

# Local Plan for the Broads

## Modifications consultation

## Marked up version

**Plan period: 2015 to 2036**

---

**Consultation period: 28 January 2019 to 4pm 15 March 2019**



The National Planning Policy Framework states that every local planning authority in England should have a clear, up-to-date Local Plan that conforms to the Framework, meets local development needs and reflects local people's views on how they want their community to develop.

~~This Publication version of~~ The Local Plan for the Broads contains the proposed ~~draft~~ policies that will help determine planning applications for development in the Broads Authority Executive Area.

**We welcome your views on this document**

## Contents

<b>Contents</b>	<b>2</b>
<b>1. Introduction</b>	<b>4</b>
<b>2. Overview of document</b>	<b>8</b>
<b>3. About this modifications consultation</b>	<b>9</b>
<b>4. About the Broads – spatial portrait</b>	<b>10</b>
<b>5. Policy context</b>	<b>17</b>
<b>6. Duty to cooperate</b>	<b>20</b>
<b>7. Challenges and opportunities</b>	<b>21</b>
<b>8. Vision, objectives and existing policies</b>	<b>24</b>
<b>9. Sustainable development in the Broads</b>	<b>27</b>
<b>10. Water and flooding</b>	<b>30</b>
<b>11. Open space, play and allotments</b>	<b>43</b>
<b>12. Green infrastructure</b>	<b>45</b>
<b>13. Climate change</b>	<b>48</b>
<b>14. Soils</b>	<b>51</b>
<b>15. Heritage and historic assets</b>	<b>55</b>
<b>16. Natural Environment Biodiversity</b>	<b>62</b>
<b>17. Renewable energy</b>	<b>67</b>
<b>18. Landscape character</b>	<b>70</b>
<b>19. Amenity</b>	<b>76</b>
<b>20. Light pollution</b>	<b>77</b>
<b>21. Transport</b>	<b>79</b>
<b>22. The Broads economy</b>	<b>84</b>
<b>23. Sustainable tourism</b>	<b>92</b>
<b>24. Navigation</b>	<b>97</b>
<b>25. Housing</b>	<b>104</b>
<b>26. Design</b>	<b>131</b>
<b>27. Visitor and community facilities and services</b>	<b>135</b>
<b>28. Health and wellbeing</b>	<b>138</b>
<b>29. Safety by the water</b>	<b>139</b>
<b>30. Planning obligations/developer contributions</b>	<b>141</b>
<b>31. Other Development Management policies</b>	<b>143</b>
<b>32. Site-Specific policies</b>	<b>148</b>
32.1 Introduction	148
32.2 Flood risk and the Site Specific policies	148
32.3 Environment Agency permit or rules for works near to a main river or flood defence	148
32.4 Settlement fringe	148
32.5 ACLE	148
32.6 BECCLES	151
32.7 BRUNDALL RIVERSIDE	152
32.8 CANTLEY	158
32.9 CHEDGRAVE	159
32.10 DILHAM	161
32.11 DITCHINGHAM DAM	162
32.12 FLEGGBURGH	164
32.13 GREAT YARMOUTH	164
32.14 HORNING	165
32.15 HOVETON AND WROXHAM	174
32.16 LODDON	182
32.17 NORWICH	183
32.18 ORMESBY ST. MICHAEL	186

32.19	OULTON BROAD .....	187
32.20	POTTER HEIGHAM BRIDGE .....	192
32.21	ST. OLAVES.....	194
32.22	SOMERLEYTON .....	196
32.23	STALHAM .....	198
32.24	STOKESBY.....	198
32.25	THORPE ST. ANDREW .....	200
32.26	THURNE .....	205
32.27	TROWSE AND WHITLINGHAM.....	207
32.28	NON-SETTLEMENT BASED POLICIES .....	208
<b>33.</b>	<b>Implementation, monitoring and review .....</b>	<b>226</b>
	<b>Appendix A: Map and list of districts and parishes of the Broads.....</b>	<b>227</b>
	<b>Appendix B: Superseded policies .....</b>	<b>231</b>
	<b>Appendix J: List of evidence base and other supporting documents.....</b>	<b>234</b>
	<b>Appendix C: Strategic Flood Risk Assessments .....</b>	<b>235</b>
	<b>Appendix D: Open Space standards in place at the time of adoption of this Local Plan. ....</b>	<b>237</b>
	<b>Appendix E: Climate-smart planning cycle .....</b>	<b>238</b>
	<b>Appendix F: Climate-smart checklist .....</b>	<b>239</b>
	<b>Appendix G: Agricultural Land Classification map.....</b>	<b>242</b>
	<b>Appendix H: Location of peat .....</b>	<b>243</b>
	<b>Appendix I: Light pollution and dark skies – map of zones .....</b>	<b>244</b>
	<b>Appendix J: Parking Standards in place at the time of adoption of this Local Plan. ....</b>	<b>245</b>
	<b>Appendix K: Broads Local Plan housing and residential mooring trajectory.....</b>	<b>246</b>
	<b>Appendix L: Adopted constituent district policies relating to affordable housing (as at August 2017).....</b>	<b>249</b>
	<b>Appendix M: Building for Life 12 – Assessment criteria and checklist.....</b>	<b>250</b>
	<b>Appendix N: Acle Straight and considerations/constraints .....</b>	<b>251</b>
	<b>Appendix O: List of policies in the Local Plan including the monitoring and implementation framework. ....</b>	<b>252</b>

# 1. Introduction

## What is this version of the Local Plan?

The Broads Authority submitted the Local Plan for the Broads to the Secretary of State in March 2018 for examination in public. Planning Inspector Ms Katie Child BSc (Hons) MA MRTPI was appointed to conduct the examination to determine whether the Local Plan is sound. Public hearings took place in June and September 2018.

When the Authority submitted the plan it requested under Section 20(7C) of the Planning and Compulsory Purchase Act 2004 that the Planning Inspector in examining the plan to recommend any modifications necessary to ensure the soundness of the plan. Following the close of the public hearings, the Inspector has written to the Council advising what modifications are likely to be required in order for the plan to be found sound. These are called 'Main Modifications'.

Before the Inspector can finalise her conclusions on the soundness of the plan, these Main Modifications need to be consulted on alongside an updated Sustainability Appraisal and Habitat Regulations Assessment of the modifications. Responses to the consultation will be considered by the Inspector before she prepares her final report on the Local Plan for the Broads.

Alongside the consultation on Main Modifications, the Authority has also published a number of proposed 'Additional Modifications' which it wishes to make to the plan prior to adoption. These 'Additional Modifications' do not affect the soundness of the plan and are generally minor clarifications, consequential amendments associated with the Main Modifications and corrections of factual errors in the supporting text of the plan. There are also modifications to the Policies Maps.

This document is a marked up version of the Local Plan for the Broads which incorporates all of the Main Modifications and Additional Modifications proposed following the Hearings of the Local Plan Examination in Public.

The modifications proposed to the plan below are highlighted in ~~red strikethrough~~ for text to be removed and blue underline for text added.

### **1.1. About the Local Plan**

Each local planning authority must prepare a Local Plan that sets the planning policies in its local area. The Local Plan is important when deciding planning applications, as all decisions must be made in accordance with its policies, unless there are strong reasons not to do so. Local plans must be positively prepared, justified, effective and consistent with national policy, in accordance with section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the National Planning Policy Framework (NPPF).

The NPPF states that every local planning authority in England should have a clear, up-to-date Local Plan that conforms to the Framework, meets local development needs, and reflects local people's views on how they wish their community to develop. ~~The plan preparation process should involve everyone with an interest in the document or the planning area, and they should have the chance to comment.~~

This document is the Local Plan for the Broads, prepared by the Broads Authority as the local planning authority for the area. ~~This is the Publication stage of the Local Plan process, which includes our final policies. These policies are based on evidence reports, on consultation responses to the Issues and Options stage (Feb-Apr 2016) and the Preferred Options stage (Dec to Feb 2017), and on our current adopted policies. This Local Plan has been consulted on with the public and stakeholders (between 2016 and 2018) and examined by the Planning Inspectorate in 2018. This Local Plan has been prepared in accordance with the regulations, NPPF and NPPG and has been found sound.~~

For the avoidance of doubt, ~~until this adopted~~ Local Plan ~~is adopted our existing adopted and saved policies remain in place and~~ will be used in determining planning applications ~~and replaces the Core Strategy, Development Management DPD and Sites Specifics Local Plan (which are no longer in use and have been superseded).~~

### 1.2. **Publication Modifications Version Sustainability Appraisal**

A Sustainability Appraisal of the ~~Publication Modifications Version~~ Local Plan is published for consultation<sup>1</sup> alongside the Local Plan. The Planning and Compulsory Purchase Act 2004 requires a Sustainability Appraisal (SA) to be undertaken for Local Plans. The Broads Local Plan SA examines whether the effects of the specific site/area allocations and policies, individually or collectively, give rise to sustainability benefits or disbenefits. The SA assesses the short, medium and long-term social, environmental and economic effects of the individual policy options, and the combined effects of the policies for the whole area.

### 1.3. **Habitats Regulation Assessment**

A Habitats Regulation Assessment (HRA) of the Broads Local Plan ~~Publication~~ Modifications version is also published for consultation<sup>2</sup> with the Local Plan.

The Conservation of Habitats and Species Regulations ~~2010~~ 2017, as amended - commonly referred to as the Habitats Regulations - transpose the requirements of the EU Habitats and Birds Directives into UK law. The Regulations require a HRA to assess potential impacts from a Local Plan on European wildlife sites. This Plan has been subject to HRA and measures embedded within it to protect European sites, including in relation to recreation pressure, tourism and water based activities. The HRA is updated as the Plan is prepared, so the final plan can be adopted with certainty that European sites will not be adversely affected by its implementation. Project level HRAs will also be needed to make sure that detailed project designs secure European site protection.

The designated sites covered by the HRA are Special Areas of Conservation (SACs), Special Protection Areas (SPAs), and Ramsar sites. These are referred to collectively as 'European sites' in the Local Plan.

### 1.4. **Local Plan production process**

~~Table 1 shows the Broads Local Plan production process. The Local Development Scheme, which shows when the various stages of the process will take place, may be found on the Authority's website<sup>3</sup>. We are now in the Publication stage.~~

**Table 1: Broads Local Plan Process**

1: Identify issues	<del>Review existing policies and identify current gaps in policies.</del>
2: Collect evidence	<del>Research that will inform the Local Plan.</del>
3: Consult (Issues and Options)	<del>The Authority will inform stakeholders and the public that the Local Plan is being produced and ask for views on what the plan should cover. Minimum of 6 week consultation period. (Regulation 18)</del>
4: Prepare Draft Plan	<del>The evidence and comments received help produce a draft Local Plan.</del>
5: Consult (Preferred Options)	<del>The Authority will consult with stakeholders and the public on the draft Local Plan for a minimum of 6 weeks.</del>
6: Improve Plan	<del>The Authority will take on board comments received and any further evidence as they improve the Local Plan.</del>
7: Publish Plan	<del>The plan is available for stakeholders and the public to comment on for a</del>

<sup>1</sup> Sustainability Appraisal: [www.broads-authority.gov.uk/broads-authority/how-we-work/transparency/consultations](http://www.broads-authority.gov.uk/broads-authority/how-we-work/transparency/consultations)

<sup>2</sup> Habitats Regulation Assessment: [www.broads-authority.gov.uk/broads-authority/how-we-work/transparency/consultations](http://www.broads-authority.gov.uk/broads-authority/how-we-work/transparency/consultations)

<sup>3</sup> Local Development Scheme: [www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan](http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan)

(Publication)	minimum of 6 weeks. (Regulation 19)
8: Submit	The Authority will assess the comments received. If it considers that the Local Plan is sound, it can submit the Plan to the Planning Inspectorate. Regulation 22. If the Authority wishes to improve the plan, then stages 6 and 7 are repeated.
9: Examine	The Plan is examined by an independent Planning Inspector. There may be Public Hearings. (Regulation 24)
10: Adopt	If the independent Planning Inspector finds the Local Plan sound, the Plan can be adopted by the Authority. (Regulations 25 and 26). If the Inspector does not find the Local Plan sound, the process goes back to stage 6.

#### 1.4 BREXIT and Local Plan production

The UK's decision to leave the European Union following the Referendum in June 2016 has not, at the time of writing, created any changes to regulations relating to Local Plans. [The European Union \(Withdrawal\) Act 2018](#) states that 'direct EU legislation, so far as operative immediately before exit day, forms part of domestic law on and after exit day'. In summary, the current EU law will still be in place when the UK leaves the EU, and so this Local Plan is based on the current rules and regulations

~~The White Paper called 'The United Kingdom's exit from and new partnership with the European Union'<sup>4</sup> states up front that 'to provide legal certainty over our exit from the EU, [the Government] will introduce the Great Repeal Bill to remove the European Communities Act 1972 from the statute book and convert the 'acquis'—the body of existing EU law—into domestic law. This means that, wherever practical and appropriate, the same rules and laws will apply on the day after we leave the EU as they did before'.~~

~~The Great Repeal Bill was announced to Parliament on 10 October 2016. The Bill has three primary elements:~~

- ~~• First, it will repeal the European Communities Act 1972;~~
- ~~• Second, the Bill will preserve EU law where it stands at the moment before the UK leaves the EU. Parliament (and, where appropriate, the devolved legislatures) will then be able to decide which elements of that law to keep, amend or repeal. The UK courts will then apply those decisions of Parliament and the devolved legislatures;~~
- ~~• Finally, the Bill will enable changes to be made by secondary legislation to the laws that would otherwise not function sensibly once the UK has left the EU.~~

#### 1.5 The Broads Plan<sup>5</sup>

The Broads Plan is the strategic management plan for the Broads. It sets out a long-term vision for the Broads and guides partnership actions to benefit the local environment, communities and visitors. As a high level document, the Broads Plan integrates and guides a wide range of strategies, programmes and policies relevant to the Broads, and is reviewed and updated on a regular basis. The current plan covers the period 2017-22.

An assessment of the relationship between the Broads Plan and the Local Plan<sup>6</sup> shows that the Local Plan is consistent with the vision for the Broads and aspirations of the Broads Plan.

#### 1.6 Natural capital or 'ecosystem services'

Natural capital is the Earth's store of natural resources, including water, air, soil, geology and all living things. These resources provide us with a wide range of beneficial goods, services and cultural values, sometimes referred to as 'ecosystem services'. This includes provisions such as food, fibre, fresh water and energy; regulating services such as clean air and water regulation, carbon storage and flood regulation; and cultural

<sup>4</sup> ~~The United Kingdom's exit from and new partnership with the European Union:  
[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/589191/The\\_United\\_Kingdoms\\_exit\\_from\\_and\\_partnership\\_with\\_the\\_EU\\_Web.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/589191/The_United_Kingdoms_exit_from_and_partnership_with_the_EU_Web.pdf)~~

<sup>5</sup> The Broads Plan 2017: [www.broads-authority.gov.uk/broads-authority/how-we-work/strategy](http://www.broads-authority.gov.uk/broads-authority/how-we-work/strategy)

<sup>6</sup> Broads Plan and Local Plan Assessment: [www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2](http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2)

values such as recreation, education or simply admiring the view; all of which are supported by underpinning functions such as biodiversity, photosynthesis, and water and nutrient cycling.

There is no specific single policy relating to natural capital in the Local Plan, as all the policies aim to protect or reflect our natural capital and what it provides us.

## 2. Overview of document

### 2.1 What is a 'Local Plan'?

The Local Plan sets out the issues the Authority faces, a vision of what the Broads Authority Executive Area will look like in 2036, and the strategic policies and site allocations to get us there. As such, it is a detailed and lengthy document. ~~At this Publication Stage, all draft policies start with 'PUB', followed by one of these suffixes.~~ The Local Plan should be read as a whole. No single policy can be used in isolation, and all relevant policies, together with National Policy, Neighbourhood Plans, Supplementary Planning Documents and any other material planning considerations may be relevant in making a planning decision.

### 2.3 Sections of the Plan

Chapters 1 to 3: The Local Plan process and how to have your say

Chapters 4 to 8: About the Broads and the Local Plan

Chapters 9 to 20: Environmental issues

Chapters 20 to 24: Economic issues

Chapters 25 to 29: Societal issues

Chapter 30: Developer contributions and obligations

Chapter 31: Other Development Management policies

Chapter 32: Site Specific policies

### 2.4 Policies

There are three types of policies in the Plan: Strategic, Development Management and Site Specific.

At this ~~Publication~~ Stage (Modifications consultation), all draft policies start with 'MOD~~PUB~~', followed by one of the suffixes introduced below.

All strategies and planning policies appear in coloured boxes to help draw your attention to them. But do not forget the supporting text is also important.

**Strategic policies** are in a box like this. They have the suffix 'SP'

**Development Management policies** are in a box like this. They have the suffix 'DM'

Site Specific policies use the first three letters of the relevant settlement (for example 'ACL' for Acle). Area-wide policies reflect the content of the policy and have the prefix 'SS'.

**Site Specific policies** are in a box like this.

There is supporting text after each policy. This text explains the purpose of and reasoning behind the policy. Some important evidence may be summarised, but the majority of supporting evidence is included within Topic Papers and other reports in our online evidence base<sup>7</sup>.

### 2.5 Maps

The policies maps in this Local Plan may be viewed here:

<http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan>

<sup>7</sup> Examination library: <http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/examination-of-the-local-plan-for-the-broads-2018/local-plan-examination-library-march-2018>

### 3. About this modifications consultation

#### 3.1 Why are we consulting?

Following the hearings into the Broads Local Plan, the Broads Authority is proposing some modifications (changes) to the Plan and we welcome your comments. This document is a marked up version of the Final Draft Local Plan which incorporates all of the Main Modifications and Additional Modifications proposed following the Hearings of the Local Plan Examination in Public. The modifications proposed to the plan below are highlighted in ~~red-strikethrough~~ for text to be removed and blue underline for text added.

#### 3.2 Other documents out for consultation

Other documents that are out for comment are:

- Modifications Sustainability Appraisal
- Modifications Habitats Regulation Assessment
- Modifications Proposals Maps
- List/schedule of main modifications, list/schedule of changes to policies maps and list/schedule of additional (minor) modifications – these are the changes shown in this document or on the maps, but in table format, explaining the reasons

#### 3.3 How to comment

- Email [planningpolicy@broads-authority.gov.uk](mailto:planningpolicy@broads-authority.gov.uk) by 4pm on 15 March 2019.
- Call Natalie Beal on 01603 756050 if you have any questions about this consultation.
- Please note that any comments received will be made public and cannot be treated as confidential.

#### 3.4 Where to find the documents

All consultation documents and maps can be found at [www.broads-authority.gov.uk/broadsconsultations](http://www.broads-authority.gov.uk/broadsconsultations).

**Printed copies** (reference only) of the Modifications version of the Local Plan and the Sustainability Appraisal, Habitats Regulation Assessment and a CD with other consultation documents, may be viewed at the following venues. For opening times, please contact the venue or check their website.

- Broads Authority, Yare House, 62-64 Thorpe Road, Norwich NR1 1RY
- Broadland District Council, 1 Yarmouth Road, Norwich NR7 0DU
- Great Yarmouth Borough Council, Town Hall, Hall Plain, Great Yarmouth, Norfolk NR30 2QF
- North Norfolk District Council, Holt Road, Cromer NR27 9EN
- Norwich City Council, City Hall, St Peter's St, Norwich NR2 1NH
- South Norfolk Council, Cygnet Court, Long Stratton NR15 2XE
- Waveney District Council, Riverside, 4 Canning Rd, Lowestoft, NR33 0EQ
- Norfolk County Council, County Hall, Martineau Lane, Norwich NR1 2DH
- Suffolk County Council, Endeavour House, 8 Russell Road, Ipswich IP1 2BX
- Acle Library, Bridewell Lane, Acle NR13 3RA
- Beccles Library, Blyburgate, Beccles NR34 9TB
- Brundall Library, 90 The Street, Brundall NR13 5LH
- Bungay Library, Wharton Street, Bungay NR35 1EL
- Cromer Library, Prince of Wales Road, Cromer NR27 9HS
- Great Yarmouth Library, Tolhouse Street, Great Yarmouth NR30 2SH
- Loddon Library, 31 Church Plain, Loddon NR14 6EX
- Lowestoft Library, Clapham Road South, Lowestoft, NR32 1DR
- Oulton Broad, Library Council Offices, 92 Bridge Road, Oulton Broad NR32 3LR
- Norwich Millennium Library, The Forum, Millennium Plain, Norwich NR2 1AW
- Stalham Library, High Street, Stalham NR12 9AN
- Wroxham Library, Norwich Road, Wroxham NR12 8RX
- Whitlingham Tourist Information Centre

**This consultation ends at 4pm on Friday 15 March 2019**

## 4. About the Broads – spatial portrait

### 4.1 Introduction

The Broads is an internationally important wetland and designated protected landscape of the highest order with a status equivalent to that of a National Park. The following information gives some background to various aspects of the area's history and environment.

### 4.2 How the Broads were formed

From around the 11<sup>th</sup> Century, the demand for timber and fuel was so high that most woodland was felled, and the growing population then began digging the peat in the river valleys to provide a suitable fuel alternative. Rising sea levels then flooded these early commercial diggings and, despite numerous drainage attempts, the flooding continued and the broads we see today were formed.

### 4.3 The Broads Authority Executive Area

The designated Broads Authority Executive Area covers parts of Norfolk and North Suffolk, as shown in white in Map 1 below. The Executive Area includes parts of Broadland District, South Norfolk District, North Norfolk District, Great Yarmouth Borough, Norwich City and Waveney District. The councils for those areas do not have planning powers in the Broads area, but retain all other local authority powers and responsibilities. Norfolk County Council and Suffolk County Council are the county planning authority for their respective part of the Broads, with responsibilities that include minerals and waste planning and are also the Lead Local Flood Authority.

The Broads does not sit in isolation. There are important linkages with neighbouring areas in terms of the community and economy – what happens outside the Broads affects the area, and vice versa.

**Map 1: Broads Authority Executive Area**



© Crown copyright and database rights 2016. Ordnance Survey 100021573

#### **4.4 The Broads Authority**

The Broads Authority is a Special Statutory Authority, established under the Norfolk and Suffolk Broads Act 1988. It has a statutory duty to manage the Broads for three purposes, none of which takes precedence:

- Conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads;
- Promoting opportunities for the understanding and enjoyment of the special qualities of the Broads by the public; and
- Protecting the interests of navigation.

Additionally, in discharging its functions, the Broads Authority must have regard to:

- The national importance of the Broads as an area of natural beauty and one which affords opportunities for open-air recreation;
- The desirability of protecting the natural resources of the Broads from damage; and
- The needs of agriculture and forestry and the economic and social interests of those who live or work in the Broads.

The Broads Authority is the local planning authority for the Broads. It is responsible for producing this Broads Local Plan, which guides development in the area and is used in determining planning applications.

A primary aspect of the Broads is that it is a nationally designated area, protected and enhanced for the benefit of the nation as well as for the local population and businesses. This is the justification for control of local planning within the designated area to be entrusted to a special purpose body that includes representation of the national interest as well as of local councils and navigators.

#### **4.5 The landscape of the Broads**



The Broads is a landscape much changed by people over time, and is of international historic and cultural significance. Having been awarded status equivalent to a national park, the highest status of protection is conferred upon the landscape and natural beauty of the Broads.

The Broads is a low-lying wetland mosaic of flooded former peat workings ('broads') of various sizes, river channels, reed swamp, fen, carr woodland and drained grazing marsh, with some arable cultivation. It also includes a small stretch of undeveloped coastline near Horsey and Winterton.

Traditional settlements tend to be on slightly higher ground, with extensive areas of reed beds, grazing marsh and some carr in and on the edges of the floodplain. There is no general building vernacular, but the traditional villages tend to have a variety of surviving older buildings that 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.

That being said, the vernacular of the Broads is evolving. The Authority is open to the potential for modern design, which may contribute to the future cultural heritage of the Broads.

