at the dwelling level and more precision is needed than just 'permitted' and 'delivered'.

BA summary:

1: In general the Housing section is well constructed and appropriate to the Broads context.

2: The Council would suggest in terms of monitoring that the Plan should be explicit that monitoring is at the dwelling level and more precision is needed than just 'permitted' and 'delivered'.

BA comment:

1: Support noted.

2: Will consider as Monitoring and Implementation Framework finalised.

South Norfolk Council

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Housing for Older People: Norfolk County Council may no longer be producing a 'Housing Strategy Framework', although cross-county work on the scale of future need for elderly people's accommodation is in progress. Suggest the Broads Authority checks and if necessary deletes this paragraph.

BA summary: Norfolk County Council may no longer be producing a 'Housing Strategy Framework', although cross-county work on the scale of future need for elderly people's accommodation is in progress. Suggest the Broads Authority checks and if necessary deletes this paragraph.

BA comment: This section will be reviewed and updated.

Great Yarmouth Borough Council

Housing for Older People: The Borough Council looks forward to continuing a working partnership within the Norfolk Strategic Framework Housing Group to address housing for older people across the County.

BA summary: Housing for Older People: The Borough Council looks forward to continuing a working partnership within the Norfolk Strategic Framework Housing Group to address housing for older people across the County.

BA comment: Noted.

POSP12 - Residential Development

Boyer Planning (agent for East Anglian Group)

This policy is supported due to the fact that residential development will be supported where it is appropriately located and has high levels of accessibility. Housing on the Marina Quays site represents sustainable development and therefore is in compliance with this policy. Development here is also accessible to local facilities by public transport, cycle and foot.

BA summary: This policy is supported due to the fact that residential development will be supported where it is appropriately located and has high levels of accessibility.

BA comment: Support noted.

Environment Agency

We would reinforce our previous comments in regards to flood risk that all residential development should have passed the sequential test and where appropriate be accompanied with a site-specific flood risk assessment.

BA summary: All residential development should have passed the sequential test and where appropriate be accompanied with a site-specific flood risk assessment.

BA comment: Noted. There is a sequential test accompanying the Plan which has been produced in consultation with the EA. Housing allocations in the Plan do refer to flood risk. Will make reference between the allocations consistent.

Anonymous through Survey Monkey

Welcomed, if not social class enforced.

BA comment: Noted.

PODM31 - New housing in the Broads Authority Executive Area

Knight, J (Broads Authority Navigation Committee Member)

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This policy focuses exclusively on land based housing, and concludes that there are few opportunities for significant housing development within the Broads due to the constraints of flooding and existing settlement boundaries. Serious consideration therefore should be given to a policy which supports and encourages the use of floating accommodation to help fulfil the Authority's Objectively Assessed Housing Need. This could take the form of encouraging residential moorings for boats, or allowing small developments of purpose-built houseboats. This model is being used successfully in other countries such as the Netherlands. Jenner's Basin at Thorpe Island, for example, could be an ideal location for such a development, as it has excellent accessibility by public transport, is close to the city of Norwich and is adjacent to an existing development boundary.

BA summary: Serious consideration therefore should be given to a policy which supports and encourages the use of floating accommodation to help fulfil the Authority's Objectively Assessed Housing Need.

BA comment: The comments seem to agree with the thrust of this section of the Local Plan as the 'solution' of floating buildings reflects the flood risk issue. Please see Floating Buildings Topic Paper http://www.broads-authority.gov.uk/_data/assets/pdf_file/0008/875843/Broads-Local-Plan-February-Bite-Size-Pieces.pdf on this issue which sets out the approach of the Broads for this Local Plan. In summary, we intend to discuss with EA the possibility of buildings that can float being a way of addressing residual risk from flooding and then over the coming year or two look into if and how floating buildings can be seen as acceptable in flood risk terms.

Waveney District Council

It is uncertain why this policy is not considered a strategic policy given it sets out the Broad's strategic approach to the distribution and delivery of housing. It is also questioned why this policy is not the first policy in the housing section given its important, strategic nature. The Council supports the policy approach and the approach to housing numbers. The Council supports the position that the Waveney element of the Broad's Objectively Assessed Need also forms part of Waveney's Housing Market Area objectively assessed need. The Council considers that housing completions in the Broads Authority area count towards both Waveney District Council's objectively assessed need and the Broads Authority's objectively assessed need. The table on Page 118 outlines the progress of Strategic Housing Market Assessments (SHMA). The SHMA for Waveney is expected to be completed in early March.

BA summary:

- 1: It is uncertain why this policy is not considered a strategic policy given it sets out the Broad's strategic approach to the distribution and delivery of housing.
- 2: It is also questioned why this policy is not the first policy in the housing section given its important, strategic nature.
- 3: The Council supports the policy approach and the approach to housing numbers

BA comment:

- 1 and 2: Potential to combine PODM31 with POSP12 will be considered.
- 3: Support noted.

South Norfolk Council

South Norfolk Council is supportive of the Broads Authority allocating land in the Local Plan to endeavour to meet its objectively assessed housing need.

BA summary: South Norfolk Council is supportive of the Broads Authority allocating land in the Local Plan to endeavour to meet its objectively assessed housing need.

BA comment: Support noted.

Natural England

In order for this policy, which feeds through into policies: PODM32 – Affordable housing and PODM33 – Residential development within defined development boundaries, to be compliant with the Habitats Regulations, the following modifications should be made:

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Policy wording: We strongly recommend that the wording in the policy is amended to reflect fully the proposed text modifications made in the HRA for the Plan (see under Table 2: Policy PODM31 (p39) in the HRA report). As a minimum, screening under the HRA process will need to be undertaken for all new housing proposals, given the potential impacts identified in the Plan's HRA. Under d) 'Protecting European Sites' it states currently that "Project Level Habitat Regulation Assessments may be needed to assess implications on sensitive European Sites." This should be amended to: "Project Level Habitats Regulation Assessments will be needed to assess implications on sensitive European Sites. Where identified, good quality on-site green infrastructure will need to be provided to help mitigate impacts from recreational disturbance." The latter sentence should be added to the policy for clarity and to cross reference the supporting text provided in the sixth paragraph on p120. Supporting text (p120): It would be helpful if the supporting text section was given a heading to make it easier to find. Currently, the text could be interpreted as meaning that only the three sites identified for the 212 housing provision need to provide project level HRAs (and the associated mitigation), which is not the case.

BA summary:

1: Amend D to say: "Project Level Habitats Regulation Assessments will be needed to assess implications on sensitive European Sites. Where identified, good quality on-site green infrastructure will need to be provided to help mitigate impacts from recreational disturbance."

2: P120 Currently, the text could be interpreted as meaning that only the three sites identified for the 212 housing provision need to provide project level HRAs (and the associated mitigation), which is not the case.

BA comment:

1: Footprint Ecology advise the following. You may do a project level HRA and find that you can conclude no likely significant effect, negating the need for further assessment or mitigation - "Project Level Habitats Regulation Assessments will be needed to assess implications on sensitive European Sites. Measures to mitigate for the effects of new housing growth may be required, such as the provision of good quality on-site green infrastructure to mitigate for recreational disturbance."

2: Noted and will amend.

Great Yarmouth Borough Council

The Borough Council stands by the Memorandum of Understanding between itself and the Broads Authority with respect to the delivery of housing, as generally outlined in the written justification. It confirms that the Great Yarmouth Local Plan seeks to meet the whole of the Borough's housing need (including that part arising in the part of the Broads within the Borough) through a combination of delivery of the great majority within its own plan area, and by working with the Broads Authority to (a) facilitate an appropriate level of delivery (giving full regard to its special status, constraints and opportunities) within the Great Yarmouth Borough part of the Broads; and (b) counting such delivery achieved within that area during the plan period against the Borough's overall housing target. In accordance with the Memorandum of Understanding, the Borough Council has not separately enumerated the housing need within the Broads part of the Borough, and to date has not identified a specific target or assumption of how much would or should be delivered in that area. The Borough Council has a degree of scepticism as to the robustness of the figure of 44 quoted, and neither endorses nor objects to its use by the Broads Authority.

BA summary: The Borough Council stands by the Memorandum of Understanding between itself and the Broads Authority with respect to the delivery of housing, as generally outlined in the written justification. The Borough Council has a degree of scepticism as to the robustness of the figure of 44 quoted, and neither endorses nor objects to its use by the Broads Authority.

BA comment: Support for approach noted and welcomed. With regards to the figure, the SHMA is being updated during the early months of 2017 to reflect recent data releases and this figure could change. The Authority (and other Central Norfolk Housing Market Area authorities) have no reason to doubt the findings of the SHMA.

Home Builders Federation

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We do not understand the derivation of the housing requirement of 212 net new dwellings. The Broads falls within the Central Norfolk, Great Yarmouth and Waveney Housing Market Areas. The Broads area is covered by a number of other local authority areas but page 119 states that the OAN for the Broads is 320 homes. Policy PODM31 states that the requirement for the Broads Plan is 212 homes by 2036. A 'remaining requirement of 44 dwellings' to 2036 will be provided in the part of the Broads that falls within the Borough of Great Yarmouth. This would give a total of 256 homes. It is unclear if and where the other 64 homes will be provided. The Local Plan will need to clarify this. This issue cannot be neglected otherwise the plan is potentially unsound. If the Council is still trying to reach an agreement with one or more of the other authorities then this consultation ought to have said this. It may be the case that the 64 dwelling shortfall represents the completions achieved since 2012 or is an unmet need that cannot be accommodated because of environmental constraints (page 119 suggests this might be the Council's view). It is not clear. The Council needs to clarify if it considers that there are 64 homes that it is unable to accommodate. If this is the case, it will need to utilise the mechanisms under the duty to cooperate to find a solution to this problem. We would expect to see correspondence with all of the authorities. However, given the small number of homes involved, and in view of the difficult decisions other authorities with sensitive designations have had to make elsewhere in the country to meet more of the housing need, we would really expect the Broads to be able to accommodate this shortfall itself. The Council should identify allocations for the 64 homes.

BA summary: Queries housing numbers in the Local Plan. Considers that as the numbers are so small, the Authority should be able to allocate.

BA comment: This is set out clearly in the reasoned justification and the Housing Topic Paper. No change to policy other than to reflect the updated SHMA figures when available. The numbers may appear small, but the constraints are significant in the Broads. Note that through the allocations, permissions and completions in the Waveney Housing Market area, that is an over-provision of 43.9% and in the Central Norfolk Housing Market Area there is an over-provision of 13.4% %. The Authority is satisfied that it is doing its bit to meet housing need. *Note that following the production of a new SHMA, this section and the Topic Paper have been reviewed and updated.*

POSP12 - Residential Development

Knight, J (Broads Authority Navigation Committee Member)

This policy focuses exclusively on land based housing, and concludes that there are few opportunities for significant housing development within the Broads due to the constraints of flooding and existing settlement boundaries. Serious consideration therefore should be given to a policy which supports and encourages the use of floating accommodation to help fulfil the Authority's Objectively Assessed Housing Need. This could take the form of encouraging residential moorings for boats, or allowing small developments of purpose-built houseboats. This model is being used successfully in other countries such as the Netherlands. Jenner's Basin at Thorpe Island, for example, could be an ideal location for such a development, as it has excellent accessibility by public transport, is close to the city of Norwich and is adjacent to an existing development boundary.

BA summary: Serious consideration therefore should be given to a policy which supports and encourages the use of floating accommodation to help fulfil the Authority's Objectively Assessed Housing Need.

BA comment: The comments seem to agree with the thrust of this section of the Local Plan as the 'solution' of floating buildings reflects the flood risk issue. Please see Floating Buildings Topic Paper http://www.broads-authority.gov.uk/data/assets/pdf_file/0008/875843/Broads-Local-Plan-February-Bite-Size-Pieces.pdf on this issue which sets out the approach of the Broads for this Local Plan. In summary, we intend to discuss with EA the possibility of buildings that can float being a way of addressing residual risk from flooding and then over the coming year or two look into if and how floating buildings can be seen as acceptable in flood risk terms.

Norfolk County Council

The County Council welcomes the inclusion of Policy POSP14 relating to developer contributions from new development and the different mechanisms which will be used to secure funding. This policy could be cross referenced in Policy POSP12: Residential Development where it is first identified that contributions from housing development

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could be sought. The County Council welcomes the explanation of the legal tests developer contributions have to fulfil (Page 160), wording could be included to explain these legal tests are required as part of Community Infrastructure Levy Regulations 122 and 123.

BA summary:

- 1: This policy could be cross referenced in Policy POSP12: Residential Development where it is first identified that contributions from housing development could be sought.
- 2: Wording could be included to explain these legal tests are required as part of Community Infrastructure Levy Regulations 122 and 123.

BA comment:

- 1: Will make such cross reference.
- 2: Will make this reference.

South Norfolk Council

General support for this policy which seeks to achieve sustainable patterns of development. Should there be a definition of what is meant by “local facilities” or “high levels of accessibility”?

BA summary:

- 1: General support for this policy which seeks to achieve sustainable patterns of development.
- 2: Should there be a definition of what is meant by “local facilities” or “high levels of accessibility”?

BA comment:

- 1: Support noted.
- 2: Noted. We will add reference to the Settlement Study.

PODM32 - Affordable Housing

Note that this section has been updated in liaison with the BA's six housing authorities.

Broads Reed and Sedge Cutters Association

The policy references to Affordable Housing PODM32 mainly concerned our younger members. It is sad that none of our members now expects anything from the Broads Authority policy on affordable housing. The reality of the situation is that younger reed cutters and probably most younger people born in the Broads on low to middle incomes have completely given up that any policy will lead to a solution. The majority of younger Cutters now have to commute from Norwich, Great Yarmouth and Lowestoft to the Broads. It is only a matter of time when the Broads will have no reed or sedge cutters actually living in the Broads. The planning process in the Broads is now too expensive for those on low incomes and therefore, for future reed cutters, the Broads has become a 'No Go' area for the young generation wishing to live in the area.

BA summary: It is sad that none of our members now expects anything from the Broads Authority policy on affordable housing. The majority of younger Cutters now have to commute from Norwich, Great Yarmouth and Lowestoft to the Broads. The planning process in the Broads is now too expensive for those on low incomes

BA comment: Whilst recognising their frustration, it is not clear what the Association expects the Broads Authority to do with regards to Affordable Housing:

- We do not own suitable land to develop ourselves.
- The Government has raised the threshold to require affordable housing to 11 or more dwellings and the average size of planning applications for residential development in the Broads is 2. The Housing White Paper proposes a 10% affordable housing requirement for developments of 10 or more (different threshold to the NPPG), but as mentioned the average application is for 2 dwellings.

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- The Government has also raised the prominence of arguing viability on scheme delivery by developers in relation to planning obligations such as affordable housing.
- Turning to the boundary of the Broads, there are four settlements in the Broads where the majority of the built up area of a Parish is within the Broads (Stokesby, West Somerton, Belaugh and Thurne). Everywhere else, the main part of the settlement is in the part of the Parish not in the Broads. These settlements may be classed as large villages, key service centres, towns and market towns and may receive growth from our constituent district's Local Plans. The boundary of the Broads is an arbitrary one like all Local Planning Authorities and in the case of the Broads, there may be affordable housing or more affordable market housing just outside out boundary, but in a shared settlement. It is recommended that BRASCA meet with the constituent council Planning Policy officers to discuss the needs of BRASCA as all the councils are producing new Local Plans. The Broads Authority can provide BRASCA with contact details.

The Government have made various changes to planning over the last 12 months or so. There is reference to build to rent, greater emphasis on self build and custom build as well as the inclusion of starter homes within the definition of affordable housing.

The Planning process in the Broads is not different to anywhere else. It cannot be as planning is heavily regulated by Government. There are aspects such as Permitted Development Rights which may be different in the Broads and this is set by Government to reflect the special qualities of the Broads. Some local policies may be different or not covered in Government guidance, but this reflects local circumstances. All policies are assessed by an independent Planning Inspector when examined and they will recommend changes to make the plan sound and the Authority will take on board these recommendations so any plan meets the tests set out by Government.

Note that Mr Starling, as representative of BRASCA as well as Somerton Parish Council will be invited to a meeting to discuss comments made to the Local Plan. *The meeting was held and various issues discussed.*

Historic England

Similarly to above we request that the presumption in favour for this form of development is caveated so that development will be approved: '(v) where there is no harm to the character and significance of the historic environment.

Alternatively, the second paragraph of Policy PODM33: Residential Development within Defined Development Boundaries could be included into Policy PODM32.

BA summary: Refer to historic environment.

BA comment: Will look into adding something along the lines of 'Development will be of a scale that is suitable and appropriate for the size of the site and settlement. Proposals need to avoid over development and retain and reflect the character of the area.'

Home Builders Federation

Part A of the policy is unsound because it is contrary to national planning policy. We cannot see how the Council can require applicants to have "regard to evidence provided by Council surveys and research, including the Council waiting list". The Council needs to provide a clear policy in this Local Plan that sets out the requirements of the Council for this plan period. National planning policy is very clear that Local Plan must contain clear policies to assist applicants and decision-takers to ensure that the presumption in favour of sustainable development will operate effectively. The Council may vary those requirements through a partial review of the Local Plan, but it cannot be vague about what it expects in this version of the Plan.

Part B of the policy is unsound because it is contrary to national planning policy. The Council will need to specify clearly its requirements in relation to affordable housing in the Local Plan (NPPF, paragraph 174). It cannot decide on the size, type, and tenure of the affordable housing element on a case-by-case basis "based on up-to-date

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evidence” and through “liaison with the applicant”. The NPPF requires local plans to provide clear policies to “provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF, paragraph 17). This is necessary to enable speedy and efficient decision taking in accordance with paragraph 14 of the NPPF (the presumption). The Council needs to base the policies in its plan on the evidence it has prepared to support the preparation of the Plan. If, however, the affordable housing policy is to be determined in accordance with the policies of the relevant local authority covered by the Broads area, then Policy PODM32 must clearly state this. That would be a sensible and workable solution. At the moment the policy is too confusing for applicants. It would be unclear to applicants whose affordable housing policy took precedence: the Broad’s, or that of another local authority.

Part C v, vi and vii is unsound because the approach is unjustified. The Council will need to specify an affordable housing percentage in its local plan. It cannot require a site-specific viability assessment if it has not specified in the first place (based on evidence) a percentage figure that it considers to be justified and viable (NPPF, paragraph 174). The applicant would need to know what percentage of affordable housing s/he would need to provide in order for his/her application to be in accordance with the development plan so that it can be approved without delay (NPPF, paragraph 14). We cannot see how the Council could decide what would be ‘alternative provision’ if it has not specified what the ‘preferred provision’ is (based on evidence). This would allow the Council to exercise arbitrary power which would go against principles of fairness and justice required of public life. If those affordable housing percentages are to be determined by the other local authorities then the policy needs to be amended to say this. If this is the case we cannot see how the Broads Authority has the authority to determine what would be an appropriate alternative level of provision. This would be a matter for the relevant local authority to decide, not the Broads.

BA summary:

- Part A of the policy is unsound because it is contrary to national planning policy. We cannot see how the Council can require applicants to have “regard to evidence provided by Council surveys and research, including the Council waiting list”.
- Part B of the policy is unsound because it is contrary to national planning policy. The Council will need to specify clearly its requirements in relation to affordable housing in the Local Plan (NPPF, paragraph 174). It cannot decide on the size, type, and tenure of the affordable housing element on a case-by-case basis “based on up-to-date evidence” and through “liaison with the applicant”. If, however, the affordable housing policy is to be determined in accordance with the policies of the relevant local authority covered by the Broads area, then Policy PODM32 must clearly state this. That would be a sensible and workable solution. At the moment the policy is too confusing for applicants.
- Part C v, vi and vii is unsound because the approach is unjustified. The Council will need to specify an affordable housing percentage in its local plan. It cannot require a site-specific viability assessment if it has not specified in the first place (based on evidence) a percentage figure that it considers to be justified and viable (NPPF, paragraph 174).. If those affordable housing percentages are to be determined by the other local authorities then the policy needs to be amended to say this. If this is the case we cannot see how the Broads Authority has the authority to determine what would be an appropriate alternative level of provision. This would be a matter for the relevant local authority to decide, not the Broads.

BA comment:

- Part A - It is not clear why applicants should not have regard to Housing Authority information. Housing Authority officers can provide detail on affordable housing need in an area and this will be a lawful material consideration in dealing with any application. These surveys provide the information on what the demand for affordable housing is (for example number of bedrooms) and location. It is not clear how the breakdown of size, type and tenure to be fixed for the whole planning period. There must be flexibility to respond to evidence.
- Part B. Flexibility is also an important factor in the NPPF. NPPF 14 says ‘Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change’. NPPF 50 says ‘Such policies should be sufficiently flexible to take account of changing market conditions over time’. The policy does say the affordable housing

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policy is to be determined in accordance with the policies of the relevant local authority covered by the Broads area. See (the second) Part A. It is important to note that for Outline applications, the Norfolk standard S106 Agreement specifies only the tenure split with details to be provided later in an Affordable Housing Scheme.

- Part C. The policy already says that those affordable housing percentages are to be determined by the other local authorities in Part A. The Broads Authority is not the Housing Authority and so the expertise in relation to affordable housing lies with our districts.
- In general, applicants are aware of which district they are located within and therefore the thresholds that apply can be found out easily. The Authority has had no issues in applying this policy since it has been in place (subject to the viability of schemes).

La Ronde Wright (agent for Arminghall Settlement Crown Point Estate)

Question 7: The wording of this policy is supported. Market housing is typically required to cross subsidise affordable housing exception sites in the region given current high development costs and limited development values which can be achieved in the eastern region compared to the South East. The policy is consistent with paragraph 54 of the NPPF which states “Local planning authorities should in particular consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs.”

BA summary: The wording of this policy is supported.

BA comment: Support noted.

Norfolk Coast Partnership

Provision of affordable housing is an issue everywhere but particularly so in protected landscapes where house prices are generally inflated above that in non-designated areas, and constraints on development are necessarily greater.

Question 7: In response to question 7, I suggest that it may be worth considering wording along the lines of ‘the highest achievable proportion of affordable housing’ and put the onus on developers to clearly demonstrate what is achievable (and be sceptical of what is claimed initially!).

BA summary: Suggest that it may be worth considering wording along the lines of ‘the highest achievable proportion of affordable housing’ and put the onus on developers to clearly demonstrate what is achievable (and be sceptical of what is claimed initially!).

BA comment: Noted and will consider this as we check this policy.

South Norfolk Council

Under a) there are some doubts about the expression ‘Most of the proposed dwellings would be affordable’, however the possibility of uncertainty is removed when reading the reasoned justification which states ‘The market element of rural exception sites is to enable the development of affordable houses. Applications need to fully justify the proposed market element (the split between market and affordable) of rural exception site schemes via an assessment’. On this basis the proposed wording can be considered appropriate. Under d) ix and x, suggest more certainty is needed here. Under ix) suitable body should be a body approved by the Authority. Under x) ‘restricted to’ is unenforceable. No Registered Provider will acquire an affordable home without a full eligibility cascade (usually ending with ‘any other person’). Suggest changing ‘restricted to’ to ‘prioritised for’. Also under x) ‘need’ and ‘immediate area’ are both undefined and potentially open to challenge. The text in the reasoned justification under ‘Using planning obligations’ also uses these expressions and consideration should be given to updating.

BA summary:

1: Under d) ix and x, suggest more certainty is needed here.

2: Under ix) suitable body should be a body approved by the Authority.

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3: Under x) 'restricted to' is unenforceable. No Registered Provider will acquire an affordable home without a full eligibility cascade (usually ending with 'any other person'). Suggest changing 'restricted to' to 'prioritised for'.

4: Also under x) 'need' and 'immediate area' are both undefined and potentially open to challenge. The text in the reasoned justification under 'Using planning obligations' also uses these expressions and consideration should be given to updating.

BA comment:

1: Will ask South Norfolk Council for clarity

2: will amend

3: will amend

4: remove need and immediate area as the term 'local connections' will suffice.

PODM33 - Residential Development within Defined Development Boundaries

Environment Agency

Question 9: What are your thoughts on the development boundary and flood risk issue? We agree that the development boundary can include areas in the flood zones, as some development may be acceptable, providing it passes the Sequential Test (and Exception Test if required) and is shown to be safe and not increase flood risk elsewhere in the FRA in accordance with the NPPG. We agree that including the flood zones on the development boundary maps gives an indication of the areas where flood risk will need further consideration.

BA summary: We agree that the development boundary can include areas in the flood zones. We agree to including the flood zones on the development boundary maps.

BA comment: Support noted.

Historic England

We are encouraged that this policy includes the requirement for development to be of a suitable and appropriate scale. We note that there are four settlements where heritage assets are listed as constraints and features to guide developers and we request the following minor amendments to that list:

a) Horning: Horning Conservation Area; Listed Buildings and their settings

b) Oulton Broad: Setting of nearby listed buildings

c) Thorpe St Andrew: Large number of Listed Buildings and their settings including three, Grade II* Listed Buildings: Thorpe Hall; Walpole House; Ruin of Church of St Andrew

d) Wroxham and Hoveton: Includes Grade II Listed The Grange and Wroxham Bridge, Scheduled Monument and their setting.

BA summary: Suggest amendments to the constraints relating to each settlement.

BA comment: Changes will be made as suggested to this policy.

Knight, J (Broads Authority Navigation Committee Member)

Question 8: In the spirit of encouraging less prescriptive planning policy, discouraging arbitrary limits and encouraging objective policy making and planning decisions, the removal of the 5 dwelling threshold is supported.

Question 9: The draft plan confirms that the development boundary and flood risk are two separate things and that compliance with one does not mean automatic compliance with the other. Also, it is a matter of fact that some existing properties are in a flood risk zone. Therefore there is not necessarily a problem with areas of increased flood risk being included within a development boundary, as long as it is clear that development boundaries are an aid for the interpretation of specific policies

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rather than a general licence to develop. Floating buildings may, for example, be permissible within areas of flood risk, whilst some fixed buildings may not, even though they might be within a development boundary.

BA summary:

1: The removal of the 5 dwelling threshold is supported.

2: There is not necessarily a problem with areas of increased flood risk being included within a development boundary, as long as it is clear that development boundaries are an aid for the interpretation of specific policies rather than a general licence to develop.

BA comment:

1: Support noted.

2: Support noted.

La Ronde Wright (agent for Arminghall Settlement Crown Point Estate)

Question 8: The removal of the five-dwelling threshold is supported. The former threshold is inconsistent with the presumption in favour of sustainable development in the NPPF. It is only appropriate to consider the scale of development on a case by case basis. We would submit that sentences 1 and 3 of policy PODM33 appear to be contradictory.

BA summary:

1: The removal of the five-dwelling threshold is supported.

2: We would submit that sentences 1 and 3 of policy PODM33 appear to be contradictory.

BA comment:

1: Support noted.

2: Sentence three likely to be removed.

South Norfolk Council

Question 8: Support for removing the 5 dwelling threshold as this seems to be an artificial restriction. The policy as worded is considered sufficient to ensure development of a scale suitable and appropriate to individual settlements.

BA summary: Support for removing the 5 dwelling threshold as this seems to be an artificial restriction.

BA comment: Support noted.

Waveney District Council

The Council supports this approach and the proposed development boundary for Oulton Broad. The Council also supports not having development boundaries in the Broads part of Beccles and Bungay for the reasons relating to character and flood risk as set out in the Broads Authority Development Boundary Topic Paper.

BA summary: Support policy.

BA comment: Support noted.

Anonymous through Survey Monkey

Welcomed, if not social class enforced.

BA comment: Noted.

PODM34 - Gypsy, Traveller and Travelling Show People

Broadland District Council

We note the Consultation document states that ‘the issue of Gypsy and Traveller need, at the time of writing, work was underway to ascertain need in Norfolk and Suffolk. The findings of the report will inform the Publication version of the Local Plan’. Furthermore, the consultation document makes reference to National Policy stating ‘where there is no need identified ...criteria based policy should be included...’. However, the National Policy also states ‘Criteria should be set to guide land supply allocations where there is identified need’. As the outcome of the Assessment is not known as of yet, there may be a gap in terms of allocating sites should the need arise. There is no mention of maintaining a supply of deliverable sites and how the Broads Authority intends to address this. The National Planning Policy for traveller sites state that ‘if a local planning authority cannot demonstrate an up to-date five year land supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission’. In addition, one of the requirements in the Broads Authorities proposed criteria based policy is that sites that come forward ‘d) Are on brownfield (previously developed) land.’ However, this could potentially limit the sites that come forward due to costs associated with developing on brownfield land or lack of availability of such sites. Other non-brownfield land could also be acceptable. The Consultation document also states that ‘the Authority does not consider those who live on boats to be Gypsy and Travellers’. However, the Assessment currently underway to assess the needs of Gypsy and Travellers also includes ‘houseboats’ to assist the authorities in determining the requirements for moorings for residential houseboats, in particular to clarify how the definition of “houseboats” as set out in the 2016 Housing and Planning Act to be considered alongside the Broads Authority’s definitions of “houseboats”. Therefore, the outcome of the study may highlight that those who live or could potentially live on houseboats may come within the definition of Gypsy and Travellers.