On the riverside, around staithes and along the few road accesses to the waterside, is often a string of chalets/bungalows and sometimes grander houses. These display a distinctive palette of a progression of early 20th century architectural styles, including versions of Arts and Crafts, Cottage ornée and mock Tudor particular to the area. There are also boatyards, with buildings of a more utilitarian and industrial character, together with boat mooring basins cut into the marshes, both visually enlivened by boats and their to-ing and fro-ing. These centres of population can be crowded and busy in summer, but population elsewhere in the Broads is sparse.

Drainage mills and isolated farmhouses sparingly punctuate views across the marshland, and the relative absence of fences (because dykes and drains divide the marshes ~~and~~ that contain grazing cattle) accentuates its open, flat and empty appearance. Boats, birds, cattle, field gates, willow pollards and reed-fringed ditches are also important features across the area.

It is a landscape of contrast and surprise, with rivers and broads often concealed from immediate view by carr woodland, or extensive views across marshes to distant woodland and settlements, with the presence of an intervening river often only revealed by the procession of a boat's sail in the middle ground. With its limited road and rail system, much of the Broads feels surprisingly remote and isolated; although footpaths cross the area and boat access is extensive.

#### 4.6 The economy of the Broads



Tourism is the mainstay of the Broads' economy. In 2015, the Broads and surrounding area (including the area of influence) received around 7.4 million visitors, bringing an estimated £431 million and directly supporting more than 7,200 FTE jobs<sup>8</sup>. Land and water based tourism is important in the area with around 12,173 boats on the Broads in 2015 (10,691 private craft and 1,482 hire craft). Many people also enjoy birdwatching, walking, cycling, angling, visiting heritage sites and just being near the water.

Boatyards and other waterside businesses are critical to the enjoyment of the area by tourists and local residents alike, and to the local economy and employment. Although many people come to the Broads as day visitors, provision of holiday accommodation, including a variety of types and locations, is important.

The local economy is not entirely tourism related. Agriculture is the predominant business use in terms of land area, if not in numbers employed or monetary value, and has a vital role in maintaining the landscape and its aesthetic and environmental value. Boat building is also a locally important traditional industry.

<sup>8</sup> STEAM Report: Volume and Value of Tourism in the Broads 2014/15

A diverse range of other businesses are located in the Broads. These tend to be small scale and service related; a notable exception being the large sugar beet processing plant at Cantley on the River Yare.

#### 4.7 The ~~biodiversity~~ Natural Environment of the Broads



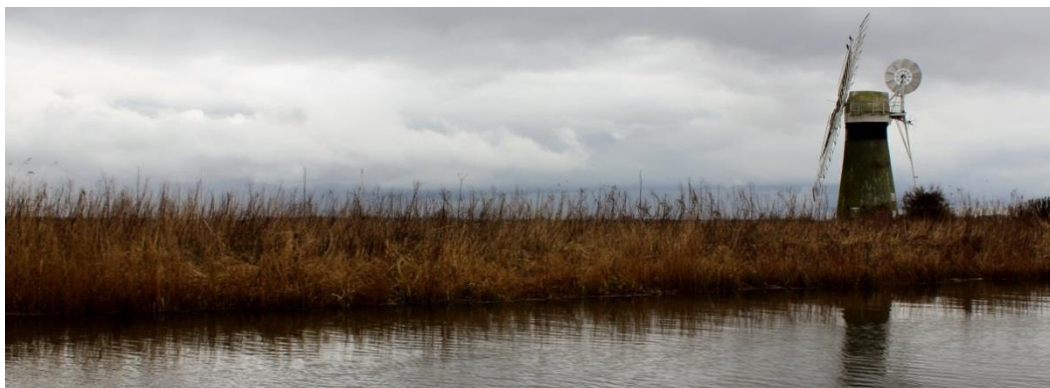
The Broads is one of Europe's most important wetlands for biodiversity and nature conservation. It is a predominantly freshwater ecosystem made up of meandering rivers connecting beautiful expanses of shallow water known as 'broads'. The surrounding habitats include botanically rich fens, home to the rare swallowtail butterfly, Norfolk Hawker dragonfly and the bittern. The invertebrate and bird rich wet woodlands, and the grazing marshes with their network of unique aquatic plant and animal ditch communities, make the Broads one of the most wildlife rich areas in the National Park family and in the UK.

The great importance for biodiversity is reflected in records for the Broads, which indicate:

- Around 25% of the Broads designated for its international and nationally conservation status
- 11,067 species
- 19% of total protected species in the UK and 26% of the UK's Biodiversity Action Plan species
- 1,519 priority species, including 85% of Red and 94% of Amber designated UK Bird species
- Nineteen Global Red Data Book species
- A wide range within taxonomic groups: e.g. 403 species of beetle, 251 species of fly and 179 species of moth
- 66 Broads Speciality species: 14 species entirely, and 17 largely, restricted to the Broads in the UK, and 35 with its primary stronghold in the area

In relation to geodiversity, there are five nationally-designated sites (SSSIs covering Pleistocene geology and active coastal processes), but many other local sites of interest have been identified in the Norfolk Geodiversity Audit.

#### 4.8 Historic environment and culture of the Broads



The unique quality and distinctiveness of the built environment of the area, its drainage mills, river and waterside settlements and the Broads origins as manmade medieval peat diggings makes the Broads itself

arguably one of England's most extensive industrial monuments. Collectively these features provide the context for individual sites of built and archaeological interest, resulting in a true cultural landscape. The Broads Authority Executive Area contains over 270 Nationally Listed Buildings, 15 Scheduled Monuments and 25 Conservation Areas. The area has been identified by Historic England as being a site of exceptional potential for waterlogged archaeology, and the Broads Authority maintains a Local List of heritage assets. The Broads is also home to numerous heritage craft including the famous trading wherries, other historic sailing and motor vessels.

The cultural assets of the Broads are a fragile, precious and finite resource. While the cultural value of the area can be added to by outstanding new design, its past is documented by the historic environment. It is important that policies are in place to protect, enhance and better understand the historic environment and cultural landscape of the Broads.

#### **4.9 Navigating the Broads**



One of the Broads Authority's statutory purposes is to protect the interests of navigation. The Broads is one of the most extensive and varied inland waterway systems in the UK, offering 200km of boating on lock-free tidal rivers. The navigation reaches from the quiet headwaters of the Bure, Ant, Thurne and Waveney to the bustling centre of Norwich and coastal resorts of Great Yarmouth and Lowestoft. The North Walsham and Dilham Canal is partly within the Broads and is a heritage canal.

The Executive Area comprises approximately 1,974ha of water space and open water bodies, covering 843ha. Many of these water bodies are broads in the traditional sense, having been formed from medieval peat diggings and used as water transport routes linking settlements with the main rivers and tributaries. Others are of more recent and/or different origin, such as at Whitlingham Country Park, which was developed on the site of a gravel quarry. Some broads have public navigation rights, others have more limited access, generally for environmental or land ownership reasons, while some others are landlocked and inaccessible to craft.

As a harbour and navigation authority, the Authority is responsible for the maintenance of the navigation on the waterways, which is entirely funded through income generated by boat tolls. Its duties include health and safety provisions, dredging, management of vegetation, clearance of wrecks and other hazards, signing and marking the waterways, maintaining the network of free 24-hour moorings and providing a ranger service to assist the public and enforce the byelaws, particularly speed limits.

#### **4.10 The boats and people who sail them**

Visitors taking to the network of rivers and broads find themselves sharing the water space with many types of vessels. These range from heritage sailing river cruisers, canoes and paddle boards to period launches and day boats, some propelled by steam, and dozens of types of nationally and internationally recognised racing/sailing dinghy. There are also the restored and maintained traditional trading wherries and leisure wherries. Boats are hired by the day or week, or are privately owned. Boat building, chandlery and repair are

significant local industries. This rich 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 more than 50 voluntarily run clubs and classes affiliated to the Norfolk and Suffolk Boating Association.

#### 4.11 The Community of the Broads

The resident population of the Executive Area is about 6,300 people. Living in the Broads, particularly close to the water, is highly prized and this is reflected in local house prices. Local communities strongly identify with the area and value its special qualities. [The Broads Authority Executive Area covers parts of over 90 parishes in Norfolk and Suffolk \(see Appendix A for a list of parishes and the districts they are in, as well as a map showing this information\).](#)

The National Census 2011 gives these facts and figures about the community of the Broads: **6,271** people live here, **49.8%** male and **50.2%** female. The mean age of the population is **49.3**, and the **majority** work full time or are retired. **Most** identify their health as good or very good, with **9.6%** reporting a long-term health problem or disability that limits their day to day activities 'a lot'. The Broads has a population density of **0.2 people per hectare**, and the number of households increased by **307** between 2001 and 2011.



The 2015 Indices of Multiple Deprivation (IMD) give an interesting insight into the community of the Broads. The IMD map for the Broads has been assessed as part of a Deprivation Topic Paper<sup>9</sup>.

#### 4.12 Pressure on the Broads

The Broads is a fragile wetland. It is under increasing pressure from a variety of sources, including development both within and adjacent to the Executive Area. In the last century, habitat loss and fragmentation, nutrient enrichment and pollution of the waterways, and increasing threats from non-native species have seen a decline in species and habitats. The Broads Plan and the Broads Biodiversity Action Plan commit the Authority and its partners to halting and reversing this decline in the Broads. Sea level rise and the impacts of a changing climate and pressure on water resources related to new development will also increase pressure on the Broads over time.

#### 4.13 Access and Recreation



As the UK's premier wetland, with status equivalent to a National Park and internationally recognised for its landscape, nature conservation and cultural features, the Broads is a popular recreational destination, with miles of open water space and natural, historic and cultural assets to be explored and enjoyed.

<sup>9</sup> Deprivation Topic Paper: [www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2](http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2)

Because of its wetland landscape, many parts of the Broads are most easily accessible by water, with the unique experience this brings. It is one of the most extensive inland waterways in the UK, and boat is a major recreational activity, with around 12,000 licensed craft using the navigation area.

There are also recreational opportunities to be enjoyed on land. The area has an extensive rights of way network, with around 303km of public footpaths and 17km of public bridleways available for public use. There are three promoted long distance routes and a number of circular walks and cycle routes in the area. Approximately 150ha of land in the Broads has been designated as open access land under the Countryside and Rights of Way Act 2000. The Broads is also one of the most popular areas in the UK for angling.

Good access and recreation provision in the Broads contributes to the health and wellbeing of local and neighbouring communities, and is especially important for urban dwellers and people from deprived communities.

## 5. Policy context

### 5.1 Introduction

The following key policy documents have helped shape the production of this Local Plan.

### 5.2 National Planning Policy Framework (NPPF) ~~(2012)~~<sup>10</sup>

The National Planning Policy Framework acts as guidance for local planning authorities and decision-makers, both in drawing up plans and determining planning applications, and is a material consideration in decision-making. Throughout this Local Plan, we refer to relevant parts of the NPPF.

Part way through the examination of the Local Plan for the Broads, the 2012 version of the NPPF was replaced by a 2018 version. The Local Plan was examined mainly under the 2012 version of the NPPF however in some instances the 2018 version of the NPPF is referenced.

### 5.3 National Planning Policy Guidance (NPPG) (2014)<sup>11</sup>

On 6 March 2014, the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource to assist practitioners. Ultimately, the interpretation of legislation is for the Courts but this guidance is an indication of the Secretary of State's views. Planning practice guidance will be updated by DCLG as needed.

### 5.4 UK Marine Policy Statement (2011)<sup>12</sup>

Marine Policy Statement (MPS) is the framework for preparing Marine Plans and taking decisions affecting the marine environment. The Marine and Coastal Access Act 2009 requires all public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area to do so in accordance with the MPS unless relevant considerations indicate otherwise.

### 5.5 East Inshore and Offshore Marine Plans (2014)<sup>13</sup>

The East Inshore Marine Plan area includes the coastline stretching from Flamborough Head to Felixstowe, extending from mean high water out to 12 nautical miles, including inland areas such as the Broads and other waters subject to tidal influence, and covers an area of 6,000 square kilometres. The East Offshore Marine Plan area covers the marine area from 12 nautical miles out to the maritime borders with the Netherlands, Belgium and France, a total of approximately 49,000 square kilometres of sea.

#### Vision for East Marine Plan Areas in 2034

By 2034 sustainable, effective and efficient use of the East Inshore and East Offshore Marine Plan Areas has been achieved, leading to economic development while protecting and enhancing the marine and coastal environment, offering local communities new jobs, improved health and well-being. As a result of an integrated approach that respects other sectors and interests, the East marine plan areas are providing a significant contribution, particularly through offshore wind, to the energy generated in the United Kingdom and to targets on climate change.

### 5.6 National Parks Circular (2010)<sup>14</sup>

While the National Parks and the Broads are established under two separate Acts of Parliament, the similarities between them are such that this circular has been produced to apply equally to them all. It sets out, in relation to the Parks and the Broads:

<sup>10</sup> NPPF 2012: <https://webarchive.nationalarchives.gov.uk/20180608095821/https://www.gov.uk/government/publications/national-planning-policy-framework--2>

NPPF 2018: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/728643/Revised\\_NPPF\\_2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728643/Revised_NPPF_2018.pdf)

<sup>11</sup> NPPG: [planningguidance.planningportal.gov.uk/](http://planningguidance.planningportal.gov.uk/)

<sup>12</sup> UK Marine Policy Statement: [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/69322/pb3654-marine-policy-statement-110316.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69322/pb3654-marine-policy-statement-110316.pdf)

<sup>13</sup> East Inshore and Offshore Marine Plans: [www.gov.uk/government/publications/east-inshore-and-east-offshore-marine-plans](http://www.gov.uk/government/publications/east-inshore-and-east-offshore-marine-plans)

<sup>14</sup> National Parks Circular: [www.gov.uk/government/publications/english-national-parks-and-the-broads-uk-government-vision-and-circular-2010](http://www.gov.uk/government/publications/english-national-parks-and-the-broads-uk-government-vision-and-circular-2010)

- a vision for the English National Parks and the Broads for 2030;
- the key outcomes the Government is seeking over the next five years to ensure early progress towards the vision and suggested actions for achieving those outcomes;
- the key statutory duties of the National Park Authorities (NPAs) and the Broads Authority (together ‘the Authorities’) and how they should be taken forward;
- policy on governance of the Authorities; and
- the contributions needed from others.

#### **Vision for the English National Parks and the Broads**

By 2030 English National Parks and the Broads will be places where:

- There are thriving, living, working landscapes notable for their natural beauty and cultural heritage. They inspire visitors and local communities to live within environmental limits and to tackle climate change. The wide-range of services they provide (from clean water to sustainable food) are in good condition and valued by society.
- Sustainable development can be seen in action. The communities of the Parks take an active part in decisions about their future. They are known for having been pivotal in the transformation to a low carbon society and sustainable living. Renewable energy, sustainable agriculture, low carbon transport and travel and healthy, prosperous communities have long been the norm.
- Wildlife flourishes and habitats are maintained, restored and expanded and linked effectively to other ecological networks. Woodland cover has increased and all woodlands are sustainably managed, with the right trees in the right places. Landscapes and habitats are managed to create resilience and enable adaptation.
- Everyone can discover the rich variety of England’s natural and historic environment, and have the chance to value them as places for escape, adventure, enjoyment, inspiration and reflection, and a source of national pride and identity. They will be recognised as fundamental to our prosperity and wellbeing.

#### **5.7 The Broads Plan**

The Broads Plan is the key strategic management plan for the Broads. It sets out a vision, aims and objectives for the Broads and coordinates and integrates a wide range of strategies, plans and policies relevant to the area with the purposes and duties set out in the Broads Acts. There are ten aspirations in the Plan:

- 1) Improve water capture and efficient water use across the Broadland Rivers Catchment, and develop a longer-term integrated flood risk management strategy for the Broads and related coastal frontage.
- 2) Protect, conserve and enhance water quality and land and habitat condition to benefit priority species, recognising natural environmental change and retaining a thriving and sustainable agricultural industry.
- 3) Apply a catchment-scale approach to reduce sediment input and the sediment backlog, and sustainably reuse or dispose of dredged material.
- 4) Maintain a safe, open navigation and reduce pressures on busy or vulnerable areas.
- 5) Improve understanding, protection, conservation and enhancement of the Broads’ Landscape character and distinctive built, cultural, archaeological and geological assets.
- 6) Provide opportunities for distinctive recreational experiences in harmony with the special qualities of the area.
- 7) Strengthen and promote key messages and tourism offer in keeping with the area’s status, special qualities, history and traditions.
- 8) Support development growth within and adjacent to the Broads, while avoiding adverse impacts on the area’s special qualities.
- 9) Strengthen connections between a wide audience, particularly local communities and young people, and the Broads environment.
- 10) Build the awareness and adaptive capacity of local communities to the challenges of climate change and sea level rise.

#### **5.8 Neighbouring Local Planning Authority Planning Policy Documents**

The Broads Authority is the Local Planning Authority for the Broads Authority Executive Area. Parts of the Broads area cover Norwich City, Broadland, South Norfolk, North Norfolk, Great Yarmouth Borough and Waveney District Council areas. These districts are the Local Planning Authorities for the remainder of their areas. The Broads straddles both Norfolk and Suffolk, and those County Councils have produced minerals and waste planning policy documents.

### 5.9 Norfolk Strategic Planning Framework (NSPF)

All Norfolk Local Planning Authorities ~~are working towards a~~ have completed a Norfolk Strategic Planning Framework (NSPF) ~~to make sure which ensures~~ that planning is undertaken strategically and the requirements of the 'Duty to Cooperate' are met (see following section). The Framework ~~will identify identifies~~ cross boundary and strategic issues and seek ways ~~to recommend to~~ the Authorities ~~how to~~ address the issues in a coordinated manner. ~~A framework rather than a policy document, the NSPF follows the approach taken by Cambridgeshire Local Planning Authorities. The NSPF will be nearing completion at the time of the publication stage of the Broads Local Plan, and an assessment of this Local Plan against the draft NSF Agreements has been completed<sup>15</sup>.~~

### 5.10 Neighbourhood Plans

The following Neighbourhood Plans are adopted or in preparation (at ~~Sept 2017~~ January 2019):

Neighbourhood Plan	Status
Acle	Adopted 2015
<u>Barnby</u>	<u>In preparation</u>
Beccles	In preparation
Brundall	Adopted 2016
Bungay	In preparation
<u>Hemsby</u>	<u>In preparation</u>
Horstead with Stanninghall	In preparation
Lound with Ashby, Herringfleet and Somerleyton	In preparation
Oulton	In preparation
Rollesby	In preparation
Salhouse	Adopted 2017
Strumpshaw	Adopted 2014
Thorpe St Andrew	In preparation
Winterton on Sea	In preparation
Worlingham	In preparation
Wroxham	In preparation

### 5.11 Housing White Paper

On 7 February 2017 the Government published the Housing White Paper<sup>16</sup> "Fixing our broken housing market". The Paper explains that, since the 1970s, on average 160,000 new homes have been completed each year in England. The consensus is that the country needs 225,000-275,000 more homes per year to keep up with population growth and to tackle under supply. The Paper sets out a broad range of reforms that Government plans to introduce to reform the housing market and increase the supply of new homes. The changes discussed are to come forward through amendments to the NPPF, regulations and further consultations. The Broads Authority stays informed of changes to the planning system and has responded as required in the production of this Local Plan.

<sup>15</sup> Duty to Cooperate Statement: [www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2](http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2)

<sup>16</sup> Housing White Paper: [www.gov.uk/government/collections/housing-white-paper](http://www.gov.uk/government/collections/housing-white-paper)

## 6. Duty to cooperate

### 6.1 Introduction

The Duty to Cooperate was created in the Localism Act 2011 and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local and Marine Plan preparation in the context of strategic cross boundary matters.

The Duty to Cooperate is not a duty to agree, but local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination, when they will have to demonstrate how they have complied with the Duty. If they cannot do so, the Local Plan will not be able to proceed further in examination.

### 6.2 The Broads Authority and Duty to Cooperate Summary

The Localism Act states that relevant bodies must ‘...engage constructively, actively and on an ongoing basis...’ The Broads Authority considers that it meets this duty in many ways, as set out in the Duty to Cooperate Statement<sup>17</sup>, including:

- All Norfolk Local Planning Authorities have assisted in the completion of, and have signed up to, the Norfolk Strategic [Planning](#) Framework. ~~This is being consulted on at the time of writing.~~ The process is overseen by members from all Local Planning Authorities.
- Fundamentally, the Broads Authority Executive Area straddles the area of six constituent councils and two county councils.
- Each of the six constituent councils is the Housing Authority for their entire area, and undertakes the economic development function for that area, both of which are key topics for working together.
- There are regular meetings between the Authority and Norfolk Planning Policy lead officers, as well as bespoke meetings with Great Yarmouth Borough Council and Waveney District Council.

<sup>17</sup> Duty to Cooperate Statement: [www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2](http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2)

## 7. Challenges and opportunities

### 7.1 Introduction

This section identifies some of the principle sustainability challenges and opportunities in the area that are potentially relevant to the Local Plan for the Broads.

### 7.2 Strengths

- Extensive, diverse and very highly valued landscape, habitats, flora, fauna and cultural and heritage assets.
- A unique wetland and low-lying area and status equivalent to a National Park.
- Formal nature conservation designations of the Broads and many areas within it provide relatively high levels of policy protection or conservation.
- A short undeveloped stretch of coastline.
- High levels of tranquillity through much of the Broads; in particular, a sense of remoteness in some parts despite these being located close to concentrations of housing and industry.
- Attractive environment, providing the basis for most of the Broads' economy and recreation for residents and visitors.
- Britain's largest protected wetland and fourth largest inland waterway, with the status equivalent to a National Park
- High level of interaction with the surrounding area, with complementary provision of facilities and opportunities. For example, employment and development opportunities, community facilities, etc. in surrounding districts, towns and in Norwich also serve Broads' residents, while the Broads provides recreational and business opportunities to those from the wider area.
- Thriving hire boat industry contributing to the local economy.
- Many organisations and individuals caring for or promoting the value of various aspects of the Broads.
- Importance of the Broads for the identity and recreation of a much wider area.
- The age profile of the area shows more older-aged persons than the surrounding area. Older people are often motivated, educated and experienced and play an important role in the community.
- Substantial, engaged community of private boat owners.
- Local boating clubs and classes that enable local people (whether or not boat owners), including children, to acquire and hone the skills required to become good sailors
- Only few ( or localised) visual impacts from development outside the area of the Broads.
- Many heritage assets including conservation areas and drainage mills.
- The international significance of the paleo-archaeological remains within the Broads and the unusually well preserved organic remains.
- A wealth of archaeological deposits that are not well represented elsewhere within the country

### 7.3 Weaknesses

- Some of the protected habitats in less than optimal condition and/or vulnerable to change as a result of, for example, fragmentation, inappropriate land management and pressure from nearby development.
- Some areas of fen and some lakes in decline.
- Almost the whole of the Broads area subject to, or at risk of, flooding.
- 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.
- Continuing (though declining) problems of water quality in the rivers. Ground water quality problems.
- Difficulty of modernising and adapting existing buildings and uses, and accommodating new ones, due to flood prone nature of the area.
- Decline in traditional industries such as millwrights and reed and sedge cutters.
- High reliance on tourism which can leave the economy vulnerable and mean a loss of resilience as a result of changes to the holiday/recreational patterns.
- Car dependence of local communities and businesses and fragmentation of settlements.

- Depleted local community and/or visitor facilities, often through displacement by higher value activities (principally housing).
- Tensions and perceptions of incompatibility between interests of conservation, recreation, tourism, navigation and local communities, and between local interests and the national value of the Broads.
- The ageing population could lead to imbalance in the community.
- Lack of housing that is affordable resulting in some people having to commute to places of work.
- Deficiencies of moorings in some places to meet the needs of various waterspace users.
- Increasing pressures for land use change around areas of settlement.
- Resourcing difficulties for organisations that help to manage the environmental assets.
- Reliance on agricultural subsidies to promote land management for nature conservation.