BA summary:

- 1: As the outcome of the Assessment is not known as of yet, there may be a gap in terms of allocating sites should the need arise. There is no mention of maintaining a supply of deliverable sites and how the Broads Authority intends to address this.
- 2: In addition, one of the requirements in the Broads Authorities proposed criteria based policy is that sites that come forward ‘d) Are on brownfield (previously developed) land.’ However, this could potentially limit the sites that come forward due to costs associated with developing on brownfield land or lack of availability of such sites. Other non-brownfield land could also be acceptable.
- 3: The Consultation document also states that ‘the Authority does not consider those who live on boats to be Gypsy and Travellers’. However, the Assessment currently underway to assess the needs of Gypsy and Travellers also includes ‘houseboats’ to assist the authorities in determining the requirements for moorings for residential houseboats, in particular to clarify how the definition of “houseboats” as set out in the 2016 Housing and Planning Act to be considered alongside the Broads Authority’s definitions of “houseboats”. Therefore, the outcome of the study may highlight that those who live or could potentially live on houseboats may come within the definition of Gypsy and Travellers.

BA comment:

- 1: That is because there is no evidence as yet. Report due Spring 2017.
- 2: We await the figures from the study. Broadland District Council is reminded of the NPPF which gives the Broads the highest protection.
- 3: Just because the houseboat study is being undertaken at the same time as the Gypsy and Traveller study, there is not necessarily an ethnic connection. We await the study.

No change to the Local Plan other than await the evidence.

Environment Agency

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If the gypsy/traveller caravans are classified as more vulnerable then they would need to pass the Exception Test and shown to be safe. We consider that the NPPG requires more vulnerable development to have floor levels raised above the design actual risk flood levels (1% plus climate change) to be considered safe. Consequently in this instance that would potentially require raised sites or raised plinths to ensure the caravan thresholds were raised above the flood levels, unless the sites were defended to above the design flood levels. This is of particular importance in this instance as the transit nature of the sites occupiers would mean it would be difficult for the risk to be managed by other measures such as prior evacuation as the occupants would not have signed up for flood warnings.

BA summary: Could require raised sites or raised plinths to ensure the caravan thresholds were raised above the flood levels. Transit nature of the sites occupiers would mean it would be difficult for the risk to be managed by other measures such as prior evacuation as the occupants would not have signed up for flood warnings

BA comment: EA will be contacted about this comment as it is not clear if they would like changes to the policy or not. *Clarification sought 18 May 2017. EA are not suggesting changes.*

Great Yarmouth Borough Council

The Borough Council supports the allocation of sites for Gypsies, Travellers and Travelling Show People in appropriate circumstances and where there is an identified need. A need for 10 pitches within Great Yarmouth Borough (including that part within the Broads) has previously been identified. The Borough Council looks forward to continuing to work with the Broads Authority to identify a suitable location for such a facility (either within or without the Broads) and, with other Norfolk Authorities, updating the assessment of needs. There are, however, some of the draft policy's criteria for the assessment of such proposals which are unduly onerous and not consistent with the policy's overall approach or the NPPF. Note that most of the criteria are expressed in a suitably qualified way, reflecting the difficult balancing decisions and qualitative judgements that would likely need to be made, e.g. 'unacceptable. . . Over-concentrated . . . Disproportionate . . . nearby . . . Well related . . . Reasonable distances . . . Adequate . . . Close proximity . . . Appropriately . . . Sufficient . . . Adequate . . . Unacceptable . . . Due regard . . . ' etc. By contrast criteria d, e, l, & p are expressed in inappropriately absolute terms, e.g. the policy proscription of 'any significant effects' on transport networks in criterion 'e' is not consistent with NPPF para 32, which states 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'. Thus criteria d, e & j should be qualified in some way, similar to the other criteria in the policy.

BA summary: Note that most of the criteria are expressed in a suitably qualified way, reflecting the difficult balancing decisions and qualitative judgements that would likely need to be made, e.g. 'unacceptable. . . Over-concentrated . . . Disproportionate . . . nearby . . . Well related . . . Reasonable distances . . . Adequate . . . Close proximity . . . Appropriately . . . Sufficient . . . Adequate . . . Unacceptable . . . Due regard . . . ' etc. By contrast criteria d, e, l, & p are expressed in inappropriately absolute terms, e.g. the policy proscription of 'any significant effects' on transport networks in criterion 'e' is not consistent with NPPF para 32, which states 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'. Thus criteria d, e & j should be qualified in some way, similar to the other criteria in the policy.

BA comment: The Authority will re-assess the policy against the NPPF and Government's policy for gypsies and travellers with this comment in mind and may amend the policy accordingly.

Historic England

We are encouraged that this policy includes appropriate caveats to ensure that heritage assets and their settings and the historic landscape will be appropriately protected from this form of development.

BA summary: General support.

BA comment: Support noted.

RSPB

The RSPB recommends the term “unacceptable adverse impacts” be amended to “adverse effects”. This is necessary as the current wording indicates that some level of adverse effect would be acceptable, which clearly is not the case, for example, when compared to the Habitats Regulations process. This would also ensure consistency with other policies, for example, the approach taken in Policy PODM13 (Natural Environment).

This change would be consistent with the HRA recommendation for Policy POSP9 (Sustainable Tourism).

BA summary: The RSPB recommends the term “unacceptable adverse impacts” be amended to “adverse effects”.

BA comment: We will check the wording in relation to effects (in relation to adverse, unacceptable and significant) throughout the document.

Anonymous through Survey Monkey

Recent law changes mean a reduction in support to Romany who cannot move along every six months; sites and moorings are minimal with large waiting lists so we can't actually move along either without breaking the law and angering communities. What should we do? Improve community development initiatives with Gypsy & Travellers, establish recognised residential sites within access of medical resources, and only accessible upon application.

BA summary: Improve community development initiatives with Gypsy & Travellers, establish recognised residential sites within access of medical resources, and only accessible upon application.

BA comment: Regarding community development initiatives, the Broads Authority is not the Housing Authority for the Broads; our constituent districts undertake this role. With regards to access to medical resources, will elaborate on access to services and facilities in the policy.

PODM35 - New Residential Moorings

Boyer Planning (agent for East Anglian Group)

This policy is supported as it ensures applications for permanent residential moorings will be permitted. Points A - I are also agreed with as they ensure that the new moorings will not be at the cost of other visitor moorings and will ensure the protection of the banks, waterways and the rest of the Broads area. This policy supporting residential moorings should be encouraged in the Broads area as it helps to preserve the waterways as well as adding to the diverse nature of the Broads.

BA summary: This policy supporting residential moorings should be encouraged in the Broads area as it helps to preserve the waterways as well as adding to the diverse nature of the Broads.

BA comment: Support noted.

Broads Hire Boat Federation

We are opposed to residential moorings in principle unless they can be justified by an accommodation requirement for marine, navigational, tourism or conservation purposes and do not result in the loss of visitor short term moorings.

Floating Buildings: We support the Authority's current approach with a presumption against such buildings unless they are not an intrusion in the Broads landscape and are required specifically to service an accommodation requirement that is not otherwise available for on site management of a boatyard, marina, tourism facility or conservation site.

BA summary: General support of policy approach.

BA comment: Support noted.

Environment Agency

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It appears that this text has just been copied from one of our previous comments. It would be better if the text could be reworded to remove the questions and phrases. It could be reworded in the following way:

Proposals for residential moorings need to ensure they have adequately considered the following:

1. The technique/method of mooring the vessel. The FRA should show how the boat will be able to be moored to prevent it from being too tight or too loose. If the vessel is moored too tightly the vessel could list and by being too loose the vessel could float onto the landside of the quay heading or be cast adrift at times of flooding. Both scenarios have safety concerns relating to occupiers, possessions and other objects or vessels that could be hit by a loose boat, so should be addressed within the FRA.
2. A Flood Response Plan needs to be produced. While it is acknowledged that residential boats will float, the access to the boat could be disrupted at times of flood which would cause the occupier to be stranded on board the boat. The Flood Response Plan needs to advise what the occupier should do at times of flood to ensure their safety; whether they should evacuate the boat in advance of flooding or take refuge in the boat and therefore have supplies to help them sit out the flood.
3. Finally, the FRA should include consideration of how the boat moored at the residential mooring will be monitored at times of flood to ensure it does not cause damage to other vessels and to prevent damage to the belongings on board (and indeed the boat itself).

Our previous comments in relation to floating buildings remain unchanged. Such property may be deemed to be inappropriate as defined by NPPG table flood risk vulnerability and flood zone compatibility. . In terms of safety of people, it would need to be ensured that the buildings would float adequately above the flood level, which may be difficult to satisfy as it is dependent on the mechanisms working adequately every time.

BA summary: Consider it better if the questions and phrases were removed and suggests alternative wording.

BA comment: The text was produced by the Planning Policy Officer in response to discussions with the Development Management team. The Environment Agency consider residential moorings in the same way as they do marinas and boatyards and these are classed as water compatible by the NPPG. However, there is a residential use of the moorings with people living on the boats that are moored with their personal belongings; residential dwellings rate as more vulnerable by the NPPG. Suggested text will however be considered to see if it improves this part of the Local Plan.

Historic England

We recognise the importance of the positive presumption for development allowing access to the water although we request that this is caveated so these developments will be approved 'where there is no harm to the character and significance of the historic environment'.

BA summary: Refer to historic environment.

BA comment: Noted. Although in the comment on PODM32 the HE seemed content with the general reference to 'character' which is already included within this policy. As such, no change.

Historic England

We request that this policy includes an additional point which requires this form of development to make provision for the preservation of the historic environment.

BA summary: We request that this policy includes an additional point which requires this form of development to make provision for the preservation of the historic environment.

BA comment: Amend policy along the lines of this comment.

Knight, J (Broads Authority Navigation Committee Member)

The requirement not to lose visitor moorings should be balanced by an objectively assessed need for visitor moorings in the particular locality proposed for residential moorings. Care should be taken to avoid the use of the term “houseboat” in this policy, because the Authority more widely considers houseboats to be a specific type of

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floating structure, and not necessarily the same thing as a boat used for residential purposes. It is unclear why a boat used for residential purposes would have a different impact on a protected site or species compared to any other vessel moored in the same location.

There is no clear definition of “main residence” in the policy and this continues to create confusion and uncertainty for planning applicants and landowners. If, for example, a person occupies their boat during school term time and lives in a house during school holidays, which one is their main residence? The reasoned justification steps outside the scope of planning in its requirements relating to the techniques of mooring a vessel, and monitoring the vessel at times of flood. Such considerations are for the master of a vessel to consider, rather than the landowner, and are in any event equally relevant to any vessel - not just one used for residential purposes. These two considerations should be removed from the plan. The justification touches upon the need for floating buildings as part of a future strategy which takes account of flood risk and climate change. Urgent consideration should be given to such a strategy - which has been successful in other low lying countries - so that the use of floating buildings can be actively encouraged and promoted as part of the sustainable development of the Broads.

Question 10: Development boundaries do not relate to the provision of essential services or infrastructure, but to the existence of a clearly defined settlement. As per the reasoned justification for policy PODM33: 'The purpose of a development boundary is to consolidate development around existing built-up communities where there is a clearly defined settlement where further development, if properly designed and constructed, would not be incongruous or intrusive because of the size of the settlement. 'Since development boundaries relate to existing built-up communities and settlements rather than mooring facilities, it seems entirely arbitrary and inappropriate to restrict residential moorings such that they can only be permitted within such boundaries - especially in view of the fact that most - if not all - mooring basins, marinas and boatyards are expressly excluded from being within a development boundary. This has the effect of making the policy essentially site specific and not capable of being considered as a general development management policy for the Broads as a whole.

Clearly the availability of essential services is an important consideration for residential mooring provision, but this is adequately covered in the other strands of the policy and does not relate directly to the existence (or otherwise) of a development boundary. Therefore, I would support the removal of the development boundary criteria from PODM35 in order to allow more flexibility and objectivity when assessing proposals for residential moorings.

BA summary:

1: The requirement not to lose visitor moorings should be balanced by an objectively assessed need for visitor moorings in the particular locality proposed for residential moorings.

2: Care should be taken to avoid the use of the term “houseboat” in this policy, because the Authority more widely considers houseboats to be a specific type of floating structure, and not necessarily the same thing as a boat used for residential purposes.

3: It is unclear why a boat used for residential purposes would have a different impact on a protected site or species compared to any other vessel moored in the same location.

4: There is no clear definition of “main residence” in the policy and this continues to create confusion and uncertainty for planning applicants and landowners.

5: The reasoned justification steps outside the scope of planning in its requirements relating to the techniques of mooring a vessel, and monitoring the vessel at times of flood.

6: Floating buildings can be actively encouraged and promoted as part of the sustainable development of the Broads.

7: Question 10: development boundaries relate to existing built-up communities and settlements rather than mooring facilities, it seems entirely arbitrary and inappropriate to restrict residential moorings such that they can only be permitted within such boundaries - especially in view of the fact that most - if not all - mooring basins, marinas and boatyards are expressly excluded from being within a development boundary. Therefore, I would support the removal of the development boundary criteria from PODM35 in order to allow more flexibility and objectivity when assessing proposals for residential moorings.

BA comment:

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- 1: The Authority considers that throughout the entire system there is a need to ensure that visitor moorings are not lost to development. Indeed this is a strong recommendation from the Authority's Navigation Committee who have prioritised the maintenance of visitor moorings.
- 2: There is no mention of 'houseboat' within the policy but there is in the Reasoned Justification. Will amend and apply a better term as appropriate.
- 3: The requirement relating to protected species, priority habitats and designated wildlife sites is also referred to in PODM30 which is about all moorings.
- 4: Main residence is where someone considers it their main home, where they usually live. It is not defined in planning legislation. We do not intend to define main residence as it can be different on a case by case basis.
- 5: The explanation for this is set out in Appendix P(ii) of http://www.broads-authority.gov.uk/_data/assets/pdf_file/0008/783476/BLP-Sept-Bite-Sizes-Appendix-M-Z.pdf. Context for this needs improving in the next version of the Local Plan.
- 6: Floating buildings will be considered in this Local Plan as a way to manage residual risk of flooding. We will work on the topic of floating buildings over the coming year or two to inform the next version of the Local Plan.
- 7: Mr Knight has misread the question and policy. It is about being within but also adjacent to development boundaries of the Broads Local Plan or our constituent districts. Further reading of the supporting text to PODM33 would show how important the services and facilities within a settlement are in determining its suitability for a development boundary.

Norwich City Council

The policy focuses new residential moorings solely on marinas, mooring basins or boatyards, however it may be appropriate to encourage residential moorings in other locations for example within Norwich. The emerging River Wensum Strategy would welcome provision of residential moorings in the city subject to having the appropriate range of services and facilities. I therefore would suggest that policy PODM35 is altered in a minor way to allow for other locations. This could be done by moving criterion (a) to the end of the list of criteria, so that all other criteria come first in the policy, then amending previous criterion (a) to state that "...new residential moorings should ideally be located in a mooring basin...etc.". It would be very helpful, in drafting the RWS, to have an indication of your response to this suggestion. • I note also the local plan topic paper on floating buildings which went to your Planning Committee on 3rd February and would support floating buildings in principle. However taking a standard approach to the nature of floating houses across the Broads Authority area may not be appropriate. The policy may need to reflect the local housing needs in different parts of the Broads Authority area, and should have regard to the housing aspirations of the settlements within this area prior to determining the final approach of the policy. In Norwich in particular good quality floating housing may well assist with enhancing natural surveillance and help reduce anti-social behaviour, and may provide a different form of housing to broaden the offer of the local housing market.

BA summary:

- 1: The emerging River Wensum Strategy would welcome provision of residential moorings in the city subject to having the appropriate range of services and facilities. Amend previous criterion (a) to state that "...new residential moorings should ideally be located in a mooring basin...etc."
- 2: Taking a standard approach to the nature of floating houses across the Broads Authority area may not be appropriate. The policy may need to reflect the local housing needs in different parts of the Broads Authority area, and should have regard to the housing aspirations of the settlements within this area prior to determining the final approach of the policy. In Norwich in particular good quality floating housing may well assist with enhancing natural surveillance and help reduce anti-social behaviour, and may provide a different form of housing to broaden the offer of the local housing market.

BA comment:

- 1: The Authority's policy prefers such moorings are located where facilities such as pump out etc exist and these tend to be marinas and boatyards. If another location can provide equivalent or sufficient facilities as discusses in the policy, the Authority wil consider it through a planning application.

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2: The floating topic paper says that for this Local Plan we will investigate the use of floating buildings as a way of managing residual risk. Over the next year or so we will look further into the potential for floating buildings being acceptable in flood risk zones, working closely with the EA.

Residential Boat Owners' Association

In response to policies PODM30, moorings, mooring basins and marinas, and PODM35, new residential mooring criteria we wish to make the following additional point. The RBOA advocates the inclusion of at least a few residential moorings at all appropriate mooring basins and marinas. This is important in supporting the viability of the businesses that may rely on income from such moorings. Boating activity naturally slows down out of the main season and this can make the sustainability of such businesses difficult. Residential moorings will sustain a demand for services and supplies throughout the year and may actually provide the income to enable business to increase the services for visiting leisure boats. Along with this are the well established benefits of residential moorings including added security, particularly during the winter period when the management may not have a regular presence on site.

BA summary: The RBOA advocates the inclusion of at least a few residential moorings at all appropriate mooring basins and marinas. This is important in supporting the viability of the businesses that may rely on income from such moorings.

BA comment: Noted. It is not clear if this is supporting the policy or suggesting changes. Will contact RBOA to clarify. *Clarification sought 26 May 2017 and the RBOA support the policy.*

Anonymous through Survey Monkey

As above, there is a large calling for regulated residential moorings on the broads.

BA summary: There is a large calling for regulated residential moorings on the broads.

BA comment: Noted. We allocate two sites for residential moorings and have a criteria based policy to help determine planning applications for such moorings.

PODM36 - Permanent and Temporary Dwellings for Rural Enterprise Workers

Historic England

As above, we request that this policy makes a specific provision for the protection of the historic environment as it does for protected species and habitats at Point h).

BA summary: Request that this policy makes a specific provision for the protection of the historic environment as it does for protected species and habitats at Point h).

BA comment: Agree. Will add a criterion.

Knight, J (Broads Authority Navigation Committee Member)

It does not seem to be appropriate for temporary residential moorings to be lumped in with temporary dwellings. The considerations are quite different, evidenced by the fact that most of the conditions in the draft policy relate to building design rather than the existence of a place for an employee to sleep. It appears that “residential mooring” has been added to the policy as an afterthought. It would be far simpler to incorporate an additional consideration relating to temporary accommodation into PODM33, rather than use PODM36 which relates to buildings and caravans. Any policy relating to temporary accommodation for employees should give careful consideration to the fact that someone living on site will make far less use of the local road network than someone who has to commute to work each day, so their occupation can be considered to be a positive contribution to sustainable transportation and living.

BA summary: It does not seem to be appropriate for temporary residential moorings to be lumped in with temporary dwellings. It would be far simpler to incorporate an additional consideration relating to temporary accommodation into PODM33, rather than use PODM36 which relates to buildings and caravans.

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BA comment: PODM36 is for any form of accommodation of rural workers. PODM33 is for open market residential development – permanent or temporary. PODM35 is for open market residential moorings – permanent or temporary. These are three distinct policies and it is clear what they address. No change.

PODM38 - Replacement Dwellings

Historic England

We are pleased to note that proposals for replacement dwellings will be required to demonstrate that the original does not make a positive contribution to the character of the area or is of no significance that would make it worthy of retention.

BA summary: General support.

BA comment: Support noted.

PODM39 Custom/self-build

Bacon, R (MP South Norfolk)

As Chairman of the All-Party Parliamentary Group on Self-Build, Custom and Community Housebuilding and Placemaking, I am pleased to see the inclusion of a specific policy - policy PODM39 - on self-build and custom housebuilding in the draft Local Plan. Ideally I would prefer to see the policy require, and not simply encourage, developers of multi-dwelling sites to set aside part of their scheme for custom and self-build plots. Whilst I recognise that a very limited number of multi-dwelling sites are likely to come forward in the Broads Executive Area, I would be delighted to support such a policy. I would also strongly encourage the Broads Authority to consider adding a single-plot rural site exception policy as part of its Local Plan to boost self-build.

BA summary:

1: Ideally I would prefer to see the policy require, and not simply encourage, developers of multi-dwelling sites to set aside part of their scheme for custom and self-build plots

2: I would also strongly encourage the Broads Authority to consider adding a single-plot rural site exception policy as part of its Local Plan to boost self-build.

BA comment:

1: If we make allocations on multi-dwelling sites, we will consider positively the opportunity for self-build in accordance with the Government's commitment as set out in the Housing White Paper. We will cross refer to custom/self build in our large allocations.

2: The document implements the presumption in favour of sustainable development in appropriate locations. The Broads is recognised in the NPPF as an area of general restraint. Whilst custom and self build will be supported wherever possible, the support for this type of development cannot automatically over-ride the protection given to the Broads and the countryside.

South Norfolk Council

Should the policy say anything about requiring an actual proportion of development on multi-dwelling sites to be set aside for custom/self build plots?

BA summary: Should the policy say anything about requiring an actual proportion of development on multi-dwelling sites to be set aside for custom/self build plots?

BA comment: If we make allocations on multi-site dwellings, we will consider positively the opportunity for self-build in accordance with the Government's commitment as set out in the Housing White Paper. We will cross refer to custom/self build in our large allocations.

PODM40 - Design

Environment Agency

We are pleased to see this policy includes measures to incorporate flood risk and resilience measures, as well as reinforcing the need to consider biodiversity within design. We feel this should also include the need to incorporate water efficiency measures and suggest this is linked to policy PODM3.

BA summary: General support. We feel this should also include the need to incorporate water efficiency measures and suggest this is linked to policy PODM3.

BA comment: This policy could cross refer to PODM3.

Historic England

Design policies are one of the primary tools for ensuring that new development integrates well with the wider historic environment. We are pleased to note that specific provision is made within the design policies for the integration of new development with landscape character and local distinctiveness. We also request that specific provision is made within the design policy for new development to have regard to preserving and enhancing the historic environment, heritage assets and their settings. This might be a separate point within the listed considerations or might be incorporated into 'Relationship to surroundings and to other development'.

BA summary: Request that specific provision is made within the design policy for new development to have regard to preserving and enhancing the historic environment, heritage assets and their settings. This might be a separate point within the listed considerations or might be incorporated into 'Relationship to surroundings and to other development'.

BA comment: Will add reference to historic environment to the policy.

Horning Parish Council

21st Century Construction in Broadland: A variety of materials have been used over the years in the construction of properties adjacent to the waterways and for buildings situated nearby in boatyards and marinas. In general these materials reflected fashions of the time, necessity and availability. In the case of waterside chalets, for example, the need to use a lightweight and flexible material compatible with a building that had to be placed on piling, or a float, because of the boggy peat ground meant that wood was predominately used. Later there was some use of asbestos sheeting with a form of mock Tudor wood framing but this is not so common. Whilst attractive these materials suffer badly in the somewhat harsh conditions of a waterside environment. In the Broads Authority document "Planning for waterside bungalows/chalets" this subject is touched upon along with the aspiration to maintain the appearance of these dwellings that form part of the Broads tourist history. Whilst this is admirable there are some unfavourable comments about "plastic" and "uPVC" that do not really reflect how these materials have been developed from early examples of 40 years ago. Equally plastic coated aluminium is lauded and it is difficult to understand the reason why this modern material is seen as attractive while another is not. Overall the Broads Authority seems to have adopted a fairly strong policy for the continuing use of timber products that really does not take into account sustainability and energy efficiency and we propose that this policy is reviewed and changed. Whereas we believe that most people would agree that the general shape, appearance, height etc. of Broadland properties and commercial buildings should in some way reflect the history of design on the Broads; the construction should reflect best practice for the 21st century, not the only materials that were available 80 + years ago. Modern uPVC windows are both energy efficient and can be designed to be virtually identical in appearance to wood or painted metal designs. There seems to be no reasonable objection to the use of such windows. In the case of traditional wood cladding many would like to see buildings maintaining this traditional look and we agree wholeheartedly with this. In the early days of uPVC manufacture the use of this material to replace wood panelling was championed by some but it really does not have the correct appearance or thermal qualities. In more recent times companies like Marley and Dura, amongst others, have produced cladding materials that have the same appearance as timber but do not rot or require regular maintenance, and, have thermal and fire resistant qualities far superior to wood. Those who came before us were somewhat profligate in the use of timber because they had no choice but fortunately we can now mimic the appearance of their buildings with far superior materials. We have attached brochures for two typical cladding products. Our view is that in the case of repairing wooden buildings

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modern materials should be permitted when these mimic the original appearance of the building and do not detract from any key feature. For example a house with brown wood windows and leaded lights should have to have either a like for like replacement of a brown uPVC leaded light replacement.

A house or commercial building clad in wood should have to have either like for like replacement (where possible as some timber types may no longer be readily available) or a synthetic cladding that mimics the original in texture and of similar colour. In the case of new build architects should be permitted to make best use of 21st century materials provided the appearance is in keeping with the vicinity. As a Parish Council with a strong interest in preserving what is best about Broadland villages while wishing to see sustainable construction and maintenance we ask that these views and requests are incorporated in the planning for the future of Broadland.

BA summary: New build architects should be permitted to make best use of 21st century materials provided the appearance is in keeping with the vicinity

BA comment: Noted. The Broads Authority is looking into the use of plastic materials.

Knight, J (Broads Authority Navigation Committee Member)

Care should be taken to maintain objectivity, especially in the choice of materials, and the over-use of the word “appropriate” can give rise to subjective judgements which are not evidence-based. Certainly materials should complement their surroundings, but there are conflicting ideas of “sustainability”. Is timber cladding, for example, which requires constant maintenance and early replacement, really more sustainable than modern alternatives which might last 25 years or more without attention? The word “sustainable” is often (incorrectly) taken to mean “traditional”, but traditional materials are often the least sustainable when considered in a whole-life context.

BA summary: Materials: The word “sustainable” is often (incorrectly) taken to mean “traditional”, but traditional materials are often the least sustainable when considered in a whole-life context.

BA comment: Noted. The Broads Authority is looking into the use of plastic materials.

Warner, P (BA Member)

This policy presents a largely residential design code. Is there/should there be a similar policy (in terms of detailed requirements/criteria) specifically for the design of new structures and utility works in the broads (e.g. over and under bridges)?

BA summary: This policy presents a largely residential design code. Is there/should there be a similar policy (in terms of detailed requirements/criteria) specifically for the design of new structures and utility works in the broads (e.g. over and under bridges)?

BA comment: Noted. Mr Warner does not say if any particular elements of design are missing, rather how they are applied to schemes. The general practice is to apply the criteria that are relevant to the particular scheme which we can clarify in the reasoned justification.

29 Sport and Recreation Venues/Buildings

PODM41 - Visitor and Community Facilities and Services

Historic England

We request that the presumption in favour of such developments is caveated by the consideration that applications will be approved where appropriate to the historic environment which includes but is not limited to landscape character.

BA summary: Also refer to historic environment.

BA comment: Will amend the policy to refer to the historic environment.

La Ronde Wright (agent for Arminghall Settlement Crown Point Estate)

Policy supported.

BA summary: Policy supported.

BA comment: Support noted.

South Norfolk Council

South Norfolk Council supports this policy to retain community facilities and services which are particularly important in villages and rural communities such as those in the Broads Authority Area. Should 'shops' be added to the list of community facilities in the reasoned justification?

BA summary: Should 'shops' be added to the list of community facilities in the reasoned justification?

BA comment: Noted. Will amend.

Sport England

Sport England supports this policy as it has been amended to include criteria to assess new proposals for community buildings, including new sports facilities.

BA summary: Sport England supports this policy as it has been amended to include criteria to assess new proposals for community buildings, including new sports facilities.

BA comment: Support noted.

POSP13 - New Community Facilities

La Ronde Wright (agent for Arminghall Settlement Crown Point Estate)

Policy supported.