#### 7.4 Opportunities

- Climate change:
  - Likely impacts that may create opportunities such as changes in flora, fauna and landscape, patterns of recreation and changes in agriculture and its practices.
  - Adaption through erecting, raising and strengthening flood defences, realignment in more flood prone locations to make more space for water and linking wildlife habitats to provide resilience.
  - Evolving low carbon lifestyles, construction and patterns of land use and settlement.
- Maintaining the recovery and improvement of water quality achieved over the last few decades by long term and ongoing action across a range of agencies.
- Potential to put in place environmental and recreational management measures as part of the implementation of major housing and employment growth outside but close to the Broads area.
- To connect wetland habitats on a landscape scale, to enhance and buffer biodiversity rich areas.
- Potential for revival in the use of the area's rivers and railways for freight and passenger traffic.
- Changes in patterns of recreation and expectations of visitors, including impacts of earlier major decline in hire boat fleet and growth of private boat ownership; higher expectation of facilities for leisure plots, holiday chalets and other accommodation.
- Potential for complementary and mutually supportive actions and benefits across environmental, recreational, navigation, and local community issues.
- Provision of jobs, facilities, services and homes for local residents through the development plans of constituent Local Authorities.
- The status of the Broads as equivalent to a National Park – held in high regard at a local and national level.
- Training opportunities for traditional skills and crafts.
- Encouraging sustainability through the design of buildings as well as innovative designs, new technologies and building in resilience.
- Opportunities to encourage both local residents and visitors to join one of the many boating clubs, take part in organised events, go on formal sailing courses and gain recognised Royal Yachting Association (RYA) qualifications.
- To Improve awareness of general public and residents of the special qualities of the Broads
- Major highway improvements and the benefits to the community and economy they could bring.
- Flat land favouring healthy travel modes.
- More home based working lessening carbon impacts but retaining wealth in the locality.

#### 7.5 Threats

- Climate change - likely impacts that may be threats:
  - Increased frequency and severity of all sources of flooding
  - Increased risk of coastal inundation
  - Changes in water quality and quantity
  - Increased frequency and severity of saline incursion into fresh water systems
  - Changes in flora, fauna and landscape

- Changes in patterns of recreation
- Changes in agriculture and its practices
- Redundancy/degradation of infrastructure and material assets
- Erosion of the special character of the area's landscape and built heritage through:
  - Loss of archaeology built/landscape and cultural heritage assets.
  - Saline intrusion.
  - Coastal erosion.
  - Incremental 'suburbanisation' and other changes, including through domestic and holiday home extensions/enlargements and paraphernalia:
    - Metalling of unmade tracks;
    - 'Horsiculture' – proliferation of pony paddocks, stables, Manéges, etc.;
    - Road, rail and navigation improvements/changes;
    - Proliferation of advertisements.
- Potential landscape and economic effects of change, including that driven by market changes (e.g. food prices, bio-fuel).
- Changes in patterns of recreation, including impacts of earlier major decline in hire boat fleet and growth of private boat ownership; higher expectation of facilities for leisure plots, holiday chalets and other accommodation.
- Declining boatyard and boatbuilding industry.
- Loss of local and traditional skills.
- Pinch-points at bridges, no passing places and low levels of infrastructure allied to industry / business and even residential could limit potential for more use of water.
- Major housing and employment growth planned for nearby areas, and associated potential impacts such as:
  - Water quality and quantity loss arising from effluent input and supply extraction.
  - Increased recreational pressure, on both visitor 'honeypots' and remoter, more tranquil and sensitive localities.
  - Traffic growth.
- Passing of the economies, practices and ways of life that generated and sustained those landscapes.
- Unsympathetic design, construction and alterations.
- Loss of local community and/or visitor facilities, often through displacement by higher value activities (principally housing).
- High house prices in the rural areas could affect the willingness of some to train in traditional skills such as reed and sedge cutting as they would need to commute.
- Recent and likely future cuts in budgets and consequent challenges organisations face in light of reduced funds.
- Palaeo-environmental and organic archaeological remains are especially vulnerable and significant in the Broads.
- Potential damage to protected wildlife sites through activities in the Broads and more development in the wider area.
- Major highway improvements and the threat to the special qualities of the Broads that could result.
- Further loss of moorings.
- Vulnerability of subsidised public transport services within the Broads Authority Executive Area (bus and rail).
- [Drying out of wetland and oxidation of peat, leading to loss of finite environmental and archaeological archives as well as release of stored carbon.](#)
- [Coastal protection work, which may alter the dynamics of marine erosion and sediment transport.](#)

## 8. Vision, objectives and existing policies

### 8.1 Vision for the Broads

The vision for the Broads is taken from the Broads Plan 2017, the strategic management plan for the Broads.

#### By 2036 the Broads will be a place where...

The natural environment and the beneficial goods, services and cultural values it provides, from food and energy to landscape character and recreation, are in good condition, are used fairly and sustainably, and are valued by society. In particular, the precious nature of clean, fresh water as a fundamental resource is understood and respected by all.

The past and present importance of the waterways for navigation, biodiversity and recreation is recognised and cherished, and the asset is protected, maintained and enhanced. Wildlife flourishes and habitats are maintained, restored, expanded and linked effectively to other ecological networks. Land and water are managed in an integrated way, with local and landscape scale management creating resilience and enabling flexible approaches to meet changing environmental, economic and social needs.

This living, working, 'big skies' landscape is notable for its natural beauty, distinctive local character and historic significance. People of all ages, abilities and circumstances experience and enjoy it as a place of escape, adventure, enjoyment, work, learning and tranquillity, and as a source of national pride and identity. Sustainable living can be seen in action and there is a buoyant rural economy. Local communities are taking an active part in decisions about their future and are known for having been pivotal in the transformation to a low carbon, 'climate-smart' society.

The Broads National Park will be forever recognised as fundamental to our prosperity and to our mental and physical health and wellbeing. It will be forever treasured as a place that provides a "breathing space for the cure of souls".

### 8.2 Broads Local Plan Objectives (2015 to 2036)

The Local Plan objectives reflect the Vision for the Broads and the area's special qualities and assets. The policies in the Local Plan seek to meet these objectives by 2036 and sustain them beyond that date.

Objective		Relevant policies in the Local Plan
OBJ1.	The Broads remains a key national and international asset and a special place to live, work and visit.	Generally all policies are relevant as together they aim to meet this objective.
OBJ2.	There are areas of true tranquillity and wildness, giving a real sense of remoteness.	Upper Thurne and Trinity policies. Dark sky policy. Amenity policy.
OBJ3.	The Broads is a unique, highly valued and attractive environment where the landscape character and setting is protected, maintained and enhanced.	Landscape character section.
OBJ4.	The rich and varied <del>habitats and wildlife are</del> <a href="#">natural environment is</a> conserved, maintained, enhanced and sustainably managed.	Natural environment section.
OBJ5.	The coastal section of the Broads is used and managed in a beneficial and integrated way for people and wildlife.	Coast site specific policy.
OBJ6.	Water quality is improved and water is managed using appropriate measures to increase capture and efficiency, prevent pollution and reduce nutrients. Flood risk to people, property and landscapes is managed effectively.	Water section.

Objective		Relevant policies in the Local Plan
OBJ7.	'Climate-smart thinking' minimises future adverse impacts and makes use of opportunities in an area vulnerable to a changing climate and sea level rise.	Climate change section.
OBJ8.	The area's historic environment and cultural heritage are protected, maintained and enhanced. Local cultural traditions and skills are kept alive.	Historic Environment section.
OBJ9.	The housing needs of the community are met.	Housing section and allocations in sites specific section.
OBJ10.	Development and change are managed to protect and enhance the special qualities of the Broads as well as the needs of those who live in, work in and visit the area. The Broads Authority maintains close cooperation with the Local Planning Authorities adjoining its executive area.	Generally all policies are relevant as together they aim to meet this objective. Also see Duty to Cooperate section.
OBJ11.	The Broads offers communities and visitors opportunities for a healthy and active lifestyle and a 'breathing space for the cure of souls'.	See health section.
OBJ12.	There is a buoyant and successful rural economy.	See economy section.
OBJ13.	The Broads is renowned for sustainable tourism and supports a prosperous tourism industry.	See tourism section.
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.	Generally most policies address this objective. See transport section <a href="#">and navigation section</a> .
OBJ15.	The Broads continues to be important for the function, identity and recreation of the local community as well as over a wider area.	Generally most policies address this objective
OBJ16.	Waste is managed effectively so there is no detriment to the environment.	See design section.

### 8.3 The existing policies of the Broads Development Plans

All policies in the Core Strategy, Development Management DPD and Site Specific Policies Local Plan, and the saved TSA2 from the 1997 Local Plan, are replaced by the policies in this Local Plan. See [Appendix B](#).

### 8.4 Special qualities of the Broads

The special qualities of the Broads that the Local Plan seeks to protect or enhance (as appropriate) are well known. The following list is based on public consultation for the Broads Plan, the Broads Climate Change Adaptation Plan and the Broads Landscape Character Assessment. Together, these special qualities help create the distinctiveness of the Broads' landscape.

- Rivers and open water bodies ('broads')
- Fens, reed beds and wet woodlands
- Grazing marshes and dyke networks
- Flood plains, estuary and coast
- Navigable, lock-free waterways
- Special wildlife
- Countryside access on land and water
- Views, remoteness, tranquillity, wildness and 'big skies'
- The people, the visitors, the activities

- j) History: [Earth heritage](#)~~Geo-heritage~~, heritage assets, archaeology , historic structures
- k) Cultural assets, skills and traditions.
- l) People's interactions with the landscape
- m) The settlements
- n) Variety of patterns and textures of the landscape.

#### 8.5 Assumptions made when producing this Local Plan

The Authority has made some general assumptions in producing this Local Plan and in particular evidence studies, including:

- Great Yarmouth is able to accommodate our unmet housing need, as set out in the Housing Topic Paper and at policy MODSP19.
- The Local Plan will start to be reviewed within around 18 months of being adopted.
- In general many of the Core Strategy, Development Management DPD and Sites Specific Local Plan policies were relevant, albeit with some amendments, and so have been rolled forward to this Local Plan. No policies have been saved from previous policy documents.
- At the time of writing, there have been no changes to Local Plan production as a result of Brexit. As such, this Local Plan has been produced in line with current regulations. (See Brexit statement in section 1)

## 9. Sustainable development in the Broads

### Policy MODSP1: DCLG/PINS Model Policy

When considering development proposals, the local planning authority will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that meets the Broads' statutory purposes and improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in the development plan will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application, or relevant policies are out of date at the time of making the decision, then the local planning authority will grant permission unless material considerations indicate otherwise, taking into account whether:

- i) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- ii) Specific policies in that Framework, and particularly those relating to national parks and the Broads, indicate that development should be restricted.

### Reasoned Justification

The National Planning Policy Framework states that Local Plans should be based upon, and should reflect, the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally ~~(paragraph 15)~~. [Sustainable Development has three dimensions according to the NPPF: economic, social and environmental.](#) The Planning Inspectorate considers that the DCLG's model wording will, ~~if incorporated into a draft Local Plan submitted for examination,~~ be an appropriate way of meeting this expectation.

It is important to note that the presumption in favour does not apply where there is a likely significant effect on a European site, triggering an appropriate assessment.

### Evidence used to inform this section

- The 'original' model policy.

### Policy MODDM1: Major Development in the Broads

1. [For the purposes of this policy, 'major development' is defined in this Local Plan as development which has the potential to have a significant adverse impact on the Broads and its special qualities due to the development's nature, scale and setting. 'Major development' may include the development covered by the definition set out in the NPPF, but is not restricted to that.](#)
2. [Applications for major development will not be permitted other than in exceptional circumstances and where applicants can demonstrate that they are the development is in the public interest.](#)
3. [Proposals for major development will need to demonstrate:](#)
  - a) [the need for the development, including in terms of any national considerations;](#)
  - b) [the impact of permitting or refusing the development upon the local economy and local communities and the extent to which it will provide a benefit to the Broads and wider area;](#)
  - c) [the cost of and scope for locating the development elsewhere outside the Broads, or meeting the need for it in some other way, and a justified explanation of why these options have been](#)

discounted;

- d) that there are no adverse effects on proposed or designated European sites for nature conservation both within their boundaries and in areas that ecologically support the conservation objectives of the site. Project Level Habitats Regulation Assessments may be needed to assess implications on European Sites. Measures to mitigate for the effects of new development may be required.
  - e) any detrimental effect on the natural and historic environment, the landscape, and recreational opportunities, taking into account the special qualities of the Broads, and the extent to which any such effect could be moderated (through applying the avoidance, mitigation and compensation sequence of tests set out in clause 4 of this policy); and
  - f) that the cumulative impact of the development when viewed with other development proposals and types of development is acceptable.
4. Where the tests of clause 3 have been met, then every effort to avoid adverse effects will be required. Where adverse effects cannot be avoided, appropriate steps must be taken to minimise harm through mitigation measures. Appropriate and practicable compensation will be expected for any unavoidable effects that cannot be mitigated.

#### Reasoned Justification

The purpose of the planning system is to contribute to the achievement of sustainable patterns of development which support and meet the needs of communities and the local economy whilst protecting the special character and assets of importance to these communities and the wider area.

This balance is of particular importance in those areas that have been designated for their special qualities, such as the National Parks and The Broads. These areas are identified in the NPPF as having the highest status of protection in relation to landscape and scenic beauty and where the conservation of wildlife and cultural heritage are important considerations (2018 NPPF paragraph 172). In respect of 'major development' the NPPF states (2018 NPPF paragraph 172) that the scale and extent of development within the Broads should be limited and planning permission should be refused for such development in these areas other than in exceptional circumstances and where public interest can be demonstrated. This policy seeks to apply this national test and provide local guidance.

Footnote 55 of the 2018 NPPF (that relates to paragraph 172) says that whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the Broads has been designated. So for the purpose of this policy it is considered to be development of a more than local scale and which could be considered to have potentially adverse impacts on the Broads and the delivery of the statutory purposes. The identification of major development will be context specific and a matter of planning judgement and the following criteria will be considered in the assessment:

- a) whether the development is Environmental Impact Assessment (EIA) development; or
- b) developments that fall within Schedule 2 of the EIA Regulations that after being screened by the Broads Authority, are considered as likely to have significant effects on the environment due to their nature, scale and setting and require an assessment, or
- c) the NPPF 2018 definition of major development in terms of the classification of planning applications (page 68 of NPPF), or
- d) developments that require the submission of a Transport Assessment (see SSROADS), or
- e) further information to consider as set out in the 2018 NPPF and in particular footnote 55.

The above will be relevant considerations and will be taken into account as part of the assessment by the Broads Authority as decision maker in accordance with paragraph 172 of the 2018 NPPF.

There are other potential major developments that are subject to their own policy in this local plan; this major development policy will be of relevance to those schemes.

Due to its status as a protected landscape equivalent to a National Park, there will limited scope for major development in the Broads area. It is the purpose of this policy to provide a framework for dealing with any such development and to ensure that, in considering any such proposal, the particular characteristics and status of the area is accorded the appropriate significance

A particular scheme that may come forward that will likely be classed as major development is the A47 and this is subject to its own policy detailing specific considerations due to the nature and location of the potential development. The principles of PUBSSA47 are consistent with the Major Development policy, but provide additional guidance.

It is noted that some major development schemes that occur in the Broads will not be determined by the Authority.

Any proposals for development treated as 'major development' should be accompanied by a written statement of justification for the proposal.

## 10. Water and flooding

### **Policy MODDM2: Water quality and foul drainage**

Development will be permitted only where it can be demonstrated that it will not have an adverse impact on waterbodies, including surface and ground water, in terms of quality and quantity. This should include the requirements of the Water Framework Directive and Habitats Regulations.

Applicants are required to demonstrate there is adequate sewage treatment provision to serve the development or that this can be made available in time for the occupation of the development, and to demonstrate that there is available capacity within the foul sewerage network or that capacity will be made available.

Development is required to be connected to a foul sewer unless proven not to be feasible. If connection to a foul sewer is proven to not be feasible, only then will other arrangements of package sewerage treatment works and septic tanks be considered and only in that order. These will be permitted only if the Authority is satisfied that these systems will work for the expected use and there would be no adverse effects on the environment.

The Authority encourages proposals to consider the use of constructed reed beds as a filtration system to remove nutrients before the waste water from small sewage treatment plants [and](#) package treatment works ~~and septic tanks~~ enters waterbodies. Production of a management plan will be required to demonstrate the constructed reed beds will continue to function as intended in perpetuity.

Extensions that increase occupancy and proposals for replacement development, as well as proposals to intensify an already permitted use, are required to improve the existing method of foul drainage of the entire property if feasible.

To ensure the protection of designated sites, no new development that increases foul water flows requiring connection to the public foul drainage system within the Horning Knackers Wood Catchment will be permitted, until it is confirmed that capacity is available within the foul sewerage network and at the Water Recycling Centre to serve the proposed development.

### Reasoned Justification

The water bodies and wetland environments of the Broads are particularly sensitive to water pollution. Diffuse pollution, including from sewage treatment, remains a problem. This has the potential to have a detrimental impact on water quality and biodiversity and thereby adversely affect the Authority's ability to meet its obligations under the Water Framework Directive and the Natural Environment and Rural Communities Act 2006.

This policy applies to residential and commercial development and to new build as well as replacements and extensions. In the case of replacement dwellings, the current foul water drainage system is expected to be improved in line with Government guidance, with the ultimate aim being to connect to the public sewer. The policy also requires betterment for an entire property as a result of an extension that will increase the occupancy of the building. By increasing the occupancy, it is likely that more foul water will be generated. The works associated with an extension or replacement to a building will provide an opportunity to improve the foul water drainage system.

The National Planning Practice Guidance<sup>18</sup> sets out a hierarchy of drainage options that must be considered (and discounted as appropriate) in the following order:

<sup>18</sup> NPPG: [planningguidance.communities.gov.uk/blog/guidance/water-supply-wastewater-and-water-quality/water-supply-wastewater-and-water-quality-considerations-for-planning-applications/](https://www.planningguidance.communities.gov.uk/blog/guidance/water-supply-wastewater-and-water-quality/water-supply-wastewater-and-water-quality-considerations-for-planning-applications/)

1. Connection to the public sewer
2. Package sewage treatment plant
3. Septic tank

The first presumption should be to provide a system of foul drainage discharging into a public sewer to be treated at a public sewage treatment works. A private means of foul effluent disposal is only acceptable when foul mains drainage is unavailable. Anglian Water Services should be consulted regarding the available capacity in the foul water infrastructure.

Due to the low-lying nature of the area and remoteness of some settlements, connection to a public sewer is not always possible in the Broads. The alternative non-mains drainage proposals, including the use of septic tanks, can have an adverse effect on the quality of controlled waters, the environment and amenity, particularly if the property is close to watercourses, there is a high water table at any point of the year, or the site is susceptible to flooding.

To minimise the likelihood of development having an adverse impact on water resources, new development will only be permitted if it can be properly serviced. If an application proposes to connect a development to the existing drainage system, details of the existing system are expected to be provided and confirmation provided that sufficient capacity exists. If the development would necessitate any alterations to the system or the creation of a new system, detailed plans of the new foul drainage arrangements must also be provided. The costs of providing these systems will, where appropriate, fall on the developer. Anglian Water will have the responsibility for the provision and adoption of any new foul sewers provided as part of a new development.

Where development involves the disposal of trade waste or the disposal of foul sewage effluent other than to the public sewer, a foul drainage assessment will be required to demonstrate why the development cannot connect to the public mains sewer system and to provide details of the method of effluent storage, treatment and disposal. The statement should include a thorough examination of the impact of disposal of the final effluent, whether it is discharged to a watercourse or disposed of by soakage into the ground. An Environmental Permit or exemption will be required from the Environment Agency if it is proposed to discharge treated sewage effluent to controlled waters or ground. Further guidance on the information that should be incorporated into this statement is available on the Agency's website<sup>19</sup>. Where development proposes non-mains drainage, early liaison with the Environment Agency is expected. The method of non-mains disposal should be the most appropriate to minimise the risk to the water environment. Septic tanks should only be considered if it can be clearly demonstrated by the applicant that discharging into a public sewer to be treated at a public sewage treatment works or a package sewage treatment plant is not feasible.

Reed bed filtration systems (reed beds constructed for the purpose of being a filtration system and not natural reed beds) are a way of treating sewerage that provide multiple habitat and landscape benefits, as well as being a low energy and low carbon option. While it may take more space than other treatment options, the end discharge from a reed bed system could be similar and, when combined with other methods, even better quality than other methods on their own. Constructed reed bed systems should only be formed where there is no impact on the wetland habitat of the Broads.

Horning Knackers Wood Water Recycling Centre discharges to the River Bure and contributes nutrient loads to the downstream watercourses as well as the Bure Broads and Marshes Site of Special Scientific Interest (SSSI), a component of the Broads Special Area of Conservation (SAC)/ Broadland Special Protection Area (SPA). Both Anglian Water and the Environment Agency agree that the Horning Knackers Wood Water Recycling Centre (WRC) does not currently have capacity to accommodate further foul flows. Anglian Water

<sup>19</sup> EA Permits: [www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits](http://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits)

Services (AWS) have investigated why the WRC is receiving excessive flows, and there is a Joint Position Statement setting out more detail. The Authority will keep informed of progress on this issue.

### Policy MODDM3: Boat wash-down facilities

- a) Where development is proposed for recreational boating club facilities (new, rebuild or extensions) that increase the use of the club, there will be a requirement to designate and sign a suitable area for wash-down of vessels as part of good biosecurity practice.
- b) Where development is proposed (new, rebuild or extensions) that increases the use of existing boatyards, marinas and mooring basins that have facilities to take boats out of the water, or maintain boats on site, or is related to maintaining or washing down boats, there will be a requirement to designate a suitable area with adequate facilities to enable the filtration of waste water from the washing of boat hulls, with the ultimate aim of preventing anti fouling paint residues (including paint flakes) entering the water.

### Reasoned Justification

When vessels are removed from the water they tend to be washed down as part of the maintenance regime. Wash-down of vessels is also important to stop the spread of invasive aquatic species such as the killer shrimp. The equipment used ranges from a pressure hose to a closed loop system that filters contaminants.

Biosecurity in this instance means taking steps to make sure that good practices are in place to reduce and minimise the risk of spreading invasive non-native species. Non-native species (such as killer shrimp, Zebra Mussel and New Zealand Pygmyweed) can devastate populations of native species and change whole ecosystems, for example by competing with and displacing native species, spreading disease, altering the local ecology and physically clogging waterways. A good biosecurity routine is essential, even as the life stages of some invasive non-native species are microscopic and are not always apparent.

Recreational boating club users (e.g. sailing, rowing, wind surfing, water-skiing) tend to remove boats/vessels from the water when not in use or transport them to other water bodies. Users should be aware of the good practice of 'check, clean and dry' to help stop the spread of invasive aquatic species. The policy seeks the designation of areas that are signed and equipped to help in the biosecurity process. The Authority considers that requiring boating clubs to provide such facilities is not onerous.



Anti-fouling paints are applied to boat hulls to prevent growth of organisms, such as algae and mussels. They work by creating a toxic barrier that prevents organisms attaching to the hull. Fouling increases the resistance of the hull to its movement through the water, which slows the boat and reduces its energy efficiency and manoeuvrability. When boats are maintained, antifouling paint could run off into the nearby waterbody. Recent research shows that past use of antifouling paints, such as TBT (tributyltin) based products, had a severe impact on wildlife in the Broads. Although today's anti-fouling products are less persistent, they are still potentially harmful to aquatic life. For example, increased copper levels are now being found in the sediment, which can have harmful effects on water snails.

The policy requires commercial operations to have the facilities in place to prevent anti-fouling paint from entering the watercourse. The Green Blue Guide to Boat Wash Down provides more information and gives detailed advice and guidance on wash down systems. There is a range of ways to tackle the issue of anti-fouling paint entering the water at a range of costs and the Authority can provide advice. The best practice measures are expected to be taken in accordance with the scale of the wash down operation, the type of work to be undertaken and its impact on the water environment. Applicants are required, as part of their application, to address the issue of boat-wash down and justify the chosen system. ~~If this requirement could affect the viability of an operation, evidence is required that proves installing a wash down facility could make an operation unviable. This statement will then be independently reviewed, entirely at the applicant's expense.~~

#### **Policy MODDM4: Water efficiency**

All new/replacement/converted dwellings will be designed to have a water demand equivalent to 110 litres per head per day.

All new/replacement/converted buildings for non-residential land uses will be designed to score at least 50% in the water section of the relevant BREEAM assessment.