BA summary: Policy supported.

BA comment: Support noted.

30 Health and Wellbeing

PODM42 - Designing Places for Healthy Lives

Knight, J (Broads Authority Navigation Committee Member)

This policy covers ground which is better left to national policy makers and which will in any event change significantly over the life of the Local Plan.

BA summary: This policy covers ground which is better left to national policy makers and which will in any event change significantly over the life of the Local Plan.

BA comment: NPPF 171 says that local planning authorities should work with public health leads and health organisations to understand and take account of the health status and needs of the local population (such as for sports, recreation and places of worship), including expected future changes, and any information about relevant barriers to improving health and well-being. See response from Norfolk County Council Public Health supporting this policy.

La Ronde Wright (agent for Arminghall Settlement Crown Point Estate)

Policy supported.

BA summary: Policy supported.

BA comment: Support noted.

Norfolk County Council

Public Health welcomes the consideration to the health status and well-being of the residents of the Broads Authority area and the inclusion of information on the wider determinants of health, such as the index of multiple deprivation in the opening statements. Public Health also welcomes the inclusion of well-being within the three key themes and the attention to health and wellbeing in section 27. In section 27 it is felt that there is an opportunity to promote the health and well-being benefits of the Broads and the connection to the natural environment, as evidenced by Newton (2007) Wellbeing and the Natural Environment, and by the RSPB report 'Natural Thinking' (Bird 2007). Public Health strongly supports Policy PODM42: designing places for healthy lives. Norfolk County Council Public Health in collaboration with planning colleagues are continuing work on the shared engagement protocol and checklist for designing places for healthy lives.

BA summary: General support of this policy.

BA comment: Support noted.

South Norfolk Council

South Norfolk Council would support a policy to promote the health and wellbeing agenda. The Issues and Options suggested the potential for a checklist which is not mentioned in this Preferred Options document. If this idea were to be pursued then South Norfolk Council would like to reiterate their keenness to work with the Broads Authority to develop this.

BA summary: Referred to idea of health checklist.

BA comment: Following long conversations with NCC Public Health, it became apparent that the intention of the checklist that accompanies the Health and Planning Protocol was to not be part of policy. As such, this approach was not taken.

Sport England

Sport England supports this policy, especially the reference to active lifestyles, including access to green space and active travel. Sport England, in conjunction with Public Health England, has produced 'Active Design' (October 2015), a guide to planning new developments that create the right environment to help people get more active, more often in the interests of health and wellbeing. The guidance sets out ten key principles for ensuring new developments incorporate opportunities for people to take part in sport and physical activity. The Active Design principles are aimed at contributing towards the Government's desire for the planning system to promote healthy communities through good urban design. Sport England would commend the use of the guidance in the master planning process for new residential developments, and a reference to it in planning policies promoting active lifestyles through urban design. The document can be downloaded via the following link:

<http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/active-design/>

BA summary: Sport England supports this policy. Sport England would commend the use of Active Design guidance in the master planning process for new residential developments, and a reference to it in planning policies promoting active lifestyles through urban design. <http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/active-design/>

BA comment: Support noted. Will reference guide.

31 Safety by the Water

PODM43 - Safety by the Water

Knight, J (Broads Authority Navigation Committee Member)

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Although water safety and the prevention of drowning is undeniably important, this may not be a suitable subject for inclusion in a local plan, as it is not directly related to planning. Certainly the BA should have a water safety policy and it should work in collaboration with district and parish councils to deliver improved awareness and safety around water. But its inclusion in a planning document is questioned.

BA summary: Its inclusion in a planning document is questioned.

BA comment: As set out clearly in the policy and reasoned justification, some developments bring more people closer to the water's edge. With more people closer to the water it seems prudent/essential/a good idea to ensure there is suitable provision to help someone who has fallen in or indeed for them to help themselves. No change to policy.

Woods, C

The Broads Authority Safety Video and its free web advice, which I had long asked for, are excellent as far as they go and I full applaud the time and effort in its production. It is a pity that not all local Boat Hire companies promote or give free copies of your video to first time visitors before they arrive on holiday, as originally envisaged. I believe this should be strongly encouraged by the Broads Authority's Safety Team. No account appears to have been taken in this Broads Local Plan of various organisations which can offer support regarding the safety of visitors afloat on the Broads. I believe there is a place for such groups as the Royal Yachting Association (RYA), and the Merchant Navy Association's Boat Club with its Safety Afloat project, to offer experience and support for the Broads Rangers in their dealing with inexperienced holiday makers afloat. Our own Safety Afloat notes are available to your Safety Team and all organisations involved in training etc.

<http://www.seafarersafloat.com/seavue%20home.htm>

BA summary: No account appears to have been taken in this Broads Local Plan of various organisations which can offer support regarding the safety of visitors afloat on the Broads.

BA comment: Noted. This comment will be passed on to the Head of Safety Management. Note that this policy refers to safety by the water rather than on the water.

32 Developer Contributions/Planning Obligations

POSP14 - Developer Contributions

Environment Agency

In terms of i) flood management/mitigation, it would be beneficial for developer contributions to be sought where the safety and acceptability of the development is dependent on flood defences and their future maintenance and raising in line with climate change. We would reinforce our previous comments regarding a coordinated approach between us and developers at the earliest possible stage, in order that opportunities for enhancing and including flood defences are fully considered in developments.

BA summary:

1: It would be beneficial for developer contributions to be sought where the safety and acceptability of the development is dependent on flood defences and their future maintenance and raising in line with climate change.

2: We would reinforce our previous comments regarding a coordinated approach between us and developers at the earliest possible stage, in order that opportunities for enhancing and including flood defences are fully considered in developments.

BA comment:

1: We would query how this meets the tests for requiring planning obligations. The defence is already built and in place and the development does not require the defence to be built as it has been built for another reason.

2: Noted and we will.

Norfolk County Council

The County Council welcomes the inclusion of Policy POSP14 relating to developer contributions from new development and the different mechanisms which will be used to secure funding. This policy could be cross referenced in Policy POSP12: Residential Development where it is first identified that contributions from housing development could be sought. The County Council welcomes the explanation of the legal tests developer contributions have to fulfil (Page 160), wording could be included to explain these legal tests are required as part of Community Infrastructure Levy Regulations 122 and 123.

BA summary:

1: This policy could be cross referenced in Policy POSP12: Residential Development where it is first identified that contributions from housing development could be sought.

2: Wording could be included to explain these legal tests are required as part of Community Infrastructure Levy Regulations 122 and 123.

BA comment:

1: Will make such cross reference.

2: Will make this reference.

RSPB

The RSPB recommends that the policy and/or supporting text is strengthened to highlight that not only will measures such as green infrastructure be secured and created, but that, depending on the mechanism adopted, an appropriate management and maintenance plan will be in place and resourced to ensure the site is managed effectively into the future. Any measures implemented as mitigation must be maintained to ensure that they continue to function for the life of the development.

BA summary: Strengthen text to say appropriate management and maintenance plan will be in place and resourced to ensure the site is managed effectively into the future.

BA comment: The policy already refers to management. The RSPB will be contacted about their comment.

PODM44 - Planning Obligations and Developer Contributions

Historic England

We are encouraged that this policy includes the possibility for planning contributions to be used to support conservation and the enhancement of heritage assets. This might be directed to heritage at risk.

BA summary: Support policy.

BA comment: Support noted.

Home Builders Federation

The Council states on page 160 that: “The Authority will seek contributions towards transport, police and fire service provision, education facilities, libraries and social service provision where appropriate, utilising Planning Obligations standards prepared by Norfolk and Suffolk County Councils. The Authority will also apply the standards and thresholds adopted by the relevant constituent District Council to calculate the contributions to be sought. Contributions to affordable housing will be sought in accordance with the approach set out in policy PODM32 and Open Space as per policy POODM6.” This is not in accordance with national policy. Planning obligations can

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only be sought where they meet all of the tests that are set out in paragraph 204 of the NPPF; i.e. they are necessary, directly related to the development, and fair and reasonable in scale and kind. It would be more appropriate to collect money for the items listed through a CIL.

BA summary: Planning obligations can only be sought where they meet all of the tests that are set out in paragraph 204 of the NPPF; i.e. they are necessary, directly related to the development, and fair and reasonable in scale and kind. It would be more appropriate to collect money for the items listed through a CIL.

BA comment: Agree. This is set out in the reasoned justification. So too is reference to CIL. No change.

Sport England

Sport England supports this policy as it includes sports facilities and open space as types of development that can benefit from financial contributions secured as part of a planning consent.

BA summary: Supports policy.

BA comment: Support noted.

33 Other Development Management Policies

PODM45 - Conservation of Buildings

Historic England

We support this policy. Whilst it does not specifically address the maintenance of the historic significance of a building or its setting, we recognise that Policy PODM12 Re-use of Historic Buildings does so.

BA summary: We support this policy.

BA comment: Support noted.

Knight, J (Broads Authority Navigation Committee Member)

The reasoned justification suggests that permitted development rights for change of use of buildings are less permissive in the Broads. In fact, this is only true for certain limited classes of agricultural and forestry developments. Most changes of use permitted under the GDO are unaffected by the fact that a building is located in the Broads.

BA summary: Most changes of use permitted under the GDO are unaffected by the fact that a building is located in the Broads.

BA comment: A quick summary of the The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended shows that the PD rights for these changes of use do not apply in the Broads and therefore need planning permission:

*Class A1 or A2 or betting or payday loan shop to D2.

*Retail/betting office/payday loan shop to dwelling houses.

*Specified sui generis to dwelling houses.

*Storage or distribution to dwelling houses.

South Norfolk Council

This policy is similar to the South Norfolk Council conversion policy other than criterion i) requiring buildings outside development boundaries to be in sustainable locations with adequate access to services and facilities. Concern that this could lead to a situation where proposals to convert a redundant building worthy of retention would be contrary to policy due to its location.

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BA summary: Concern that criterion i) could lead to a situation where proposals to convert a redundant building worthy of retention would be contrary to policy due to its location.

BA comment: Noted. We will add clarification in the reasoned justification. Note however that if a building is so important to warrant local or national listing, there is PODM12.

PODM46 - Advertisements and Signs

Historic England

We support appropriate control of advertisements and signs with regard to protecting the character and appearance of the historic environment. We request a minor alteration to the proposed wording to better secure the policy's aim to control adverse impact to the historic environment, particularly in the Broads where buildings can be appreciated from wider vantage points than main frontages. 'Particular regard should be had to any impact of proposals on conservation areas and the historic character. Proposals which obscure features of architectural or historical interest, or are uncharacteristic of a building's design, will not be permitted.'

BA summary: Change to: 'Particular regard should be had to any impact of proposals on conservation areas and the historic character. Proposals which obscure features of architectural or historical interest, or are uncharacteristic of a building's design, will not be permitted.'

BA comment: Will make change if policy kept. Some suggestion that we don't need this policy.

Warner, P (BA Member)

The policy where it refers to safety on land and water should have the additional qualification as suggested below: 'safety on land, water or on the operational safety of the highway, railway and waterway networks.' (For example, a red flashing neon advert is not generally acceptable facing a railway line, as it could get confused with a danger signal).

BA summary: Suggested amendment: 'safety on land, water or on the operational safety of the highway, railway and waterway networks.'

BA comment: Will make change if policy kept. Some suggestion that we don't need this policy.

PODM47 - Leisure plots and mooring plots

Knight, J (Broads Authority Navigation Committee Member)

Judgements about suburban appearance and domestic paraphernalia seem to be subjective and whilst a new leisure plot might well change the character of an otherwise undeveloped part of the Broads, the same cannot be said of some dykes and marinas which are already developed and which include existing leisure plots. Dykes and marinas around Brundall or Wroxham, for example, would not be adversely affected if additional leisure plots were permitted, as they already form an intrinsic part of the existing landscape. A blanket ban on all new leisure plots appears to be unduly restrictive.

BA summary: A blanket ban on all new leisure plots appears to be unduly restrictive.

BA comment: Noted and will review this policy stance.

34 Site-Specific Policies

Environment Agency

We welcome the introduction to this section which emphasises the need for development to be sited away from areas of the highest flood risk and to pass the sequential test. We note there is no reference made for the need for certain developments to pass the exemption test and feel this should be included in this section. We also

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welcome the inclusion of the need for developments close to main rivers to obtain an Environmental Permit. The inclusion of this statement compliments policies PODM4. Whilst only a small number of proposed development sites would appear to be at risk from contamination caused by previous use, we feel it would be useful to include a similar statement in regards to contaminated land in line with the NPPF. We have considered the various proposed development sites within the draft local plan and concur with the constraints that have been noted. We offer bespoke comments on sites where we feel more clarification is required.

BA summary:

- 1: We note there is no reference made for the need for certain developments to pass the exemption test and feel this should be included in this section.
- 2: We feel it would be useful to include a similar statement in regards to contaminated land in line with the NPPF.

BA comment:

- 1: Presume the EA mean the Exceptions Test. Will look at how this can be referred to.
- 2: We will look at how to refer to contaminated land. This could be addressed through a new soils policy.

POACL1 - Acle Cemetery Extension

Environment Agency

We would reinforce the need to undertake a risk assessment in regards to pollution of groundwater prior to this development being undertaken.

BA summary: We would reinforce the need to undertake a risk assessment in regards to pollution of groundwater prior to this development being undertaken.

BA comment: Noted. The policy includes this.

Hempsall, L (BA Member)

Whilst I do not disagree that the location of this allocation is the best solution for Acle and its residents, I remain concerned for the viability of this allocation as the landowner is resistant to sale of his land. The compulsory purchase of the land is still being considered by the Secretary of State and I suggest that a final decision on whether this site continues to be allocated is set aside till the outcome is known.

BA summary: Remain concerned for the viability of this allocation as the landowner is resistant to sale of his land. Suggest that a final decision on whether this site continues to be allocated is set aside till the outcome of the CPO process is known.

BA comment: Noted. The Authority considers that this is the best location for the cemetery and does intend to continue with the allocation. The local plan will not be adopted for another year which is good time for the CPO to progress.

Historic England

We are pleased to note that this policy requires an archaeological assessment to support any application for the cemetery's extension.

BA summary: Support policy.

BA comment: Support noted.

Molineux, C

The map that has been released for the Broads Local Plan of Inset Map 1 Acle is incorrect. It shows markings for Cemetery Extension and Playing Field extension. This land still belongs to the Molineux estate and should not show these highlighted areas, the highlighted areas have only been historical suggestions from the Acle Parish to acquire the land unsuccessfully. Please would you confirm the removal of these highlighted areas on your plans.

BA summary: Does not support allocating the Molineux Estate land for cemetery and sports field extension.

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BA comment: Objection noted. There is a need for these extensions. Other sites have been assessed and the areas as allocated are the most suitable and logical as they provide natural extensions to the existing cemetery and sports field. The Authority is aware of the reluctance of the landowner to sell the land. However, the site has planning permission for these land uses and the Authority is aware of efforts by the Parish Council to acquire the land. On balance the Authority considers it prudent to continue to allocate the land for cemetery and sports field land uses for the following reasons:

- *the allocations are natural extensions to the existing sites
- *there is a need for these infrastructure types to serve and benefit the local community
- *following assessment, there is limited logically located land for in the parish for these land uses.

We offered to meet with the Molineuxs to talk about their objection, but they did not want to meet with us. We note their objection to the policy.

Historic England

We are pleased to note that this policy requires an archaeological assessment to support any application for the cemetery's extension.

BA summary: Support policy.

BA comment: Support noted.

POACL2 - Acle Playing Field Extension

Hempsall, L (BA Member)

Whilst I do not disagree that the location of this allocation is the best solution for Acle and its residents, I remain concerned for the viability of this allocation as the landowner is resistant to sale of his land. The compulsory purchase of the land is still being considered by the Secretary of State and I suggest that a final decision on whether this site continues to be allocated is set aside till the outcome is known.

BA summary: Remain concerned for the viability of this allocation as the landowner is resistant to sale of his land. Suggest that a final decision on whether this site continues to be allocated is set aside till the outcome of the CPO process is known.

BA comment: Noted. The Authority considers that this is the best location for the cemetery and does intend to continue with the allocation. The local plan will not be adopted for another year which is good time for the CPO to progress.

Historic England

We are pleased to note that this policy requires an archaeological assessment to support any application for the cemetery's extension.

BA summary: Support policy.

BA comment: Support noted.

Molineux, C

The map that has been released for the Broads Local Plan of Inset Map 1 Acle is incorrect. It shows markings for Cemetery Extension and Playing Field extension. This land still belongs to the Molineux estate and should not show these highlighted areas, the highlighted areas have only been historical suggestions from the Acle Parish to acquire the land unsuccessfully. Please would you confirm the removal of these highlighted areas on your plans.

BA summary: Does not support allocating the Molineux Estate land for cemetery and sports field extension.

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BA comment: Objection noted. There is a need for these extensions. Other sites have been assessed and the areas as allocated are the most suitable and logical as they provide natural extensions to the existing cemetery and sports field. The Authority is aware of the reluctance of the landowner to sell the land. However, the site has planning permission for these land uses and the Authority is aware of efforts by the Parish Council to acquire the land. On balance the Authority considers it prudent to continue to allocate the land for cemetery and sports field land uses for the following reasons:

- *the allocations are natural extensions to the existing sites
- *there is a need for these infrastructure types to serve and benefit the local community
- *following assessment, there is limited logically located land for in the parish for these land uses.

We offered to meet with the Molineuxs to talk about their objection, but they did not want to meet with us. We note their objection to the policy.

POBEC1 - Former Loaves and Fishes, Beccles

Beccles Society

In connection with specific sites we do have a comment regarding Policy POBEC1: Former Loaves and Fishes, Beccles. In your text you refer to redundant/underutilised or derelict sites in relation to this location. We would prefer it to be designated as a "closed" building or a perhaps a "disused" building. The word redundant appears to be particularly inappropriate in this context. In our comments on the previous draft we made mention of the cracked wall at this site which is verging on dangerous - this still not referred to in your text, and if not dealt with soon could result in significant expense, jeopardising future use of the site for the purpose proposed.

BA summary:

- 1: We would prefer it to be designated as a "closed" building or a perhaps a "disused" building.
- 2: Cracked wall at this site which is verging on dangerous not mentioned.

BA comment:

- 1: We are happy to replace 'redundant/underutilised' with 'disused'.
- 2: We are aware of the crack in the wall but unsure what mentioning it in the policy will accomplish. The policy itself seeks a positive use of the site. The crack seems to need mending now. Suggest the Society contact Waveney District Council or the Parish Council regarding an update on the issue (which we are aware has been reported). No change.

Beccles Town Council

I am writing as Chair of the Planning Committee of Beccles Town Council to express our reservations with regard to the above premises being retained as a licensed premises or tourist facility as proposed within Policy POBEC1 of the Local Plan for the Broads. It is the reluctant conclusion of the Planning Committee that it is unviable to retain these premises for commercial use and that the site would be better suited for residential use.

This conclusion is drawn from the many years of experience concerning the economic viability of this area of the town and it is considered that any future venture located at this site would be unlikely to succeed. I therefore request that you give due consideration to recategorising this site for residential rather than commercial usage

BA summary: Consider pub use unviable. Suggest residential.

BA comment: The Town Council will be contacted regarding this comment. So too will the owner of the site. At a recent meeting on site about another topic, there was emphasis from the Town Council that the quay area is imperative to business success in the town centre. If that is the case, would a pub in this location also be successful from being in close proximity to the quay. In terms of residential, the flood risk to the site may mean this is difficult.

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Knight, J (Broads Authority Navigation Committee Member)

There is no adequate justification provided for the policy of resisting residential development. The property has been empty for at least a decade and traded marginally before that, being operated as a lifestyle business by the owners (who lived in one of the adjacent houses). Although the property is located by the water, there is insufficient visitor trade from the river to make the business economically viable, and there are no other tourist facilities nearby. The surrounding properties are predominantly residential and a change of use to residential is the most logical and practical use for the building.

BA summary: There is no adequate justification provided for the policy of resisting residential development. The surrounding properties are predominantly residential and a change of use to residential is the most logical and practical use for the building.

BA comment: The property is in flood zone 3 and development here will need to meet tests of flood risk policies and NPPF. This is a popular visitor area and the Authority considers this a good location for pub facility. We will arrange to meet the owner as the next version of the Local Plan is produced. *Despite sending letters, no response so owner not met.*

Suffolk County Council

The policy seeks the retention of the building and resumption of its use. The Broads Authority should also be aware that there is high potential for encountering archaeological remains at this location. Any groundworks associated with development, or redevelopment, in these areas have the potential to cause significant damage or destruction to any archaeological deposits that exist. In accordance with Paragraph 141 of the NPPF, if groundwork is to take place any permission granted for these areas may be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

BA summary: The Broads Authority should also be aware that there is high potential for encountering archaeological remains at this location.

BA comment: Noted. Will add as a constraint/feature.

POBEC2 - Beccles Residential Moorings (H E Hipperson's Boatyard)

Environment Agency

Should new residential moorings be proposed consideration should be given to the impact on water quality. This should be added to the policy.

BA summary: Should new residential moorings be proposed consideration should be given to the impact on water quality. This should be added to the policy.

BA comment: Noted and will be referred to in this and Brundall Gardens equivalent.

Historic England

We request that the policy requires that any redevelopment addresses to the character and appearance of the Beccles Conservation Area across the river.

BA summary: We request that the policy requires that any redevelopment addresses to the character and appearance of the Beccles Conservation Area across the river.

BA comment: Will add reference to Conservation Area into i).

POBRU1 - Riverside chalets and moorings

Environment Agency

Requires clarification regarding development being “well back” from the river frontage. As already stated development in, on, under or within 16m a main river would require a permit. Similarly any work within 8m of a flood defence would require an environment permit and we would require access to maintain those defences. This should be included in the policy.

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BA summary: Requires clarification regarding development being “well back” from the river frontage.

BA comment: We are content with the wording and try to elaborate in the reasoned justification. We already refer to the distances as discussed in the representation at the start of the section. No change.

POBRU2 - Riverside Estate Boatyards, etc., including land adjacent to railway line

Residential Boat Owners' Association

The RBOA notes the reference in the document to possible residential moorings at Brundall Riverside (POBRU 2-6) and Stalham Staithe (POSTA 1) and will be pleased to support these at the appropriate time.

BA summary: Supports policy.

BA comment: Support noted.

BOBRU3 - Mooring Plots

Residential Boat Owners' Association

The RBOA notes the reference in the document to possible residential moorings at Brundall Riverside (POBRU 2-6) and Stalham Staithe (POSTA 1) and will be pleased to support these at the appropriate time.

BA summary: Notes reference to possible residential moorings.

BA comment: Noted.

BOBRU4 - Brundall Marina

Residential Boat Owners' Association

The RBOA notes the reference in the document to possible residential moorings at Brundall Riverside (POBRU 2-6) and Stalham Staithe (POSTA 1) and will be pleased to support these at the appropriate time.

BA summary: Notes reference to possible residential moorings.

BA comment: Noted.

RSPB

It is also recommended that policies that will allow some development to take place in areas that could affect Natura 2000 and Ramsar sites will be required to undertake a Habitats Regulations Assessment.

BA summary: It is also recommended that policies that will allow some development to take place in areas that could affect Natura 2000 and Ramsar sites will be required to undertake a Habitats Regulations Assessment.

BA comment: Footprint Ecology recognised that this is an existing use where some additional development could take place. Impacts for the marina and moorings would be water related, and there is specific reference to managing water pollution risks (BRU4) and the SSSI (BRU 6). Footprint Ecology therefore concluded that the policy could be screened out at the LSE stage. The policy wording provides assurance that risks will be managed, and in the text below there is reference to European sites being a constraint. The risks could be expanded upon in the supporting text for the two policies, including reference to project level HRA. Footprint Ecology do not think it is necessary to change the policy wording, other than adding SPA/SAC before or after SSSI in BRU 6, for completeness.

BOBRU5 - Land east of the Yare public house

Residential Boat Owners' Association

The RBOA notes the reference in the document to possible residential moorings at Brundall Riverside (POBRU 2-6) and Stalham Staithe (POSTA 1) and will be pleased to support these at the appropriate time.

BA summary: Notes reference to possible residential moorings.

BA comment: Noted.

BOBRU6 - Brundall Gardens

Residential Boat Owners' Association

The RBOA notes the reference in the document to possible residential moorings at Brundall Riverside (POBRU 2-6) and Stalham Staithe (POSTA 1) and will be pleased to support these at the appropriate time.

BA summary: Notes reference to possible residential moorings.

BA comment: Noted.

RSPB

As per Policy POBRU6 (Brundall Gardens), it is recommended that the specific Natura 2000 site, Ramsar site or SSSI name be given for clarity in the “constraints and features” section of the supporting text for the site specific policies.

BA summary: It is recommended that the specific Natura 2000 site, Ramsar site or SSSI name be given for clarity in the “constraints and features” section of the supporting text for the site specific policies. It is also recommended that policies that will allow some development to take place in areas that could affect Natura 2000 and Ramsar sites will be required to undertake a Habitats Regulations Assessment.

BA comment: Will state SSSI name. Footprint Ecology recognised that this is an existing use where some additional development could take place. Impacts for the marina and moorings would be water related, and there is specific reference to managing water pollution risks BRU4) and the SSSI (BRU 6). Footprint Ecology therefore concluded that the policy could be screened out at the LSE stage. The policy wording provides assurance that risks will be managed, and in the text below there is reference to European sites being a constraint. The risks could be expanded upon in the supporting text for the two policies, including reference to project level HRA. Footprint Ecology do not think it is necessary to change the policy wording, other than adding SPA/SAC before or after SSSI in BRU 6, for completeness.

POCAN1 - Cantley Sugar Factory

Environment Agency

As noted in this policy waterside development can pose a risk to the water environment. It should be stated that this risk needs to be mitigated where new development is undertaken and on an ongoing basis to ensure the water environment is protected.

BA summary: It should be stated that this risk needs to be mitigated where new development is undertaken and on an ongoing basis to ensure the water environment is protected.

BA comment: The reference is adequate and such a requirement could form part of the conditions. The EA would be consulted on any planning application. The Reasoned Justification will be changed to incorporate this comment.

Historic England

We request that developments at this economically important site are requested to take account of the setting and significance of the nearby designated heritage assets, specifically the Langley Conservation Area, and the two Grade II* Churches of St Botolph at Limpenhoe and St Margaret at Cantley. Due to the open landscape around the factory, development should be particularly careful to respond to these assets and the historic environment more generally.

BA summary: Requested to take account of the setting and significance of the nearby designated heritage assets. Due to the open landscape around the factory, development should be particularly careful to respond to these assets and the historic environment more generally.

BA comment: Will add to the constraints. Will incorporate the issue of views into and out of the site from various places into criterion d.

PODIL1 - Dilham Marina (Tyler's Cut Moorings)

Dilham Boating Club

a) As I was involved in the last development of this policy, I have no further comment, other than requesting a clarification of the word 'generally' in the second paragraph.

b) Albeit development is covered in the policy, it would be good to see clarification that housing development particularly on the field at the extreme southern end of the Marina (as shown on Inset Map 5. Dilham) would not be permitted. On the deeds attaching to all of these individual moorings in the Marina, is shown a 20 foot access road running along the southern boundary to the moorings on the eastern side of the Marina. If building were permitted, this legal access would be denied to the relevant owners/users.

BA summary:

a) clarify use of word 'generally'

b) it would be good to see clarification that housing development particularly on the field at the extreme southern end of the Marina (as shown on Inset Map 5. Dilham) would not be permitted. On the deeds there is a 20 foot access road running along the southern boundary to the moorings on the eastern side of the Marina

BA comment:

a) The whole paragraph needs to be read together. The policy is saying that other than the small scale unobtrusive ramps and lockers that enable the enjoyment of the mooring, there is a presumption against development and as such the area will be generally free from structures. No change.

b) It is not clear to which piece of land the Club are referring to. Clarification will be sought although it seems the triangle of land south of the moorings, covered by this policy. This area is outside of a development boundary and there is generally a presumption against residential development. Furthermore, this area is covered by this policy where the land will be kept generally free of buildings and structures.

PODIT2 - Maltings Meadow Sports Ground, Ditchingham

South Norfolk Council

South Norfolk Council supports the following [this] site specific policies with links to the South Norfolk district.

BA summary: Policy supported.

BA comment: Support noted.

PODIT3 - Ditchingham Maltings Open Space, Habitat Area and Alma Beck

South Norfolk Council

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South Norfolk Council supports the following [this] site specific policies with links to the South Norfolk district.

BA summary: Support policy.