#### Reasoned Justification

All new homes have to meet the mandatory national standard set out in the Building Regulations (125 litres/person/day). The NPPG says '*Where there is a clear local need, local planning authorities can set out Local Plan policies requiring new dwellings to meet the tighter Building Regulations optional requirement of 110 litres/person/day*'<sup>20</sup>. The policy seeks 110 l/h/d and the reasons for this are set out in the Local Infrastructure Study and summarised below<sup>21</sup>.

The Water Stressed Areas Classification (Environment Agency, 2013)<sup>22</sup> summary table shows that the areas of Essex & Suffolk Water and Anglian Water are water stressed.

For the area served by Anglian Water Services (AWS), there is clear support from them in adopting this approach. For the area served by Essex & Suffolk Water, the Waveney District Council Water Cycle Study includes a recommendation to adopt the 110l/h/d standard, and the draft Local Plan for Waveney District Council includes such an approach. As such, our approach to water efficiency has changed from the Preferred Options version of this Local Plan, which applied this level only to the AWS area, and the policy now applies this standard to the whole of the Broads Authority Executive Area.

New development should incorporate measures to minimise water consumption. Water management systems, including grey water recycling and rainwater harvesting, should be incorporated into new development unless proven unfeasible.

For non-residential buildings, an assessment of the efficiency of the building's domestic water consuming components is undertaken using the BREEAM Wat 01 calculator<sup>23</sup>. The water consumption (litres/person/day) for the assessed building is compared against a baseline performance and BREEAM. The aim is to reduce the consumption of potable water for sanitary use in new buildings from all sources, through the use of water efficient components and water recycling systems.

<sup>20</sup> The 'optional' enhanced national standard is defined within the 2015 Approved Document G, Building Regulations 'Sanitation, hot water safety and water efficiency' March 2015, page 15, G2(3). At 2015 this is defined as consumption 110 litres per person per day to be demonstrated [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/504207/BR\\_PDF\\_AD\\_G\\_2015\\_with\\_2016\\_amendments.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/504207/BR_PDF_AD_G_2015_with_2016_amendments.pdf)

<sup>21</sup> Local Infrastructure Study: [www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0003/817914/Broads-Local-Plan-Local-Infrastructure-Study.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0003/817914/Broads-Local-Plan-Local-Infrastructure-Study.pdf)

<sup>22</sup> The Water Stressed Areas Classification: <https://www.gov.uk/government/publications/water-stressed-areas-2013-classification>

<sup>23</sup> BREEAM Wat 01 calculator: [www.breeam.com/BREEAM2011SchemeDocument/Content/08\\_Water/wat01.htm](http://www.breeam.com/BREEAM2011SchemeDocument/Content/08_Water/wat01.htm)

The Authority will consider site constraints, technical restrictions, financial viability and the delivery of additional benefits to the Broads where requirements of the policy cannot be met. The Authority will expect developers to make a case on a site by site basis.

**Policy MODSP2: Strategic flood risk policy**

All new development:

- a) Will be located to minimise flood risk, mitigating any residual risk through design and management measures, and ensuring that flood risk to other areas is not materially increased; and
- b) Will incorporate appropriate surface water drainage mitigation measures, and will implement sustainable drainage (SuDS) principles, to minimise its own risk of flooding and to not materially increase the flood risk to other areas.

Particular care will be required in relation to habitats designated as being of international, national, regional and local importance in the area and beyond which are water sensitive.

Development proposals which would have an adverse impact on flood risk management will be refused.

Reasoned Justification

Flooding can cause damage to property and infrastructure. The threat of flooding can also cause fear and distress to people and in some cases, flooding can lead to injury<sup>24</sup> and even loss of life. Risks relate not just to property but also to essential infrastructure and utilities required to support development. Flooding can also precipitate pollution, which could have a significant and detrimental impact on the nature conservation interest of the Broads, and the duty of the Authority to protect this resource is an important consideration. On the other hand, flooding is also a natural process within a floodplain and in some circumstances it can be beneficial to wildlife.

Approximately 95% of the Broads Authority area is at some risk of flooding. This includes more than 2,000 properties and almost 30,000 hectares. The Broads Authority boundary is tightly drawn around the edge of the floodplain. The extent and nature of flood risk, with significant areas of 'functional floodplain', mean that flood risk is a major constraint on development in the Broads.

The flood risk in the Broads is mainly from both fluvial and tidal sources, and the whole character and development in the Broads over many hundreds of years has been closely associated with the water environment and flood risk. Much of the area is defended by flood defence embankments, maintained by the Environment Agency. The flood defences, where they exist, only reduce the risk of flooding and will never eliminate it, and the risk of overtopping or a breach of defences remains.

**Policy MODDM5: Development and flood risk**

Development within the Environment Agency's flood risk zones will be acceptable only when:

- i) It is compatible with national policy and when the sequential test and the exception test, where applicable, have been satisfied;
- ii) A site specific Flood Risk Assessment, where required, demonstrates an acceptable flood risk and/or suitable flood protection mitigation measures are incorporated into the proposals, where necessary, which can be satisfactorily implemented; and
- iii) It would not affect the ability for future flood alleviation projects to be undertaken.

The Site Specific Flood Risk Assessment will need to meet the requirements of the NPPG and

<sup>24</sup> There is a residual risk from all water, especially if it is moving. A flood, at certain velocity and above 4-6cm in depth, could sweep people and things before it.

demonstrate or assess:

- a) That the development is safe for its lifetime, taking into account the vulnerability of its users and climate change;
- b) Whether the proposed development will make a significant contribution to achieving the objectives of the Local Plan;
- c) Whether the development involves the redevelopment of previously developed land or buildings and would result in environmental improvements over the current condition of the site;
- d) Whether appropriate measures to ensure resilience to potential flooding have been incorporated into the development;
- e) Whether appropriate measures to reduce the risk of flooding (on and offsite), including sustainable drainage systems, have been incorporated;
- f) Where the proposal involves the replacement of an existing building, whether the replacement building is located and/or designed without increasing flood risk and, where possible, to reduce the risks and effects of flooding;
- g) Whether an acceptable flood risk and/or suitable flood protection mitigation measures are incorporated into the proposals, where necessary, which can be satisfactorily implemented;
- h) Whether the risk of flooding is not increased elsewhere and, wherever possible, is reduced;
- i) That the integrity of existing coastal and river defences are not undermined;
- j) That the development does not reduce the potential of land used for current or future flood management;
- k) Compatibility with the appropriate Catchment Flood Management Plan or Shoreline Management Plan;
- l) Use of development to reduce the risk of flooding through location, layout and design and incorporate sustainable drainage systems to minimise surface water run-off and avoid pollution (see MODDM6);
- m) That sites at little or no risk of flooding are developed in preference to areas at higher risk;
- n) There is safe access and egress from the site;
- o) There are management and maintenance plans for flood protection/mitigation measures, including arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime;
- p) That the development would not negatively impact on water quality of surface water and ground water; and
- q) There is a Flood Response Plan (FRP).

The relocation of existing development to an undeveloped site with a lower probability of flooding will be permitted where:

- r) The vacated site would be reinstated as naturally functioning flood plain;
- s) The benefits of flood risk reduction outweigh the benefits of leaving the proposed new site undeveloped; and
- t) The development of the proposed new site is appropriate when considered against the other policies of the Local Plan.

In the case of the replacement of an existing residential property in flood zone 3a, the replacement dwelling must be on a like-for-like basis, with no increase in the number of bedrooms, on the same sized footprint<sup>25</sup> and wherever possible being relocated in a less vulnerable part of the site.

Any required additional or enhanced flood defences should not conflict with the purposes and

<sup>25</sup> The "footprint" is the aggregate ground floor area of the existing on site buildings, including outbuildings which affect the functionality of the floodplain but excluding temporary buildings, open spaces with direct external access between wings of a building, and areas of hardstanding.

special qualities of the Broads.

#### Reasoned Justification

National Planning Practice Guidance (NPPG) states that ‘flood risk’ is a combination of the probability and the potential consequences of flooding from all sources – including from rivers and the sea, directly from rainfall on the ground surface and rising groundwater, overwhelmed sewers and drainage systems, and from reservoirs, canals and lakes and other artificial sources.

Flood Zones refer to the probability of river and sea flooding, ignoring the presence of defences. They are shown on the Environment Agency’s Flood Map for Planning (Rivers and Sea)<sup>26</sup> and defined in the NPPG. They are also shown in a Strategic Flood Risk Assessment (see later text).

The causes of flooding in the Broads are complex and flooding will continue to be a significant risk in much of the area into the foreseeable future. Developers should be aware of this situation. The risk of flooding must continue to be a material consideration in dealing with Broads’ planning applications, and may be a reason for refusal of planning permission in some cases. In the uncertainty about the nature and extent of flood risk in the Broads, it is open to developers to commission their own risk assessment of the potential for flooding at a particular site. Risks relate not just to property but also to essential infrastructure and utilities required to support development, and to the emergency services’ ability to respond to an event. Inappropriate flooding can also harm the important habitats and species for which the Broads are important, which can have long term consequences for site maintenance and the achievement of conservation objectives.

Flood alleviation and preparing for the impact of climate change are key issues in the Broads, and a number of approaches could address this. It will also be essential to ensure that measures to minimise the risk of flooding from all sources of flood risk to new development do not themselves lead to development which, by virtue of its scale, layout or design, is visually damaging to its surroundings. Therefore, even though the principle of development may be acceptable, acceptability in terms of design, landscape character, and impact on the environment must also be addressed.

All developments should be located in areas identified as being at the lowest risk of flooding. Development proposals of one hectare or greater, and all proposals for new development in Flood Zones 2 and 3, will be accompanied by a site specific Flood Risk Assessment (FRA), ~~except those covered by Environment Agency standing advice~~. The FRA should demonstrate how flood risk from all sources of flooding to the development itself, and flood risk to others, would be managed. It will also be expected to take climate change into account, identify flood reduction measures that will be incorporated into the development, including the use of Sustainable Drainage Systems, and provide an assessment of any residual risk. The FRA should be proportionate to the level of risk and the scale, nature and location of the development. The checklist set out in the NPPG<sup>27</sup> should be used to produce an FRA, but the FRA should also address the additional considerations set out in the policy.

To help the preparation of FRAs for householder development and other minor extensions in Flood Zones 2 and 3 the Broads Authority and Environment Agency have produced a Ticksheet template<sup>28</sup>.

In accordance with national policy, development in Environment Agency Flood Zones 2 and 3 will only be permitted when the sequential test and the exception test, where applicable, have been satisfied. The Sequential Test will be carried out by the Authority, drawing upon information submitted by the applicant. Where an exception test is necessary, the applicant’s FRA must include sufficient information to enable this

<sup>26</sup> See the flood maps here: <http://apps.environment-agency.gov.uk/wiyby/37837.aspx>

<sup>27</sup> NPPG: [planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/site-specific-flood-risk-assessment-checklist/](http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/site-specific-flood-risk-assessment-checklist/)

<sup>28</sup> Broads Authority’s Flood Risk Tick Sheet: [www.broads-authority.gov.uk/data/assets/word\\_doc/0006/917862/Appendix-F-Flood-Risk-Assessment-Tick-Sheet.doc](http://www.broads-authority.gov.uk/data/assets/word_doc/0006/917862/Appendix-F-Flood-Risk-Assessment-Tick-Sheet.doc)

assessment to be undertaken. For the purposes of this policy, 'footprint' will be defined as the aggregate ground floor area of the existing on site buildings, including outbuildings that affect the functionality of the floodplain, but excluding temporary buildings, open spaces with direct external access between wings of a building, and areas of hardstanding.

Part (n) requires the FRA to demonstrate safe access and egress from the site. Where it has been demonstrated that this would not be possible due to unsafe flood depths on or surrounding the site, the safety of occupants will need to be managed through a Flood Response Plan (FRP) (see Dry Island section below). The FRP should demonstrate that occupants will be kept safe and not exposed to flood hazards. This may be through evacuation in advance of a flood and/or remaining in situ within an appropriate refuge. The Authority has produced a Flood Response Plan template<sup>29</sup> for applicants. The acceptability of the plan and its ability to keep occupants safe will be assessed as part of the planning application.

Replacement dwellings in flood zone 3a are required to be on a like-for-like basis, as any increase in size is likely to expand into functional floodplain (flood zone 3b), thus putting more property and possibly more people at risk of flooding. The change to the functional floodplain could increase flood risk elsewhere.

Sustainable Drainage Systems (SuDS) are an alternative to traditional drainage systems that attempt to reduce the total amount, flow and rate of surface water run-off. There is a range of possible SUDs techniques that can be used, although not all techniques will be appropriate for individual development sites. Surface water run-off proposals should address the requirements of the Flood and Water Management Act 2010. See policy MODDM6: Surface water run-off.

Given the importance and relevance of flood risk issues to the Broads applicants should, in developing proposals, have regard to national flood risk guidance and policy, as set out in the NPPF and NPPG.

The Government also states in the NPPG that '*Local authorities and developers should seek opportunities to **reduce the overall level of flood risk in the area and beyond***'. The policy seeks opportunities to reduce the overall level of flood risk.

#### Dry Islands

Dry Islands are areas of a lower flood risk surrounded by areas of higher flood risk, such as flood zone 1 surrounded by flood zone 3. While development may be suitable in flood risk terms in the lower flood risk zone, in times of flood the area could effectively become an island. The issue here is about safe access and egress at times of flood. In the Broads, dry islands tend to occur in more isolated areas that may not experience development. However, there may be requirements for a Flood Response Plan to be produced for development in dry islands. When looking at the flood risk of a proposal, it will be important to assess the wider area as well as on the site.

#### Environmental Permitting Regulations 2010-Other consents that may also be required

Applicants should be aware that [in accordance with the Environmental Permitting Regulations 2010](#) there is a need to obtain an Environmental Permit<sup>30</sup> from the Environment Agency for flood risk activities for work or structures in, under, over or within 16m from a main river and from any flood defence structure or culvert. The works may fall under one or more of the following categories: Exemption, Exclusion, Standard Rules Permit, Bespoke permit. Anyone carrying out these activities without a permit where one is required is breaking the law.

<sup>29</sup> Flood Response Plan Template: [www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0007/917863/Appendix-D-Flood-Response-Plan-Guidance-and-Structure.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0007/917863/Appendix-D-Flood-Response-Plan-Guidance-and-Structure.pdf)

<sup>30</sup> New forms and further information can be found at: [www.gov.uk/guidance/flood-risk-activities-environmental-permits](http://www.gov.uk/guidance/flood-risk-activities-environmental-permits).

Section 23 of The Land Drainage Act 1991 requires applicants who wish to affect the flow of an ordinary watercourse, for instance to culvert, dam, weir or install a headwall into a watercourse, to obtain consent from the drainage board concerned.

#### Status of the 2017 Flood Risk Supplementary Planning Document on adoption of the Local Plan

The Broads Authority has a Flood Risk Supplementary Planning Document (SPD)<sup>31</sup>. This is based on Development Management Policy DP29, which this policy replaces; therefore, on adoption of this Local Plan, the SPD is out of date. The Authority will review the SPD immediately after adoption of the Local Plan, but in the meantime (between adoption of the Local Plan and adoption of the revised SPD) will still refer to the SPD guidance, as it contains important and relevant detail relating to flooding.

#### Strategic Flood Risk Assessment (SFRA)

SFRAs are important for the production of Local Plans. The Broads is covered by four separate SFRAs completed in 2017/~~2018~~<sup>32</sup>. However, a large area of the Broads Authority Executive Area ~~will not be~~ has not been assessed as part of this work as the model needs to be purchased, updated and run by the Environment Agency to produce SFRA equivalent information. It is intended that this will be completed by around ~~mid-2019~~ the end of 2021 and there could therefore be adjustments to flood zone 3 as a result - see the Position Statement between the Broads Authority and Environment Agency<sup>33</sup> produced in July 2018 for more information. It is accepted that there is uncertainty about the precise boundaries of the functional flood plain (flood zone 3b) and the Environment Agency work should contribute to the understanding of this area. It is also accepted that due to natural processes and other activities, the functional flood plain can change over time. Where detailed modelling is not available, Indicative Flood Zone 3b has been used in the Norfolk part of the Broads. A similar approach has been used in the Waveney SFRA but on those maps, flood zones are 3b where modelled and 3 elsewhere. Due to the nature of flooding in the Broads, it is expected that Flood Zone 3a and Flood Zone 3b have similar extents so Indicative Flood Zone 3b/flood zone 3 is precautionary but reasonable. As set out in national policy, planning applications for schemes in flood zones 2 and 3 require site-specific flood risk assessments and these will determine the precise detail of flood risk on site. Also see [Appendix C](#) for more information on SFRAs.

#### **Policy MODDM6: Surface water run-off**

All development proposals will need to incorporate measures to attenuate surface water run-off in a manner appropriate to the Broads. This will need to reflect the characteristics of the site in accordance with a drainage hierarchy for rainwater so that, in order of priority, they:

- a) Continue natural discharge processes;
- b) Store water for later use;
- c) Adopt shallow infiltration techniques in areas of suitable porosity;
- d) Store water in open water features for gradual release to a watercourse;
- e) Store water in sealed water features for gradual release to a watercourse;
- f) Discharge direct to a watercourse;
- g) Discharge direct to a surface water drain (highways, Anglian water or other body or within private ownership);
- h) Discharge direct to deep infiltration or borehole soakaways; or
- i) Discharge direct to a combined sewer

The surface water ~~run-off~~runoff rates that will occur as a consequence of the development ~~are~~ is required to be no more than the existing pre development greenfield ~~rate for the equivalent event for~~runoff rate. Brownfield sites should aim to reduce runoff as close to greenfield sites or, if the site is brownfield, then rates

<sup>31</sup> Flood Risk SPD: [www.broads-authority.gov.uk/data/assets/pdf\\_file/0006/917844/Broads-Flood-Risk-SPD-Final-March-2017.pdf](http://www.broads-authority.gov.uk/data/assets/pdf_file/0006/917844/Broads-Flood-Risk-SPD-Final-March-2017.pdf)

<sup>32</sup> The SFRAs can be found here: <http://www.broads-authority.gov.uk/planning/planning-policies/sfra/sfra>

<sup>33</sup> SFRA Joint Position Statement: <http://www.broads-authority.gov.uk/planning/planning-policies/development/current-documents/supporting-documents-and-evidence>

as possible. The discharge rate for brownfield sites should be no more than the rates prior to any new development. ~~However, applicants~~ Applicants are encouraged to seek betterment in surface water ~~run~~ off runoff as part of their proposals for brownfield sites. The runoff rate should be agreed with the Local Planning Authority, in conjunction with the Lead Local Flood Authority and where relevant sewerage undertaker.

Sustainable Drainage Systems (SuDS) shall be used unless, following adequate assessment, soil conditions and/or engineering feasibility dictate otherwise.

Proposals to address surface water must be considered at an early stage of the scheme design process. The following criteria need to be addressed when designing measures to address surface water:

- i) Use a risk assessment on treatment stages to reflect the type of proposed development and how surface water run-off and drainage will affect the receptor. A 1.2m clearance between the base of infiltration SuDS and the peak seasonal groundwater levels is required;
- ii) Take the current drainage arrangements of the area into account (including groundwater levels);
- iii) Take natural site drainage and topography into account;
- iv) Effectively manage water including maintenance of and, where possible improvement to water quality; and
- v) Provide amenity for local residents whilst ensuring a safe environment.

Where SuDS via ground infiltration is feasible, to ensure that SuDS discharge water from the development at the same or lesser rate as prior to construction, developers must undertake groundwater monitoring within the winter period and winter percolation testing in accordance with the current procedure<sup>34</sup>.

Minor developments that increase the footprint of an impermeable surface are required, where appropriate, to incorporate mitigation measures to reduce surface water runoff, manage surface water flood risk to the development itself and to others, maximise the use of permeable materials to increase infiltration capacity, incorporate on-site water storage, and make use of green roofs and green walls wherever reasonably practicable and appropriate, in accordance with design policies.

Within the critical drainage catchments as identified by the Lead Local Flood Authority, and in other areas where the best available evidence indicates that a serious and exceptional risk of surface water flooding exists, all development proposals involving new buildings, extensions and additional areas of hard surfacing shall ensure that adequate and appropriate consideration has been given to mitigating surface water flood risk.

Schemes that involve SuDS will be required to provide details of the management regime to ensure effective operation of the type of SuDS delivered in perpetuity.

#### Reasoned Justification

The policy seeks to ensure that surface water run-off is discharged as high up the following **hierarchy** (as set out in the NPPG) as possible:

- into the ground (infiltration);
- to a surface water body;
- to a surface water sewer, highway drain, or another drainage system;
- to a combined sewer.

Sustainable drainage systems (SuDS) slow the rate of surface water run-off and improve infiltration, by mimicking natural drainage in both rural and urban areas. This reduces the risk of flash flooding, which occurs when rainwater rapidly flows into the public sewerage and drainage systems. SuDS can also be used

<sup>34</sup> Currently BRE Digest 365: [www.brebookshop.com/details.jsp?id=327592](http://www.brebookshop.com/details.jsp?id=327592)

to enhance the environment of a site by contributing to green infrastructure and providing habitats for wildlife.

The Government has issued a written statement in relation to SuDS<sup>35</sup> saying that *‘we expect local planning policies and decisions on planning applications relating to major development (developments of 10 dwellings or more; or equivalent non-residential or mixed development) to ensure that sustainable drainage systems for the management of run-off are put in place, unless demonstrated to be inappropriate.’* The policy seeks to address this direction.

[The majority of the watercourses in the Broads are regulated and maintained by the Internal Drainage Board who have their own local surface water policy which takes precedence over national best practice \(https://www.wlma.org.uk/broads-idb/development/\).](https://www.wlma.org.uk/broads-idb/development/)

### Types of SuDS

The Broads is ideally suited for this sort of approach, as dykes and other forms of holding basins are characteristic of the landscape. [The most effective form of water management is a naturally functioning floodplain and development proposals should aim to maximise opportunities to restore a naturally functioning floodplain where possible.](#) A range of possible SUDs techniques can be used, although not all techniques will be appropriate for individual development sites. Examples of SuDS include retention ponds (a depression that holds water even during dry weather conditions), water butts and swales (long vegetative depressions that are normally dry except during and after heavy rainfall).

### Designing SuDS

An appropriate amount of land-take should be allowed to account for SuDS within any development. To be most effective, SuDS proposals need to be integrated into scheme designs at an early stage and not retro-fitted once the layout has already been established.

Special consideration will need to be given to the design of the drainage system when there are known flooding issues within the immediate catchment of the development. Generally, known flooding issues correlate with areas shown as high risk flooding on the Government Risk of Surface Water Flooding (RoSWF) maps, but the Lead Local Flood Authority (LLFA) will highlight any relevant information if consulted on a scheme. [The Interactive PDFs produced as part of the SFRA work<sup>36</sup> \(referred to previously\) show areas that are subject to surface water flooding.](#)

The scope of any drainage strategy should be proportionate to the scale of the development and the amount and type of flood risk the development site is subject to. As part of the strategy, it will be important to identify existing drainage arrangements to determine options for draining the site and the impact of the proposal post-development.

In some instances it may not be appropriate to lessen significant amounts of water due to ecological considerations, but water quality issues should always be considered. A risk assessment should be undertaken and appropriate treatment stages introduced if the receiving environment is assessed as being sensitive to development.

Normal infiltration SuDS should be no deeper than 2m below ground level, with a minimum of 1.2m clearance between the base of infiltration SuDS and the peak seasonal groundwater levels. Monitoring/testing of groundwater must be undertaken in winter, as this tends to be the time of year that sees most precipitation and higher groundwater levels.

<sup>35</sup> Written Ministerial Statement [www.parliament.uk/documents/commons-vote-office/December%202014/18%20December/6.%20DCLG-sustainable-drainage-systems.pdf](http://www.parliament.uk/documents/commons-vote-office/December%202014/18%20December/6.%20DCLG-sustainable-drainage-systems.pdf)

<sup>36</sup> SFRA: <http://www.broads-authority.gov.uk/planning/planning-policies/sfra/sfra>

Advice from Norfolk County Council (one of the two LLFAs covering the Broads) is that deep infiltration or borehole soakaways should be one of the final options for consideration. While these methods can provide groundwater recharge via infiltration at depth, they do not mimic the natural drainage system as shallow infiltration does.