BA comment: Support noted.

POFLE1 - Broadland Sports Club

Great Yarmouth Borough Council

The Borough Council is keen to support the continued use and aspirations of Broadland Sports club, which is located near Fleggburgh, as a health and wellbeing facility for the area.

BA summary: Supports policy.

BA comment: Support noted.

RSPB

It is also recommended that policies that will allow some development to take place in areas that could affect Natura 2000 and Ramsar sites will be required to undertake a Habitats Regulations Assessment.

BA summary: It is also recommended that policies that will allow some development to take place in areas that could affect Natura 2000 and Ramsar sites will be required to undertake a Habitats Regulations Assessment.

BA comment: Noted and will liaise with HRA consultants.

POGTY1 - Marina Quays (Port of Great Yarmouth)

Boyer Planning (agent for East Anglian Group)

Also supporting these representations are a series of documents consisting of; a Landscape Summary Statement, Engineering Visual Inspection and Report, Flood Response Evacuation Plan, Flood Risk Assessment and Transport Statement, which are submitted alongside these representations to the Local Plan. These documents consisting of assessments and reports demonstrate that the land at Marina Quays is capable of supporting development in terms of landscape, structural engineering, flood risk and transport.

Development here would greatly benefit the surrounding area as well as helping to support the economy through tourism and increased visitors to the area. Regeneration will also be a significant benefit to this underused and partly derelict site. These representations have considered the draft policies relevant to the site and the general theme of regeneration.

We propose a revised policy for the Marina Quays area where redevelopment will ensure a continuation of water-based facilities and the provision of holiday accommodation as well as small scale residential development. Although we support the general intent of Policy POGTY 1 it is our submission that the policy be amended in line with a focussed policy with more relevance to the issues of the site and future viable and deliverable development. The following wording is proposed for this policy: 'Marina Quays (as shown on Inset Map 8) is identified as a regeneration area where redevelopment will ensure a continuation of water based facilities and provide holiday accommodation and small scale residential development. Proposals for redevelopment shall be guided by a comprehensive Landscape Masterplan for the site and shall include: Retention of 34 moorings of which 4 shall be retained solely for visitors; Provision of 11 houseboat moorings; 12 new holiday units as permanent structures; and 5

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new permanent residential dwellings. Development shall be phased to ensure the provision of moorings and holiday accommodation prior to the occupation of permanent residential dwellings.’ This policy wording will help to ensure the area is regenerated in line with the abilities and scope of site owners to ensure a successful, sustainable and enjoyable place for both local people and visitors to the area. This specific wording for this policy will help to ensure the appropriate development will happen on this site as well as the knowledge that the development in the policy will be delivered to that exact detail. The supporting documents that accompany these representations show that development is appropriate on this site and will not cause any adverse effects on highways, landscape, the structural soundness of the river wall and flood risk. These reports indicate that development can be supported on this site and that there will be no negative impacts on the surrounding area and safety.

Inset map 8: We object to Inset Map 8 which covers the area of Marina Quays. Objection is raised to the northern boundary and well as the limited size of the policy area. We believe the policy area should extend northwards following the river until the edge of Bure Park parts from the riverside walk on the river’s edge (see Appendix 1). This thin but important extension to the site area will ensure the regeneration of this area will be delivered in an efficient and timely manner. These amendments to the policy will be key to the delivery of this site and will ensure best use is made of this site. This site extension will enable moorings to be provided along the length of the river bank that resides in the site and these will be for the use of permanent residents as well as visitors to the area. This will add to the provision of moorings for visitors and facilitate overnight stays in the area and as a result, supporting the local tourist economy.

BA summary:

- 1: refers to documents that support representation.
- 2: General statement supporting development at GTY1
- 3: Propose revised policy. The main suggested differences are allowing residential housing here and stating specific numbers of different types of development.
- 4: Object to current allocation as per inset map 8 - would like a larger area allocated.

BA comment:

- 1: noted
- 2: noted.
- 3 and 4: The Authority is supportive of seeing the site allocated in GTY1 developed in an appropriate manner. As such, the Authority will maintain a policy to that effect. The representation recommends a significant increase in the size of the allocation, but there is no real justification for this increase. To date the Authority has allocated the previously developed land (including the run down buildings) as this is the area in obvious need of improvement. The representation also suggests specific land uses ranging from dwellings to moorings, but there is no justification provided for why these types of uses are suitable for this site. Looking in detail to some of the documents that accompany the representation, It is not clear if the Transport Statement has been agreed with Norfolk County Council as Highways Authority. On the subject of the Transport Statement there is no definitive estimated number of increased trips as a result of the proposal and indeed no reference or assessment of the impact on amenity of the existing residents such traffic would cause. Turning to the flood risk assessment, it is not clear if this has been discussed with the Environment Agency as it does not appear to be fully NPPF or NPPG compliant - there is no mention of vulnerability of the land uses for example. As such it is not proposed to make any changes to the policy in light of this representation. If the Agent would like to provide more information as the next version of the Local Plan is produced, the Authority will then be able to consider changes to the policy. *Agent written to and spoken to. No further information provided prior to publication version of Local Plan.*

Great Yarmouth Borough Council

The Borough Council supports of the re-use and enhancement of the space for river and other leisure activity.

BA summary: Supports policy.

BA comment: Support noted.

Historic England

As above, we request that the policy requires that any redevelopment addresses to the character and appearance of the Halvergate Marshes Conservation Area across the river.

BA summary: As above, we request that the policy requires that any redevelopment addresses to the character and appearance of the Halvergate Marshes Conservation Area across the river.

BA comment: Will add as a constraint/feature and refer to this in the policy.

Knight, J (Broads Authority Navigation Committee Member)

Could this site be considered for residential moorings or even floating buildings? These could look quite attractive on this site, on the approach to Yarmouth Yacht Station, and ought to be a suitable location in terms of access to amenities.

BA summary: Could this site be considered for residential moorings or even floating buildings? These could look quite attractive on this site, on the approach to Yarmouth Yacht Station, and ought to be a suitable location in terms of access to amenities.

BA comment: Noted. See Floating Building Topic Paper regarding floating buildings. Regarding residential moorings, the site is adjacent to the main urban area as per GYBC's policies maps and we raise the question in the Preferred Options about residential moorings adjacent to any development boundary, so it could be that residential moorings are suitable here using other policy changes if they occur. No change to this policy.

RSPB

This policy needs to be strengthened to ensure that impacts on protected areas are avoided. It should particularly acknowledge that the extended Outer Thames Estuary pSPA proposed boundary will be adjacent to this site. Any development will therefore need to consider impacts on foraging terns (which are already a feature of the nearby Breydon Water SPA). Given that this site could be developed, it is recommended that "A project level Habitats Regulations Assessment may be required to support proposals" be added to the policy text, which would be consistent with Policies PONOR1 (Utilities Site), POOUL3 (Oulton Broad – Former Pegasus/Hamptons Site) and POTHU1 (Tourism development at Hedera House, Thurne). The "Constraints and features" should be updated to include the extended Outer Thames Estuary pSPA.

BA summary:

1: The "Constraints and features" should be updated to include the extended Outer Thames Estuary pSPA.

2: Given that this site could be developed, it is recommended that "A project level Habitats Regulations Assessment may be required to support proposals" be added to the policy text.

BA comment:

1: Will amend.

2: Footprint Ecology screened this policy out, again on the basis that it is existing facilities where any additional development will need to address water pollution, as stated in the policy. We note however that the point raises concerns in relation to foraging terns and the pSPA, which is a helpful and relevant point and we agree needs to be covered. Rather than just add a generic reference to project level HRA, the final sentence of the policy could be expanded to say "...address risks to the natural environment, including disturbance and water pollution in relation to designated sites." This will cover proposed sites as the NPPF advises to treat formally proposed sites in the same way as those that are fully designated/classified.

POHOR7 - Horning - Boatyards, etc. at Ferry Rd. & Ferry View Rd.

Historic England

We request that this policy requires any development of this site to pay particular regard to the setting of the nearby Grade II* Listed Hobbs Mill and Grade II Listed Horning Ferry Mill.

BA summary: We request that this policy requires any development of this site to pay particular regard to the setting of the nearby Grade II* Listed Hobbs Mill and Grade II Listed Horning Ferry Mill.

BA comment: Will add to the constraints/features list. Will make reference in policy.

PONOR1 - Utilities Site

Anglian Water

Thorpe Hamlet: The foul flows from future growth will have an impact on the existing sewerage network. Infrastructure upgrades will be required to serve the proposed growth. Red/Amber/Green assessment on capacity and encroachment: Table included with Anglian Water response.

BA summary: The foul flows from future growth will have an impact on the existing sewerage network. Infrastructure upgrades will be required to serve the proposed growth.

BA comment: Noted and this will be included within the constraints section.

Natural England

The wording of the following policies should be amended to comply with the HRA of the Local Plan: Policy PONOR1: Utilities Site; Policy POOUL3: Oulton Broad - Former Pegasus/Hamptons Site; and Policy POTHU1: Tourism development at Hedera House, Thurne. Under each of the above policies, the wording should be amended to “A Project Level Habitats Regulation Assessment will be needed to assess implications on sensitive European Sites.” This is necessary for the same reasons as outlined in Policy PODM31: New housing in the Broads Authority Executive Area above.

BA summary: Amend HRA reference to “A Project Level Habitats Regulation Assessment will be needed to assess implications on sensitive European Sites.”

BA comment: Noted. Will amend to say: “Project Level Habitats Regulation Assessments will be needed to assess implications on sensitive European Sites. Measures to mitigate for the effects of new growth may be required, such as the provision of good quality on-site green infrastructure to mitigate for recreational disturbance.”

South Norfolk Council

South Norfolk Council supports the following [this] site specific policies with links to the South Norfolk district.

BA summary: Supports policy.

BA comment: Support noted.

PONOR2 - Riverside Walk and Cycle Path

South Norfolk Council

South Norfolk Council supports the following [this] site specific policies with links to the South Norfolk district. Important to deliver strategic growth and connectivity in the South East Norwich/Trowse area.

BA summary: Supports policy.

BA comment: Support noted.

POORM1 - Ormesby waterworks

Great Yarmouth Borough Council

The Borough Council is in support of the protection of Ormesby water treatment works from development which may adversely affect the proper functioning of the water works and its contribution to the landscape and visual amenity of the area. The Ormesby waterworks provide much of the public water supply to Great Yarmouth Borough, and the upgrading and maintenance of these works are important in supporting economic and population growth in the Borough.

BA summary: Supports policy.

BA comment: Support noted.

RSPB

It is also recommended that policies that will allow some development to take place in areas that could affect Natura 2000 and Ramsar sites will be required to undertake a Habitats Regulations Assessment.

BA summary: It is also recommended that policies that will allow some development to take place in areas that could affect Natura 2000 and Ramsar sites will be required to undertake a Habitats Regulations Assessment.

BA comment: The policy has wording in it that states that development must ensure ‘no adverse impact....’. It is implicit that in order to achieve this there may be a need for project level HRA. The only suggestion Footpring Ecology would make is to change the word ‘impact’ to ‘effect’ as this then accurately reflects the legislation wording in relation to ‘no adverse effect.’ Footprint Ecology would not suggest a blanket project HRA reference here as the policy wording adequately covers.

POOUL3 - Oulton Broad - Former Pegasus/Hamptons Site

Anglian Water

Oulton Broad: The foul flows from future growth will have an impact on the existing sewerage network. Infrastructure upgrades will be required to serve the proposed growth.

Asset Encroachment: The site allocation at Pegasus Mews/Caldecott Road is in close proximity to an existing pumping station. It may be that the layout of these sites can be adjusted so as not to encroach on the protection zone. Development should be located a minimum of 15 meters from Pumping Stations. The landowner/developer is advised to contact us at the earliest opportunity to discuss the viability of the site.

Where there are sewers or water mains crossing the site, the site layout should be designed to take these into account; this existing infrastructure is protected by easements and should not be built over or located in private gardens where access for maintenance and repair could be restricted. The sewers or mains should be located in highways or public open space. If it is not possible to accommodate the existing sewers or mains within its design then diversions may be possible under section 185 of the Water Industry Act 1991 or entering into a build over/near agreement may be considered. I would draw your attention to Anglian Water’s encroachment policy:

<http://www.anglianwater.co.uk/developers/encroachment.aspx>

Red/Amber/Green assessment on capacity and encroachment: Table included with Anglian Water response.

BA summary: The foul flows from future growth will have an impact on the existing sewerage network. Infrastructure upgrades will be required to serve the proposed growth. The site allocation at Pegasus Mews/Caldecott Road is in close proximity to an existing pumping station. It may be that the layout of these sites can be adjusted so as not to encroach on the protection zone.

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BA comment: Noted. This will be added to the constraints section of the Local Plan.

Historic England

From the associated map, we understand that the site is within the Oulton Broad Conservation Area rather than adjacent to it as set out within the supporting text. We would welcome clarification. In either event, we request that development required to take account of it.

BA summary: From the associated map, we understand that the site is within the Oulton Broad Conservation Area rather than adjacent to it as set out within the supporting text. We would welcome clarification. In either event, we request that development required to take account of it.

BA comment: Correct. Will amend constraint to say 'within'. Will include reference to this in the policy in general.

Natural England

The wording of the following policies should be amended to comply with the HRA of the Local Plan: Policy PONOR1: Utilities Site; Policy POOUL3: Oulton Broad - Former Pegasus/Hamptons Site; and Policy POTHU1: Tourism development at Hedera House, Thurne. Under each of the above policies, the wording should be amended to “A Project Level Habitats Regulation Assessment will be needed to assess implications on sensitive European Sites.” This is necessary for the same reasons as outlined in Policy PODM31: New housing in the Broads Authority Executive Area above.

BA summary: Amend HRA reference to “A Project Level Habitats Regulation Assessment will be needed to assess implications on sensitive European Sites.”

BA comment: Noted. Will amend to say: “Project Level Habitats Regulation Assessments will be needed to assess implications on sensitive European Sites. Measures to mitigate for the effects of new growth may be required, such as the provision of good quality on-site green infrastructure to mitigate for recreational disturbance.”

Suffolk County Council

We note that the plan states archaeological survey may be required in advance of any grant of planning permission at this site. Archaeological evaluation and borehole survey was carried out under consent of planning applications BA/2012/0271, so explanatory notes could be amended to state there may be need for archaeological survey ‘in advance of development if significantly different and substantial groundworks are proposed.’

BA summary: explanatory notes could be amended to state there may be need for archaeological survey ‘in advance of development if significantly different and substantial groundworks are proposed.’

BA comment: It is not proposed to change the policy to reflect that planning permission has been granted. In any case, the thrust of the existing wording adequately covers the eventuality as discussed in the comment. No change.

POPOT2 - Waterside Plots

British Pipeline Agency

We have looked at your plan and noted in certain areas relating to the Local Plan the GYPL Pipeline will affect some of the sites, Potter Heigham Bridge noted. This is a reminder of the location of the pipeline and BPA will need to be consulted on any future works in these locations. I have enclosed a map for information purposes only.

BA summary: This is a reminder of the location of the pipeline and BPA will need to be consulted on any future works in these locations

BA comment: Noted. BPA contacted to ascertain a suitable way forward and understand if the map and route of the pipe can go in the public domain. BPA contact on 1 Feb 2017. *Decided to not add these to the Policies Maps as BPA did not want them in the public domain.*

POSOL2 - Land adjacent to A143 Beccles Road and the New Cut (Former Queen's Head Public House)

Morris, M

Thank you for posting information on the above subject, after I contacted you for this on 04/01/17 (seen by me 18/01/17). Today I read the same information at Great Yarmouth Library. And I noted the 'Inset Map 15' that your data refers to could not be seen as could not be found. <<personal information>> The data (subject above) that I have read has not helped me to understand why Spinnakers, my home and garden and moorings, has been specifically named in your local plan. And I am unable to comment further on your consultation (and this closes 03/02/17). <<Personal information>> errors have been written about my property in the data you posted to me. And the data refers to the 'appearance of the buildings and surrounds'. The reasons are intimately known and understood by local government departments and contractors they used when working on and in close proximity to my property long term. These departments include: local planning authorities and agencies who were aiming to improve the environment. Yourselves, the Broads Authority Planning, Norwich may have been aware of the works described above.

BA summary: General information about the draft allocation.

BA comment: Mrs Morris has since been contacted about her letter and the site in question. *The amended policy was also sent to her and no response received.*

POSTA1 - Land at Stalham Staithe (Richardson's Boatyard)

Residential Boat Owners' Association

The RBOA notes the reference in the document to possible residential moorings at Brundall Riverside (POBRU 2-6) and Stalham Staithe (POSTA 1) and will be pleased to support these at the appropriate time.

BA summary: Notes reference to possible residential moorings.

BA comment: Noted.

POTSA2 - Thorpe Island

Broadland District Council

The consultation document states that 'The Authority does not intend to roll forward the 1997 Local Plan TSA2 in its current form. It is not included within this Local Plan Preferred Options document as there continues to be outstanding issues relating to Thorpe Island. A new policy will form part of the Publication version of the Local Plan'. Therefore, effectively there will be no consultation on this policy and nor have the 'outstanding issues' been consulted on. Therefore, this could be found unsound. It is disappointing to see that this area is treated different in that there is no mention about the prospects for this area, and the public will not have an earlier opportunity to comment on this policy, particularly when National policy encourages early engagement in policy making.

BA summary: It is disappointing to see that this area is treated different in that there is no mention about the prospects for this area, and the public will not have an earlier opportunity to comment on this policy, particularly when National policy encourages early engagement in policy making.

BA comment: The same can be said about the economy and retail section and any other additional policy that is inserted between the Preferred Options and Publication stage. The Council will be aware that the regulations for producing a Local Plan state that effectively plans can go from the 'Issues and Options' stage to the 'publication' stage. The Preferred Options was an additional consultation stage which both the community and the Authority has found extremely helpful. Turning to Thorpe Island and Jenner's Basin in particular, Broadland District Council are fully aware of the ongoing legal process and sensitivities surrounding this site. The Authority considers waiting to amend TSA2 until later in the Local Plan process a reasonable and justified approach. *Please also note that a single issue focussed consultation was undertaken with those who live near, the owners and those who live on the island.*

POTHU1 - Tourism development at Hedera House, Thurne

Anglian Water

Thurne: Thurne is served by Ludham-Walton Hall WRC that does not currently have capacity to accommodate the proposed growth and therefore will require enhancements to treatment capacity. As such it is crucial that development is phased to ensure Anglian Water can make timely improvements in order to serve the proposed growth. The site is also remote from the nearest sewer. Connecting foul water may not be viable.

Red/Amber/Green assessment on capacity and encroachment: Table included with Anglian Water response.

BA summary: Thurne is served by Ludham-Walton Hall WRC that does not currently have capacity to accommodate the proposed growth and therefore will require enhancements to treatment capacity.

BA comment: Noted and this will be added as a constraint. Information also passed onto Development Management case officer dealing with the Planning Application.

Historic England

We are pleased to see the consideration given to landscape character within this policy. Similarly to the treatment of sensitive ecological sites, we request that the policy requires specific consideration of the setting and significance of the nearby Grade II* Listed Windpumps: Thurne Dyke Windpump and St Benet's Level Windpump.

BA summary: Request that the policy requires specific consideration of the setting and significance of the nearby Grade II* Listed Windpumps: Thurne Dyke Windpump and St Benet's Level Windpump.

BA comment: Will add these to constraints/features and amend iii.

Natural England

The wording of the following policies should be amended to comply with the HRA of the Local Plan: Policy PONOR1: Utilities Site; Policy POOUL3: Oulton Broad - Former Pegasus/Hamptons Site; and Policy POTHU1: Tourism development at Hedera House, Thurne. Under each of the above policies, the wording should be amended to “A Project Level Habitats Regulation Assessment will be needed to assess implications on sensitive European Sites.” This is necessary for the same reasons as outlined in Policy PODM31: New housing in the Broads Authority Executive Area above.

BA summary: Amend HRA reference to “A Project Level Habitats Regulation Assessment will be needed to assess implications on sensitive European Sites.”

BA comment: Noted. Will amend to say: “Project Level Habitats Regulation Assessments will be needed to assess implications on sensitive European Sites. Measures to mitigate for the effects of new growth may be required, such as the provision of good quality on-site green infrastructure to mitigate for recreational disturbance.”

POWHI1 - Whitlingham Country Park

La Ronde Wright (agent for Arminghall Settlement Crown Point Estate)

The policy is supported in principal however, in closer examination could be simplified and worded in a more positive manner. We have provided a suggested reworded policy below. This reworded policy retains the criteria, however we would question if they are necessary as they effectively repeat matters which will be material and policy considerations in any planning application. For example, there are separate highway and sustainable travel policies which will require consideration in any proposal. The only criterion which is perhaps specific to Whitlingham Country Park is the last criterion relating to the management of the park. We are not sure that it would be clear what exactly is meant by the term bio-security in the policy. The Oxford English Dictionary definition of bio-security is: “Procedures or measures designed to protect the population against harmful biological or biochemical substances.” We have revised the wording of the second sentence to better reflect the positive and proactive approach supported by the NPPF and specifically paragraph 28 which states that plans should: “support sustainable rural tourism and leisure developments that benefit

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businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural services centres.”

"Policy POWHI1: Whitlingham Country Park

Inset Map 11

Whitlingham Country Park will continue to be managed to provide recreation and quiet enjoyment on land and water, supported by scenic landscape and wildlife habitat.

Further development of buildings, facilities, compatible recreation, leisure and tourism uses which contribute to these aims will be encouraged. The following considerations will need to be taken into account in determining planning applications:

- a) Design quality and materials;
- b) The river valley landscape and the setting of the Crown Point Registered Park and Gardens;
- c) The need to avoid a proliferation of buildings in the area, and provide for shared use of these buildings where practicable;
- d) The ability of the proposals to encourage travel by alternative modes of transport;
- e) The transportation implications of the development;
- f) The impact of the proposal on existing uses, users or activities (on land and water) and on the quiet enjoyment of the area;
- g) Biodiversity impacts and the scope for enhancement (?);
- i) The ability of the proposals to contribute to the health and wellbeing of users;
- j) The ability of the proposals to improve the visitor experience; and
- k) The ability of the proposals to support the sustainable management of the Park.

Any proposals that affect car parking in the area need to be thoroughly justified and based on assessment of the use of the car parks."

BA summary: We have revised the wording of the second sentence to better reflect the positive and proactive approach supported by the NPPF.

BA comment: Noted and the suggested changes will be assessed in detail and may influence the policy. *Further discussions with the Agent as well as Whitlingham Charitable Trust were undertaken prior to the Publication Local Plan being finalised.*

South Norfolk Council

South Norfolk Council supports the following [this] site specific policies with links to the South Norfolk district. Important to maintain and enhance important recreation facility within the district at Whitlingham.

BA summary: Supports policy.

BA comment: Support noted.

Whitlingham Charitable Trust

I am responding to the Preferred Options Consultation on behalf of Whitlingham Charitable Trust. I have two comments relating to Policy POWHI1: Whitlingham Country Park:

1. The Trust endorses the main thrust of Policy POWHI1 which appears to be consistent with the Trust's Long Term Strategic Plan. My only comment on the detail is that the final statement could be deleted since the same point is made on page 217 (6th para, last sentence).

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2. I can see no reference in the Plan to the impact on the Park of adjoining developments. This is a matter of concern to the Trust since neighbouring developments could well be the major determinant of future demands on the Park. While I appreciate that such developments may well lie outside the Broads Authority's jurisdiction it would be unreasonable if the Park suffered from the arbitrariness of planning authority boundaries. In this context, during consultation on the Deal Ground/May Gurney application the Trust sought acceptance of the principle that the developers should assess and take account of the consequences of their proposals for the Park. Unfortunately this was not reflected in any of the planning conditions on the permitted development. Hence the Trust would like to see some reference in the Plan requiring applicants for such developments (on which the Authority would normally be consulted), for example: "to assess and take account of additional pressures on the Park associated with development proposals adjoining or close to the Park". The justification for this would be the increased resource needed to enable the Trust to cope with extra visitor pressures.

BA summary:

- 1: My only comment on the detail is that the final statement could be deleted since the same point is made on page 217 (6th para, last sentence).
- 2: No reference in the Plan to the impact on the Park of adjoining developments. Suggest: "to assess and take account of additional pressures on the Park associated with development proposals adjoining or close to the Park". The justification for this would be the increased resource needed to enable the Trust to cope with extra visitor pressures.

BA comment:

- 1: Noted. As can be seen, there have been many comments on this policy with suggested changes and we will consider these comments as we review the policy.
- 2: Noted. This may be of particular relevance to the Utilities Site development. Will consider how this is addressed within that policy. Note also that the Trust may wish to raise this issue with other Local Planning Authorities who promote nearby development as well as be aware of planning applications in those Local Planning Authority areas through receiving the Weekly List.

POXNS1 - Trinity Broads

RSPB

It is also recommended that policies that will allow some development to take place in areas that could affect Natura 2000 and Ramsar sites will be required to undertake a Habitats Regulations Assessment.

BA summary: It is also recommended that policies that will allow some development to take place in areas that could affect Natura 2000 and Ramsar sites will be required to undertake a Habitats Regulations Assessment.

BA comment: POXNS1 is a protective policy with specific reference to wildlife sensitivity and the need to demonstrate compatibility with that. Footprint Ecology would suggest that explicit reference to HRA is not necessary in the policy, but could amend so that this is expanded upon and clear in the supporting text.

POXNS3 - The Coast

Marine Management Organisation

The coast and marine environment is well referenced throughout the plan, directly and indirectly e.g. climate change and flood risk etc. It is great to see a policy specific to the coast (POXNS3) – I would support this policy remaining, especially as you have linked in back to the UK vision for the seas.

BA summary: Support policy.

BA comment: Support noted.

Somerton Parish Council

Can we suggest that the plan includes accurate references in Policy POXNS3: The Coast regarding the agreed shoreline management plan for the relatively small section of coast which falls within the Broads Authority Area (the Horsey to Winterton frontage). This is included in Policy Unit Reference 6.13 of the current Shoreline Management Plan. This plan policy for the time period “By 2055” is to ‘Hold the Line’ with predicted implications of “No loss of property or land behind the existing defences”. The Broads Draft Plan references in Policy POXNS3: The Coast “in view of the high flood and tidal inundation risk to the area” are exaggerated, alarmist and do not reflect the fact that the sea defences and dune system are currently in a good state of repairs and well maintained by the Environment Agency.

BA summary:

- 1: Changes to the policy suggested: This plan policy for the time period “By 2055” is to ‘Hold the Line’ with predicted implications of “No loss of property or land behind the existing defences”.
- 2: The Broads Draft Plan references in Policy POXNS3: The Coast “in view of the high flood and tidal inundation risk to the area” are exaggerated, alarmist and do not reflect the fact that the sea defences and dune system are currently in a good state of repairs and well maintained by the Environment Agency.

BA comment:

- 1: Same comment was made to the Flood Risk SPD consultation. The amended wording used in the final Flood Risk SPD will be copied into this document.
- 2: The EA maps for flooding show that the area in question is at risk of flooding. It is in Flood Zone 3 as defined by the EA. The 2007 SFRA shows the area as Flood Zone 3b (functional flood plain). The NPPG describes Flood Zone 3 as 'areas with a high probability of river or sea flooding'. The description is correct.

Weymouth, S (Councillor)

Can we suggest that the plan includes accurate references in Policy POXNS3: The Coast regarding the agreed shoreline management plan for the relatively small section of coast which falls within the Broads Authority Area (the Horsey to Winterton frontage). This is included in Policy Unit Reference 6.13 of the current Shoreline Management Plan. This plan policy for the time period “By 2055” is to ‘Hold the Line’ with predicted implications of “No loss of property or land behind the existing defences”. The Broads Draft Plan references in Policy POXNS3: The Coast “in view of the high flood and tidal inundation risk to the area” are exaggerated, alarmist and do not reflect the fact that the sea defences and dune system are currently in a good state of repairs and well maintained by the Environment Agency.

BA summary:

- 1: Changes to the policy suggested: This plan policy for the time period “By 2055” is to ‘Hold the Line’ with predicted implications of “No loss of property or land behind the existing defences”.
- 2: The Broads Draft Plan references in Policy POXNS3: The Coast “in view of the high flood and tidal inundation risk to the area” are exaggerated, alarmist and do not reflect the fact that the sea defences and dune system are currently in a good state of repairs and well maintained by the Environment Agency.