The Environment Agency would not normally support the use of deep bore soakaway systems, as these can present an unacceptable risk to the groundwater environment. Where applications are proposing their use, they should provide supporting documentation that clearly demonstrates why other SuDS discharge options are not appropriate. Each application for deep bore soakaways should also be supported by a detailed risk assessment demonstrating that their use will not impact on groundwater quality. If deep bore soakaways are proposed, the developer may require an environmental permit from the Agency for a direct discharge to groundwater<sup>37</sup>. Granting of planning permission does not automatically mean a developer will be awarded an environmental permit, and early engagement with the Agency is recommended where deep bore soakaways are proposed.

Areas with concentrated surface water risk will be identified by the Lead Local Flood Authorities as Critical Drainage Catchments<sup>38</sup> (CDCs). The CDCs are the focus for partner engagement, detailed analysis and the potential implementation of flood protection schemes, as well as the production of Surface Water Management Plans<sup>39</sup> that look in detail at places that have suffered surface water flooding or have a high surface water flood risk. Currently, there are no CDCs in the Broads Authority area.

The following guidance will be useful when designing SuDS schemes:

- Non-statutory technical standards for the design, maintenance and operation of sustainable drainage systems: <https://www.gov.uk/government/publications/sustainable-drainage-systems-non-statutory-technical-standards>
- SuDS manual produced by CIRIA: In delivering SuDS there is a requirement to meet the framework set out by the Government's 'non statutory technical standards'. The revised SuDS manual complements these, but goes further to support the cost-effective delivery of multiple benefits. [www.ciria.org/Resources/Free\\_publications/SuDS\\_manual\\_C753.aspx](http://www.ciria.org/Resources/Free_publications/SuDS_manual_C753.aspx)
- Good examples of how development can be planned to manage water and deliver multiple benefits 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 [www.rspb.org.uk/Images/SuDS\\_report\\_final\\_tcm9-338064.pdf](http://www.rspb.org.uk/Images/SuDS_report_final_tcm9-338064.pdf).
- Suffolk County Council's Guidance sets out Suffolk County Council's approach as Lead Local Flood Authority: <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/>
- Norfolk County council's guidance: <https://www.norfolk.gov.uk/-/media/norfolk/downloads/rubbish-recycling-planning/flood-and-water-management/guidance-on-norfolk-county-councils-lead-local-flood-authority-role-as-statutory-consultee-to-planning.pdf>

#### Management, maintenance and adoption of SuDS

Managing SuDS during the construction phase is important to make sure they are effective. Once constructed a management plan needs to be in place, along with appropriate resources, to ensure they continue to operate in perpetuity. Anglian Water's standards for adopting SuDs may be viewed here: [www.anglianwater.co.uk/developers/suds.aspx](http://www.anglianwater.co.uk/developers/suds.aspx). SuDS can also be adopted by other bodies such as Management Companies.

<sup>37</sup> More information can be found at [www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits](http://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits).

<sup>38</sup> A Critical Drainage Area is a discrete geographic area (usually a hydrological catchment) where multiple or interlinked sources of flood risk cause flooding during a severe rainfall event thereby affecting people, property or local infrastructure

<sup>39</sup> Surface Water Management Plans: [www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/flood-and-water-management-policies/surface-water-management-plans](http://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/flood-and-water-management-policies/surface-water-management-plans) and [www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-management-in-suffolk/](http://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-management-in-suffolk/)

### Additional information

Various sources of technical information can be used when addressing surface water and designing SuDS:

- NPPG: [planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/reducing-the-causes-and-impacts-of-flooding/why-are-sustainable-drainage-systems-important/](https://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/reducing-the-causes-and-impacts-of-flooding/why-are-sustainable-drainage-systems-important/)
- ~~Non-statutory technical standards for the design, maintenance and operation of sustainable drainage systems: [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/415773/sustainable-drainage-technical-standards.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/415773/sustainable-drainage-technical-standards.pdf)~~
- ~~SuDS manual produced by CIRIA: In delivering SuDS there is a requirement to meet the framework set out by the Government's 'non-statutory technical standards'. The revised SuDS manual complements these, but goes further to support the cost-effective delivery of multiple benefits. [www.ciria.org/Resources/Free-publications/SuDS-manual-C753.aspx](http://www.ciria.org/Resources/Free-publications/SuDS-manual-C753.aspx)~~
- ~~Good examples of how development can be planned to manage water and deliver multiple benefits 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 [www.rspb.org.uk/Images/SuDS-report-final-tcm9-338064.pdf](http://www.rspb.org.uk/Images/SuDS-report-final-tcm9-338064.pdf).~~
- [www.nonnativespecies.org/checkcleandry/documents/species-guide.pdf](http://www.nonnativespecies.org/checkcleandry/documents/species-guide.pdf)
- [thegreenblue.org.uk/~media/TheGreenBlue/Files-and-Documents/Leaflets/The Green Guide to Boat Washdown Systems.ashx](http://thegreenblue.org.uk/~media/TheGreenBlue/Files-and-Documents/Leaflets/The%20Green%20Guide%20to%20Boat%20Washdown%20Systems.ashx)

### Evidence used to inform this section

- ENVIRONMENTAL SCIENCE & TECHNOLOGY / September 1, 2009 - 'Widely used antifouling biocide lingers in freshwater ecosystems'. [pubs.acs.org/doi/10.1021/es902146k](https://pubs.acs.org/doi/10.1021/es902146k)
- Environmental Change Research Centre, Research Report No. 165, Recent heavy metal contamination of the Thurne Broads, Report to the Broads Authority, 2015.
- The Local Infrastructure Study: <http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base>
- Flood Risk SPD (2017) for the Broads. [www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0006/917844/Broads-Flood-Risk-SPD-Final-March-2017.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0006/917844/Broads-Flood-Risk-SPD-Final-March-2017.pdf).
- Environment Agency Flood Zones and Risk of flooding from Surface Water maps
- The NPPG and NPPF.
- Strategic Flood Risk Assessment (2017): <http://www.broads-authority.gov.uk/planning/planning-policies/sfra/sfra>
- SFRA Position Statement, EA and BA (2017) <http://www.broads-authority.gov.uk/planning/planning-policies/development/current-documents/supporting-documents-and-evidence>
- Environment Agency: Environmental management – guidance on discharges to surface water and groundwater: environmental permits: [www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits](http://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits).
- Joint Position Statement on Development in the Horning Water Recycling Centre Catchment (2017). Prepared by Anglian Water Services and the Environment Agency.
- The NPPG and advice from Norfolk County Council (as one of the two the Lead Local Flood Authorities covering the Broads)

## 11. Open space, play and allotments

### Policy MODDM7: Open space on land, play space, sports fields and allotments

#### a) Existing Provision (See open space map bundle and various Inset Maps)

Development that would result in the loss of existing sport, recreational, allotment or amenity open space as identified on the policies maps [and identified by the Authority's constituent district councils in their evidence base](#) will only be permitted if it can be demonstrated (through a local assessment) that:

- i) There is an excess of recreational or amenity open space in the catchment area (in and out of the Broads) and the proposed loss will not result in a current or likely shortfall during the plan period; or
- ii) The proposal is for ancillary development on an appropriate portion of the open space which enhances the recreational facilities and their setting; or
- iii) The open space which would be lost as a result of the proposed development would be replaced prior to the commencement of the development by an open space of equivalent or better quality and equivalent or greater quantity, in an equally accessible and convenient location subject to equivalent or better management arrangements which continue to meet the needs of the existing community; and
- iv) The proposal would not cause significant harm to the amenity or biodiversity value of the open space

#### b) New Provision

The Broads Authority will have regard to the approach and/or standards set by the relevant constituent district council. Any contribution will need to be towards a specific deliverable scheme, in consultation with the relevant parish or district council and having regard to the developer contributions policy in this document. The contribution will be required to name a specific scheme (site and type of provision). Open space provision may also be required to reduce recreation pressure on sensitive designated wildlife sites.

#### c) Cemeteries and burial grounds

Development proposals for new cemeteries and burial grounds that comply with other relevant policies will be permitted where they:

- i) [Are subject to a prior groundwater protection risk assessment in accordance with Environment Agency Guidance: Assessing Groundwater Pollution for Cemetery Developments \(or successor document or advice\)](#);
- ii) Are appropriately sited in a sustainable location;
- iii) Are designed to make the most of opportunities to improve and/or create new biodiversity, habitats and green infrastructure; and
- iv) Will have no adverse impact on controlled waters including groundwater and surface water.

### Reasoned Justification

The provision of public open space, sports fields, play space and allotments is essential in promoting active living and providing important physical, mental and social health and wellbeing benefits for the community. The Authority therefore considers it important to retain open spaces, including children's play space and sports facilities, which are valued by local communities and/or add to the local character, unless a suitable alternative can be provided, and to create new open spaces within or close to housing developments that are safe and accessible for all members of the community. This policy sets criteria for assessing proposals relating to these land uses.

Because each of the Authority's constituent councils assesses its' entire [area](#) - including that part which is the Broads - in relation to the need for these uses, it is appropriate and reasonable to have regard to their approach, which may reflect standards in their Local Plans and other documents. [Please contact the Broads Authority for advice regarding where to find the Local Plan policies of our districts. A summary of the standards and thresholds that were in place at the time of adoption of this Local Plan can be found at Appendix D.](#)

Some of the Authority's constituent councils have adopted the Community Infrastructure Levy (CIL) and play, allotments and open space are part of the charging schedule. There is no CIL charged by the Broads Authority and it therefore relies on S106 agreements (to which pooling restrictions [apply \(at the time of writing, although this position may change\)](#), whereby only five contributions can be sought towards generic types of infrastructure, are now in place) to provide these.

The Authority will liaise with the relevant constituent council regarding ongoing management of the space. Some Districts may not adopt and maintain open space and the developer may need to address the maintenance responsibility.

Any assessments required in relation to open space provision must look at the entire catchment of a facility (as facilities such as playing fields often serve users beyond the immediate settlement they are located in), including that part of the settlement outside of the Broads.

Where any loss of open space, play and allotments is relocated, it is important that it still meets the needs of the existing community and the new development, unless it is clearly demonstrated that the existing open space in question is surplus to requirements.

Cemeteries and burial grounds are a much valued and sensitive type of green infrastructure asset. All proposals for new cemeteries and burial grounds should be in a sustainable location with good links to suitable access networks. The development proposals should have due regard to the character of the surrounding areas, especially to the special qualities, and retain any existing landscape features such as hedges and trees. Any opportunities to improve or create new biodiversity, habitat and green infrastructure should also be taken. It will be necessary to demonstrate that the proposed cemetery will not have an adverse impact on ground or surface water.

The design of any open space and its integration into a proposed scheme, streetscape and landscape is an important consideration. Larger facilities have the potential to adversely affect the local landscape character through a change in land use and landscape patterns, through the introduction of more urban features and additional clutter. Design standards and experience of the relevant council will be applied.

The maps in the Open Space Map Bundle show areas of open space assessed by our constituent district councils. While they assessed their entire district, including that part which is the Broads, they only allocated open space in their Local Planning Authority area. Working with its districts, the Authority has, at the time of writing this Plan, allocated the open space within these assessments that falls within its Executive Area. Many of our districts intend to update their assessments as part of their Local Plan production, and we will defer to the most up-to-date open space assessment.

[The following policy, MODDM8 relates to Green Infrastructure and may be of relevance to proposals.](#)

#### Evidence used to inform this section

- Open Space Assessments of the Broads Authority's constituent district councils.
- Sport England's full policy in relation to playing fields:  
<https://www.sportengland.org/playingfieldspolicy/>

## 12. Green infrastructure

### Policy MODDM8: Green infrastructure

There is an expectation that new development proposals will enhance, and integrate with, the local green infrastructure network. Development shall contribute to the delivery and management of green infrastructure that meets the needs of communities and biodiversity, both within and beyond the proposal's boundaries, including establishment of new and enhancement of existing green infrastructure.

Through its layout and design, new development shall respond to the existing local green infrastructure network and help connect areas of green infrastructure.

Where it is considered that the development will have a detrimental effect on the quantity, quality or function of existing green infrastructure, then the development will not be permitted unless it can be demonstrated that an assessment has been made and suitable mitigation measures proposed. Any mitigation measures should be of equal or greater value than that which is to be compromised or lost through development.

Development that compromises the integrity of green infrastructure assets or the delivery of green infrastructure strategies, and/or that conflicts with the findings of relevant studies of the Authority or its constituent districts and county councils without suitable justification and mitigation, will not be permitted.

Green infrastructure proposals shall:

- a) Protect and enhance existing natural and historic environments;
- b) Strengthen connectivity and resilience of ecological networks;
- c) Be locally distinctive through reflecting and enhancing landscape character;
- d) Maximise opportunities to mitigate and adapt to climate change;
- e) Improve quality of life through provision of benefits for health and wellbeing, including opportunities to access open space and enjoyment of the Broads and its special qualities; and
- f) Ensure long-term beneficial maintenance and management of green infrastructure.

### Reasoned Justification

The NPPF defines green infrastructure (GI) as 'a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities'. ~~It goes on to say (paragraph 114) that 'Local planning authorities should (inter alia) set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure'.~~ Green infrastructure includes:

- **Parks and Gardens** – urban parks, Country and Regional Parks, formal gardens
- **Amenity Greenspace** – informal recreation spaces, housing green spaces, domestic gardens, village greens, urban commons, other incidental space, green roofs
- **Natural and semi-natural urban and rural greenspaces** - woodland and scrub, grassland (e.g. meadow), heath, wetlands, open and running water, brownfield land and disturbed ground, bare rock habitats (e.g. cliffs and quarries)
- **Green corridors** – rivers and canals including their banks, hedgerows and other natural features, road and rail corridors, cycling routes, pedestrian paths, commons and public rights of way
- **Sustainable Drainage Systems (SuDS)** - see policy MODDM6
- **Other** - allotments, community gardens, city farms, cemeteries and churchyards

There are three elements to the policy. The first relates to the importance of incorporating existing green infrastructure assets within development proposals and enabling connectivity to other assets [nearby \(local green infrastructure\)](#). This could include reflecting the green infrastructure features on site or nearby – see

the Authority's Biodiversity Enhancements Guide<sup>40</sup>. Ecological network mapping may identify important areas of green infrastructure which need to be considered if any proposals are close to or include these areas.

The second element relates to protecting existing assets, as well as ensuring proposals do not affect the ability of our constituent district councils to deliver their green infrastructure strategy recommendations. Some of our districts have green infrastructure strategies that fundamentally benefit the wildlife and visitors of the Broads, but also mitigate the effects of their development requirements and enable the delivery of housing and other development that benefits the community and visitors of the Broads.

The third element sets out the criteria that any proposals for green infrastructure need to address and the potential benefits, namely that it:

- contributes to high quality and accessible landscapes for people and wildlife;
- plays an essential role in delivering, maintaining and enhancing the health of the natural environment and its ability to provide a wealth of 'ecosystem services';
- increases ecological connectivity to overcome habitat fragmentation and to increase the ability of the natural environment to adapt to climate change;
- in coastal locations, helps to provide recreational space and to enhance and protect our marine environment;
- creates attractive and accessible places for people to socialise, enjoy direct and regular contact with and learn about the natural environment;
- strengthens links between urban areas and their surrounding countryside, and brings the natural world into every neighbourhood, with benefits for individual and community health and wellbeing;
- supports the efficient management of water resources. A network of green spaces reduces the likelihood of flooding by allowing water to permeate through the ground;
- can also contribute to delivery of sustainable land management;
- can also create a range of social and economic benefits, both directly (through employment in capital projects and future management) and indirectly (increased visitors and visitor spend);
- supports functioning ecosystems and robust natural systems for the management of basic resources such as water, clean air, soil, and the maintenance of biodiversity;
- makes a direct contribution to reducing the effects of climate change; and
- enhances the self sufficiency of communities through providing local food production and recreational areas.

Any sites created as green infrastructure will need to be maintained. To be effective, this should be done in accordance with an agreed management plan. The works to maintain the asset will need to be resourced in perpetuity to ensure that it continues to function as intended. This will require appropriate developer contributions or a planning obligation.

[The Authority intends to produce guidance relating to ecological networks and the Broads. In the interim, the Waveney Green Infrastructure Study, the Broads Integrated Access Strategy and Norfolk Strategic Planning Framework Ecological Networks Study will be used to assist in the implementation of this policy.](#)

[The previous policy, MODDM7 relates to open space and play and may be of relevance to proposals.](#)

#### Water open space/blue infrastructure

The water open space of the Broads is enjoyed in many ways such as boating, sailing, canoeing and water-skiing (where permitted), and by being by the water and in the water (where open water swimming events are permitted and organised). 'Blue' infrastructure is also important in the Broads. Many policies in this

<sup>40</sup> Biodiversity Enhancements Design Guide: [www.broads-authority.gov.uk/planning/Planning-permission/design-guides](http://www.broads-authority.gov.uk/planning/Planning-permission/design-guides)

Local Plan relate to water open space and blue infrastructure, such as water quality, moorings and navigation elements of policies, and the policy on staites (MODSSSTAITES).

Evidence used to inform this section

- Advice from Norfolk County Council.
- Ecological networks mapping

## 13. Climate change

### **Policy MODSP3: Climate change**

The Authority welcomes positive action from development which enables a move to a low carbon economy and society and helps biodiversity to adapt to climate change.

Contributions to climate change arising from development will be minimised by means of a reduction of greenhouse gas emissions (mitigation).

Proposals are required to consider how climate change could impact development through its lifetime (adaptation and resilience).

Potential impacts will be identified and assessed by developers and measures taken, including:

- i) Implementing green travel plans;
- ii) Incorporating small-scale renewable energy technologies into development;
- iii) Using sustainable design principles that achieve energy efficiency throughout the development's lifecycle; and
- iv) Considering the potential impacts as a result of climate change on development, the natural and historic environment and users of the development

### Reasoned Justification

Climate change and sea level rise are key challenges facing the Broads. The extent of these changes will depend on the level of society's response to the emission of greenhouse gases, particularly carbon dioxide from burning fossil fuels.

Key impacts of climate change in the Broads are likely to include:

- greater demand for water resources;
- increased risks from flooding;
- intrusion of saline water into the freshwater system;
- changes in the distribution of habitats and species, with some net loss of native biodiversity and increase in non-native and invasive species; and
- a more productive wetland system, requiring more management intervention.

There are two general approaches to the issue of climate change:

- Climate change mitigation is about reducing greenhouse gas emissions through changing behaviour - for example, improving housing insulation to reduce energy demand, installing solar panels so relying less on fossil fuels, and using the car less.
- Climate change adaptation and resilience is about being prepared for a changing climate - for example connecting up habitats to allow species to move according to climate conditions, or identifying particular areas ready to take excess water in times of flood.

Innovative solutions in development and design are needed to address the challenges and opportunities presented by climate change and sea level rise.

Policies elsewhere in this Local Plan require that high standards of design are achieved, but it will also be necessary to incorporate high levels of resource efficiency and energy conservation in development. These will need to be compatible with design objectives and not have an adverse impact on the local landscape character or visual amenity of an area.

In principle, renewable energy will be supported, subject to there being no adverse impact on the landscape, wildlife, navigation, recreational interest or other factors considered important in the consideration of any proposals.

It is imperative that climate change contribution from transport use is adequately mitigated and managed. This will be achieved by promoting and encouraging the use of low emission and alternative fuel cars and boats, supporting the provision of electric recharging points, encouraging walking, cycling the use of public transport and sailing, promoting the port gateways at Great Yarmouth and Lowestoft for boats arriving and leaving the area, and raising awareness about the impacts of climate change on the Broads.

The Authority encourages a 'climate smart' approach ([Appendix E: Climate-smart planning cycle](#)) whereby any proposed development is reviewed against climate projections to see what resilience and adaptation options might inform the detail of the proposal.

#### **Policy MODDM9: Climate-smart checklist**

Development proposals which would result in new build, replacement, change of use or an increase in floor space must demonstrate how climate change has been taken account of in the scheme with the submission of a Climate Smart Checklist (see [Appendix F: Climate-Smart Checklist](#)).

#### Reasoned Justification

The current projections are that by the 2050s we will start to see significant climate change (UKCIP 2009), and early adaptation planning is likely to save money and better protect property and lives in the long run.

Climate projections for the Broads will depend on how effectively we deal with global greenhouse gas emissions. There will be some inevitable change to the climate due to the gases already in the atmosphere, but the more extreme changes should be avoided if there is prompt action to reduce emissions in the short term. In simple terms, the best current opinion<sup>41</sup> about likely changes that will impact on the Broads include warmer, drier summers, slightly wetter, warmer winters and more extreme events in terms of frequency and severity. The sea level is already rising and this is being increased by the changing climate.

The Broads is vulnerable to greater flood risk, storms, droughts and heatwaves, all of which could affect how we use land and buildings, how we get around, the wildlife around us, and how the environment we enjoy looks and functions.

It is acknowledged that the extent to which climate change happens, and its impact on the Broads, will be affected by actions nationally and globally, and Local Plan policies cannot protect the Broads from this. They can, however, contribute to an approach that seeks to reduce climate change through positive action and to mitigate its effects.

Section 19 (1A) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to include in their Local Plans '*policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change*'.

This Local Plan includes specific policy approaches that seek to address mitigation and adaptation needs, such as through the approach to renewable energy (MODDM15), flood risk management (MODDM5), design ((MODDM43), and transport (MODDM23).

In addition to these specific policies, the Authority promotes the use of a 'climate-smart' approach, whereby any proposed development is reviewed against climate projections<sup>42</sup> to see what resilience and adaptation

<sup>41</sup> UK CIP (Climate Impacts Programme) 2009 'medium emissions' scenario for the East of England

<sup>42</sup> Climate projections: [www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances](http://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances)

options might be included to inform the details of the proposal. This includes identifying changes that would need to be implemented when certain 'trigger' conditions are reached, and building in enough flexibility to cope with differing climate scenarios. It also suggests looking at revised outcomes if the changes cannot be accommodated in the initial ideas (see [Appendix E](#) for details of the climate smart planning cycle).

Evidence used to inform this section

- Broads Authority Climate Change Adaptation Strategy (2016)  
[www.broads-authority.gov.uk/looking-after/climate-change](http://www.broads-authority.gov.uk/looking-after/climate-change)

## 14. Soils

### Policy MODSP4 Soils

Proposals shall, in relation to soils in the Broads:

- i) Protect the best and most versatile agricultural land, defined as Grades 1, 2 and 3a of the Agricultural Land Classification (See map at [Appendix G](#));
- ii) Address decontamination where needed in order to improve quality;
- iii) Re-use top soil locally;
- iv) Take particular care in the transportation and disposal of soil during development to prevent possible movement of invasive species; and
- v) Address soil erosion and possible contamination of the water environment.

The Authority will require all applications for development to include realistic proposals to demonstrate that soil resources were protected and used sustainably in line with accepted best practice, including the DEFRA safeguarding soils strategy.

### Reasoned Justification

The NPPF ~~(at paragraph 109 and 143)~~ seeks the protection and enhancement of soils, ~~as well as preventing development from contributing to unacceptable levels of soil erosion.~~ The NPPF also says at footnote 53, 'Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality'. ~~seeks the safeguarding of the best and most versatile agricultural land.~~

The NPPG identifies soils as *'an essential finite resource that provides important 'ecosystem services', for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution.'*

The map at [Appendix G](#) shows the best and most versatile agricultural land in the Broads, defined as Grades 1, 2 and 3a of the Agricultural Land Classification<sup>43</sup>. Development of the best and most versatile agricultural land will not normally be permitted unless it can be demonstrated that the need for the development clearly outweighs the need to protect such land in the long term, or in the case of temporary/potentially reversible development that the land would be reinstated to its pre-working quality, and there are no suitable alternative sites on previously developed (brownfield) or lower quality land. Where a development would result in a sizeable area being lost (and there is no existing detailed soil information available), then a soil quality survey may need to be completed.

Soil pollution can arise from different sources including agricultural activities and fuel storage. Where development is proposed on land that could be contaminated, a site investigation will usually be required.

The Broads has a number of non-native invasive plant and invertebrate species which are easily transferable between sites via machinery, soil and damp equipment. These species can alter entire ecosystems by displacing or outcompeting local species, spreading disease, changing the ecology and physically clogging the waterways. Any proposal for development on or near water, or on land with record(s) of invasive species present should include appropriate biosecurity measures:

- 'Clean, Check, Dry' machinery, equipment and clothing before moving between sites – for more information see [www.nonnativespecies.org/checkcleandry](http://www.nonnativespecies.org/checkcleandry)
- Avoid transfer of vegetation or viable seeds or propagules in topsoil or other material. If possible reuse soil on the same site.
- Avoid importing topsoil which is unscreened.

<sup>43</sup> Natural England has an advice note about ALC for more information: [publications.naturalengland.org.uk/file/4424325](https://publications.naturalengland.org.uk/file/4424325).

Soils are susceptible to erosion which can pollute ditches and waterbodies via sedimentation or addition of nutrient contained in the soil, and the Authority works actively with landowners to address this. The sediment and nutrient released into water can smother vegetation and invertebrate life, and result in algal blooms which cause further damage to the ecology. Mitigation strategies should include:

- Leaving an appropriately sized buffer strip (3-5m wide) of vegetation between work site and surrounding ditch network. If necessary, use appropriate ground protection system to keep machinery disturbance of vegetation to a minimum in the buffer area.
- Rapidly re-establishing native vegetation cover over exposed and disturbed ground. Where it is necessary to store soil, keep it covered to avoid erosion.
- Use of sediment traps, such as earth bunds or via creation of new ponds to slow the flow of water and prevent sediment reaching ditches.

Soil runoff can carry sediment and nutrients into the local watercourses where they can reduce water quality, smother fish spawning grounds and increase the risk of local flooding. Soil runoff can come from many sectors including construction sites, eroded rural roads and agriculture, such as heavy rainfall on compacted soils or cropped fields which are not properly managed. Advice is available for the agricultural sector on minimising runoff and managing soils. Construction sites shall be required through the planning process to take adequate steps to minimise soil runoff.

The peat and alluvial gley soils on the grass marshes are rich in carbon (see next policy relating to peat specifically).

As part of the Government's 'Safeguarding our Soils' strategy<sup>44</sup>, Defra has published a code of practice on the sustainable use of soils on construction sites, which may be helpful in development design and setting planning conditions.

#### **Policy MODDM10: Peat soils**

See map: [Appendix H: Location of peat soils](#)

Sites of peat soils will be protected, enhanced and preserved. Where development is proposed on sites within the areas on the map, it may be necessary for an evaluation to be submitted to assess the impact of the proposal in relation to palaeoenvironments, archaeology, biodiversity provision and carbon content.

There will be a presumption in favour of preservation in-situ for peat, and development proposals that will result in unavoidable harm to, or loss of, peat will only be permitted if it is demonstrated that:

- There is not a less harmful viable option;
- The amount of harm has been reduced to the minimum possible;
- Satisfactory provision is made for the evaluation, recording and interpretation of the peat before commencement of development;
- ~~Enhancement of biodiversity outweighs the carbon loss;~~ and
- The peat is disposed of in a way that will limit carbon loss to the atmosphere

Development that seeks to enhance biodiversity but may result in some peat removal will still need to demonstrate the criteria i) to iv) and that the biodiversity benefit will outweigh carbon loss.

Proposals to enhance peat and protect its qualities will be supported.

<sup>44</sup> Safeguarding our Soils' strategy: [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/69308/pb13298-code-of-practice-090910.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69308/pb13298-code-of-practice-090910.pdf)

### Reasoned Justification

Peat is an abundant soil typology in the Broads and an important asset, providing many ecosystem services:

- **Climate change:** The soils formed by the Broads wetland vegetation store 38.8 million tonnes of carbon<sup>45</sup>. Peat soils release previously stored carbon when they are dry. UK peats therefore represent both a threat and an opportunity with respect to greenhouse gas emissions. Correct management and restoration could lead to enhanced storage of carbon and other greenhouse gases in these soils, while mismanagement or neglect could lead to these carbon sinks becoming net sources of greenhouse gases.
- **Biodiversity:** Peat soils support internationally important fen, fen meadow, wet woodland and lake habitats. 75% of the remaining species-rich peat fen in lowland Britain is found in the Broads. Milk parsley, the food plant of the Swallowtail caterpillar, grows only on peat soils. Fen orchids have their UK stronghold in the Broads so the peat soils are critical for the survival of this species. Other rare and important plant and invertebrate communities (collection of species) are supported by the peaty soils.
- **Archaeology:** Historic England has identified the Broads as an area of *exceptional waterlogged heritage*. Because of the soil conditions in the Broads, there is great potential for archaeology to be well preserved, giving an insight into the past. Archaeology is discussed in more detail in the Heritage section of this Plan.
- **Palaeoenvironments:** The peat has accumulated over time and thus incorporates a record of past climatic and environmental changes that can be reconstructed through, for example, the study of its stratigraphy and pollen content, leading to increased knowledge of the evolution of the landscape.
- **Water:** Peaty soils help prevent flooding by absorbing and holding water like a sponge as well as filtering and purifying water. Peat can absorb large quantities of nutrient and other pollutants, although peat soils can under certain conditions release these chemicals back into the surrounding water.

While there is a certain irony in protecting the peat soils in an area where the lakes originated from peat extraction, peat is a finite resource. Land management that could impact on the quality of the peat soil includes land drainage, introduction of polluted water, burying the peat under hard surfaces or gardens, compacting peat and peat removal to change the land use.

Lowland fen is a priority habitat under the UK Biodiversity Action Plan and the EU Habitats Directive because of the quality and diversity of species it supports. Peat is not a habitat that can be recreated elsewhere as the deep soils take many thousands of years to form.

On occasion, for nature conservation benefits, peat can be removed to create shallow turf ponds or scrapes (areas of temporary open water) on areas of fen or scrub habitat to maximise the biodiversity value and hold back succession to woodland habitat. The removal of peat can also be necessary for conservation management – for example, the most biodiverse areas of UK fen occur on areas where the turf has been stripped and vegetation subsequently grown back. [This policy allows for such operations, provided they can justify the proposal against the criteria set out in the policy.](#)

The NPPF (~~paragraphs 143 and 144~~) and NPPG only mention peat soils in relation to its excavation as a mineral resource, rather than the issue in the Broads relating to impact due to groundworks from development and inappropriate land management.

The policy seeks protection of peat soils through changes in the location of development in the first instance and then designing proposals to minimise disturbance to the qualities of the peat and the amount of peat removed. Development proposed on areas of peat would require justification for the need to site the development on peat, and subsequently a peat assessment that shows how efforts have been made to reduce adverse impacts on peat. Proposals that would result in removal of peat are required to assess the archaeological and paleoenvironmental potential of peat and make adequate recordings prior to removal.

<sup>45</sup> NCA Profile 80, Natural England and the Broads Authority's Carbon Reduction Strategy: [www.broads-authority.gov.uk/data/assets/pdf\\_file/0011/400052/Carbon-reduction-strategy.pdf](http://www.broads-authority.gov.uk/data/assets/pdf_file/0011/400052/Carbon-reduction-strategy.pdf)

To prevent the loss of carbon to the atmosphere that is sequestered in peat soils, disposal is of great importance. The Authority expects peat to be disposed of in a way that maintains the carbon capture properties. Peat needs to go somewhere where it can remain wet (and hence retain its function to lock up carbon and prevent it being released into the atmosphere) or potentially provide a seedbank (the potential for ancient peat to provide a viable seedbank may need to be evidenced) or be reused for local benefit (for example by boosting organic matter in degraded arable soils). When dry, peat changes its properties and oxidizes, so transfer to the receiving site would need to be immediate.

#### Evidence used to inform this section

- NCA Profile: 80 The Broads (NE449), Natural England:  
[publications.naturalengland.org.uk/publication/11549064](https://publications.naturalengland.org.uk/publication/11549064)
- Positive Carbon Management of Peat Soils, Broads Authority:  
[www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0010/416494/BA\\_PeatCarbonManagement.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0010/416494/BA_PeatCarbonManagement.pdf)
- Peatlands and Climate Change, Worrall et al, Scientific Review, December 2010:  
[www.iucn-uk-peatlandprogramme.org/sites/www.iucn-uk-peatlandprogramme.org/files/Review%20Peatlands%20and%20Climate%20Change,%20June%202011%20Final.pdf](http://www.iucn-uk-peatlandprogramme.org/sites/www.iucn-uk-peatlandprogramme.org/files/Review%20Peatlands%20and%20Climate%20Change,%20June%202011%20Final.pdf)
- Fen Plant Communities of Broadland. Results of a Comprehensive Survey 2005-2009 (Broads Authority and Natural England):  
[www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0006/416391/Fen-plant-report-summary.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0006/416391/Fen-plant-report-summary.pdf)
- Wetland and Waterlogged Heritage Survey NHPP Activity 3A5, Historic England, 2011 to 2015:  
[historicengland.org.uk/research/research-results/activities/3a5](http://historicengland.org.uk/research/research-results/activities/3a5)

## 15. Heritage and historic assets

### Policy MODSP5: Historic Environment

The historic environment of the Broads will be protected and enhanced. Key buildings, structures and features which contribute to the Broads' character and distinctiveness will be protected from inappropriate development or change.

Proposals which maintain, enhance and provide better understanding of the significance of the overall cultural heritage value of the Broads will be sought through:

- i) Supporting the repair and appropriate re-use of buildings and structures of historic, architectural, cultural or landscape value where the repair and/or use would not be detrimental to the character, appearance or integrity of the building or structure, its context or setting; and
- ii) Requiring the highest standard of design which will protect the historic environment and add to the future cultural heritage value of the locality.

The archaeology of the Broads will be better understood, protected and enhanced by:

- iii) Protecting archaeology from inappropriate development or change; and
- iv) Ensuring proposals take account of the area's status as having 'exceptional waterlogged heritage'

Appropriate development proposals that bring into use or improve an asset so it is no longer deemed at risk on the heritage at risk register will be supported where appropriate to their significance.

### Reasoned Justification

The NPPF defines Historic Environment as '*all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora*'.

The Broads has a rich and varied cultural heritage. The historic environment makes a significant contribution to sustainable communities through supporting economic vitality, social and cultural links to the past and a dynamic and varied built environment.

Much of the landscape of the Broads is a product of historic and cultural practices and is of itself an historic landscape. There are many designated and non-designated heritage assets, as discussed at section 4.8.

Our policies aim to set new standards to complement the current character and to create development that will be valued in future. The design quality of new structures in the Broads may impact on identified features, and by requiring a high quality of design it is hoped the cultural heritage value of the area will be enhanced.

Heritage assets are defined by the NPPF as '*a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing)*'.

- Designated heritage asset. The NPPF defines these as World Heritage Sites, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.
- Non Designated Heritage Assets. The NPPG says these are locally designated '*buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets*'.

Some non-designated heritage assets can be found on the Authority's Local List, which identifies buildings and structures that significantly contribute to the local character but may not meet the strict criteria for nationally listed assets.

There will be archaeological interest in a heritage asset if it holds, or may potentially hold, evidence of past human activity worthy of expert investigation. Heritage assets with archaeological interest are the primary evidence source about the substance and evolution of places, and the people and cultures that made them.

Heritage at Risk is a term applied to designated heritage assets at risk as a result of neglect, decay or inappropriate development, or vulnerable to becoming so. The Authority generally supports improvements to the 'at risk' assets that will enable them to be taken off the register, but these changes must be in conformity with the other adopted policies of the Local Plan and with national planning policies.

The only conservation area at risk in the Broads is the Halvergate Marshes Conservation Area. The reason for this is the condition of the numerous mill structures within it being poor and also continuing (in the main) to deteriorate. There has recently been a slight improvement in condition with some structures receiving attention. One of the primary outcomes of the Water Mills and Marshes project is the improvement in condition of a number of the structures. This in turn should mean that within 5 years the conservation area will have improved enough to come off the 'at risk' register.

#### **Policy MODDM11: Heritage Assets**

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.

##### **a. Designated Heritage Assets**

Development that would affect a Designated Heritage Asset or its setting will be considered in the context of national policy, having regard to the significance of the asset.

Development proposals affecting conservation areas should ensure that the character and/or appearance of the area are preserved or enhanced. In conservation areas, all development is expected to be of a particularly high standard of design and materials. Demolition of unlisted buildings in a conservation area will require justification in a heritage statement. The demolition of structurally sound buildings which make a positive contribution to the significance of a conservation area will be resisted unless there are exceptional circumstances, including when the demolition is proposed as part of a scheme for redevelopment which would make an equal or greater positive contribution to the Conservation Area.

##### **b. Non-designated heritage assets**

In assessing development proposals that would directly or indirectly affect a non-designated heritage asset a balanced judgement will be made, considering:

- i) Scale of any harm or loss;
- ii) Significance of the heritage asset; and
- iii) Public benefits

##### **c. Archaeology**

Sites of archaeological interest and their settings will be protected, enhanced and preserved; development which has an unacceptable impact on a site of archaeological interest will not be permitted.

Where it is considered appropriate in cases where development coincides with the location of a known or suspected archaeological interest, an archaeological field evaluation will be required.

There will be a presumption in favour of preservation in-situ for Scheduled Monuments and other

archaeological heritage assets of significance.

Development proposals that will result in unavoidable harm to, or loss of, an archaeological heritage asset's significance, will only be permitted where there is a clear justification in terms of public benefits arising from the development which outweigh that harm and, in the case of substantial harm/loss, also meet the following requirements:

- vi) There is no less harmful viable option;
- vii) The amount of harm has been reduced to the minimum possible; and
- viii) Satisfactory provision is made for the evaluation, excavation, recording, ~~and interpretation,~~ [dissemination and archiving](#) of the remains [and then interpretation, dissemination and archiving](#) before the commencement of development.

d. The unknowns

Consideration will be given to the protection of heritage assets which have not been previously identified or designated but which are subsequently identified through the process of decision making, or during development. Any such heritage assets, including artefacts, building elements or historical associations which would increase the significance of sites and/or buildings, will be assessed for their potential local heritage significance before development proceeds.

Where heritage assets newly identified through this process are demonstrated by evidence and independent assessment to have more than local (i.e. national or international) significance, there will be a presumption in favour of their retention, protection and enhancement.

Where an asset has potential to be locally significant, it will be assessed against the criteria set out in the reasoned justification to this policy. Where this process demonstrates there is local significance, development proposals affecting these assets will be determined in accordance with criteria listed in section b.

e. Linking to the past

Where the Authority considers it appropriate, proposals will be required to recognise the importance of the historic environment through heritage interpretation measures.

Reasoned Justification

The Authority recognises the importance of protecting and preserving heritage and cultural assets, but new development may in some cases be appropriate to enable historic buildings and areas to react to changing circumstances. Development proposals will, however, be judged against their effect on the significance of the asset and its setting. This policy should be read in conjunction with the policy principles and information set out in the NPPG and NPPF.

Development that would affect the significance of a Heritage Asset (designated or non-designated), including a Listed Building, a locally listed building, Conservation Area, Registered Park and Garden or Scheduled Monument or its setting, must be accompanied by a Heritage Statement. This statement should provide a schedule of works and analyse the impact of the proposal on the form, fabric and setting of the asset and any features of historic or architectural interest, together with an assessment of the significance of the heritage asset to be affected. The statement should provide justification for the proposed works and their impact on the special character of the asset. When a Design and Access Statement is required, the Heritage Statement can form part of this.

In assessing the effect of development proposals on a Heritage Asset, consideration will be given to the significance of the asset and its setting, its intrinsic historic interest and rarity, and the contribution it makes to the character of the area. This will be weighed against the social and economic benefits of the proposal. Development that would cause less than substantial harm to the significance of a Listed Building,

Conservation Area or Scheduled Monument will only be permitted where the harm is outweighed by substantial public benefits of the proposal. ('Significance' can be defined as the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting<sup>46</sup>).

Non-designated heritage assets include those on the Historic Environment record of Norfolk and Suffolk County Councils as well as the Broads Local List. There are also assets on neither of these lists that we know about and that have potential historic importance including landscape features. We assess one topic area at a time to understand the potential for other features or buildings to form part of the Local List. At the time of writing, the list includes mills and waterside chalets, and we are planning to assess boatyards.

The Broads is a low-lying wetland area where the landscape has been shaped over centuries by a combination of physical, ecological, cultural and historic factors. Archaeological remains are a finite resource, often highly fragile and vulnerable to damage and destruction. Compared to other wetland/former wetland and areas of the East of England, the archaeology of the Broads is comparatively under-investigated. The lakes, dykes and in some cases the rivers are themselves archaeological features, and it is likely that undiscovered archaeology exists owing to the largely undeveloped nature of the area.

The Broads contains important archaeological sites, many of which owe their preservation to waterlogged conditions that promote conservation of organic material. Large areas of the grazing marshes have not been investigated or developed, and they are likely to represent a reserve of significant archaeological artefacts and interest, given the rich archaeology in the immediate vicinity. The importance of the palaeo-environmental remains likely to be preserved in the wetland environment is recognised. Historic England has identified the Broads as an area of *exceptional waterlogged heritage*. Because of the soil conditions in the Broads, there is great potential for archaeology to be well preserved.

Development proposals should be located and designed to avoid damage to archaeological remains and should enable these remains to be preserved in situ. Norfolk Historic Environment Service and Suffolk County Council Archaeology Service will be consulted on development proposals with the potential to have an adverse impact on a site of known or suspected archaeological interest. When a proposal has a potential adverse effect on a site of known or suspected archaeological interest, the development must be accompanied by archaeological field evaluations that detail the impact the proposal would have on these remains. In these cases, preservation by record secured through an agreed Written Scheme of Archaeological Investigation will be required. All archaeological works will be required to be undertaken to proper professional standards, as defined by the Chartered Institute for Archaeologists (CIfA).

Where development can take place and still preserve important features in situ, planning conditions will be sought to secure the implementation of effective management plans that ensure the continued protection of those features.

Heritage assets also include undesigned and unidentified assets that may be identified as being of significance during pre-application discussions or decision making, or that may be revealed in the course of development. These may include assets of established community value and assets that contribute to an area's sense of place and neighbourhood feel.

As part of the planning application process, consideration should be given to whether a heritage asset whose significance is not currently recognised or appreciated, but which becomes apparent through the application process, merits formal protection. Where, following assessment, such an asset is judged to be worthy of protection, the principle to be followed is that any proposals resulting in harm to or loss of significance will

<sup>46</sup> Further guidance can be found in the NPPG: [planningguidance.communities.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/why-is-significance-important-in-decision-taking/](https://planningguidance.communities.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/why-is-significance-important-in-decision-taking/)

be assessed according to the degree of significance that the asset is agreed to possess, as would apply if it had already been recognised.

An independent assessment of heritage significance would normally be undertaken by Historic England (or any equivalent successor body that becomes responsible for heritage asset protection during the currency of this plan). Where the significance of newly discovered assets is adjudged not to be so great as to merit national protection, there may be a case for some form of local recognition, typically by including the asset, or the building or structure in which it has been discovered or of which it forms part, on the Authority's Local List. Assessments of local significance should use the criteria used to assess locally identified heritage assets. They should also take account of the views of the community, local and national heritage bodies and conservation and design professionals in reaching a balanced judgement on the significance of the asset. The Local Heritage Listing guide from Historic England is also of relevance<sup>47</sup>. The local criteria are:

- a. Age and integrity
- b. Historic interest – historic association (people or events), social importance, 'lost' lifestyle (e.g. drainage pumps and marsh cottage settlements)
- c. Architectural interest or merit
- d. Technological innovation or excellence
- e. Visual/scenic/artistic or group value

The Authority considers that appropriate interpretation of the historic and cultural environment is an important aspect to development or change in the area. Such interpretation could range from street names that reflect the heritage of the site and retention of a particular feature to art or interpretation boards. The aim is to provide the link to the past and ensure that visitors and the community are aware of what the site was previously used for, or what happened on the site.

#### **Policy MODDM12: Re-use of Historic Buildings**

The re-use, conversion or change of use of a building or structure which is a heritage asset (designated or non-designated) will only be permitted where:

- a) A structural survey demonstrates that the building is capable of conversion where applicable and conversion, re-use or change of use can be undertaken without extensive building works, alterations or extensions that would lead to substantial harm to or loss of the asset's significance. The public benefits of the proposal will be weighed against the harm or loss in accordance with national policy and policy MODDM11;
- b) The proposal is of a high quality design, retaining the external and/or internal features that contribute positively to the character of the building, including original openings and materials, and with minimal intervention to the original form and fabric of the building (e.g. new openings);
- c) The proposal can be achieved in a way that preserves the structure's historic, cultural and architectural features and its character;
- d) The nature, scale and intensity of the proposed use are compatible with, and would not prejudice, surrounding uses or the character of the locality; and
- e) It would not adversely affect protected species or habitats.

Wherever possible, the building or structure should remain in the use for which it was originally designed. Where this is not possible, employment, recreation or tourism uses (~~including~~ excluding holiday accommodation ~~for short stay occupation on a rented basis~~) will be the next preference.

Conversion to residential uses, which includes holiday accommodation, ~~where the building would be used as a second home for the main residence of the occupiers,~~ will only be permitted where employment, recreation or other tourism uses of the building are proven to be unviable.

<sup>47</sup> The Local Heritage Listing guide from Historic England [historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/](https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/)

### Reasoned Justification

In the majority of cases, the most effective way of protecting and preserving designated and non-designated heritage assets is to retain them in their original use. However, where these buildings can no longer sustain the use for which they were originally designed, finding an appropriate alternative use for the building often represents the best way of protecting it. The sensitive re-use of historic buildings is also good sustainable practice, both in terms of making the optimum use of the embodied energy of the building and to maintain a local skill base in the restoration of historic buildings and traditional construction techniques.

Nevertheless, when considering proposals for the re-use of historic buildings, close attention must be paid to the design of any such conversion to make sure it is appropriate for the character and appearance of the building and would not adversely affect its context or setting. In particular, the loss of the primary fabric of the building and internal or external features that contribute to its character can devalue its significance. Some buildings will not be suitable for re-use, and development proposals should be accompanied by a structural survey undertaken by a suitably qualified independent Structural Engineer to help determine whether the building is capable of conversion without works that would have a significant detrimental effect on its character. In accordance with Policy MODDM12, a Heritage Statement (included within the Design and Access Statement where required) should also be submitted to provide a schedule of the proposed works, analyse the impact of the proposal on any important features of historic interest, and provide justification for the proposal. Policy MODDM11, including information requirements for and the determination of such applications, should be read in conjunction with the NPPG. Applicants are encouraged to discuss their proposals at an early stage with the Authority and, as appropriate, with Historic England.

Where it is not possible for the building or structure to remain in the use for which it was originally designed, preference will be given to re-using historic buildings for alternative employment, leisure or tourism uses that will have social and economic benefits for the Broads. Conversion of an historic building to a residential use can often have an adverse impact on its character, given the scale and nature of work required to meet the expectations for a permanent residence. For this reason, such residential conversions tend to be considered as a last resort. Applications to convert a historic building to residential use will be expected to be accompanied by a report, undertaken by an independent Chartered Surveyor, which demonstrates why economic, leisure and tourism uses would not be suitable or viable as a result of inherent issues with the building. Issues relating to the personal circumstances of the applicant or as a result of a price paid for the building will not be taken into consideration. Details should be provided of conversion costs and the estimated yield of the commercial uses, and evidence provided on the efforts that have been made to secure economic, leisure and tourism re-use for a continuous 12-month period. This will then be reviewed, which shall be carried out entirely at the applicant's expense.

'Significance' is discussed in the reasoned justification to policy MODDM11 on Heritage Assets.

Criterion C relates to amenity, tranquillity and landscape impacts of proposals - see policies MODDM21 (amenity) and MODDM22 (light pollution).