BA comment:

- 1: Same comment was made to the Flood Risk SPD consultation. The amended wording used in the final Flood Risk SPD will be copied into this document.
- 2: The EA maps for flooding show that the area in question is at risk of flooding. It is in Flood Zone 3 as defined by the EA. The 2007 SFRA shows the area as Flood Zone 3b (functional flood plain). The NPPG describes Flood Zone 3 as 'areas with a high probability of river or sea flooding'. The description is correct.

POXNS4 - Main road network

RSPB

It is also recommended that policies that will allow some development to take place in areas that could affect Natura 2000 and Ramsar sites will be required to undertake a Habitats Regulations Assessment. This is a requirement of all plans and projects.

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BA summary: It is also recommended that policies that will allow some development to take place in areas that could affect Natura 2000 and Ramsar sites will be required to undertake a Habitats Regulations Assessment. This is a requirement of all plans and projects.

BA comment: POXNS4 does not make specific reference to designated sites within the policy, but this is highlighted as a constraint. Road improvements or connections could pose a risk, and so it is a good point to raise. It would therefore be beneficial to add an extra line as follows – “(v) designated wildlife sites.” We will check the wording in relation to effects (in relation to adverse, unacceptable and significant) throughout the document.

South Norfolk Council

South Norfolk Council supports the following [this] non site specific policies with links to the South Norfolk district.

BA summary: Supports policy.

BA comment: Support noted.

POXNS5 - Non-Settlement Policies (Drainage Mills)

Broads Reed and Sedge Cutters Association

Policy POXNS5 : Drainage Mills. Although important for the Broads landscape, it should be accepted that the owners of the majority of these redundant buildings are unable to finance renovations to the standard demanded with listed status etc. etc. The ability to replace traditional timber caps and exterior walkways with more cost effective and longer lasting modern materials would at least reduce some drainage mills deterioration without compromising the traditional appearances of these buildings.

BA summary: Owners of the majority of these redundant buildings are unable to finance renovations to the standard demanded with listed status. The ability to replace traditional timber caps and exterior walkways with more cost effective and longer lasting modern materials would at least reduce some drainage mills deterioration without compromising the traditional appearances of these buildings.

BA comment: Noted. It is not clear if the Association are suggesting that the mills are delisted - that is outside the Local Plan process. The policy seeks to protect the mills and is open about suitable and appropriate uses. If owners come forward with proposals for their mills, we can then talk about the finer detail such as materials. Of relevance, as part of the Water, Mills and Marshes Heritage Lottery Fund, there is a project looking at the potential of using innovative techniques for repair of run-down mills and what repairs might be appropriate to individual mills. Project 4f of this document: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0007/501694/Water,-Mills-and-Marshes_Broads-Landscape-Partnership-Scheme_Summary.pdf. *Historic Environment Consultant met Mr Starling about the Mill in question.*

Historic England

We are very pleased to see that the plan includes specific provision for the conservation of these characteristic and locally distinctive Broads structures. To improve this policy, we request that the setting of these structures is included in the policy as an impact to be assessed.

BA summary: To improve this policy, we request that the setting of these structures is included in the policy as an impact to be assessed.

BA comment: Will add to policy.

POXNS6 - Waterside Pubs Network

South Norfolk Council

South Norfolk Council supports the following [this] non site specific policies with links to the South Norfolk district. Support protection of pubs located in South Norfolk on the Yare and Waveney.

BA summary: Supports policy.

BA comment: Support noted.

POXNS10 - Railway stations/halts

South Norfolk Council

South Norfolk Council supports the following [this] non site specific policies with links to the South Norfolk district. Support protection of railway halt at Haddiscoe.

BA summary: Supports policy.

BA comment: Support noted.

Warner, P (BA Member)

A welcome policy - is Brundall Station southern platform in the Broads area? I couldn't be 100% certain from the map(s).

BA summary: is Brundall Station southern platform in the Broads area? I couldn't be 100% certain from the map(s).

BA comment: It is immediately adjacent to the Broads but not within it according to the GIS layers of the Executive Area.

POXNS11 - Former railway trackways

Great Yarmouth Borough Council

The Borough Council supports the policy for its potential to expand and integrate the network of paths, cycle-ways and bridleways, which benefit both residents and visitors. The Borough Council would welcome the opportunity to work with the Broads Authority to foster delivery of such potential, and create loop and interconnections to complement these. Note the potential value of engaging with the Great Yarmouth Cycle Forum (hosted by the Borough Council) to maximise opportunities for such connections in relation to cycling.

BA summary: Supports the policy. Refers again to the GY Cycle Forum.

BA comment: Support noted.

RSPB

It is also recommended that policies that will allow some development to take place in areas that could affect Natura 2000 and Ramsar sites will be required to undertake a Habitats Regulations Assessment.

BA summary: It is also recommended that policies that will allow some development to take place in areas that could affect Natura 2000 and Ramsar sites will be required to undertake a Habitats Regulations Assessment.

BA comment: POXNS11 already has specific reference to wildlife sensitivity and the need to avoid harm. Footprint Ecology would suggest that explicit reference to HRA is not necessary in the policy, but this could be expanded upon and clear in the supporting text with reference to recreation pressure. The policy wording could be expanded to say – “..sensitive designated habitats and species in the vicinity, particularly in relation to recreation pressure: and..”

South Norfolk Council

This policy includes Haddiscoe to Beccles which was safeguarded in the 2003 South Norfolk Local Plan but not in any of the current adopted documents. It also includes Beccles to Ditchingham which was not safeguarded in either the 2003 South Norfolk Local Plan or the currently adopted documents. The consultation document mentions

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Local Planning Authorities considering protection of these routes in their plans and for South Norfolk this would now need to be considered through the Greater Norwich Local Plan review.

BA summary: Protection for routes in South Norfolk would now need to be considered through the Greater Norwich Local Plan review.

BA comment: Noted and we hope that these routes are considered through the GNLP.

POXNS12- Local Green Space (Chedgrave)

This Local Green Space allocation removed from the Local Plan.

Anderson, J

Firstly, What an absolutely ludicrous proposal, I had made my objection, if maybe a little bluntly, but being honest and forthright, but voicing my opinion as any objection would. I received a response from the Broads Authority stating my objection needed to be censored, I guess I was to honest and truthful for the Broads Authority. My father (personally) and fore fathers fought for freedom of speech against tyranny, yet the Broads Authority wish to sensor an individuals freedom of speech, I think that says more about the Broads Authority than any other statement I can make. I have a far better location that is prime for green space status, if that is, you are applying the same criteria as used to make the Church Close to Pits Lane Chedgrave proposal? My proposed site is: Yare House, 62-64 Thorpe Road, Norwich, Norfolk, NR1 1RY. Yare house is a site of Wildlife, you have wildlife around your offices, birds landing on your roof space, insects in your green spaces, such a reservoir of wildlife an important habit for many many creatures. You are a hub of the community, every time I read the paper your telling the public how much your doing for local communities, so Yare House as viable as any site for Green Space status, more so in reality than the Chedgrave Proposal. People could use your grounds to have picnics and parties, organisations could hold events in your car park the usage of your space could be such a real benefit to the community. Now is someone really going to waste time and effort seeing if that is viable? I think not. Pitts lane, you claim is used by the community? Really, says who? Anyone can see its being used by hardly, the proposal alleges walkers use it for Wherryman's way, Is that the Wherryman's way that is closed? Or is there another one? The area is a reservoir for wildlife? Says whom? Where are the statistics to back this up? I myself took 2 hrs out of my day stood in the area clip board in hand waiting to experience the deluge of wildlife David Attenborough would have been proud of, It didn't happen! Now I wasted 2 hrs of my time, perhaps the Broads Authority should waste 2 hrs of theirs, they are paid for it after all. It's a flood plain its scrub its as much a wildlife reservoir as your office at Yare House! It has historic links? Where? My grandad is 97 lived in Loddon all his life, I asked him, he said and to quote him "nah, don't be silly boy" so in 97 yrs its had no historic links, so who dreamt this statement up? Why does it need to be a green space? What would it achieve were already a national park with all that implies how would green space status change anything? It wouldn't! its just a tick box exercise and further waste of time and money. From what I hear and read and speaking to people resentment in the community in the Broads Authority is growing, The Broads Authority haven't communicated with anyone just snowballed this through without any consultation, to this end I will be writing to the Secretary of State for Communities and Local Government and why the Broads Authority are exempt from Government guidance. The Broads Authority obviously have no concern for locals, residents, businesses or anyone, it's a very very sorry state of affairs I for one have now lost all confidence in the Broads Authority and from what I hear there is a tidal wave of anger that I fear the authority may never recover from.

BA summary: Why does it need to be a green space? What would it achieve we're already a national park with all that implies how would green space status change anything? Does not agree with reasons stated for the nomination and draft allocation.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Baldry, D

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I am writing to tell you of my concerns of the proposal that Greenway Marine and Pacific cruisers land would be made local Green space . As a self employed Boat Builder this policy would have an effect on my business. As I work for both yards anything that would alter their way of operating would have a knock on effect to me. I Hope you take my concerns into consideration when making your decision with this matter .

BA summary: Objects to land at Chedgrave being allocated as a Local Green Space. As a self employed Boat Builder this policy would have an effect on my business.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Bircham, J

I object to land at Chedgrave being allocated as a Local Green Space. This land was nominated by a member of the public whose own property bounds this land. The nomination was made without any consultation with the landowners, Parish Council or local community. The allocation has been recommended by the Broads Authority without any contact being made with the landowners, Parish Council or local community. This is completely unjust. A NIMBY should not be allowed to do this and the Broads Authority should have the decency to at least discuss with the landowners prior to recommending for allocation.

BA summary: Objects to land at Chedgrave being allocated as a Local Green Space.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Black, R

I have just been made aware of the outlines of the above application and am appalled that this can be a serious application. I have been a client of Greenway Marine at Loddon for many years and know that this land, owned by Mr. Jonathan Greenway, has been used in the conduct of his business for storing boats for many years. Greenway Marine is one of the few boatyards remaining on the Broads that still carries on the age old tradition of building and repairing wooden boats. The skills used here have been passed down through the family, and I know Jonathan is intending to pass these onto his son. This boatyard is a vital amenity for Broads boaters and also brings much revenue to the local villages of Chedgrave and Loddon. The loss of this Green Space would have a serious detrimental effect on Greenway Marine and could cause the business much harm. One would assume that the land in question is totally unsuitable for building on as it is just marshland with a high water table.

BA summary: Objects to the Chedgrave allocation. The loss of this Green Space would have a serious detrimental effect on Greenway Marine and could cause the business much harm. One would assume that the land in question is totally unsuitable for building on as it is just marshland with a high water table.

BA comment: For clarification, the policy does not intend to lose any green space as stated in the representation, rather protect greenspace. That being said, objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Bland, D

I am a customer of Greenway Marine in Chedgrave, Norfolk. I wish to raise an objection to the green space nomination on land belonging to Mr Johnathon Greenway of Greenway Marine Chedgrave for the following reasons. I know Mr Greenway has for some time been looking into sustainable options for uses of this section of his land in order to further his business for the future. I'm also aware that Mr Greenway is keen to improve future business turnover enabling him to bring his son into the family business and teach him vital skills that are in rapid decline on the broads and sustaining these skills for future generations of the boating fraternity. I feel that a blanket ban on any future planning applications for uses of this part of his land will have a negative impact on any future aspirations Mr Greenway may have in diversifying his business for the future.

BA summary: Objects to land at Chedgrave being allocated as a Local Green Space. Feels that a blanket ban on any future planning applications for uses of this part of his land will have a negative impact on any future aspirations Mr Greenway may have in diversifying his business for the future.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Bostock, S

As a local resident of Loddon and Chedgrave, I have great concerns for the policy above being implemented to our local community. We have thriving businesses and established environments that have worked extremely well over many decades. Disruption of any business for this purpose will have a detrimental effect on 'The Broads' and our local villages and amenities. The Broads are being promoted as:

- Growing sustainable tourism to appreciate and protect our greatest natural asset.
- Promoting competitive agriculture and high quality local produce.
- Engendering growth from new and existing small businesses.
- Fostering Sustainable Vibrant Communities.

I therefore cannot see how this Local Green Space can be viable.

BA summary: Objects to land at Chedgrave being allocated as a Local Green Space. Disruption of any business for this purpose will have a detrimental effect on 'The Broads' and local villages and amenities.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Broads Hire Boat Federation

We are concerned about the implications of this proposal as far as the operation of our member hire boat operator, Pacific Cruisers, is concerned. Others, we understand, will be making critical observations on the overall desirability of this allocation from a local value viewpoint. The area owned by Pacific Cruisers is essential to the operation of their business, having been used for over 20 years for boat storage and hire boat customer car parking for which there is insufficient space in the boatyard premises fronting the River Chet on the other side of Pitts Lane. To be compatible with previously declared policies to encourage sustainable tourism it is important that Pacific Cruisers, one of a currently reducing number of hire boatyards on the Southern rivers, is not unreasonably restricted if the business is to remain viable. We are not clear how this company's use of its land would be affected by Local Green Space designation and whether it would apply more restrictions than under existing planning rules. Unfortunately neither are Pacific Cruisers because the Broads Authority Planning Department apparently did not consider it necessary to discuss this with them before its inclusion in the Plan.

BA summary: Objects to the draft allocation. The area owned by Pacific Cruisers is essential to the operation of their business, having been used for over 20 years for boat storage and hire boat customer car parking for which there is insufficient space in the boatyard premises fronting the River Chet on the other side of Pitts Lane.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Chedgrave Parish Council

I have been asked to write to you concerning the allocation of Local Green Space in the Parish of Chedgrave. As you are no doubt aware, the Parish Council objects vehemently to the designation of Local Green Space on land to the rear of the Boat yards on the River Chet, ref POXNS12 in the Site Specific document.

BA summary: Objects to the Chedgrave Allocation. Although no reasons given.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Cressy, L (Maffett Cruisers)

Local green space Chedgrave: I do not support the nomination for this. It is obviously been brought up by someone in the village and has no idea that our dykes are cleared out. I believe whoever put this forward were thinking that a building was coming next on the land which had been cleared. This would never happen. We all like the land. It

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is, has and will always be a haven for our wildlife without local nomination. I was asked several times having to explain this happens every few years to clear the dykes all over the fields as well done by the drainage board. Also as the road is private accept for a permissive footpath I am very concerned about people coming on our properties to take photos, uninvited security issue. As we all run hire cruisers which is an important part of local employment and economy of the village most of the yards running in the sixties here have been storing boats and parking cars this is part and parcel of boatyards and storing boat related equipment for years. Without this land you can not operate a boatyard. It is not a benefit to local people, it is after all private land and none of us were contacted about this issue. Does this mean I can pick a piece of land in someone's garden and say I want to nominate this as local green space, without telling anyone my intentions, going behind their back which is unforgivable? We feel very upset about this, especially underhanded way photographs have been taken. Note: As a matter of interest we have a varied amount of fauna and flora that no one actually sees protected by all of us who work and live on the broads boatyards. We are not fine weather people, we work hard, we are out in all weathers making sure the swans are okay in the winter that the otter is not chased off by someone's dog off the lead, the kingfisher is left in peace to visit us and to bring up their young and that people who are busy bodies should mind their own.

BA summary: Objects to land at Chedgrave being allocated as a Local Green Space. We all run hire cruisers which is an important part of local employment and economy of the village most of the yards running in the sixties here have been storing boats and parking cars this is part and parcel of boatyards and storing boat related equipment for years. Without this land you can not operate a boatyard.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Edmonds, M

I have recently been advised of the above and wish to raise my objections to such an ill conceived idea. Having been a customer of Jonathan Greenway for many years I very much value his expertise and the wonderful service he provides. I believe it is very important to secure the skills and knowledge of people such as he particularly in what is a fast declining industry. I am lead to believe that these proposals are likely to jeopardize his future in the business and instead of putting this at risk we should all be seeking ways to encourage him and future generations to retain our heritage. I have to admit that I do not have a great deal of knowledge of this policy but on the face of it appears to be a quite ludicrous idea in this instance and would have thought that there must be other far more appropriate sites for you to consider.

BA summary: Objects to Chedgrave allocation. These proposals are likely to jeopardise his future in the business and instead of putting this at risk we should all be seeking ways to encourage him and future generations to retain our heritage.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Gray, S

I have to my dismay noted that the area covered in the above policy is being considered for green space. How is this area even being considered as a green space? There can hardly be any unique wildlife given that the drainage board have totally cleared a significant part of this area. In the many years I have lived in the area I never seen anyone, beyond the existing businesses, use any of this area. From the river the majority of this area is not visible. Local boatyards will be severely impacted, are they not having a hard enough time as it is with increasing legislation, increasing costs, competition from larger boatyards on the Northern Broads etc. - would this not be the 'nail in the coffin' for these businesses that have existed quite happily in the community for many years bringing tourists and employment to the local area. I do wonder what the true agenda is here, is the applicant doing this to prevent further housing or to force out local businesses? This should not even be open for consideration and I do hope common sense prevails.

BA summary: Objects to land at Chedgrave being allocated as a Local Green Space. Local boatyards will be severely impacted.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Greenway, J

As the owner of Greenway Marine Ltd of Riverside, Loddon I would first of all like to say that I am very unhappy about the way I learnt that Greenway Marine's land had been nominated as local green space. I was told by someone I happened to bump into on the street, in mid December 2016. A lot less upset would have been caused if I had been informed by the Broads Authority personally, clearly stating the whole process. To this date I still have not received an official letter. Nobody I know, including the parish council knew that this was going on. I feel that more effort should have been made to make people aware of the situation. I object to the nomination of the land as local green space at Greenway Marine Ltd for the following reasons:

1. Greenway Marine Ltd has used part of the land nominated as boat storage area for in excess of 10 years with no complaints from locals. When told by the enforcement officer that some of the boats were on land that lacked permission, he told me that I could apply for permission, the first stage of which would be to have a pre app visit, I have asked for this but to date have had no response. I immediately removed the boats to prevent an enforcement notice. This Winter we will be down on income by £10,000. It is absolutely essential for Greenway Marine Ltd to get permission to store boats on this piece of land to remain viable.
2. <<Removed as refers to members of the public. Reference to a feud being the reason for this nomination>>.
3. This land could never be developed as the high voltage electricity cable (33,000 volts) is buried down the middle of the strip of land, running parallel to the river, and a wayleave given to the electricity company by Greenway Marine Ltd states that access must be given for repairs. If a fault occurs at any time the land would have to be torn up regardless of being local green space or a haven for wildlife, destroying any small trees and bushes, meaning this land does not fit the criteria to be green open space.
4. The land is surrounded by drainage ditches, approximately every five years we have to allow access for the drainage board to clear and maintain them. The land does not fit the criteria of a haven for wildlife, or land as a benefit to the community as due to the small narrow size of the plot means the destruction is total.
5. The subject of liability is of concern. If this were to go ahead I would have to inform my insurance company and I am sure the premium would increase as the insurer would perceive increased risk. Would the Broads Authority pay the extra premium? Likewise we will be paying business rates on land we will never be able to use. Will the Broads Authority pay the business rates on the land as I would no longer be prepared to do so? I am against the proposal as the definition of green open space is vague with no clear reference as to access and liability.

Greenway Marine Ltd has been owned by the same family for forty four years. In this time I have specialised in restoring traditional wooden boats much to the delight and interest of the walkers on what is now the Wherryman's Way, who are delighted and fascinated to see these old skills, obviously boat storage space is key. Vibrant and busy boatyards with boats being lifted from the water and the smell of paint and varnish in the air all provide a huge nostalgic attraction to this area. Likewise Pacific Cruisers need to continue to use their nominated land as car parking and boat storage space as they have for the last twenty five years. Greenway Marine Ltd is constrained by the size of the property we cannot afford to lose the use of any of our land. <<removed as refers to personal circumstances>> we need to utilise as much land as possible for boat storage to increase our customer base, and therefore income, as a by product of this more customers of ours would use the local facilities benefitting the whole community. If the local public were asked what should be done with the land I am absolutely certain the vast majority would vote to allow boat storage on the nominated land thereby protecting and encouraging a local business for the future.

<<reference to member of public removed, replaced with: if an application for housing were to be submitted on land next to Greenway Marine>>, Greenway Marine will object to the application on the basis that the development will be too close to the boatyard and future occupiers may at a later date complain about the operations of the business resulting in restrictions being imposed on Greenway Marine. We never want to see any of this area built on as it is not suitable for housing but is suitable for low impact and seasonal boat storage.

BA summary:

- 1: Was not informed of the nomination officially.

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2: Objects for various reasons. This land could never be developed as the high voltage electricity cable (33,000 volts) is buried down the middle of the strip of land, running parallel to the river, and a wayleave given to the electricity company by Greenway Marine Ltd states that access must be given for repairs. If a fault occurs at any time the land would have to be torn up regardless of being local green space or a haven for wildlife, destroying any small trees and bushes, meaning this land does not fit the criteria to be green open space. The land is surrounded by drainage ditches, approximately every five years we have to allow access for the drainage board to clear and maintain them. The land does not fit the criteria of a haven for wildlife, or land as a benefit to the community as due to the small narrow size of the plot means the destruction is total. The subject of liability is of concern. If this were to go ahead I would have to inform my insurance company and I am sure the premium would increase as the insurer would perceive increased risk. Likewise we will be paying business rates on land we will never be able to use. I am against the proposal as the definition of green open space is vague with no clear reference as to access and liability. If the local public were asked what should be done with the land I am absolutely certain the vast majority would vote to allow boat storage on the nominated land thereby protecting and encouraging a local business for the future.

BA comment:

1: The Authority should have told landowners of the nominations for Local Green Space of the nomination. Once Greenway Marine and Pacific Cruisers had been in touch, the Authority then told all other landowners of nominations (within the first two weeks of the consultation, giving 7 weeks to respond). Mr Greenway was at the drop in session and called in the first few weeks of the consultation period a few times so is aware of the draft allocation. It was felt a letter or email was not needed.

2: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Knight, J (Broads Authority Navigation Committee Member)

The area of land stretching from the rear of Church Close to Pits, Chedgrave appears to have been nominated as a result of a neighbour dispute and does not fulfil the criteria required of a Local Green Space. Not only could such an allocation adversely affect the viability of the boatyard of which this land is part, but the area offers no apparent special significance to the local community.

BA summary: Not only could such an allocation adversely affect the viability of the boatyard of which this land is part, but the area offers no apparent special significance to the local community.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Loddon and District Business Association

I am writing on behalf of the Loddon & District Business Association which represents over 70 businesses and seeks to protect the interests of the business community in the Loddon/Chedgrave area. The Association has considered the Local Plan Options and we have the following observations to make. These are in respect specifically of the proposal to designate land adjacent to Pits Lane, Chedgrave which is land owned by a member of the Association. We are concerned that it would appear possible for a private individual to initiate alone, proposals which have a material effect upon private land and the businesses operated legitimately from that land. We query whether the land in question is really suitable for this type of treatment? It is marshland intersected with drainage dykes and with rough vegetation. It is all in private ownership and in essence no different from the acres of marshland found elsewhere in the Broads area. A small part of the land is used for boat storage and for occasional customer parking. There is no public access to the land and none is or will be permitted. It is not suitable for development because of the nature of the land as flood plain, the marshy nature of the land and its inaccessibility because of the drainage dykes. There appears little in the way of bio-diversity particularly as much of the land has recently been cleared of vegetation to enable the drainage ditches to be maintained. We note that The Department for Communities and Local Government guidance on open space states under the heading 'What is Local Green Space', that Local Green Space designation is a way to provide special protection against development for green areas of particular importance to local communities. We are not aware that the land has any important significance to local communities. Where is the evidence to support this criterion? In addition, the heading 'Can all communities benefit from Local Green Space?' states that Local Green Spaces may be designated where those spaces are demonstrably

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special to the local community, whether in a village or in a neighbourhood in a town or city. How has this been demonstrated and what part of the local community has expressed this opinion? In paragraph 011 of the same Guidance, there is reference to existing designations of the land including National Park and suggests that consideration is given as to whether any additional local benefit would be gained by designation as Local Green Space. We assume that this land forms part of the BA National Park. How is it considered that this designation will have any additional benefit over and above the restrictions imposed by the designation as National Park? Paragraph 77 of the National Planning Policy Framework states 'The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- where the green space is in reasonably close proximity to the community it serves
- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife
- where the green area concerned is local in character and is not an extensive tract of land'

Condition 1 is presumably satisfied as the land is in reasonably distance of the built area of Chedgrave. However, condition 2 refers to particular local significance (for example) because of its beauty, historic significance, recreational value, tranquillity or richness of wildlife. How is this demonstrated and what significant features have been taken into account in suggesting this designation? Condition 3 is relative but one might find it hard to describe the land as 'local in character' but might be considered more as an extensive tract of land. The Department for Communities and Local Government guidance on open space under the paragraph heading 'Does land need to be in public ownership' states that the Local Planning Authority (LPA) should contact landowners at an early stage about proposals to designate any part of their land as Local Green Space. Landowners will have opportunities to make representations in respect of proposals in a draft plan. We understand that there has been little or no contact by the LPA with individual owners and indeed there seems to have been a considerable lack of information available to land owners and to the public. We believe that the following matters are relevant:

1. Why the governments planning guidance has not been followed in this case?
2. How does the LPA think that this land is demonstrably special to the local community and in particular how it conforms to the guidance in paragraph 77?
3. As the land forms part of a National Park, what additional benefits does the LPA think will gained?
4. The BA Nomination and Assessment Form refers to encroachment onto the land The LPA must be more specific about the form and extent of this encroachment.
5. The LPA should be more specific as to the extent of land removed from the plan where titled 'This is a building and curtilage. Remove from allocation.' Why has the LPA not removed from the plan other areas which are lawfully used for buildings, boat storage and occasional customer parking if these are not currently excluded on the plan.

It is evident from the plan attached to the BA Nomination and Assessment Form has been amended from the original by the exclusion of certain areas. It is now unclear as to the exact boundaries of the proposal. The significance of an oval and a triangular shape as boundaries seems to be questionable. In the meantime, we would suggest that the proposal is withdrawn pending proper consideration by the community as represented by the Chedgrave Parish Council which so far has not been specifically informed of this matter.

BA summary: We query whether the land in question is really suitable for this type of treatment? It is marshland intersected with drainage dykes and with rough vegetation. It is all in private ownership and in essence no different from the acres of marshland found elsewhere in the Broads area. A small part of the land is used for boat storage and for occasional customer parking. There is no public access to the land and none is or will be permitted. It is not suitable for development because of the nature of the land as flood plain, the marshy nature of the land and its inaccessibility because of the drainage dykes. There appears little in the way of bio-diversity particularly as much of the land has recently been cleared of vegetation to enable the drainage ditches to be maintained. Does not consider the draft allocation to meet all the tests.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Milner, A

I agree with your assessment and welcome the area that is to be included in the Local Green Space.

BA summary: I agree with your assessment and welcome the area that is to be included in the Local Green Space.

BA comment: Support noted.

One Planning Consultants (agent for Pacific Cruisers)

An initial objection to the proposed designation was submitted on behalf of our client by Mrs Fiona Husband submitted by email dated 13.1.17. This formal objection is further to her response.

Will the green space endure beyond 2036? Paragraph 11 of the PPG requires that the designating authority considers 'whether any additional local benefit would be gained by designation as Local Green Space.' Existing planning policy in the Broads Authority is restrictive. Proposed Policy PODM13 Natural Environment only permits development on Priority Habitat in exceptional circumstances; the site is priority habitat. The Report states that the LGS designation is consistent with the Broads Authority's purpose and that 'unless there is a significant change in the new Broads Local Plan no reason to suppose there will we (sic) be any permitted development'. The land within the proposed designation is outside of the Loddon/Chedgrave development boundary set by South Norfolk District Council, and there for considered to be in the countryside. The existing and proposed controls over development are great, the proposed additional designation is not required to control significant development up to or beyond 2036. The question of encroachment is a matter for development management decisions and potentially enforcement of unauthorised use as appropriate. It noted that there is no 'encroachment' in relation to land under our client's control, the use existing prior to their purchase 18 years ago. The boatyard area to the north of the private drive is not green space, it is a long term functioning commercial site. It will not endure as green space beyond 2036 as it is not green space in the first instance. In addition, the land has a number of constraints, as set out above. The field also has a number of significant constraints being priority habitat and occasionally flooded, it is unlikely to be built upon.

How far is the green space from the community it serves? The designated space does not 'serve' the community as it is not community land, neither is it publically accessible land. A public footpath runs to the east of the proposed designated area and a permissive path runs to the south. Prior to the clearance of the drains/dykes neither boatyard nor field was fully visible to the public, the causeway to the field and the drive access points to the boatyard offered momentary insight into each area, it is (was) the dykes, hedges and trees around each plot which are the visually attractive natural parts of the area owned by our client. The hedge and bramble to the field has been lost but is already regenerating. It is this double linked ring which could be considered to be of ecological and community interest, the green space designation cannot be applied to cover this area. There are two areas of residents in the vicinity, Church Close have their own green central area and Pits Lane properties and others close to the River Chet, have the whole of the Chet, public picnic spot, public rights of way and environs to use for relaxing and enjoying the wildlife. The proposed designated area is not 'immediately adjacent' but is close to the residential community but does not serve it, it is not publically accessible land. The Parish Council, representatives of the community, have objected to the designation.

Is the green space local in character? Part of the designation is a boatyard and is not 'green space'. The field forms part of the wider landscape of the Broads around the River Chet, and is immediately adjacent to the Chedgrave Marshes; it is not local in character, both the River and the Broads extend for many miles. The UK Biodiversity Action Plan, Priority Habitat Descriptions: Lowland Fens, from the UK Biodiversity Action Plan; Priority Habitat Descriptions, BRIG (ed. Ant Maddock) 2008 states that 'the Lowland Fen habitat is said to be the calcareous rich fen and swamp of Broadland covers an area of 3,000ha', much of which will lie within the Broads Authority area. The number of HGVs and other commercial vehicles servicing the four boatyards accessed by Pits Lane and the access private drive together with change over day for Pacific Cruisers and other boatyards can be very noisy with the coming and going of visitors and cars. In addition, boats are moved in and out of the water for repair work and

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storage and repairs are undertaken using mechanised equipment. The proposed designated area is not a tranquil spot. The Report states that ‘...bringing visitors to Loddon and Chedgrave’ means that the site is of value on a much wider basis than ‘local’ meaning that this is not the appropriate designation for the site.

Who/why is the local green space special/significant to the local community? Although not highlighted on a map the nominated area was split into Area A and Area B. From the description set out the site lies in Area B ‘Marsh and Carr.’ The site is not densely vegetated across the whole, following drainage works the field is relatively barren particularly along the side of the drains/dykes, and vegetation on the boatyard area is mostly limited to the edges. The site is not publically accessible, although the field and parts of the edges of the boatyard are visible from public or permissive paths. No access was requested to survey the land and it is not clear whether the list of wildlife enclosed within the report were seen during the site visit from publically accessible land, from historic data for the site, or data transposed from adjacent sites. The site might be a ‘reservoir’ for local wildlife, this is not proven, but this does not necessarily mean that the local community value this site specifically for this reason, the community is likely to consider the whole of the Broads within walking distance as important to local wildlife, where they consider wildlife to be important to them. It appears that the site, is important to a single nominator. The importance to the community has not been demonstrated in the Report, without this support the proposed designation should not be made. The Parish Council have objected to the proposal in their letter to the Broads Authority dated 13.1.17. The Broads Authority responded to the Parish Council on 19.1.17, particularly on the matter of consultation (these documents are already available to the Broads Authority and are therefore not enclosed). Why the green space is special has not been clearly demonstrated in the Report. The site is claimed to be a wildlife ‘reservoir’ yet no ecological survey evidence has been presented with the assessment and no access to survey has been sought from our client. The assessment has not been thoroughly carried out, assumptions have been made about the use of the land, and there is a lack of identification of key constraints on the site which relate to environmental issues. If the Broads Authority are concerned about the ecological value of the land in our client’s control, there are alternative designations, and policy constraints that can be applied to the land, for example proposed policy PODM13 already applies. In the case of any development proposal coming forward on either the boatyard or the field a full assessment of the ecology on the area concerned would probably be required. The proposed additional level of control is not required to protect any identified special significance of the land. As stated above this is a working environment and hardly ever a tranquil spot.

Photographs: Only one of the photographs is clearly of the site, a photo of the field cleared, following drainage works in August.

Recommendation and Reasons: The Report fails to give any weight to existing legislative, national and local policy, in particular the Habitats Directive and the advice in the PPG in relation to existing constraints on the site and the lack of need to apply additional control to the site. It fails to undertake the relevant desk based research to look at existing constraints on the site. It fails to consult the community prior to putting forward the proposal. It fails to assess or demonstrate that assessment of species on the site has been carried out. The boat storage area in Area A has been excluded, the boat storage area (boatyard) in Area B should also be excluded on this basis. Inclusion of the field is not ‘reasonable’ given the existing constraints and lack of evidence presented. Given the lack of actual evidence provided and lack of relevant weight applied during the assessment, the recommendation is ill-founded and is unable to lead to designation. No additional public benefit is given by the proposed designation.

Implications: The implications of the designation are such that the land in effect becomes green belt, where existing designations, such as forming part of the Broads Authority area are sufficient in their own right. Placing the green belt equivalent designation on land will reduce its value. There is no public access to the site. There have been a number of security issues in relation to the boatyards adjacent to the River Chet accessed from Pits Lane; security of the boatyard is paramount. This arrangement will not change.

The future management of the land, will rest with the owner of the land. Our client is not minded to enter into any arrangement, partnership or otherwise in relation to the management of the land. The designation of the land as LGS may lead to its registration as an Asset of Community Value paragraph 022 of the PPG, clearly the boatyard is an operational business and not a community asset. It would not be appropriate to designate this site as LGS as the potential to designate the boatyard as a community asset would significantly devalue the business.

Early Notification: Early notification of the land owners is required under paragraph 019 of the PPG, where designations are placed on their land, without their knowledge. The nomination was made 17.6.2016, first site visit was made 18.7.16, and second visit was made 31.8.16. Our Client was only made aware through a neighbour contacting

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them following publication in the local paper on 8.12.16, an indirect notification which in effect took 6 months to be made. Formal notification was issued 19.12.16. Our client contacted the local MP to find out what happened, a redacted copy of the various documents is attached at appendix 3.

Conclusion: As set out above, there are strong grounds for why the proposed designation of the site as a Local Green Space is inappropriate and fails to meet the relevant tests as set out within the both the NPPF and NPPG.

BA summary: Objects to the draft allocation. Disagrees that the draft allocation meets the necessary criteria. Land is generally protected through other policies. The proposed additional level of control is not required to protect any identified special significance of the land. Considers that notice was not given early enough.

BA comment: The Authority should have told landowners of the nominations for Local Green Space of the nomination. Once Greenway Marine and Pacific Cruisers had been in touch, the Authority then told all other landowners of nominations (within the first two weeks of the consultation, giving 7 weeks to respond). This stage of the Local Plan production is early on in the process as it is not the final document but a draft local plan that can be changed. Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Pacific Cruisers

Please remove the Chedgrave section from the Broads Local Plan – POXNS12 Local Green Space as the landowners were not contacted at the early stage as outlined on the government's planning website. I am very surprised that the Broads Authority Planning Department have proposed this totally inaccurate nomination. It appears that this nomination has been made due to personal vested interests and not in the interests of the community or the environment. It is totally unjustified that another layer of planning is necessary. Particularly when there is quite sufficient planning requirements currently in place.

BA summary: Objects to draft allocation. Quite sufficient planning requirements in place. Nomination based on inaccurate information. Should have contacted landowners at an early stage.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan. This is an early stage of the process. It is a bonus stage of consultation on the draft plan and is a work in progress.

Smythe, S & T

We hereby reject the proposal of our organic smallholding as a Green Space nomination, comprising largely of our garden, as it is already a greenspace. We have been living there for two years and have since improved the overall ecological footprint of the area. We are concerned that this vague proposal from a singular individual was accepted without any prior communications to those it involved before the nomination was handed in.

We are also concerned about the maps being unclear and hard to interpret. We have cooperated with the periodic maintenance of the Broads Authority and the Internal Drainage Board. We have a Small holder's license and we are grazing the area in question, currently with geese. We have removed some of the profuse bramble that was overgrowing the marshes for years, which will now allow and encourage fresh growth to occur. Being aware of the nesting habits of some small bird species and their need for food we have kept a considerable bramble patch. We opened up the flow in the dyke by connecting the top part of the dyke back to the system, enabling species to colonize it once again. All the work we undertook is invoiced. We have also left some of the old trees standing and those trees infected with honey fungus and deemed unsafe were taken down by the IDB and piled up. Since we arrived we had to put up a fence to stop green waste of all description, as well as dog faeces being dumped on our land. What we have done to increase diversity and the ecology: We have planted a further 15 Fruit trees, 3 Oak, 2 Hazel, 1 Chestnut adding to our already established orchard; We keep chickens, geese and ducks. We are also planning to get more livestock in the very near future; The organic garden is planted in rotation;

We have two bee hives increasing the overall pollination of fruit trees and flowering marsh species. We moved here to have a large garden and some animals, which was impossible in our previous property. The chance to be self-sufficient is what we were looking for in a new home. This is why we installed a polytunnel to grow food and improved the overgrown thickets at great costs and hard work. Our future plans for the area: We are planning to put up a shed for equipment and increase the

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overall diversity of the ecology some more. We are nature orientated and have no plans to commercialise our gardens in any way. In conclusion, the main reason we bought this property was because of the large garden area, which could be used to be self-sufficient and keep livestock. This was a lifelong dream for us both and now that we have achieved this we are not willing to nominate our garden for the Local Green Space.

BA summary: Objects to the proposal of their organic smallholding as a Green Space nomination, comprising largely of our garden, as it is already a greenspace. Do much to improve the area and cooperated with periodic maintenance needs.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

South Norfolk Council

South Norfolk Council objects to some of the details and process of Policy POXNS12 – Local Green Space. The “tests” for a Local Green Space designation set out in paragraph 77 of the NPPF have been applied by the Broads Authority to those sites proposed for LGS designation, However, in some cases it seems that land has been proposed for LGS designation by a single individual, and the analysis of potential LGS sites does not appear to show clearly that they are all “demonstrably special to a local community”, attractive and valued no doubt they are to some residents. It seems to South Norfolk Council that a tougher test of “demonstrably special to a local community” should be applied, involving a parish council or community group proposing an LGS site, or at the very least more than one individual proposing a site. More significantly, it appears that the strictures of paragraph 76 of the NPPF have not been followed. This states that: “...Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services...” . Regrettably, there does not seem to be any analysis whatsoever of the potential economic effects that a LGS designation could cause by “preventing” or hindering many normal forms of development from taking place. In this regard, the wider importance that boating/navigation and tourism has to the Broads economy specifically (and indeed form two of the Broads Authority’s three key over-arching objectives), and Norfolk more generally, is clearly very significant indeed. This appears to be a significant failure and South Norfolk Council would wish to see a much more rigorous approach to assessing the potential economic impacts of LGSs not just on the immediate Broads Authority Executive Area, but also the relevant district(s). South Norfolk Council specifically objects to the proposed LGS allocation at Chedgrave. At South Norfolk Council’s Cabinet meeting on 6th February, which discussed the Council’s response to the Preferred Options document, several landowners/business owners with interests at the site claimed that they had not been informed directly by the Broads Authority in advance of the assessment of their land within the LGS. Whilst such landowners and interested parties obviously have the opportunity to make representations directly to the Broads Authority during the consultation period on the Preferred Options, if this lack of notification is true, it would clearly have been better to have informed them at an earlier stage so that they could have had appropriate notification of the proposal and the assessment process. Chedgrave and Loddon are very important parts of the southern area of the Broads. The settlements (and the surrounding villages) have a wealth of pubs, restaurants, tea rooms and the like that support the wider Norfolk visitor economy, whilst adding considerably to the vitality and viability of the area itself. South Norfolk Council, through its Market Towns Initiative project, has invested significant sums in the last few years to refurbish the toilets and install hot showers to help extend the boating season in this part of the Broads. The area of the proposed LGS includes space where boats are stored, and a consequence of the allocation might be to undermine the viability of the boatyards there. Although it might be that boat storage would be a fully appropriate use within a LGS, some forms of ancillary development might not – and the additional uncertainty could hinder decisions on business investment at best (by adding cost and delays), and might at worst possibly even cause a business to close, with consequent wider impacts on the local economy.

South Norfolk Council therefore objects strongly to the proposed LGS allocation at Chedgrave, and requests that it be removed from the Local Plan.

BA summary: Suggests it is better to allow nominations from groups of more than one person or community groups rather than individuals. Should be an economic test on proposals. The area of the proposed LGS includes space where boats are stored, and a consequence of the allocation might be to undermine the viability of the boatyards there. South Norfolk Council therefore objects strongly to the proposed LGS allocation at Chedgrave

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Tubby, J

I wish to strongly object to the above reference nomination for a local green space. My reasons are as follows: The middle of the area in an east west direction has a 11-33kva electricity board underground cable running through its entirety and will be subject any emergency repairs at any time that are deemed necessary. Also as recently witnessed the entire area is subject to maintenance from the drainage board who have the right to access and clean the ditches as necessary even if it means removing or damaging trees and plants. The area belonging to the old school house is their garden and as such has no public access or indeed can be seen from any public used paths, therefore this area should be excluded from the local greenspace nomination. That leaves the boatyard areas which are required for seasonal car parking and boat and general storage applicable to their businesses. To have these areas in a LGC would restrict their businesses and possibly affect their future viability. In my view the aims of the nominee have not been met, therefore I request that you dismiss this nomination.

BA summary: Objects to policy as area often subject to IDB maintenance which damages trees and plants, there is a cable running along the area, part of the area is a garden and other parts of the nomination could affect the running of businesses.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Walkin-Smith, K & M

Tourism is vital to our village. People are brought into the area in a number of ways including boat hire and private moorings which flourishes in the summer months, together with people visiting/working on their boats whilst stored on land usually during the winter months. I see from the Broads Authority plans land owned and used commercially for boat storage and parking by the boat yards in Chedgrave has been nominated to become Local Green Space. With other suggested land being private garden. Changing the status of the land will not only seriously damage the income generated by the boat yard business owners, but also the local shops, pubs and cafes in both Chedgrave and the neighbouring village of Loddon which are supported by their customers. From my memory the current use of these sites has not changed for in excess of 15-20 years, all of which are well screen by trees. Therefore not easily visible from Pitts Lane and can not be seen from the river bank. They are certainly not a blot on the landscape, and are no a threat to nature. Therefore I consider only damage would be done to the community by changing the status of the land to Local Green Space. As a parishioner of Chedgrave I urge you to OBJECT to the nomination of this land, ensure the status quo is maintained, and protect the economy and facilities of our village, which we all enjoy.

BA summary: Changing the status of the land will not only seriously damage the income generated by the boat yard business owners, but also the local shops, pubs and cafes in both Chedgrave and the neighbouring village of Loddon which are supported by their customers. Objects to the draft allocation.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Walklin Cruisers

I am disappointed to discover, rather than be informed by the Broads Authority, an area of land running behind the boatyards in Chedgrave has been nominated as Local Green Space, to which I strongly object.

Nominated Area: A series of islands bordered by drainage dykes, located behind the boatyards. Much of this land can not be seen from areas of public access. Access to the nominated land is required by the drainage board to enable dredging and maintenance of the series of drainage dykes, which are part of, and essential to, the local flood defence. This important work results in disturbance of the character of the land as a habitat. The land is not adjacent to the River Chet, and is largely screened by trees and blackberry bushes. Thus not fully visible from either the Chedgrave or Loddon river bank. This area has no historical significance, nor potential as a recreational facility. Therefore it is not clearly apparent this area is special to the local community. Marshland the same as thousands of acres found around the Broads area.

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Points of Objection: Due to the location of the land and the fact it is outside the development boundary it is already protected, therefore no additional local benefit would be gained by designation as Local Green Space. The nomination states the area has been 'encroached upon behind some boatyards'. A large portion of the land nominated is owned by boatyards in Chedgrave, and has been used for boat storage and parking for in excess of 15-20 years. These areas are well screened by trees so there is no negative visual impact to the local environment. There is certainly no recent change of use or 'encroachment'. The continued commercial use of the land by the boatyard owners is essential to the viability of their businesses. The Local Plan states: 'boatyards and other waterside business are critical to the enjoyment of the special qualities of the area by tourist and local residents alike. They are important to the local economy'. To proceed with the designation of the nominated land to Local Green Space would be in opposition to the Local Plan, potentially threatening the existence of the boatyards who bring tourists to the villages of Chedgrave and Loddon. Those visitors who in turn support our local economy allowing residents to enjoy the facilities offered by shops, pubs, cafes and restaurants, which may not be able to survive without this additional trade. Please note that I am not an owner of any of the land in question, though my land is adjacent, and I have no direct involvement. I see no benefit to the local community should this nomination be successful, so urge you to reject it forthwith.

BA summary: Objects to the draft allocation. Already protected as outside of development boundary. Could threaten the existence of boatyards in the area. Does not think there will be any benefit to the community by allocating this land as Local Green Space.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Willis, A

When I first heard of the proposal I had to check my diary it was not April the 1st. What a complete JOKE! Has anyone at the Broads Authority actually wasted their time conducting this assessment? If so I question the capability of this government funded (by myself as a tax payer) organisation what a complete waste of time and resources! It's well known, if you actually have anything to do with the community not sit in an ivory tower in Norwich, that the person making the nomination has a vested interest in making such a proposal as to deflect attention away from their own planning issue. If the Broads Authority actually had any respect whatsoever in the community and had actually taken time to actually speak to anyone in the community rather than hide in their Ivory Tower in Norwich, they would know that this proposal is based on a catalogue of mistruths! I would love to know who has fed the Broads Authority this act of fiction akin to 'Lord of the Rings'; complete fantasy! I hope the Broads Authority pursue the person making the nomination to recover their costs due to completely wasting their time. I also note the Broads Authority hold the entire community in such contempt they don't even bother to consult with the community. What does that do to harbour a good and trusting relationship? The damage this proposal has and will do (as it becomes more public knowledge) maybe unrepairable. Reading the nomination, allegedly the path behind the boatyards in Pits Lane is used by "many local walkers". Really? So the Broads Authority have done an assessment and count of these numbers? If they have I would love to see the results. Personally on the rare occasions anyone other than a resident uses this path it is somewhat of a shock! It certainly isn't many, if any, so where the word 'many' comes from. Personally I would use the accurate wording "hardly any local walkers if any" use this path. It's a complete joke that anyone says otherwise. Following the recent works on the nearby pathways, and the closure of parts of the Wherryman's way (well publicised), I'm unsure how many if any walkers are choosing to use a path / walk that in reality they can't use. Perhaps the person making this application has a jet pack so they can negotiate the closed sections. Personally I don't see many walkers carrying jet packs. Allegedly it is again an attractive backdrop to the boatyards and is fully visible from the Loddon bank of the River Chet, which is used by locals and visitors to access Pyes Mill and the picnic site. Now I'm 6ft 3" tall. I personally walked down there yesterday with three friends. There is no way you can call this view attractive backdrop and in fact at my height most of it is hidden. I spoke to a lady in her late 60s who visits the broads annually and has every year since her 6th birthday, is apparently an active photographer and noted she had never taken a picture of that area (perhaps the Broads Authority should try this method 'speaking to people'). So it is hardly of any attraction. It is in fact un-noticeable and non-descript if we were being honest, not living in a fantasy.

Finally it is again alleged the area is a haven for wildlife, pure fantasy! obviously Broads Authority wildlife representatives have conducted an assessment of the area and have records of such. Surely the Broads Authority haven't just taken the words of the applicant? Allegedly there are bats, water vole, birds and insects using this as a haven,

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complete nonsense! There are creatures in there as there are in any other part / element of the planet. I'm sure there are as many inhabitants in the applicant's garden as there are in this proposed area. To describe it as a haven and reservoir is a complete joke and I would go as far to say lie. By even considering this proposal the Broads Authority have to me lost a considerable amount of credibility. I'm confident once this hits public domain the severe damage done maybe beyond repair.

BA summary: Objects to draft nomination. Disagrees with assessment and reasons the site was put forward for consideration.

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

Yallop, L

I am writing to object to the designation of land at Chedgrave as "Green space". I understand the area includes access to some of the boatyards there. Broads tourism is a big reason Loddon and Chedgrave can support so many small businesses. Anything which stifles our businesses threatens our thriving community. This area is great for wildlife and the boatyards affected are not doing anything to harm the environment as far as I am aware. The main area of concern locally is keeping the Wherryman's Way open.

BA summary: Objects to the draft allocation. This area is great for wildlife and the boatyards affected are not doing anything to harm the environment as far as I am aware

BA comment: Objection noted. We will consider comments raised in relation to this draft allocation and consider its removal from the Local Plan.

POXNS12 - Local Green Space (Old Bridge Inn Site)

River Thurne Tenant's Association

Old Bridge Inn site, which we put forward as a Green Space but has been earmarked as a Brown Field site: This is understandable, as it is a prime site! I was wondering what the Planning Dept would allow to be built there or what long term use Broads Authority would like to see of the site.

BA summary: What could be allowed on this site?

BA comment: Question passed onto Head of Planning to liaise with the Association.

POXNS12 - Local Green Space (Beccles)

Beccles Society

Further to our earlier comments on the above, I can now let you know that Beccles Society has considered the areas nominated for discussion as Local Green Space and concurs with most of the points raised on pages 230 and 231 in so far as they relate to Beccles. However this is with the following provisos :-

1) Beccles Marsh Trail off Norwich Road (A146), Beccles is indicated as a footpath and as such is identified as already being protected under planning.

We would point out that this is not a definitive footpath and hence its protection is not that secure.

2) Green Space off Lowestoft Road, Beccles (opposite Beccles Primary Academy) is indicated as not being in the Broads Authority Executive Area.

This site appears to be covered within the draft Waveney Local Plan (site 72) with the following wording :-

"Provides visual amenity and physical separation between the built up areas of Beccles and Worlingham. Vegetation in the south western part of the site screens existing development and helps integrate the area into the wider surroundings. Seek to protect the open character and setting of the area. Consider identifying the site as an open break as part of a review of the Local Plan".

BA summary:

1 Beccles Marsh Trail off Norwich Road (A146), Beccles is not a definitive footpath and hence its protection is not that secure.

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2: Green Space off Lowestoft Road, Beccles (opposite Beccles Primary Academy) appears to be covered within the draft Waveney Local Plan (site 72) and Waveney are going to consider identifying the site as an open break as part of a review of the Local Plan.

BA comment:

1: One section is a definitive footpath, the rest of the paths are permissive and the landowner is Beccles Town Council/Trust. The Authority considers that as the paths have been managed in this way for decades and there is no indication that they intend to restrict access, we do not see the need at the moment to allocate as Local Green Space.

2: Noted.

POXNS12 - Local Green Space (New Nominations)

River Thurne Tenant's Association

Is there still mileage for added another Green Space to the list? The committee were wondering if some of the vacant mooring plots on the Martham Bank were eligible for this.

BA summary: Is there still mileage for added another Green Space to the list? The committee were wondering if some of the vacant mooring plots on the Martham Bank were eligible for this.

BA comment: RTTA were contacted to say they could suggest another site, using the form. However no nomination has been received to date (5 May 2017).

Chedgrave Parish Council

The Chedgrave Parish Council have asked that Chedgrave Common be put forward as Local Green Space. It meets all the criteria for designation, and is well known to the Broads Authority. Under Section 77 of the NPPF the area fulfils the criteria in that it is in reasonably close proximity to the community. It can be accessed by a dedicated footpath from Pits Lane (The Wherryman's Way) and by road and by river where there is a mooring quay heading. The area is special to the community and has been managed by the Parish Council for many years. It is used for recreational purposes and is used to hold village fetes. It is an area of quiet tranquillity with many varied species of flora and fauna. The area is bounded by the river and enclosed on the other sides by hedging and amounts to some 2 – 3 hectares (my estimation). It is a wonderful spot adjacent to the Hardley Floods which is a SSSI, RAMSAR site plus other designations. The Common will endure to 2036 and beyond as it is a piece of land managed by Chedgrave Parish Council under Charity no. 255453, Chedgrave Common, for the benefit of the public and in the interests of social welfare, with the support of Norfolk Wildlife Trust and The Broads Authority for the benefit of the community. It is on the boundary of the parish of Chedgrave, less than 1km from the centre of the village, accessible by road, the River Chet and public footpaths, including The Wherryman's Way. It is an acid grassland with a small pond, patches of scrub, bracken and reed beds. It is typical lowland grassland with a surrounding hedge providing habitat for numerous plant species, breeding birds and wildlife. It is adjacent to the river Chet a tributary of the river Yare and also to Hardley Floods a SSSI and RAMSAR site. It is of historical importance and a haven for wildlife, flora, fauna and biodiversity. It is already enjoyed by the community for recreation purposes, bird spotters, walkers and fishermen. Its location adjacent to a SSSI site (Hardley Floods) is a haven for birds and consequently a destination for locals and visitors.

BA summary: Nominates Chedgrave Common for Local Green Space allocation. Answers various criteria.

BA comment: Nomination noted. Officers will assess and then take a report to Planning Committee. *Planning Committee approved allocating this site for Local Green Space.*

New site - Hotel site next to Morrison's Roundabout, Beccles

Beccles Fenland Charity Trust

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Wish to develop the 'hotel site' next to 'Morrisons Roundabout' in order to release funds to help with the urgently needed restoration and renovation of Beccles Quay and the surrounding area.

BA summary: Wish to develop the 'hotel site' next to 'Morrisons Roundabout' in order to release funds to help with the urgently needed restoration and renovation of Beccles Quay and the surrounding area.

BA comment: Noted. Representatives will be met on site to discuss this and a report taken to Planning Committee. It should be noted that the Authority is not aware of any identified need that would warrant the development of this greenfield site however. *Representatives met on site. No further action for the Broads Authority at this time.*

New Site - Land on corner of Thunder Lane, Whitlingham Lane & Yarmouth Road)

Bidwells (agent for Cooke, S)

Promotion of site on land on corner of Thunder Lane, Whitlingham Lane and Yarmouth Road: In response to the above consultation, we take this opportunity on behalf of our client, Dr Simon Cooke, to promote a site for allocation. The site is considered a sustainable location for future growth and presents no insurmountable constraints to development. To support the promotion, we consider the following matters to be of relevance to the suitability of the site for development:

Ownership and Availability - As the accompanying OS extract and Land Registry Map confirms the land is owned by our client. The owner confirms that the site is available for development. Furthermore, it is confirmed that the owner owns the whole area outlined in red on the accompanying map and that there are no third party interests on the land.

Potential Development - The site covers a total site area of 0.760ha (approx.). Given the location of the site and its proximities to the Broads and Rail Line on the southern boundary of the site, the total developable area is likely to be 0.46 ha (60% net developable). Given the surrounding land uses, it is considered that a mix of commercial and residential development would be in keeping with the scale and context of the surrounding area.

Relevant Planning History - There is no known planning history on the site.

Other Relevant Planning Applications:

It is important to also consider any existing or previous applications within the surrounding area which may have weighting to the successful promotion of the subject site. These are as follows:

Site Access - The site is located on the corner of Yarmouth Road and Whitlingham Lane, at the junction with Thunder Lane, with vehicular access obtainable from Whitlingham Lane. The point of access onto Thunder Lane does not present any potential safety issues with regards to sight-lines, and is traffic light controlled. A detailed Transport Assessment will accompany any future promotion and/or application for the development of the site. Likewise, early consultation with Norfolk County Council Highways Department will form a central part of this.

Local Facilities and Services - The immediate area features a range of local facilities and services all within walking distance of the site, enabling any proposed site development to meet any future planning aspiration that might evolve from the Norfolk & Waveney Sustainability and Transformation Plan for health, including:

- **Public Transport Links** - There are regular bus links to Norwich city centre (every 5-10mins) and in the alternative direction Great Yarmouth, Blofield Heath, Lingwood, Hoveton and Horning (also every 5-10mins).
- **Shops and leisure facilities** - Directly west, Thorpe River Green waterfront and its immediate surrounding facilities include popular leisure and sporting facilities, and a Church. In the opposite direction is a large national supermarket, Community Centre and Post Office. Due south, Thorpe Marsh's Nature Reserve provides extensive dog walking, personal exercise, and wildlife experience opportunities, as well as Mooring access on the River Yare.
- **Healthcare** - Proximity to a large supermarket in store pharmacy and soon to be developed GP branch surgery, on a bus route are all within a 3/4 mile of the site.

Local and National Planning Designations (including Planning) - Given that the site is located within the Broads Authority, special regard must be had to the protection of the Norfolk Broads. The design, placement and layout of the development on site will ensure that this Area of Special Protection will be retained and enhanced. The site is

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also located within the Thorpe St Andrew Conservation Area. Special consideration will be placed on the design of development on the site, to ensure that new building is in keeping and sympathetic with existing development within the surrounding area. We consider that development of this site offers an opportunity to enhance the character of the Conservation Area in this location, and might provide an opportunity for joint working with Thorpe St Andrew Town Council, in delivering their conservation aspirations.