Applicants should be aware that historic buildings, particularly those in rural areas, have the potential to provide important breeding and ~~resting~~ roosting places for a number of species protected under a range of legislative provisions, including bats, barn owls or other nesting birds. If the presence of a protected species is suspected, the applicant will normally be required to submit a survey, undertaken by a suitably qualified ecologist, to establish whether the species is present, whether the development would harm the species, and what measures are proposed to avoid potential harm. There may be a requirement to provide compensatory features, although such features should not impact adversely on the structure, and should not preclude appropriate development where it might bring a redundant asset or Building at Risk into use.

[Where the original use of the building was residential, any application will also be subject to the policy requirements.](#)

For conversions or re-use of buildings that are not historic buildings (designated or non-designated), please refer to MODDM48.

Relevant ~~documents~~ sources of information

- The Norfolk and Suffolk Historic Environment Records: [www.norfolk.heritage.gov.uk](http://www.norfolk.heritage.gov.uk) and <https://heritage.suffolk.gov.uk/>
- HISTORIC ENVIRONMENT GOOD PRACTICE ADVICE IN PLANNING, Historic England. Notes 1, The Historic Environment in Local Plans. <https://historicengland.org.uk/images-books/publications/gpa1-historic-environment-local-plans/>
- HISTORIC ENVIRONMENT GOOD PRACTICE ADVICE IN PLANNING, Historic England. Notes, 2 Managing Significance in Decision-Taking in the Historic Environment. [historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/](https://historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/)
- HISTORIC ENVIRONMENT GOOD PRACTICE ADVICE IN PLANNING, Historic England. Notes 3, The Setting of Heritage Assets. [historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/](https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/)

Evidence used to inform this section

- Local List, Broads Authority. [www.broads-authority.gov.uk/planning/Other-planning-issues/protected-buildings/broads-local-list-of-heritage-assets](http://www.broads-authority.gov.uk/planning/Other-planning-issues/protected-buildings/broads-local-list-of-heritage-assets)
- Drainage Mill Action Plan and Strategy, Broads Authority (not available on line).
- Water, Mills and Marshes: the Broads' Landscape Partnership. Application to the Heritage Lottery Fund, Landscape Partnership Scheme, May 2015. <http://www.broads-authority.gov.uk/looking-after/projects/water,-mills-and-marshes>
- Historic Environment Record [www.heritagegateway.org.uk/Gateway/CHR/](http://www.heritagegateway.org.uk/Gateway/CHR/)
- NHPP 3A5 IDENTIFICATION OF WETLAND/ WATERLOGGED SITES. 6240 Exceptional Waterlogged Heritage. <https://research.historicengland.org.uk/redirect.aspx?id=6996%7C%20Exceptional%20Waterlogged%20Heritage%20Stage%201:%20Inventory>
- The Archaeology of Norfolk Broads Zones [www.heritage.norfolk.gov.uk/nmp](http://www.heritage.norfolk.gov.uk/nmp)

## 16. Natural Environment **Biodiversity**

### **Policy MODSP6: Biodiversity**

Development will protect the value and integrity of nature conservation interest and objectives of European, international, national and local nature conservation designations and should demonstrate biodiversity gains wherever possible paying attention to habitats and species including ecological networks and habitat corridors, especially linking fragmented habitats of high wildlife value.

#### Reasoned Justification

The Broads is a biodiversity resource of international importance, recognised by local, national and international conservation designations. Despite this, the ecosystems of the Broads are under considerable pressure. Climate change, water quality, habitat fragmentation, non-native species and scrub encroachment all pose threats to local biodiversity, as do demands for higher levels of food production, waste disposal, infrastructure and small-scale developments.

Sites subject to national designations are accorded a high degree of protection under national legislation, with the objective to conserve these resources. The Local Plan policies reiterate this level of protection.

Additional protection is given to features accorded statutory designation under European legislation. On such sites, no development that would harm those features for which the site is designated will be permitted, other than in the most exceptional circumstances where there is no alternative solution, where there are imperative reasons of over-riding public interest, and where appropriate compensatory measures are provided. Potentially damaging development might be better located outside the Broads Executive Area.

The identification, promotion and creation of ecological networks will help to re-establish vulnerable species and habitats to more viable population levels and enable them to adapt better to change in the medium- and longer-term. Habitat corridors and the management that goes on within them are vital for the migration and dispersal of species, and help to maintain and enhance biodiversity. In the light of current and future climate change, the role of habitat corridors is likely to become more valuable as species adjust their ranges to accommodate for changing climatic conditions. The Norfolk County-wide ecological network work will be used to inform the design of proposals where relevant.

While it is essential that development does not adversely affect the wildlife value, it also provides opportunities for enhancement and it is important these are embraced to increase the value of the resource over time. Even improvements through small-scale developments in the Broads can support biodiversity targets. In all relevant development proposals, assessments of ecological impacts will be sought along with opportunities for enhancement, with particular attention paid to Section 41 priority habitats and species.

By increasing biodiversity in the Broads, the value and beauty of the area will increase and ecological populations will be strengthened and be better able to maintain viable communities.

[Policy DM7 on Green Infrastructure is also of relevance and so too are the Waveney Green Infrastructure Study, the Broads Integrated Access Strategy and Norfolk Strategic Planning Framework Ecological Networks Study as well as future guidance on ecological networks.](#)

### **Policy MODDM13: Natural Environment**

All development shall:

- a) Protect biodiversity value and minimise the fragmentation of habitats;
- b) Maximise opportunities for restoration and enhancement of natural habitats;
- c) Incorporate beneficial biodiversity and geological conservation features where appropriate which are positively managed; and

d) Include green infrastructure where appropriate (see policy MODDM8).

Proposals on previously developed/brownfield land may require surveys to determine if the site has open mosaic habitat of intrinsic biodiversity value<sup>48</sup>. If ~~the assessment concludes that the site is of high environmental value,~~ this habitat is found on the site, the design of the scheme is required to protect and enhance these areas and/or to design appropriate compensation and off site mitigation measures in order to secure a net gain for biodiversity<sup>49</sup>.

Development proposals with the principal objective to restore or create new habitat will be supported.

Any proposal which would adversely impact a European site, or cause significant harm to a SSSI, will not normally be granted permission. Development should firstly avoid (through an alternative development site or avoid on the site), then mitigate and, as a last resort compensate for adverse impacts on biodiversity and geodiversity.

Where it is anticipated that a development could affect the integrity of a Special Protection Area (SPA), Special Area of Conservation (SAC) or Ramsar Site, either individually or cumulatively with other development, a Habitat Regulation Assessment under the Habitats Regulations will be undertaken. If adverse impacts on the integrity of the site and its qualifying features are predicted, measures to mitigate for these effects will be implemented. If it is not possible to mitigate satisfactorily for adverse effects, the development will not be permitted. If there is no alternative solution, the consideration of imperative reasons of overriding public interest, despite a potentially negative effect on site integrity, can be considered.

Development that may adversely affect the special interest of a Site of Special Scientific Interest (SSSI) (which is not also subject to an international designation) or a National Nature Reserve will only be permitted in exceptional circumstances where:

- e) There is no significant harm to the features of the site;
- f) The benefits of the development clearly outweigh the impact of the development on the features of the designated site and the contribution that the designated site makes to the network of habitats and/or geological features in England; and
- g) The detrimental impact of the proposal on biodiversity interest and/or geodiversity has been minimised through the use of all practicable prevention, mitigation and compensation measures.

Development that would have an adverse impact on a Local Nature Reserve, County Wildlife Site, a section 41 priority habitat identified under the Natural Environment and Rural Communities (NERC) Act 2006, or a local site of geodiversity, including peat soils, will only be permitted in exceptional circumstances, having regard to the international, national, regional and local importance of the site in terms of its contribution to biodiversity, scientific and educational interest, geodiversity, visual amenity and recreational value.

Development that would be likely to have an adverse impact on a legally protected species or section 41 priority species will only be permitted where mitigation measures are implemented to maintain the population level of the species at a favourable conservation status within its natural range. Habitat and species enhancement will be required, providing they are not at the detriment to other existing valuable habitats. Where the proposed development would adversely impact upon legally Protected Species or habitats, it must also be demonstrated that:

- h) The development is necessary for reasons of overriding public interest; and
- i) There are no satisfactory alternatives, in terms of the form of, or location for, the development, that

<sup>48</sup> For more information go here [www.buglife.org.uk/sites/default/files/Identifying%20open%20mosaic%20habitat.pdf](http://www.buglife.org.uk/sites/default/files/Identifying%20open%20mosaic%20habitat.pdf) and here [jncc.defra.gov.uk/pdf/UKBAP\\_BAPHabitats-40-OMH-2010.pdf](http://jncc.defra.gov.uk/pdf/UKBAP_BAPHabitats-40-OMH-2010.pdf).

<sup>49</sup> Biodiversity Net Gain Good practice principles for development: [https://www.cieem.net/data/files/Publications/Biodiversity\\_Net\\_Gain\\_Principles.pdf](https://www.cieem.net/data/files/Publications/Biodiversity_Net_Gain_Principles.pdf).

would have a lesser impact on the species or habitats.

### Reasoned Justification

#### • Protected sites and species

Protecting and enhancing the natural environment is a statutory purpose of the Broads Authority. The Authority also has a legal duty under the Natural Environment and Rural Communities Act 2006<sup>50</sup> and the Wildlife and Countryside Act 1981<sup>51</sup> to protect and enhance biodiversity. Development proposals will therefore be expected to consider the protection and enhancement of biodiversity from the outset. In particular, proposals should take opportunities for the restoration and enhancement of priority habitats and species identified in the Broads Biodiversity Action Plan (BAP), the Broads Biodiversity and Water Strategy and the Norfolk Ecological Network Mapping Report<sup>52</sup> (under preparation at the time of writing) and incorporate appropriate beneficial biodiversity conservation features.

Sites of nature conservation value will be strongly protected from development that is likely to damage the features that provide their special value. A Habitats Regulations Assessment will be required for all proposals that are likely to have an effect on a Special Protection Area (SPA), Special Area of Conservation (SAC) or Ramsar site, on the advice of ecology experts or Natural England. Proposals will only be permitted if they do not adversely affect the integrity of the site. Development that may have a damaging or negative impact upon a Site of Special Scientific Interest (SSSI), National Nature Reserve (NNR), Local Nature Reserve, County Wildlife Site, habitat identified in the UK, Norfolk or Suffolk Biodiversity Action Plan or local site of geodiversity must be accompanied by a suitable environmental assessment that identifies the impact of the development on the site and proposes mitigation measures that would be incorporated to minimise any impact. Natural England must provide approval for any unconsented operations within an SSSI or NNR.

Where protected species are likely to occur, development proposals should be accompanied by a protected species survey undertaken by a competent and suitably qualified ecologist and submitted with an application. The survey should include an appraisal and appropriate survey evidence of the likelihood and level of presence of the protected species, and provide sufficient information to assess the effects of the development on the species, together with any proposed prevention, mitigation or compensation measures. A key test will be whether the viability of the species or habitat would be maintained at this site for the foreseeable future. Where the species is protected under the Conservation of Habitats and Species Regulations ~~2010~~2017 (the Habitats Regulations)<sup>53</sup> it will also be necessary to demonstrate that any harm to

<sup>50</sup> **Natural Environment and Rural Communities Act, 2006.** Section 40 places a duty on public authorities to conserve biodiversity - for the first time. This section states that (1) Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity, and (3) Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat. This places a duty on all Local Authorities to conserve wider biodiversity in addition to the statutory protection given to certain sites and species. Also Section 55 changes the situation regarding the Local Authority role and SSSI protection. Guidance for Local Authorities on Implementing the Biodiversity Duty has been produced by Defra. Section 41 refers to the list of the living organisms and types of habitat which in the Secretary of State's opinion are of principal importance for the purpose of conserving biodiversity.

<sup>51</sup> The legislative provisions in Great Britain for the protection of wild animals are contained primarily in the **Wildlife and Countryside Act, 1981**, Sections 9-12, the wild animals which are protected are listed in Schedules 5-7 of the Act and the provisions for the granting of licenses and enforcement are set out in Sections 16-27. In England and Wales, enforcement provisions were extended and some amendments for protection made by the Countryside Rights of Access Act 2000 (CRoW act) Section 81 and Schedule 12.

<sup>52</sup> The aims of the project are to make the 'connections' between GI and growth, providing LPAs with a deliverable approach to addressing green infrastructure matters to enable and support growth, map the green infrastructure Network of Norfolk, maximising the benefits it brings to the communities of Norfolk, to identify deficiency in GI provision and identify opportunities for enhancement. The work is being coordinated by Norfolk County Council.

<sup>53</sup> These animal and plant species are listed on Annex IV of the **Habitat Directive**. The animals (not birds) are protected under Regulation 41 of the Habitats and Species Regulations 2010 and are listed on Schedule 2 of these Regulations; plants are protected under Regulation 45 of the Habitats and Species Regulations 2010 and are listed on Schedule 5. The European Protected Species Guidance note advises developers and planners of their responsibilities towards European Protected species.

the species is justified by reasons of overriding public interest (IROPI). For SACs, 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. 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.

Where development is likely to have an adverse impact upon a species not protected by the Habitats Regulations, and in particular where that species is identified on the UK priority species list (section 41 of the Natural Environment and Rural Communities Act 2006), there will be an expectation that the development proposal will be accompanied by an impact study commensurate with the scale of the impact and the importance of the species, and that mitigation and compensation measures are considered under an appropriate decision making hierarchy.

Existing and future developments can provide habitat for species such as bats and birds. The Authority has produced a Biodiversity Enhancements guide<sup>54</sup> to help applicants provide beneficial biodiversity features.

- Geodiversity

Geodiversity is the variety of rocks, fossils, minerals, landforms and soils, along with the natural processes that shape the landscape that forms the earth heritage resource. ~~There is no designated Regionally Important Geological or Geomorphological Sites (RIGS) in the Broads, but one SSSI, Bramerton Pits, is designated for its geological interest. Local geodiversity interest is:~~ There are no designated Local Sites of geodiversity interest (RIGS, County Geodiversity Sites, County Geosites) in the Broads area. There are however two SSSIs designated for their geodiversity features: Bramerton Pits for their Norwich Crag exposures and Winterton-Horsey Dunes for their coastal dunes. The geodiversity of the Broads area may be summarised as 'Holocene peatland and marine alluvium giving rise to open water, fen and carr habitats; broads developed in former early Mediaeval peat diggings; rivers including lower reaches of Bure, Waveney and Yare and their tributaries including Ant, Chet and Thurne. There are also significant exposures of early and middle Pleistocene marine and glacial sediments'<sup>55</sup>. New development has the potential to result in the loss of geodiversity, including the valuable biodiversity and carbon stores supported by peat soils (see Policy MODDM 10), through operations such as landfill, destruction of geomorphology (landform) and mineral extraction. However, there is also potential to enhance geodiversity by recording sediments exposed during development and by the retention of geological sections. The Authority will make sure development is managed to protect this important asset.

- Brownfield Sites

Brownfield Sites (Previously Developed Land<sup>56</sup>) ~~–defined as any piece of land that has been altered by human activity–~~ can be havens for wildlife, supporting some of the UK's most threatened species. Brownfield sites are listed as a Priority Habitat in Section 41 of the Natural Environment and Rural Communities Act 2006 (NERC Act), as 'open mosaic habitat on previously developed land'. These habitats can be extremely diverse, supporting a wide range of terrestrial and aquatic habitats.

<sup>54</sup> Biodiversity Enhancements guide [www.broads-authority.gov.uk/planning/Planning-permission/design-guides](http://www.broads-authority.gov.uk/planning/Planning-permission/design-guides).

<sup>55</sup> National Parks and NNRs. Norfolk Geodiversity Partnership, online <https://sites.google.com/site/norfolkgeodiversity/action-ngap/3-protecting/protected/parks-nnr/> [accessed December 2017]

<sup>56</sup> The NPPF 2018 defines previously developed land as '*land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape*'.

~~The NPPF says at paragraph 111: 'Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.' The NPPG expands on this by saying 'This means that planning needs to take account of issues such as the biodiversity value which may be present on a brownfield site before decisions are taken.'~~

~~The Wildlife and Countryside Link defines 'high environmental value' in biodiversity terms as:~~

- ~~• 'It contains priority habitat(s) listed under section 41 Natural Environment and Rural Communities Act 2006'~~
- ~~• 'The site holds a nature conservation designation such as Site of Special Scientific Interest, or is defined as a Local Wildlife Site (or equivalent) in local planning policy.'~~

The policy's requirement for a survey in relation to brownfield/previously developed land must be undertaken by a competent ecologist and submitted with an application. This is not about preventing development on brownfield land, but to make sure development considers the potential habitat and takes it into consideration in its design and delivery. It is not at the expense of other habitats, and recognises that most development in the Broads is on brownfield land.

- Planning conditions

Wherever a proposed development may have an adverse impact on biodiversity or geodiversity, conditions and/or planning obligations will be used to ensure that appropriate mitigation and enhancement measures are implemented. See policy MODDM47.

- Green Infrastructure and Ecological Networks

Policy DM7 on Green Infrastructure is of relevance and so too are the Waveney Green Infrastructure Study, the Broads Integrated Access Strategy and Norfolk Strategic Planning Framework Ecological Networks Study as well as future guidance on ecological networks.

Evidence used to inform this section

- Open mosaic habitats high value guidance: when is brownfield land of 'high environmental value'? (Wildlife and Countryside Link) 2015:  
[www.wcl.org.uk/docs/Brownfield%20high%20environmental%20value%20FINAL%20June%202015.pdf](http://www.wcl.org.uk/docs/Brownfield%20high%20environmental%20value%20FINAL%20June%202015.pdf)
- Biodiversity Action Plan Framework 2009  
[www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0013/404320/Biodiversity-Action-Plan-framework.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0013/404320/Biodiversity-Action-Plan-framework.pdf)
- Biodiversity Action Plan for the Broads 2009  
[www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0014/404321/Biodiversity\\_Action\\_Plan.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0014/404321/Biodiversity_Action_Plan.pdf)
- Norfolk Ecological Network Mapping work (in draft September 2017)

## 17. Renewable energy

### **Policy MODDM14: Energy demand and performance**

Development is required to take a 'fabric first' approach and reduce overall energy demand through its design, materials, layout and orientation. Proposals are then also required to maximise the use of energy efficiency and energy conservation measures.

Developments of over 10 dwellings are required to meet or reduce at least 10% of their predicted energy requirements, using the following hierarchy:

- a) Reduce the overall energy demand in the first place;
- b) Energy efficient and conservation measures; and
- c) Decentralised and renewable or low-carbon sources for any residual amount.

Developments of non-housing development over 1,000m<sup>2</sup> are required to meet or reduce at least 10% of their predicted energy using the hierarchy as set out at a, b and c above, and are encouraged to achieve at least the BREEAM 'Very Good' standard or equivalent.

Planning permission and, where relevant, listed building consent will be granted for works required to improve the energy performance of heritage assets where it complies with other relevant policies and can be clearly demonstrated that this is compatible with all of the following:

- d) The heritage asset's character and appearance;
- e) The heritage asset's special architectural or historic interest;
- f) The long-term conservation of the built fabric; and
- g) The wider setting of the heritage asset.

An energy statement which demonstrates the approach is required to accompany planning applications.

### Reasoned Justification

The Climate Change Act 2008 legislates for a 34% reduction in greenhouse gas emissions against 1990 levels by 2020, and an 80% reduction by 2050. The incorporation of renewable energy generation technologies and energy efficiency measures into the design of new development can make a significant contribution to achieving these targets.

The policy approach seeks development that is designed to reduce energy demand in the first place, then to use energy efficiency improvements, and finally to use renewable energy technologies where appropriate.

On-site provision will normally be the preferred mechanism for decentralised and renewable or low-carbon sources. However, off-site schemes will be permitted where it would result in the generation of a greater amount of energy or would have a lesser visual/environmental impact. Planning conditions and/or obligations will be used to make sure the energy infrastructure comes on-line before the development is occupied.

Addressing climate change is also about making improvements to resource and energy efficiency. Building Research Establishment Environmental Assessment Method (BREEAM) building standards are nationally recognised levels that require building design and construction to address these challenging issues.

The retro-fit of historic buildings to enhance their energy efficiency has the potential to become an issue. The Authority will assess the impact of the adaptations, taking regard of the significance of the historic asset and the character, historic interest, setting and integrity of the elements of the asset likely to be affected<sup>57</sup>.

Further guidance on designing new development to minimise energy consumption is provided in the Broads Authority's Sustainability Guide<sup>58</sup>.

#### **Policy MODDM15: Renewable energy**

Renewable energy proposals shall be of a scale and design appropriate to the locality and shall not, either individually or cumulatively, have an adverse impact on the distinctive landscape, cultural heritage, biodiversity or recreational experience of the Broads. The Broads Landscape Sensitivity Study<sup>59</sup> will provide guidance on this. The impact of ancillary infrastructure, including power lines, sub-stations, storage buildings, wharves and access roads, will form part of the evaluation. Wherever possible, renewable energy proposals should utilise previously developed sites and result in environmental improvements over the current condition of the site. The developer will also be required to remove any renewable energy equipment when it is redundant.

#### Reasoned Justification

It is widely acknowledged that tackling the challenges posed by climate change will necessitate a radical increase in the proportion of energy generated from renewable sources. The UK Renewable Energy Strategy (2009) includes the UK's legally binding renewable energy target of 15% by 2020. This is part of a wider suite of strategies within the UK Low Carbon Transition Plan. The Authority must ensure that the causes of climate change are addressed at the local level. This will, however, need to be undertaken within the context of the special circumstances pertaining to the Broads.

A range of renewable energy technologies may be suitable for the Broads, including solar photovoltaic cells, ground and water and air source heat pumps and wind turbines<sup>60</sup>. However, the sensitivity of the Broads landscape means that large-scale renewable energy developments are generally inappropriate. Where wind turbines, solar photovoltaics cells or other large-scale renewable energy developments are proposed, applications should be accompanied by a landscape and visual impact assessment of the impact of the development from a full range of viewpoints, including from the waterways, and is completed in accordance with the Guidelines for Landscape and Visual Impact Assessment published by the Landscape Institute and Institute of Environmental Management and Assessments<sup>61</sup>.

The ~~NPPG- NPPF 2018 (paragraph 154 footnote 49)~~ says ~~'in the case of wind turbines, a planning application should not be approved unless the proposed development site is an area identified as suitable for wind energy development in a Local or Neighbourhood Plan'~~. ~~The Authority does not intend to allocate any sites in the Broads for wind turbines. More information can be found in the Renewable Energy Topic Paper.~~ 'Except for applications for the repowering of existing wind turbines, a proposed wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan; and, following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing'.

<sup>57</sup> Historic England guidance Energy Efficiency and Historic Buildings – Application of Part L of the Building Regulations to historically and traditionally constructed buildings <https://historicengland.org.uk/images-books/publications/energy-efficiency-historic-buildings-ptl/> may be helpful in understanding these special considerations.

<sup>58</sup> Sustainability Guide: <http://www.broads-authority.gov.uk/planning/planning-permission/design-guides>

<sup>59</sup> Landscape Sensitivity Study (2012): [www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-sensitivity-studies](http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-sensitivity-studies)

<sup>60</sup> See Renewable Energy Topic Paper [www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2](http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2)

<sup>61</sup> Guidelines for Landscape and Visual Impact Assessment: [www.landscapeinstitute.org/product/guidelines-for-landscape-and-visual-impact-assessment/](http://www.landscapeinstitute.org/product/guidelines-for-landscape-and-visual-impact-assessment/)

The Landscape Sensitivity Study concluded that wind turbines are tall structures ~~and~~ that have the potential to detract from the mainly open and low-lying character of the Broads landscape, particularly when they are in large groups or sited in prominent locations. [The Renewable Energy Topic Paper \(link\)](#) assesses the potential for wind turbines in the Broads and concludes that there are no sites within the Broads Authority Executive Area suitable for wind turbines and as such no sites are allocated in this Local Plan.