Flood Risk - A search has been conducted of the Environment Agency Flood Risk Map and the site is located in Flood Risk Areas 2 and 3. A site specific Flood Risk and Drainage Assessment will be undertaken on the site. We consider that development could be designed to incorporate commercial uses and car parking at ground floor level within the Flood Zone 2 are with residential development above. Open space provision could be made within the Flood Zone 3 area towards the south of the site.

After considering the Authority's current Local Plan (1997) and Development Management Policies (2011), as well as the emerging Local Plan Policies (to be adopted 2018), together with the Norfolk Housing and Economic Land Availability Assessment (July 2016), we consider that the provision of suitable sites for development (for both residential and commercial land uses) is a vital planning challenge to face the area over the next 20 years. Furthermore, it is important that a sufficient number of sustainable sites for development are found in appropriate locations, in order to help people to have sustainable housing and local business opportunities in the area, while enhancing and protecting the natural characteristics of the Broads. With this in mind, we consider that a combination of both residential and commercial development on the subject site would be appropriate. This site immediately adjoins the urban area of Thorpe St Andrew and is a very sustainable location for new development, provided that new development can be designed to address flood risk. We consider that this is possible.

Together with the OS Plan, which is enclosed, the submission has demonstrated how the subject site is available and would be an appropriate, sustainable location for residential and commercial development.

BA summary: Promotes site of 0.76Ha in size for residential development. Discusses the various issues that would be considered relating to such a proposal such as flood risk and access and facilities nearby.

BA comment: Representation noted. Officers will visit the site and arrange a meeting with promoters to discuss the site and then take a report to Planning Committee.

Agents met and a Topic Paper produced. Site not to be allocated in Local Plan.

New Site - Somerleyton Marina and Boatyard

Evolution Town Planning (for Somerleyton Marina Ltd)

To maintain and enhance the Somerleyton Marina it needs a positive policy framework which is flexible in its approach and does not constrain opportunities for economic development. If, following a recent site visit to Somerleyton Marina and Boatyard, the

local planning authority were minded to draft a site specific policy for the site then provided that policy were positively worded and included the following suggested criteria, we would be supportive of a site specific policy for the site:

- Acknowledgement of the site's sustainable location proximate to Somerleyton, the Duke's Head pub, Somerleyton Hall and Gardens, the local rights of way network and the rail station;
- Acknowledgement of the site's boating infrastructure identified on the enclosed plan;
- Support for improvement and reconfiguration proposals to the existing marina;
- Support for the retention and expansion of the boatyard subject to meeting the criteria in Broads policies on General Employment and Boatyards (to follow in publication version);
- Encouragement for the provision of houseboat moorings to reflect need (as explained to us at the site visit) where their provision would not conflict with any future general employment designation or similar.

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Whilst we understand that the 'Broads Economy' section of the plan is yet to be written, if the local planning authority were minded to write a site specific policy for the site, now being more familiar with it following their site visit, Somerleyton Marina would be keen to be involved in the drafting ahead of the next consultation stage.

BA summary: Would support a site specific policy for the Marina. Suggests criteria.

BA comment: Noted. Will consider the need for a site-specific policy for the Marina. There could be merits in this approach. *On further consideration it is not clear what warrants a specific policy for the Marina. No specific policy for Somerleyton Marina. We have made the agent aware of this.*

New Site - Residential Moorings, Waveney River Centre, Burgh St Peter

Knight, J (Broads Authority Navigation Committee Member)

Having regard to the recent planning history and extensive discussions with both the Director and Head of Planning at the Broads Authority, I am surprised that there is no site specific policy for this marina (of which I am a Director). It was identified in June 2015 by Planning Officers as being suitable for residential moorings. Although the marina does not fall within a development boundary, the Head of Planning said that, given the range of facilities on site, it would not be contrary to the objectives of the policy if a small number of residential moorings were permitted. The marina is part of a holiday destination which includes a pub, shop, swimming pool and various types of visitor accommodation. It was argued that, although the site does not fall within a development boundary, it does not have the attributes of an open countryside location and that the site should be considered positively in view of the policy presumption in favour of residential moorings in suitable locations. Therefore it is suggested that a site specific policy for residential moorings in this marina should be included in the Plan, in line with the advice of the Head of Planning as outlined above.

BA summary: It is suggested that a site specific policy for residential moorings in this marina should be included in the Plan

BA comment: The site already has an extant planning permission. BA/2015/0251/FUL

New Sites - Land at 21a Church Close, Chedgrave

La Ronde Wright (agent for Mr J Tubby)

I have been instructed by Mr James Tubby, owner of the above site, to make a representation in response to the Broads Authority Local Plan Preferred Options Consultation. It is noted that the site has previously been considered as part of the replacement Local Plan process and, as part of this process, is the subject of a topic paper which sets out the Authority's reasons for proposing neither an allocation (by way of site specific policy) or extension to the existing settlement boundary at the site (Appendix A of report titled 'Broads Local Plan December Bite Sized Pieces dated 9th December 2016). In addition, the site has been subject of a recent planning application (BA/2015/0123/FUL). I understand that this application was withdrawn following officer advice regarding the principle of the development and issues concerning highways. As such, there is no need to reiterate the history of the site in detail; other than to emphasise that this is a location which, prior to the Broads Authority Local Plan, lay within the Chedgrave development boundary and, as such, was a site where the principle of residential development was considered to be acceptable. It is noted that the report considers, and dismisses, the possibility of extending the existing development boundary to include the site (i.e. restoration of previous development boundary). The report concludes extending the development boundary to include the site would be contrary to 'usual practice'. It cites the development boundary in the adjoining South Norfolk District Council area and another within Oulton Broad (distant to the site, but within the Broads Authority's Executive Area) as precedent for this decision. Whilst these other examples are noted, it is the case that each site must be treated on its own merits: in the case of the South Norfolk boundary in Chedgrave the garden area excluded from the development boundary is a relatively narrow strip of land with constrained access and located between existing residential plots to the immediate east and west. Development in this location would likely face significant obstacles in achieving satisfactory access and would be problematic in maintaining and achieving an acceptable standard of amenity for existing and future residents. This is not the case at the site subject of this representation; where a limited amount of well-designed

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development could be easily accessed using an existing access onto the public highway (discussed in more detail below) and issues of amenity could be readily addressed. In the case of the site at Oulton Broad, the large gardens excluded from the development boundary front directly onto the Broad and, as such, are extremely prominent in the local landscape: there is clear landscape justification for this approach. Again, this is not the case at this site, which sits between estate style residential development to the north and a boatyard and boat storage area to the south. Whilst it is noted that the Authority's Landscape Architect expressed reservations regarding the planning application which was submitted, the response does not suggest that this site is sufficiently sensitive in landscape terms so as to be undevelopable; merely that the particular scheme submitted provided insufficient detail to enable a proper assessment of the impact of the development on mature trees. Whilst it may be that the Authority can highlight other incidents of precedents to respond to the above, the examples simply serve to emphasise the limited role of precedence in instance like this: each matter must be treated on its own merits. In this case the site is sustainably located within a settlement which has been identified as being a suitable location for new residential development (the villages are identified as a Key Service Centre by South Norfolk District Council). Whilst it is acknowledged that highways have expressed some reservations the landowner is currently engaged in discussions with the relevant officer to resolve this issue, and is confident that the level of development achievable on the site (i.e. a very modest number of new dwellings) would have no adverse highways impacts. In respect of landscape impacts, as stated above, the response from the Landscape Architect to the previous application expresses concern with that scheme. It does not suggest the site is undevelopable, nor is the site or general surrounding area highlighted within the Broads Landscape Character Assessment as an area being particularly sensitive to small scale development such as that proposed. It is the case that the Broads Authority appear to concur with the general assessment set out above, noting in the report to committee that issues regarding landscape and highways are 'potentially surmountable'. Whilst accepting this, the Authority state that, in any case, it has already exceeded its Objectively Assessed Housing Need (OAN) for delivery of housing within the relevant market housing area (Central Norfolk) and, as such, has no need to allocate sites such as the application site. As a reason for not seeking to permit sustainable development this is not convincing, given the requirement at paragraph 47 of the NPPF for all local planning authorities to 'boost significantly the supply of housing'. Whilst it is true that the NPPF also offers a high level of protection to the protected landscape of the Broads, this is a site immediately adjacent to a settlement boundary and which could be developed sensitively and without adverse landscape impacts. The protected status of the landscape within the Broads does not divest the Authority of its requirement to permit sustainably located development where there would be no adverse impacts. In addition, it is not clear that the OAN has, in fact been met or exceeded. Paragraph 47 of the NPPF requires local planning authorities to 'use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area'. Paragraph 50 explains what is meant by market and affordable housing, and makes it clear that it should include consideration of people wishing to build their own homes. The Central Norfolk Strategic Housing Market assessment 2015 (January 2016) recognises that the OAN for self-build dwellings is unknown and that further work is required to identify this need. Given this, it is unclear how the Authority can state that the OAN need for market and affordable housing – including those wishing to build their own homes – has been met or exceeded. Allocation of this site – which by its location, nature and scale readily lends itself to a self-build project - would go some way to satisfy the requirement to proactively and positively plan for self-build housing proposals as required by paragraph 50 of the NPPF (which required authorities to plan for a mix of housing) and meet their requirements under the Self-Build and Custom Housing Act 2015. For these reasons it is requested that consideration once again is given to allocation of this site for an appropriate level of residential development.

BA summary:

1: I have been instructed by Mr James Tubby, owner of the above site, to make a representation in response to the Broads Authority Local Plan Preferred Options Consultation. It is noted that the site has previously been considered as part of the replacement Local Plan process and, as part of this process, is the subject of a topic paper which sets out the Authority's reasons for proposing neither an allocation (by way of site specific policy) or extension to the existing settlement boundary at the site (Appendix A of report titled 'Broads Local Plan December Bite Sized Pieces dated 9th December 2016). In addition, the site has been subject of a recent planning application (BA/2015/0123/FUL). I understand that this application was withdrawn following officer advice regarding the principle of the development and issues concerning highways. As such, there is no need to reiterate the history of the site in detail; other than to emphasise that this is a location which, prior to the Broads Authority Local Plan, lay within the Chedgrave development boundary and, as such, was a site where the principle of residential development was considered to be acceptable.

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2: It is noted that the report considers, and dismisses, the possibility of extending the existing development boundary to include the site (i.e. restoration of previous development boundary). The report concludes extending the development boundary to include the site would be contrary to 'usual practice'. It cites the development boundary in the adjoining South Norfolk District Council area and another within Oulton Broad (distant to the site, but within the Broads Authority's Executive Area) as precedent for this decision. Whilst these other examples are noted, it is the case that each site must be treated on its own merits: in the case of the South Norfolk boundary in Chedgrave the garden area excluded from the development boundary is a relatively narrow strip of land with constrained access and located between existing residential plots to the immediate east and west. Development in this location would likely face significant obstacles in achieving satisfactory access and would be problematic in maintaining and achieving an acceptable standard of amenity for existing and future residents. This is not the case at the site subject of this representation; where a limited amount of well-designed development could be easily accessed using an existing access onto the public highway (discussed in more detail below) and issues of amenity could be readily addressed. In the case of the site at Oulton Broad, the large gardens excluded from the development boundary front directly onto the Broad and, as such, are extremely prominent in the local landscape: there is clear landscape justification for this approach. Again, this is not the case at this site, which sits between estate style residential development to the north and a boatyard and boat storage area to the south. Whilst it is noted that the Authority's Landscape Architect expressed reservations regarding the planning application which was submitted, the response does not suggest that this site is sufficiently sensitive in landscape terms so as to be undevelopable; merely that the particular scheme submitted provided insufficient detail to enable a proper assessment of the impact of the development on mature trees. Whilst it may be that the Authority can highlight other incidents of precedents to respond to the above, the examples simply serve to emphasise the limited role of precedence in instance like this: each matter must be treated on its own merits.

3: In this case the site is sustainably located within a settlement which has been identified as being a suitable location for new residential development (the villages are identified as a Key Service Centre by South Norfolk District Council).

4: Whilst it is acknowledged that highways have expressed some reservations the landowner is currently engaged in discussions with the relevant officer to resolve this issue, and is confident that the level of development achievable on the site (i.e. a very modest number of new dwellings) would have no adverse highways impacts.

5: In respect of landscape impacts, as stated above, the response from the Landscape Architect to the previous application expresses concern with that scheme. It does not suggest the site is undevelopable, nor is the site or general surrounding area highlighted within the Broads Landscape Character Assessment as an area being particularly sensitive to small scale development such as that proposed. It is the case that the Broads Authority appear to concur with the general assessment set out above, noting in the report to committee that issues regarding landscape and highways are 'potentially surmountable'.

6: Whilst accepting this, the Authority state that, in any case, it has already exceeded its Objectively Assessed Housing Need (OAN) for delivery of housing within the relevant market housing area (Central Norfolk) and, as such, has no need to allocate sites such as the application site. As a reason for not seeking to permit sustainable development this is not convincing, given the requirement at paragraph 47 of the NPPF for all local planning authorities to 'boost significantly the supply of housing'. Whilst it is true that the NPPF also offers a high level of protection to the protected landscape of the Broads, this is a site immediately adjacent to a settlement boundary and which could be developed sensitively and without adverse landscape impacts. The protected status of the landscape within the Broads does not divest the Authority of its requirement to permit sustainably located development where there would be no adverse impacts. In addition, it is not clear that the OAN has, in fact been met or exceeded. Paragraph 47 of the NPPF requires local planning authorities to 'use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area'. Paragraph 50 explains what is meant by market and affordable housing, and makes it clear that it should include consideration of people wishing to build their own homes. The Central Norfolk Strategic Housing Market assessment 2015 (January 2016) recognises that the OAN for self-build dwellings is unknown and that further work is required to identify this need. Given this, it is unclear how the Authority can state that the OAN need for market and affordable housing – including those wishing to build their own homes – has been met or exceeded. Allocation of this site – which by its location, nature and scale readily lends itself to a self-build project - would go some way to satisfy the requirement to proactively and positively plan for self-build housing proposals as required by paragraph 50 of the NPPF (which required authorities to plan for a mix of housing) and meet their requirements under the Self-Build and Custom Housing Act 2015.

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7: For these reasons it is requested that consideration once again is given to allocation of this site for an appropriate level of residential development.

BA comment:

1: Noted although the representation is wrong where it states 'other than to emphasise that this is a location which, prior to the Broads Authority Local Plan, lay within the Chedgrave development boundary'. The Topic Paper says 'before the Broads Authority came into being, this property was within the Chedgrave Development Boundary'. This Local Plan has not removed a development boundary from Chedgrave.

2: Noted. As another example, the gardens have been removed from the Horning development boundary where, to the north west of the settlement, one could use the same arguments in relation to access as used in this representation. The example of the South Norfolk part of Chedgrave also remains. As such, the Broads Authority considers it is usual practice to remove gardens from the settlement boundary as there is no need to develop gardens to meet the housing need in the Broads (see later). With regards to taking each case on its own merit, the site was visited as a result of the representation received to the Issues and Options and is subject to a Topic Paper which discussed the site on its own merit.

3: Noted. The settlement scores around 36 in the Settlement Study Topic Paper. http://www.broads-authority.gov.uk/_data/assets/pdf_file/0006/764475/Broads-Authority-Settlement-Study-no-hierarchy-in.pdf.

4: Noted. The application initially was for three dwellings and then the subsequent representation at the Issues and Options stage was for 1 dwelling. This representation uses dwellings plural. It is not clear how many dwellings is now being proposed for this garden land.

5: Noted. Taking account of this and number 4 above, if it is the case that the highways issue is being resolved and the landscape issue can be resolved, adding number 2 above (which seems to imply that whilst not in a development boundary, the location of the development is sustainable in terms of access to services and facilities) it is not clear why a planning application has not been submitted.

6: With regards to the OAN being met or exceeded, please see the Revised Housing Topic Paper. This reflects the most up to date Central Norfolk Strategic Housing Market Assessment which will inform an updated housing section of the Publication Local Plan. It can be seen that over the entire Local Planning Authority area, the Objectively Assessed Housing Need (OAN) for the Broads has been exceeded. So too has the OAN for the Central Norfolk Housing Market Area (which includes South Norfolk). As such, there is no need to allocate this garden land to meet the OAN for the Broads.

With regards to boosting the supply of housing significantly, as set out in the Housing Topic Paper, in the Central Norfolk Housing Market Area, the Authority has delivered, permitted or allocated more than the Objectively Assessed Housing Need for the Broads. The Authority would suggest that this is a significant boost when compared to the Objectively Assessed Need especially considering the NPPF's stance that the Broads is an area where development should be restricted (see NPPF14).

The Authority does allocate and permit development which can be developed sensitively without adverse landscape impacts. That is why it has exceeded its OAN. Furthermore, when looking at the Annual Monitoring Reports, one can see the amount of development permitted in the Broads.

With regards to NPPF47, the Authority has exceeded the OAN in the Central Norfolk HMA. The Authority identifies key sites which are critical to the delivery of the housing strategy – namely allocations at Pegasus, Generation Park.

With regards to NPPF50, the Authority does plan for a mix of home ownership. The Local Plan has policies relating to self-build and custom build, housing mix, design criteria relating to adaptability and accessibility and gypsy and travellers. It is important to note the NPPF and other regulations or Acts do not say that housing for these groups, in particular custom or self-build, should be permitted contrary to the Local Plan policies (other than rural exception sites for affordable housing).

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One of the 12 core planning principles of the NPPF is: 'encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value'. In the glossary, the NPPF is clear that gardens are excluded from the definition of previously developed land. The Authority considers that there is no need to allocate this garden land for housing.

7: The authority does not intend to allocate the site nor does it intend to draw a settlement boundary around the site. To summarise:

- The Authority cuts off gardens when drawing development boundaries as illustrated previously.
- The Authority has met and exceeded the Objectively Assessed Housing Need for the Central Norfolk Housing Market Area.
- There are concerns regarding highways access and landscape impacts. Indeed they may be surmountable, but given the two bullet points above there is no need to allocate this garden site

As shown on the draft housing trajectory (included in the HELAA at the moment, but will migrate into the next version of the Local Plan), the Authority indicates that likely windfall could be in the region of three dwellings per year (note that these are not relied on to meet the housing target). So just because through completions, permissions and allocations the Broads has exceeded its OAN, the area is not closed to appropriately located, designed and deliverable housing development. Mr Tubby was advised that the scheme that he proposed was not appropriate. The issues are potentially surmountable as you quote in your report. If Mr Tubby or his agent wishes to discuss a new scheme that addresses the comments made in relation to the withdrawn application then the Authority offer free pre-application advice to assist in such situations. Please note, that if Mr Tubby wishes to do this, he may wish to be aware of Mr Greenway's response to the Local Plan that is in the public domain for all to see. I refer you to the point on amenity which Mr Greenway raises.

New site - Land adjacent to Tiedam

Ward, S

1. The dwellings suggested would hopefully be for market, but could also be for rental if required, as I have rental properties in the village. As for affordable housing I am willing to consider any reasonable suggestions you may have.
 2. The reasons for you to consider this applications, in my mind, are the facts in my letter concerning the Local Plan which I have attached. Also being on the Parish Council and living in the village I am often asked if there are any properties for sale or rent, in fact I have people who want to purchase these properties if built.
 3. The land was historically used in the sixties and seventies as a Market Garden, then planning application was sort for five large properties and was granted. Three of these properties were built, Tiedam, Oakdene, and Highcrest, the other properties were not built because of the problems experienced with getting rid of the foul water from the properties, this has now been elevated by the new Mains Drainage System. Over the years since construction started, the land was used as a paddock for ponies on and off, but for the last few years has not been used for any thing and be come over grown, and dare I say unsightly to the surrounding properties.
- I also attach a letter from Norfolk County Council concerning the property for your consideration, it highlights some points, one of which is footway to the development, as the land has access to Croft Hill this could be adopted as a foot path giving a more direct route to the public transept provision.

BA summary: Puts forward a site in Stokesby for residential development.

BA comment: Submission noted. We will meet with the landowner on site to discuss. An assessment will then be taken to a future Planning Committee to agree a way forward. *Single Issue Focussed Consultation undertaken and Topic Paper produced. Site to be allocated in Local Plan.*

General comments

Anglian Water

Anglian Water recommends that the above comments are considered prior to finalizing site allocations. The highlighting of these potential upgrades should not be seen as an objection to the allocation of these sites as we can work with the Local Planning Authorities to ensure development is brought online at the correct time. We closely monitor housing and economic growth in our region to align investment and the operation of our infrastructure to additional demand for used water. Where we have identified a need for further investment at WRCs we are currently working to identify to what extent improvements are required to serve additional growth in the relevant catchment and how we will ensure that we continue to protect the water environment. Our investment uses a total expenditure, known as totex, approach to provide the best outcome for customers so where a need is identified the solution and investment may change as our internal asset planning processes refines the options. Anglian Water will be preparing a business plan in the next year which will identify the need for further investment to accommodate growth within the Anglian Water region. Local Plan growth targets and the timing of sites will be a key source of information to inform our business plan. At the appropriate stage we will be consulting on this document.

BA summary: General introduction to comments.

BA comment: Noted. Useful background information.

Anglian Water

Anglian Water has made an assessment of the available capacity at Water Recycling Centre's (WRC) (formerly known as sewage treatment works) and the foul sewerage network for each of the proposed sites. Please find Anglian Water's comments below, these comments relate to the sites identified in the consultation and should be read along side the attached RAG sheet. It is important to note that this assessment does not take account of the cumulative impact of development on the WRCs and the foul network.

BA summary: General introduction to comments.

BA comment: Noted.

Anonymous (Chedgrave drop-in session)

Advertise meetings date and venue better.

What plans are there to increase navigable water to make for what has been lost over last 100 years?

Public moorings are non-existent prior to Wroxham Bridge.

Small business rates not applicable throughout the Broads – not an even playing field

BA summary: 1: Advertise meetings date and venue better.

2: What plans are there to increase navigable water to make for what has been lost over last 100 years?

3: Public moorings are non-existent prior to Wroxham Bridge.

4: Small business rates not applicable throughout the Broads – not an even playing field

BA comment: 1: Noted although the drop in sessions were advertised in local press, details were sent to all on our contact database, details and posters were sent to Parish Councils to advertise.

2: Comment noted. The Local Plan does not allocate areas for new or restored navigation but does have policies which could be used to determine such applications. The recently adopted Broads Plan 2017 refers directly to “developing appropriate opportunities to expand or extend access for various types of craft” Aspiration 4 (4.1) and goes on to specifically mention closed broads .

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3: The Local Plan does not allocate areas for new moorings in Wroxham. There are policies to determine planning applications for moorings if they are submitted. Comments to be passed onto Waterways and Recreation Officer.

4: The Broads Authority is not a non domestic rate collecting authority =- this is a district council function.

Beccles Society

Beccles Society has considered this document and is broadly in agreement with its aims and objectives. Most of our comments on the previous draft have been incorporated into this version.

BA summary: Beccles Society has considered this document and is broadly in agreement with its aims and objectives.

BA comment: Support noted.

Boyer Planning (agent for East Anglian Group)

East Anglian Group generally supports the Broads Authority Local Plan – Preferred Options and its policies, with the exception of Policy POGTY 1 and an objection to Inset Map 8.

BA summary: East Anglian Group generally supports the Broads Authority Local Plan – Preferred Options and its policies, with the exception of Policy POGTY 1 and an objection to Inset Map 8.

BA comment: Support noted. See GTY1 section for detailed response.

Boyer Planning (agent for East Anglian Group)

The Broads Authority Preferred Options Local Plan will be important to set out the long-term vision and partnership actions to the benefit of the local environment, communities and visitors. This will greatly benefit the area and all of its users. The Plan combines strategies, programmes and policies that are relevant to the Broads which are reviewed regularly. This Local Plan is concerned with planning and planning applications in the area, whereas The Broads Plan has a focus on the management of the Broads for the enjoyment of others both local and visitors. The Broads Authority has several purposes including; conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads; promoting opportunities for the Broads understanding and protecting the interests of navigation. It is identified there needs to be a balance with that which affords opportunity and has regard to the needs of agriculture, forestry and the economic and social interests of those who are connected to the Broads. These representations relate to land owned by East Anglian Group at Marina Quays, Great Yarmouth (see site location plan at Appendix 1). These representations are made in response to the Broads Authority new Preferred Options Local Plan (2016) and presented on behalf of East Anglian Group.

BA summary: General summary of the plan and general introduction.

BA comment: Noted.

Broads Reed and Sedge Cutters Association

Members of the Broads Reed & Sedge Cutters Association were made aware of the Local Plan Consultation and the documents available on the Broads Authority website. Unfortunately, not one single member expressed any support for this plan.

There appears to be nothing in the plan to address the concerns for those involved with the Broads only true sustainable management method i.e. traditional reed and sedge cutting.

BA summary: There appears to be nothing in the plan to address the concerns for those involved with the Broads only true sustainable management method i.e. traditional reed and sedge cutting.

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BA comment: Noted. Will address the individual comments linked to specific policies as well as arrange to meet with BRASCA.

Broads Reed and Sedge Cutters Association

In conclusion, the document is, unfortunately, more of the same old plan. The majority of local people and interest groups will probably not bother to respond to yet another plan on which they have little chance to influence yet alone change. It is another missed opportunity to take on board the issues and concerns we have.

BA summary: The majority of local people and interest groups will probably not bother to respond to yet another plan on which they have little chance to influence yet alone change. It is another missed opportunity to take on board the issues and concerns we have.

BA comment: There are many more new issues addressed in the Local Plan. People can influence the plan but if they do not respond they cannot influence.

CPRE Norfolk

Thank you for the opportunity to respond to the above consultation. We were impressed by the comprehensive and thorough approach as regards both in background information, and in the meticulous and evidenced approach to policies and the allocations of sites. Our response therefore is more general, and looks more to what may happen than could, in an era of high uncertainty, that may have a dramatic effect on the Broads over the next few years. We realise not all of what we say is within the scope of the Local Plan remit; a generic problem of planning, whether in policy or determining planning applications, if a matter is not yet 'current'. However, there may be some flexibility here, or even if not, give 'internal' thought on how best to respond quickly. Following from our 'wider view' comments, we do in the context of these give a comment on Questions 1 and 2.

BA summary: General support to document.

BA comment: Support noted.

Evolution Town Planning (for Somerleyton Marina Ltd)

Our representations can be split into two parts; the 'wet side' – the existing moorings and marina and relevant DM policies (blue oval) and the 'dry side' – the existing boatyard and its facilities (brown oval). Where the 'wet side' relates to draft policy PODM30 and the 'dry side' relates to the Broads Economy section; the content of which, according to the Preferred Options consultation document, awaits commissioned evidence gathering work. We look forward to engaging further in the process in relation to employment sites (boatyards) in due course.

BA summary: General comments.

BA comment: Noted.

Great Yarmouth Borough Council

The Borough Council is supportive of the generality of the 'Preferred Options' draft of the Broads Local Plan, and has no major objections to the content. It offers the following comments on particular aspects of the draft document.

BA summary: General support, but has some comments.

BA comment: Noted.

Historic England

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Overall, we are pleased with this well-written plan that will, with some minor amendments, make a positive provision for the historic environment. By its nature, our letter focuses on those elements that we consider need some amendment or slight alteration to better achieve this aim but we welcome the significant efforts that have been made to date to produce this plan.

BA summary: Overall, we are pleased with this well-written plan that will, with some minor amendments, make a positive provision for the historic environment.

BA comment: Support noted.

Historic England

Summary: We are pleased to note that a detailed understanding of the Broads' distinctive historic environment has informed the preparation of this thorough and clearly written plan document. We request that the minor amendments that we have suggested will be incorporated to strengthen the plan, and the conservation of the historic environment that it proposes. Finally, we should like to stress that this opinion is based on the information provided by the Council in its consultation. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals which may subsequently arise where we consider that these would have an adverse effect upon the historic environment.

BA summary: General information.

BA comment: Noted.

Home Builders Federation

Thank you for consulting the Home Builders Federation (HBF) on the Broads Local Plan. The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational plc's, through regional developers to small, local builders. Our members account for over 80% of all new housing built in England and Wales in any one year.

BA summary: General introduction.

BA comment: Noted.

Knight, J (Broads Authority Navigation Committee Member)

Generally, the Broads Local Plan appears to extend its reach far beyond Broads- specific policies and seeks to duplicate large swathes of National Planning Policy Guidance, the NPPF and other national policy frameworks and regulations. Not only is this duplication unnecessary and expensive, it is likely to leave the Broads Local Plan at odds with national guidance in the future. The policies will need to be kept under continuous review if they are not to fall out of step with national policies - which will also be expensive.

BA summary: Generally, the Broads Local Plan appears to extend its reach far beyond Broads- specific policies and seeks to duplicate large swathes of National Planning Policy Guidance, the NPPF and other national policy frameworks and regulations. Not only is this duplication unnecessary and expensive, it is likely to leave the Broads Local Plan at odds with national guidance in the future. The policies will need to be kept under continuous review if they are not to fall out of step with national policies - which will also be expensive.

BA comment: We cannot predict future national guidance. The policies will be kept under review. Indeed a review of the Local Plan will start around 18 months after adoption in order to keep with time frames mooted in the Housing White Paper. We will check consistency and duplication of National Policy.

Knight, J (Broads Authority Navigation Committee Member)

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Conclusion: The Draft Local Plan is an evolving document which has clearly benefitted from considerable research and effort by Broads Authority Officers. It is hoped that the above comments and suggestions can be incorporated into the finished document and I will be pleased to answer any questions or expand upon any of the suggestions made.

BA summary: General comment.

BA comment: Noted.

Knight, J (Broads Authority Navigation Committee Member)

I have read the draft Local Plan carefully and can see that an enormous amount of detailed work has been undertaken in order to arrive at this stage in the process. It is an extensive document which, I suggest, attempts to cover more ground than is strictly necessary for a small planning Authority which processes application numbers in the low hundreds each year - most of which are minor. Whilst it is accepted that the Local Plan has been written in order to comply with the requirements of the NPPF, there are a number of proposed policies which go well beyond what is required for a Local Plan and attempt to duplicate policies or regulations which are made at a national level. Not only is this duplication unnecessary and time-consuming, but many of the policies are likely to become outdated during the 20 year life of the plan and may conflict with national policy in the future. These policies are identified within this submission, below.

BA summary: General introduction to comments.

BA comment: Noted. Although later in the representations there is reference to supporting floating buildings for example which are not referred to in the NPPF and it could be argued that addressing floating buildings in the Local Plan is going beyond what is required.

Marine Management Organisation

The coast and marine environment is well referenced throughout the plan, directly and indirectly e.g. climate change and flood risk etc. It is great to see a policy specific to the coast (POXNS3) – I would support this policy remaining, especially as you have linked in back to the UK vision for the seas. I also like the references to the importance of maintaining the broad's for not only the environment but also the wellbeing and economic aspects e.g. when you mention the marina and boatyard and retention of marine skills. These make the plan a well-rounded document. Many of the policies and supporting text link well to the east marine plan objectives and policy as I would expect given the nature of the area in question. I understand that you would not wish to reference each marine plan policy within the local plan, but you could highlight key policy in east marine plan that is relevant to your local plan within the SA.

BA summary: General support for the document. I understand that you would not wish to reference each marine plan policy within the local plan, but you could highlight key policy in east marine plan that is relevant to your local plan within the SA.

BA comment: Support noted. We have a document that assesses the Local Plan against the East Marine Plan. That can be found here: http://www.broads-authority.gov.uk/data/assets/pdf_file/0005/840326/East-Inshore-and-East-Offshore-Marine-Plans-versus-Local-Plan2.pdf.

Natural England

Natural England welcomes and supports the production of the Local Plan for the Broads – Preferred Options Consultation 2012 -2036. In particular, we support and welcome those policies that seek to protect, maintain and enhance the special features and aspects for which the Broads was designated, and address those environmental interests within our remit .

BA summary: General support for the plan.

BA comment: Support noted.

Norfolk and Suffolk Boating Association

1. We see no need for the BA, which is a comparatively small local authority, to burden itself with sustainability and resource management issues that are adequately addressed regionally and nationally.
2. Sustainable transport: As set out in our April 2016 consultation response, we again failed to find any reference in any section of the draft Plans, to the most sustainable form of transport and the most sustainable form of tourism, that is, transport by engineless boat propelled by the harnessing of wind and tide.
3. Launching facilities: Again we reiterate our support for policies for the improved provision of accessible slipways and canoe launching facilities, but in addition would urge the Authority, where it embarks on their provision, to ensure that local users are consulted in detail about their requirements and preferences for the details of materials and layout.

BA summary:

- 1: We see no need for the BA, which is a comparatively small local authority, to burden itself with sustainability and resource management issues that are adequately addressed regionally and nationally.
- 2: No mention of engineless boats.
- 3: Ensure that local users are consulted in detail about their requirements and preferences for the details of materials and layout.

BA comment:

- 1 Noted.
- 2: Noted. Will see where this can be mentioned logically as representation did not make suggestions.
- 3: Outside the scope of the Local Plan. Will pass onto the relevant team for them to consider.

Norfolk Coast Partnership

I'm afraid I haven't been able to find the time to consider each draft policy in detail so the following comments are necessarily generally broad in nature, but I hope they may be helpful. The plan recognises the overlap between the Broads and Norfolk Coast AONB designated areas in the A1 designations map and the preferred policy options appear to me to be entirely suitable for a Local Plan for a Protected Landscape and consistent with objectives for the Norfolk Coast AONB. I think it is entirely appropriate for the Broads Plan and the Broads Local Plan to have shared objectives, since they are so closely linked, and consider the proposed objectives to be appropriate. The proposed policies are comprehensive and give a very clear view of what is appropriate in terms of development in a protected landscape. They strike me as being a useful reference point for policies in other Local Plans for policies relating to AONBs. I do not consider that any significant changes are required.

BA summary: I do not consider that any significant changes are required.

BA comment: General support noted.

Norfolk Constabulary Architectural Liaison (Turner, P)

I have no further comment to add.

BA summary: I have no further comment to add.

BA comment: Noted.

Norfolk Constabulary Architectural Liaison (Wolsey, D)

I have gone through the draft of the Broads Local Plan. There's nothing I believe to add beyond that originally submitted so nothing more this time.

BA summary: I have gone through the draft of the Broads Local Plan. There's nothing I believe to add beyond that originally submitted so nothing more this time.

BA comment: Noted.

Norfolk County Council

The County Council welcomes the opportunity to comment on the above Local Plan Preferred Options document. The County Council has not answered all the issues set out in the consultation document, but has instead concentrated on responding to the key strategic issues effecting the Authority in respect of its: Infrastructure delivery role; Minerals and Waste Authority responsibility - ensuring that County Council policies and projects are not compromised; Economic Development role. Minerals and Waste: Norfolk County Council, in its capacity as the Mineral Planning Authority for Norfolk, welcomes the inclusion within the Broads Local Plan (Preferred Options) of references in relevant policies to safeguarded mineral resources, and adopted Norfolk Minerals and Waste Core Strategy Policy CS16 - safeguarding.

BA summary: General introduction to comments.

BA comment: Noted.

Norfolk Wildlife Trust

Thank you for consulting Norfolk Wildlife Trust on the Broads Plan Preferred Options. We have not been able to comment in detail on all aspects of the preferred plan but wish to make the following comments on selected sections of the plan.

BA summary: General introduction.

BA comment: Noted.

North Walsham and Dilham Canal Trust

This document is primarily a Planning Document. The Trust is aware of the requirement for the production of a Local Plan under the National Planning Policy Framework, amongst other issues, to reflect local people's views about how they wish their community to develop. The Trust believes that the restoration of the North Walsham & Dilham Canal, 4.4km of which is within the Planning Boundary of the Broads Authority, needs to be taken into account within the Local Plan. The Trust's Aims and Objectives for the restoration are reflected widely in the recently submitted Draft Broads Plan Consultation Document. We have particular interest in the sections within the Local Plan document as follows: Section 7 (p20) Challenges and Opportunities; Section 8 (p23) Vision, Objectives and Existing Policies; Section 12 (p48) Water Open space / blue infrastructure; Section 13 (p49) Green Infrastructure; Section 14 (p52) Climate Change;

Section 16 (p59) Heritage and Historic Assets; Section 18 (p70) Renewable Energy;

Section 26 (p109) Navigation. Our long term vision, our aspirations, the benefits to the general public, the areas that the Trust would look for support from the Broads Authority, Short Term Aims and Long Term Aims were described in the Draft Broads Plan 2017 consultation submitted in December 2016 and are, in part, relevant to this consultation document and should be used to support comments made in the following sections.

BA summary: General introduction to comments.

BA comment: Noted.

Norwich City Council

Overall the document is very impressive and comprehensive.

BA summary: Overall the document is very impressive and comprehensive.

BA comment: Noted.

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Residential Boat Owners' Association

I am responding to this consultation on behalf of the Residential Boat Owners' Association (RBOA). The RBOA is the only organisations which exclusively represents and promotes the interests of people living on boats in the British Isles. We represent those who have chosen to make a boat their home. The RBOA is pleased to note that its comments made in response to the first stage of the Local Plan production process have been noted and are generally well represented in the second stage. We have therefore few additional comments to make.

The RBOA has responded separately to the issues regarding definition of houseboat and is please to note your confirmation that you are broadly in agreement with the definition used in the Housing and Planning Act 2016.

BA summary: General introductory comments.

BA comment: Noted.

River Thurne Tenant's Association

The River Thurne Tenant's Association Committee are happy with the draft plan and have no other comments to make other than the additional Green Space mentioned.

BA summary: General support for the document.

BA comment: Support noted.

RSPB

Thank you for the opportunity to comment on the Preferred Options for the Broads Local Plan. We are encouraged by the draft policies and consider that, overall, they provide a comprehensive and robust approach to ensuring development can take place without adversely affecting the important habitats and species which contribute to making the Broads such a special place. The evidence base for the Broads Plan demonstrates that there remains a lot to be done to protect and restore habitats within the Broads (44.1% SSSIs in Unfavourable condition and only 1 river achieving Good ecological status). These data demonstrate the need for robust policies that supports work to prevent further deterioration and deliver restoration and enhancements. Through protecting and enhancing the Broads habitats and species considerable added value is gained through the wider natural capital benefits for both residents and tourists that are also protected and enhanced. Whilst we are impressed by the approach to policy development and the content of the Local Plan preferred options, we do have some comments on the current document and supporting assessments.

BA summary: Whilst we are impressed by the approach to policy development and the content of the Local Plan preferred options, we do have some comments on the current document and supporting assessments.

BA comment: Noted.

Shepherd, I (CPRE Norfolk)

There is a common interest of wetlands such as the Broads, and those of the public water supply, in reducing the levels of pollution from agriculture. In the case of the Broads, not just a reduction of nutrients and pesticides, but also the amount of silt from arable run off entering rivers and the Broads. Overall there would be benefit to both navigation and nature conservation interests. Brexit offers an opportunity for this change.

BA summary: There is a common interest of wetlands such as the Broads, and those of the public water supply, in reducing the levels of pollution from agriculture.

BA comment: Noted but outside the scope of the Local Plan.

Somerton Parish Council

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Somerton Parish Council discussed the plan on the 3rd January 2017 and agreed to make the following response. Another disappointing long, detailed plan which we feel will achieve very little benefit or improvements to The Broads and the local population. Many of the policies in the draft plan relate to development. On the one hand we agree for the need for responsible, effective, reasonable and fair planning controls but we feel in the Broads the balance has now been tipped against the local population. The process has become arduous and expensive for many who seek to improve their properties. This imbalance has slowly led to the gentrification of the Broads and is responsible for the younger generation having little chance of securing housing in the area. Facts speak for themselves and planning policies covering affordable housing remain ineffective.

BA summary:

- 1: Another disappointing long, detailed plan which we feel will achieve very little benefit or improvements to The Broads and the local population.
- 2: The process has become arduous and expensive for many who seek to improve their properties. This imbalance has slowly led to the gentrification of the Broads and is responsible for the younger generation having little chance of securing housing in the area.
- 3: Planning policies covering affordable housing remain ineffective.

BA comment:

- 1 and 2: Noted and we will meet with the Parish Council to discuss this view.
- 3: Noted. See that section of this document.

Stokesby Parish Council

I think we are all of the same mind that the broads are a special and unique area of the country that need to be protected for future generations who will work and spend their leisure enjoying this special place. With this in mind we also need to consider the sustainability of the area especially some of the rural villages. For anything to be sustainable there needs to be some growth. Some considerate developments in villages that support and add to the community must be a good thing. We do not want to see large housing estates tacked onto the edge of our village but if there are some parcels of land that lend themselves to such development these should be identified for possible housing.

BA summary: I think we are all of the same mind that the broads are a special and unique area of the country that need to be protected for future generations who will work and spend their leisure enjoying this special place. Some considerate developments in villages that support and add to the community must be a good thing.

BA comment: Noted. We are considering an allocation in Stokesby.

Suffolk County Council

Suffolk Fire & Rescue Service has considered the plan and are of the opinion given the level of growth proposed and do not envisage additional service provision will need to be made in order to mitigate the impact. However, this will be reconsidered if service conditions change. As always SFRS would encourage the provision of automated fire suppression sprinkler systems in any new development as it not only affords enhanced life and property protection but is incorporated into the design/build stage it is extremely cost effective/efficient. SFRS will not have any objection with regard to access, as long as access is in accordance with building regulation guidance. We will of course wish to have included adequate water supplies and hardstanding for firefighting, specific information as to the number and location can be obtained from our water officer via the normal consultation process.

BA summary: Refers to the needs of the Suffolk Fire and Rescue Service.

BA comment: Noted although it is not obvious where such requirements should be included in the Local Plan. Will contact for clarification. *Clarification sought 17 May 2017 and this could be mentioned in the design section.*

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Suffolk County Council

Suffolk County Council welcomes the opportunity to comment on these draft policies. In doing so, we make our comments in the interest in delivering key public services throughout the county and wider policy fields. Our key interests in relation to this consultation include: Landscape Character, Archaeology and Fire and Rescue. Our comments refer only to those policies which cover Suffolk and are as follows:

BA summary: General introductory comments.

BA comment: Noted.

Taylor, H

As an individual with strong links with River Waveney Trust and Beccles Town Council:

Development of footpath network within general area Beccles, Worlingham, Geldeston and Bungay.

Construction of a Community Stage at Beccles Quay (design based on an upturned boat).

Creation of a foot passenger crossing of the river in Beccles to link the footpaths on the Norfolk bank with one of the 'scores' thereby enabling access to the Angles Way and the facilities of the town.

BA summary:

1: Development of footpath network within general area Beccles, Worlingham, Geldeston and Bungay.

2: Construction of a Community Stage at Beccles Quay (design based on an upturned boat).

3: Creation of a foot passenger crossing of the river in Beccles

BA comment:

1: Noted. Will share with the Waterways and Access Officer. No action for the Local Plan.

2: Noted although the Local Plan would not have a policy on this kind of project. We do offer free pre-application advice. The area is designated as an open space in the emerging Local Plan, but it could be that such a project is suitable for this area.

3: Noted. Will share with the Waterways and Access Officer. No action for the Local Plan.

Warner, P (BA Member)

Herewith my comments on what I consider to be an excellent document. The comments are 'selective' and comparatively minor and trust that you will find them helpful.

BA summary: General introduction to comments.

BA comment: Noted.

Waveney District Council

The Broads Authority has a good working relationship with Waveney District Council and the Council supports the ongoing approach to joint working on the preparation of Local Plans. The Council's response has been structured into two sections, the first focussed on cross boundary strategic matters in line with the Duty to Cooperate, the second covering other non-strategic matters. The Council would like to commend the Broads Authority on a well written and presented plan which is comprehensive and easy to follow.

BA summary: General introduction to comments.

BA comment: Noted.

Weymouth, S (Councillor)

Many of the policies in the draft plan relate to development. On the one hand we agree for the need for responsible, effective, reasonable and fair planning controls but we feel in the Broads the balance has now been tipped against the local population. The process has become arduous and expensive for many who seek to improve their properties. This imbalance has slowly led to the gentrification of the Broads and is responsible for the younger generation having little chance of securing housing in the area. Facts speak for themselves and planning policies covering affordable housing remain ineffective. I totally agree with the Somerton Parish Council's objections and I would like to object on the same grounds.

BA summary: The process has become arduous and expensive for many who seek to improve their properties. This imbalance has slowly led to the gentrification of the Broads and is responsible for the younger generation having little chance of securing housing in the area. Facts speak for themselves and planning policies covering affordable housing remain ineffective.

BA comment: The planning process in England is largely the same nationwide with some variations in permitted development rights across the country. However the specific issues referred to in terms of difficulties in delivering affordable housing are the same nationwide and are not specific to the Broads. These have largely come about as the result of shifts in national policy and funding. The response doesn't make it clear how the balance has been tipped against the local population of the Broads or provide any evidence of it.

Weymouth, S (Councillor)

I feel there should have been a summary because the document was over 300 long. What is hoped the detailed plan will achieve, the cost must have been immense. As I see it there will be very little benefit or improvements to The Broads and the local population. For me the Broads Authority is very remote local people do not have an understanding what role you have. The Broads population cannot engage constructively and actively on an ongoing basis. The Broads Forum years ago met on a regular basis to give interest groups a voice and an opportunity to comment on policies, plans etc. But they only had 2 meetings instead of 4, what message is that sending out. Broads Climate Partnership I would be interested to see the constitution of that Group because no Minutes appear anywhere or an Agenda item on the BA meetings so is it just a talking shop – how expensive is that. Has the Plan been publicised so that members of the public can have an input. Most small Parish Councils only meet bi-monthly and consideration should have been given to this. With such a large document hard copies should have been sent out to the consultees, it is totally unacceptable to expect people to read it online. This would have then enabled more people an opportunity to read it and with small villages the message could have got out in newsletters that a hardcopy is available.

BA summary:

- 1: Would have liked a summary document.
- 2: Suggests the cost was immense.
- 3: Broads Authority is very remote local people do not have an understanding what role you have.
- 4: Comments relating to how the Broads Forum is run.
- 5: Comments relating to how the Climate Partnership is run.
- 6: Has the Plan been publicised so that members of the public can have an input.
- 7: Most small Parish Councils only meet bi-monthly and consideration should have been given to this.
- 8: With such a large document hard copies should have been sent out to the consultees, it is totally unacceptable to expect people to read it online.

BA comment:

- 1: There was a summary document and this was advertised in the letter which advertised the consultation,

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2: Much of the work has been completed in house. Best value for consultants is key when commissioning work. Norfolk Authorities are working together to produce joint evidence base such as Strategic Flood Risk Assessments, Gypsy and Traveller information and working out the housing need. The studies completed by our six constituent districts have also been used (such as retail studies completed by North Norfolk and Waveney Councils).

3: Noted. Will pass on to the Chief Executive.

4 and 5: Will pass these comments on to the officers who lead on these groups.

6: Yes. We notified all on our contact database, placed adverts in the local newspapers, asked Parish Councils to advertise and place adverts on notice boards and advertised using social media. We also wrote to all who we think could be affected by policies (such as specific businesses).

7: with over 90 parishes in the Broads, it is not clear how a consultation can be timed to meet the timings of all of these 90 parishes. All Parish Councils were given 6 month and then 2 month notice of the consultation in order to prepare.

8: The second comment suggested the cost of the Local Plan was immense. To print out hard copies and deliver to 90 plus Parish Councils would have added a lot to the cost of the Local Plan. All Parish Councils were given 6 month and then 2 month notice of the consultation in order to prepare. Hard copies were placed in venues around the Broads and beyond (such as libraries and Council offices) for people to access and read and these venues were advertised widely.

RSPB

The RSPB has highlighted in our comments on the Broads Plan that living within environmental limits is an intrinsic requirement of sustainable development, important for biodiversity in its own right and also for the health and wellbeing of communities. We recognise the positive work that has been done to produce planning guidance documents and support the production of the “Broads Authority biodiversity enhancements planning guidance” that was produced in November 2016. The guidance highlights a range of measures that should be considered to incorporate habitats and species into new development and is probably sufficient for this topic. A guide for development, however, should consider wider issues, especially how development and the environment can be integrated. The Exeter Residential Design Supplementary Planning Document (SPD) (available at: <https://exeter.gov.uk/planning-services/planningpolicy/supplementary-planning-documents/residential-design-guide-spd/>) is an excellent example of how this can be done with core principles of this SPD being: Sustainable Design (e.g. maximise the potential for biodiversity and green infrastructure); Integrated landscape design (e.g. planting); Integrated biodiversity (e.g. the design and layout of new residential development will protect and enhance biodiversity on the site, and enhance connections between ecological features within and across the site. Existing areas and features of biodiversity value should be incorporated into the design and layout and wherever reasonably possible enhanced); Making connections (e.g. good pedestrian, cycle and public transport links); Services (e.g. service corridors identified at the start of the design process to avoid conflicts between existing and proposed trees). Energy and drainage (e.g. Sustainable Urban Drainage Systems (SUDS) must be integrated into the layout at the start of the design process). A bespoke guide would also have the opportunity to set out concisely and clearly the planning processes that need to be considered for different development requirements, for example, the Habitats Regulations, protected species and flood risk. The key point is that whatever guidance is produced is user friendly. A single reference document that combines all relevant guidance into one place would be a starting point. It would also allow for consideration of formats that such information could be distributed, for example, the use of web based platforms.

BA summary: 1:

A guide for development, however, should consider wider issues, especially how development and the environment can be integrated. The Exeter Residential Design Supplementary Planning Document (SPD) (available at: <https://exeter.gov.uk/planning-services/planningpolicy/supplementary-planning-documents/residential-design-guide-spd/>) is an excellent example of how this can be done.

2: The key point is that whatever guidance is produced is user friendly. A single reference document that combines all relevant guidance into one place would be a starting point.

BA comment:

- 1: Will consider this once Local Plan is completed.
- 2: Noted. Will consider this once Local Plan is completed.

Habitat Regulations Assessment

Natural England

We commend the Broads Authority on the production of an exemplary Habitats Regulations Assessment (HRA) of its Local Plan. The report Habitats Regulations Assessment of the Local Plan for the Broads, dated October 2016, and prepared by Footprint Ecology, is thorough, clear and evidence based. Natural England is satisfied that the HRA provides a comprehensive assessment of the likely significant effects of the Local Plan on European sites and meets the requirements of the Conservation (Habitats & Species) Regulations 2010 as amended ('the Habitats Regulations'). We are pleased to note that the majority of modifications proposed in the Table 2 of the above HRA report have been made to the text of the policies in order to remove likely significant effects on European sites. For where the recommended modifications have not been fully reflected in the Local Plan, please see our comments on Policy PODM31 under the Preferred Options Consultation heading below. In order for it to be concluded that the Local Plan is unlikely to have a significant effect on European sites and that an Appropriate Assessment will not be required, we recommend that all the modifications, identified in the HRA report, are made in full to the relevant Local Plan policies.

BA summary: We commend the Broads Authority on the production of an exemplary Habitats Regulations Assessment (HRA) of its Local Plan. Natural England is satisfied that the HRA provides a comprehensive assessment of the likely significant effects of the Local Plan on European sites and meets the requirements of the Conservation (Habitats & Species) Regulations 2010 as amended ('the Habitats Regulations'). For where the recommended modifications have not been fully reflected in the Local Plan, please see our comments on Policy PODM31 under the Preferred Options Consultation heading below.

BA comment: Support noted.

Norfolk County Council

This is a high quality document. We have no comments to make.

BA summary: This is a high quality document. We have no comments to make.

BA comment: Support noted.

Appendix 2 - European Site Information

RSPB

Paragraphs 7.30-7.35 and Table 5 need to be updated to reflect the proposed extended Outer Thames Estuary pSPA boundary and features changes. This would see the boundary extended up the lower reaches of the River Bure and foraging little tern and common tern added as features. Red-throated diver remains as a wintering feature. This is necessary for accuracy and to ensure the full effects of any policies have been assessed. This approach reflects the requirements of paragraph 118 of the National Planning Policy Framework, as set out in paragraph 6.6 (p.50) of the HRA of the Local Plan.

BA summary: Paragraphs 7.30-7.35 and Table 5 need to be updated to reflect the proposed extended Outer Thames Estuary pSPA boundary and features changes.

BA comment: Noted and will make the consultant aware.

Table 2

RSPB

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The RSPB supports the conclusions of the screening assessment set out in the HRA. It is noted that Policies PODM15 (Renewable Energy) and POSP10 (Navigable Water Space) have been missed off Table 2. It is essential that these policies be screened now to identify any modifications that might be required to ensure they are acceptable at the submission stage.

BA summary: It is noted that Policies PODM15 (Renewable Energy) and POSP10 (Navigable Water Space) have been missed off Table 2.

BA comment: Noted. Will make HRA consultants aware.

Map 2

RSPB

The map of selected SPAs should be updated to include the proposed extended boundary of the Outer Thames Estuary pSPA. This is pertinent to the Broads as the boundary extension covers the lower reaches of the River Bure. The extension is proposed to protect areas used by foraging common tern.

BA summary: The map of selected SPAs should be updated to include the proposed extended boundary of the Outer Thames Estuary pSPA.

BA comment: Will liaise with GIS officer regarding this.

Suffolk Wildlife Trust

With regard to the HRA Report, Map 2 should be updated to reflect the proposed changes to the Outer Thames Estuary Special Protection Area (SPA) including the relevant boundary extensions. The information and assessment relating to the Outer Thames Estuary SPA should also be updated to reflect the proposed amendments.

BA summary: Reflect the proposed changes to the Outer Thames Estuary Special Protection Area (SPA) including the relevant boundary extensions

BA comment: Will pass this comment onto the consultants.

Sustainability Appraisal

Natural England

Natural England welcomes the Sustainability Appraisal (SA) Report for the Local Plan.

A number of Local Plan objectives have been scored as having uncertain effects as listed in the table (p14) and as described in the text (p15) under 6. Compatibility of the SA Objectives and Local Plan Objectives. We recognise that the Local Plan is a high level spatial document and there are degrees of uncertainty as quantifiable details on the location, scale, extent or type of future proposals are not available at this time. Consideration should be given as to whether the right appraisal questions are being asked, if it is not possible to provide definite (negative, neutral or positive) answers, and we suggest that these questions are re-visited. Could the uncertainty in scoring be satisfactorily resolved by amending the wording of the relevant policies to ensure that any identified impacts can be avoided and/or mitigated for? It may also be worth revisiting the evidence base for the SA, in order that greater clarity can be brought to the appraisal process.

BA summary: Consideration should be given as to whether the right appraisal questions are being asked, if it is not possible to provide definite (negative, neutral or positive) answers, and we suggest that these questions are re-visited.

BA comment: It is not unusual for SA assessments to have a ?. As no specific recommendations have been suggested, no change.

RSPB

The text regarding the Habitats Regulations process is incorrect. The inaccuracies relate to:

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- The Habitats Regulations transpose both the European Commission Birds Directive and Habitats Directive into UK law under the Conservation of Habitats and Species Regulations 2010.
 - Appropriate Assessment is a stage within the Habitats Regulations Assessment.
 - The process requires screening for Likely Significant Effects (LSE) from plans and projects on Natura 2000 sites and Ramsar sites.
 - Where the potential for LSE to occur is identified then an Appropriate Assessment is undertaken to demonstrate that there will be no adverse effects on integrity (AEOI) of Natura 2000 sites and Ramsar sites from plans or projects. It is at this stage that mitigation measures will be considered to demonstrate that impacts will be effectively managed such that adverse effects are avoided in the first instance, or minimised to such a point that AEOI can be ruled out.
 - Alternative options will be considered where mitigation measures are considered insufficient to minimise impacts such that a conclusion of no AEOI can be reached.
 - The current wording of “significant adverse effect” is not consistent with the Habitats Regulations, as it indicates that some level of adverse effect would be acceptable.
- A revised section based on Section 1.3 (p.4) of the draft Local Plan or the process set out in more detail in paragraphs 1.6-1.12 (p.7) of the Habitats Regulations Assessment of the draft Local Plan would be appropriate.

BA summary: The text regarding the Habitats Regulations process is incorrect. A revised section based on Section 1.3 (p.4) of the draft Local Plan or the process set out in more detail in paragraphs 1.6-1.12 (p.7) of the Habitats Regulations Assessment of the draft Local Plan would be appropriate.

BA comment: Noted and will improve the text.

Suffolk Wildlife Trust

We note that the text relating to Habitats Regulations on page 6 of the Sustainability Appraisal document appears to incorrectly set out the process. We recommend that this revised to correctly set out the required HRA process, in accordance with paragraphs 1.6 to 1.12 of the HRA Report.

BA summary: Recommend SA revised to correctly set out the required HRA process, in accordance with paragraphs 1.6 to 1.12 of the HRA Report.

BA comment: Noted, will reflect the HRA wording.