~~When considering such proposals, the Authority will take into account: the scale of the wind farm (in terms of turbine groupings and heights); the condition of the landscape; the extent to which topography and/or trees screen the lower part of turbines; the degree of human influence on the landscape; and the presence of strong visual features and focal points. The Authority's Landscape Character Assessment<sup>62</sup> and Landscape Sensitivity Study will be used to help assess the impact of individual proposals.~~

~~The operation of the turbines can also adversely affect ecological interests, particularly birds and bats. If a proposal is considered likely to have an effect on internationally designated sites, it will need to be considered in the context of the Conservation of Habitats and Species Regulations 2010 (the Habitats Directive) and a project level Appropriate Assessment undertaken. Development that could affect the integrity of a local, international or European site would not be in accordance with Policy PUBDM12 of this Local Plan.~~

The Authority will not support proposals for renewable energy development that are sited outside but close to the Broads executive boundary that would have an adverse impact on the Broads environment and the special landscape setting and character.

#### Evidence used to inform this section

- Renewable Energy Topic Paper (2016):  
[www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2](http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2)
- Landscape Character Assessment (2017):  
[www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-character-assessments](http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-character-assessments)
- Landscape Sensitivity Study (2012):  
[www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-sensitivity-studies](http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-sensitivity-studies)

---

<sup>62</sup> Landscape Character Assessment (2017): [www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-character-assessments](http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-character-assessments)

## 18. Landscape character

### **Policy MODSP7: Landscape character**

Development proposals will ensure that the location or intensity of the use or activity is appropriate to the character and appearance of the Broads and pay particular attention to the defining and distinctive qualities of the varied positive landscape character areas and the character, appearance and integrity of the historic and cultural environment.

#### Reasoned Justification

Landscape means an area as perceived by people, whose character is the result of the action and interaction of natural and/or human factors (definition from the European Landscape Convention).

The quality and uniqueness of the landscape, both visually and historically, are central to the attractiveness, distinctiveness and diversity of the Broads. It has high economic and cultural value and is a major draw for visitors to the area. The Authority recognises the need for a 'living landscape', with development necessary to support local communities and the economy being permitted, subject to policies that protect and enhance the essential qualities of the landscape, since it is that landscape which provides the basis of their livelihoods.

While the Broads landscape as a whole is protected for its natural beauty and national significance, there are areas that have suffered from inappropriate development or neglect and where landscape changes would be beneficial. The aim is to work with landowners and infrastructure providers to mitigate adverse impacts.

### **Policy MODDM16: Development and landscape**

Development proposals which conserve and enhance the key landscape characteristics of the Broads and comply with other relevant policies, in particular Policy MODDM43 (design), will be permitted.

Planning applications shall clearly demonstrate that development proposals are informed by:

- i) The Broads Landscape Character Assessment (2017); and
- ii) Appropriate site-based investigations

The design, layout and scale of proposals shall conserve and enhance landscape features that are worthy of retention and that contribute positively to landscape features which typify the traditional characteristics of the area and safeguard the positive experiential and visual amenity qualities of the landscape.

The restoration of landscapes will be sought where either natural or cultural heritage features of importance have been lost or degraded.

Development proposals that would have an adverse impact on either the character of the immediate or the wider landscape or the special qualities of the Broads will not be permitted.

In exceptional circumstances, where the landscape, biodiversity, navigation, social or economic benefits of a proposal are considered to outweigh the loss of a feature or the impact on landscape character or existing habitat, the development may be permitted subject to adequate compensatory measures being implemented. However, wherever possible the design and layout of the development should be configured to make provision for the retention, enhancement or restoration of these features.

#### Reasoned Justification

Despite its distinctiveness, the landscape of the Broads is not homogeneous and there are some areas more able to accommodate change than others.

The Authority has undertaken a Landscape Character Assessment (LCA), which identifies 31 distinctive local character areas. The LCA provides information on the key characteristics that combine to give a particular area its unique sense of place, incorporating information on topography, land cover and important landscape features.

Where appropriate, development proposals will be expected to be accompanied by a landscaping strategy that assesses the impact of the proposal on the landscape and details the measures that will be implemented to mitigate any adverse impact. To make sure development proposals do not have a detrimental effect on the distinctive landscape character, condition, features and sensitivities, including amenity and experiential qualities, the Landscape Character Assessment should be considered by applicants and will be used by the Authority to assess the impact of development proposals and the suitability of any proposed mitigation measures. There may also be occasions when the Landscape Character Assessments of our constituent districts are of importance to a particular scheme or proposal.

The Broads Biodiversity Action Plan and county species and habitat action plans will be used when assessing the appropriateness of landscaping schemes and the potential for enhancements to Broads' BAP habitats<sup>63</sup>.

Applications considered to be significant in terms of scale and/or impact should provide a Landscape and Visual Impact Assessment (informal or full LVIA) which assesses the impact of the development from a full range of viewpoints, including from the waterways, and is completed in accordance with the Guidelines for Landscape and Visual Impact Assessment, published by the Landscape Institute and Institute of Environmental Management and Assessments. Applicants will be advised at a pre-application stage whether a LVIA is likely to be required.

The Broads is a mainly open and low-lying environment. However, there are areas where trees and other natural features form essential features of the landscape, providing vital habitats for a range of species and having potential historic/cultural significance in demonstrating traditional land management.

Where a development would involve works that could affect any tree or landscape feature, detailed site plans showing the species, spread, roots and position of these features will be required. This plan should be accompanied by an arboriculture assessment carried out in accordance with the relevant British Standard that explains which features, if any, will be removed or cut back, and how any of these features will be protected during the course of the development. Details of replacement trees or hedges, including measures for maintenance and aftercare, should also be included.

The Authority has produced a guide<sup>64</sup> to help applicants assess and respond to landscape when preparing schemes, as well as setting out approaches to submitting relevant information.

#### **Policy MODDM17: Land raising**

Schemes that propose to raise land are required to justify this approach and explain what other options to address the issue that land raising seeks to resolve have been discounted, and why.

Proposals that involve land raising will not be permitted if they have adverse effects which cannot be satisfactorily mitigated on:

- a) Flood risk on site and elsewhere;
- b) Visual appearance and landscape character;
- c) Existing habitats and mature trees; or
- d) Archaeology and the setting and significance of any heritage asset.

<sup>63</sup> Broads BAP: [www.broads-authority.gov.uk/looking-after/managing-land-and-water/biodiversity](http://www.broads-authority.gov.uk/looking-after/managing-land-and-water/biodiversity)

<sup>64</sup> Biodiversity Enhancements Guide: [www.broads-authority.gov.uk/planning/Planning-permission/design-guides](http://www.broads-authority.gov.uk/planning/Planning-permission/design-guides)

The application needs to demonstrate how the difference in height between adjacent plots/land holdings will be satisfactorily designed.

#### Reasoned Justification

Land or buildings are often raised above the existing ground level, usually to reduce the risk of the site flooding, although such results are not guaranteed. Dredgings or material imported or won on site (for example resulting from a new mooring basin) may be disposed ~~on a~~ of on site and the land raised. Such land management to maintain land levels is a historic practice in the Broads. However, the impact of land-raising can have adverse impacts:

- i) It can serve to divert flood water onto neighbouring land, particularly in areas primarily affected by fluvial flooding, so the flood risk policy must also be adhered to. Land raising is not permitted within Flood Zone 3b Functional Floodplain unless it is to reinstate previously sunken land, as this would prevent the floodplain from functioning.
- ii) Land in the Broads is often wet and of poor load bearing capacity. Surcharging of land with soil or other material may lead to the site sinking over a period of time.
- iii) On sites in close proximity to each other, it affects the relationship of the site to surrounding plots and to access roads. On waterside sites, the relationship to the river or broad is changed, often leading to the need for higher piling and quay heading, potentially affecting the visual amenity of views from the water.
- iv) It can be damaging to ecology, geomorphology, trees and other vegetation on the site.
- v) It can change the character of the landscape – land-raising can increase the height and prominence of new buildings.
- vi) It can affect the ability to provide alternative flood storage capacity in the drainage compartment.
- vii) Material placed on top of other material can create problems for archaeology and the understanding of past human interaction with the environment.

Subject to the factors that must not be adversely affected, some land raising may be necessary for habitat creation/restoration purposes.

Where land-raising could be part of a scheme, applicants are required to explain what issues it seeks to resolve, and which other options have been considered and why they have been discounted, as well as justifying the raising of land.

The disposal of excavated material policy is also of relevance.

#### **Policy MODDM18: Excavated material**

All proposals are required to ensure excavated material arising as a result of a scheme is disposed of according to the following hierarchy. Justification for the approach adopted is required.

- i) Firstly, schemes are required to reduce to a minimum the volume of material that needs to be disposed of, then;
- ii) Left over material is required to be put to a productive use with the preference being used on site. Off-site productive use could be acceptable, then;
- iii) Any remaining material is required to be disposed of in a considerate and acceptable manner, subject to the Environment Agency ~~licencing~~ permitting requirements.

#### Reasoned Justification

Typically, as a result of most types of development, excavated material is left to be disposed of. This could result from buildings and their foundations; in the Broads there are also scrapes (for nature conservation and wild fowling), wildfowling lakes, fishing lakes (for recreation), dykes (for drainage), mooring cuts or mooring basins (to moor boats).

These developments can lead to materials that need to be accommodated somewhere on site or taken off site. The disposal of spoil/material is often an oversight by developers. On occasion there are presumptions of how to dispose of this material that may not be acceptable for the area, or the material is left on site, which can result in the establishment of vegetation that is not the norm for the area.

The Authority will require information from the applicant relating to the volume of likely excavated material and the plan for disposal and other options that have been considered. If the material is to be kept on site, detailed plans are required.

This policy will make sure that disposal is considered early in the scheme design process and could be incorporated positively (beneficial re-use). It could result in improved disposal of material with landscape character and habitat benefits. Of importance to disposal of material is the section on peat, the section on archaeology, and the guides referred to earlier in this section. The land-raising policy in this Local Plan is also of relevance. When disposing of material, the Environment Agency<sup>65</sup> needs to be contacted as a licence may be required.

#### **Policy MODDM19: Utilities infrastructure development**

Proposals for utilities infrastructure and associated development will only be permitted where:

The proposal has an essential role in the provision of a regional and national network;

- b) There is no opportunity for undergrounding or no suitable alternative locations outside the Broads protected landscape;
- c) There is no adverse impact on the character of the locality, the wider landscape, [character and significance of the historic environment](#) and the amenity of neighbours;
- d) Full consideration has been given to the opportunities for sharing a site, mast, pole or facility with existing utilities infrastructure already in the area and the least environmentally intrusive option has been selected;
- e) It is of a scale and design appropriate to the Broads;
- f) The proposal is in conformity with the latest national guidelines on radiation protection where applicable; and
- g) It would not adversely affect protected species or habitats.

The operator will also be required to remove any utilities equipment when it is redundant.

#### Reasoned Justification

For the purposes of this policy, 'utilities infrastructure' includes telecommunications, electricity, gas and water.

The Authority understands the importance of utilities infrastructure for local communities and the economy, including rural broadband coverage. However, by its nature, utilities infrastructure and its associated equipment has the potential to have a significant impact on the landscape, built environment and wildlife of the Broads. In particular, the open and low-lying character of the area increases the likelihood of installations forming visually prominent features that detract from the special character of the Broads.

Planning applications for utilities infrastructure development must be accompanied by supplementary information on the area of search, details of any consultation undertaken, details of the proposed structure and measures to minimise its visual impact, photomontages, and technical justification for the proposed development, as appropriate. Measures to reduce the visual impact of a proposal will be secured by planning condition where necessary. To avoid the proliferation and visual impact of new utility installations, preference will be to accommodate new installations on existing masts and/or within existing utility apparatus sites where this represents the least environmentally intrusive option. Applicants who choose not

<sup>65</sup> Go here for more information: [www.gov.uk/topic/environmental-management/waste](http://www.gov.uk/topic/environmental-management/waste)

to mast or site share where there is an opportunity to do so should submit a statement setting out the extent of the area of search and fully justifying their reasons for discounting this option.

The Authority will require all telecommunications operators to demonstrate that their proposed installation would be in conformity with the latest national guidelines on radiation protection. To this end, the submission of information to certify compliance with the International Commission of Non-Ionizing Radiation Protection (ICNIRP<sup>66</sup>) standards will be sufficient to demonstrate that a proposed development would not have an unacceptable impact on people's health.

Because of the rapid pace of change in technology, permissions could be temporary so that utilities infrastructure is required to be removed when no longer necessary to meet the requirements of the operator.

The setting of the Broads will be an important consideration for our constituent districts when they determine planning applications for utilities infrastructure. The Authority will refer to the Landscape Sensitivity Study in the first instance. While this study considered solar farms and wind turbines, some utilities structures are similar in scale and bulk.

The Cabinet Siting and Pole Siting Code of Practice may be of relevance:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/205744/Final\\_Cabinet\\_and\\_Pole\\_Siting\\_COP\\_Issue\\_1\\_2\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/205744/Final_Cabinet_and_Pole_Siting_COP_Issue_1_2_.pdf) . Please note that this may be updated from time to time.

#### **Policy MODDM20: Protection and enhancement of settlement fringe landscape character**

Proposals for development lying within settlement fringe areas shall be informed by and be sensitive to the distinctive characteristics and special qualities of the Broads landscape, and should contribute to the active conservation, enhancement and restoration of these areas.

Development in settlement fringe areas shall be permitted where it can be demonstrated that its location, scale and design (with particular regard to materials and colour) will protect, conserve and where possible enhance:

- i) The special qualities, local distinctiveness and the natural beauty of the Broads (including its historical, biodiversity and cultural character);
- ii) The visual and historical relationship between settlements and their landscape settings;
- iii) The pattern of distinctive landscape elements such as dyke networks, woodland, trees (especially hedgerow trees), and field boundaries along with their function as ecological corridors; and
- iv) Visually sensitive skylines, significant views towards key landscape features such as drainage mills, and/or important vistas.

It shall also be demonstrated that the development will not, as a result of cumulative and/or sequential landscape and visual effects of development, detract from the natural beauty of the Broads and the experience of tranquillity.

#### Reasoned Justification

There are many areas in the Broads where traditional landscape features and elements are being eroded as a result of unauthorised and/or unsympathetic development.

Settlement fringe is a landscape type found repeatedly throughout the Broads, where settlement and semi natural/natural environment converge. The Broads' Landscape Character Assessment identifies areas that are classed as Settlement Fringe. Invariably around any settlement there are pressures for use other than for traditional agriculture. Many of these pressures are generated as a direct result of recreational and leisure

<sup>66</sup> International Commission of Non-Ionizing Radiation Protection: [www.icnirp.org/](http://www.icnirp.org/)

activities. Developments can be varied and include garden extensions with their associated fencing and features, allotments, poultry keeping, horse keeping, sports pitches, pond construction (fishing and wildfowling), storage of scrap items and so on.

The proximity of a settlement can also influence the presence and extent of strategic infrastructure such as poles and cables for telecommunications and electricity supply.

The land subject to these types of development pressure will generally have the basic underlying characteristics of the prevailing landscape type within the locality. It can become heavily modified though the annexation, subdivision, changes of use or introduction of ancillary buildings and structures that meet the needs of the activity.

The changes on the areas of land subject to these activities can both individually (depending on their scale and nature) and cumulatively (if it is following a trend in an area) have an effect on the landscape character of an area through changes to the traditional land use and land cover. The landscape character of an area is determined by distinct and recognisable patterns of both elements, or by characteristics (both physical such as topography, soils water quality vegetation and perceptual such as visual, sound, tranquillity) that make one landscape different from another, rather than better or worse.

Many activities will require the submission of a planning application. As part of that process, consideration as to the likely impacts on the landscape character of an area will be an aspect the planning authority will need to consider.

Some site specific policies relate to areas on the fringe of settlements, such as the Acle policies that refer to infrastructure requirements like cemeteries and playing fields which could lead to a more ordered landscape than the current agricultural land use. Such important infrastructure benefits the community. The policies refer to the importance of landscaping any such schemes. Other policies allow modest development in some settlement fringe areas, but again tend to state that a semi-natural appearance of the area will be retained or that the defined area will be kept generally free of buildings, and above ground structures or the semi-natural quality of the area retained.

More background information may be found in the Settlement Fringe Topic Paper.

#### Evidence used to inform this section

- Landscape Character Assessment: [www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-character-assessments](http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-character-assessments)
- Landscape Sensitivity Study: [www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-sensitivity-studies](http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-sensitivity-studies)
- Landscape Architect experience when assessing planning applications.
- Cabinet Siting and Pole siting Code of Practice Issue 2.  
[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/590272/Revised\\_Cabinet\\_and\\_Pole\\_Siting\\_COP\\_Nov\\_16.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/590272/Revised_Cabinet_and_Pole_Siting_COP_Nov_16.pdf)
- Settlement Fringe Topic Paper (2017). [www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2](http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2)
- Great Yarmouth & Waveney Settlement Fringe Landscape Sensitivity Study (2016).  
[www.eastsuffolk.gov.uk/assets/Planning/Waveney-Local-Plan/First-Draft-Local-Plan/Settlement-Fringe-Landscape-Sensitivity-Study.pdf](http://www.eastsuffolk.gov.uk/assets/Planning/Waveney-Local-Plan/First-Draft-Local-Plan/Settlement-Fringe-Landscape-Sensitivity-Study.pdf)

## 19. Amenity

### Policy MODDM21: Amenity

All new development, including alterations and extensions to existing buildings, will be expected to provide the occupiers/users with a satisfactory level of amenity. Development will not be permitted if it would have an unacceptable impact on the amenity of existing or potential neighbouring properties or uses.

When assessing the impact of the occupation, operation and construction of a development on amenity, consideration will be given to:

- a) Overlooking of windows of habitable rooms and private amenity space;
- b) Overshadowing of private amenity space;
- c) Loss of daylight and/or sunlight to existing windows of habitable rooms;
- d) Overbearing impact/visual dominance;
- e) Light pollution;
- f) Airborne pollutants;
- g) Odours;
- h) Noise pollution and disturbance;
- i) Vibration;
- j) Insects and vermin; and
- k) Provision of a satisfactory and usable external amenity space to residential properties in keeping with the character of immediate surrounding development.

Where existing amenity is poor, improvements will be sought in connection with any development.

### Reasoned Justification

Protecting the amenity of both the future occupiers of new development and the occupiers of existing developments is vital for the sustainability of communities in the Broads. ~~The NPPF says, at Paragraph 17 '...always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'~~ The NPPF seeks high standards of amenity for existing and future users. Amenity can include many factors such as traffic, smell, loss of privacy, outlook, noise and overlooking. This policy lists the general issues that should be taken into account by applicants when developing schemes.

The policy applies to situations where new development would affect the amenity of an existing land use, and where a new development may lead to complaints about an existing land use which is not currently an issue because there are no neighbours.

Proximity to waste management and mineral sites can lead to amenity issues. As such, the Authority will liaise with Norfolk and Suffolk County Councils for sites that are near to mineral and waste sites in line with Norfolk and Suffolk County Council minerals and waste policies (currently CS16 of NCC Minerals and Waste Core Strategy, WDM1 of the SCC Waste Core Strategy, policy 5 of SCC Minerals Core Strategy).

### Evidence used to inform this section

- No specific evidence. Amenity is an important consideration and officer experience has informed the proposed policy.

## 20. Light pollution

### Policy MODDM22: Light pollution and dark skies

See map at [Appendix I: Light Pollution and Dark Skies – map of zones](#). Also shown on policies maps.

The tranquillity and dark sky experience of the Broads will be conserved and enhanced.

Development proposals are required to address light spillage and eliminate all unnecessary forms of artificial outdoor lighting by ensuring that:

- ~~There is no permanent external lighting within~~ Dark Sky Zone category 1 as identified on the policies maps is protected from permanent illumination;
- External lighting within the Dark Sky Zone category 2 as identified on the policies maps is strictly controlled; and
- Good lighting management and design is applied throughout the Broads

Development proposals that involve external lighting, outside the Dark Sky Zones category 1, will only be permitted where it can be demonstrated that they are required for safety, security or community reasons and where the design minimise light spillage.

Building design that results in increased light spill from internal lighting needs to be avoided, unless suitable mitigation measures are implemented.

Applicants are required to demonstrate that they meet or exceed the Institute of Lighting Professionals guidance and other relevant standards or guidance for lighting<sup>67</sup>.

### Reasoned Justification

No or low levels of light pollution are an important aspect of tranquillity. Light pollution comes in many forms:

- **Sky glow** is a product of light being scattered by water droplets or particles in the air.
- **Light trespass** occurs when unwanted artificial light illuminates an area that would otherwise be dark.
- **Glare** is created by light that shines horizontally.
- **Over illumination** refers to the use of artificial light beyond what is required for a specific activity.

There is firm evidence of issues arising as a result of artificial lighting. Wildlife and human health can be affected and inefficient use of lighting wastes money and energy affecting homes and businesses.

Artificial lighting is not detrimental in all cases, and the solution to light pollution is not turning off all lighting. Light pollution refers to artificial light that is excessive or intrudes where it is not wanted or expected. For example, some older street lights emit light pollution, as do security lights mounted at an angle above the horizontal. Well-designed lighting, on the other hand, sends light only where it is needed without scattering it elsewhere - "The right amount of light and only when and where needed" (Campaign for Dark Skies motto).

The NPPF [says that Local Plans](#) ~~Paragraph 125 says 'by encouraging good design, planning policies and decisions~~ 'should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation'.

The Authority has assessed the Broads Authority Executive Area and results show that most of the area has good quality dark skies, with the majority of readings being over 20 magnitudes per arc second<sup>68</sup>. While the

<sup>67</sup> For the purposes of the ILP lighting guidance (CIE 150:2003 Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installations [www.theilp.org.uk/documents/obtrusive-light/](http://www.theilp.org.uk/documents/obtrusive-light/)) the Broads Authority is included within Environment Zone 1 as a reflection of its protected status and its intrinsically dark skies.

Authority's survey looked upwards, the CPRE<sup>69</sup> undertook a study that looked down to the earth. Both datasets were assessed and compared and have informed the final zones as set out in the policies map. A report explaining the assessment between the two datasets has been produced.

The Authority therefore considers that the Broads is an intrinsically dark landscape which must be preserved.

Dark Sky Zone Category 1 is the darkest area within the Broads Authority Executive Area reaching over 21 magnitudes per arc second. In this zone, permanent illumination is not allowed in order to protect the darkness of the sky. On occasions, there may be a need to have external lighting for short periods of time but the design of this lighting is expected to not add to light pollution when used and not expected to be lit for long periods of time. The design of any lighting is expected to meet tests that follow.

Dark Sky Zone Category 2 is the second darkest area within the Broads reaching over 20 magnitudes per arc second, but less than 21. These skies are still intrinsically dark and as stated in the NPPF the impact from artificial light needs to be limited. As such, the design of any lighting is expected to not add to light pollution and meet the tests that follow.

When considering lighting as part of a scheme, applicants need to consider the following early on in the design of a scheme, with an assessment submitted with the planning application:

- Which zone are you located in?
- Do you need light in the first place, and if so why?
- What is the lighting task/area to be lit?
- Are you over lighting? What is the minimum lighting you require?
- If lighting is required, is it designed to not add to sky glow and not result in light trespass, and so that glare does not over illuminate? How?

Lighting schemes on their own do not always need planning permission. If the Authority seeks and is awarded Dark Sky Status, work will be undertaken in key areas to reduce the impact of light pollution, in partnership with the local community.

#### Dark Sky Status

The International Dark Sky Places Program promotes preservation and protection of night skies across the globe. It is an award administered by the International Dark Skies Association (IDA). In dark sky places, local planning authorities, landowners, businesses, individuals and communities work together to reduce light pollution. There are three types of places: Reserve (large areas), Park (small with large population) and Community (smallest). The Broads Authority is exploring the potential for applying to be a dark sky place.

#### Evidence used to inform this section

- Broads Authority Dark Skies Study 2016 and Dark Sky and Night Blight Data comparison 2016: <http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base>

<sup>68</sup> To be considered a dark sky of sufficient quality by the International Dark Sky Association, values of 20 magnitudes per arc second must be achieved.

<sup>69</sup> Night Blight: [nightblight.cpre.org.uk/](http://nightblight.cpre.org.uk/)

## 21. Transport

### **Policy MODSP8: Getting to and around the Broads**

Improvements to transportation to access facilities, services and settlements within the Broads will be sought in a manner and at a level which is compatible with sustainability objectives and the special qualities of the Broads.

Integration between all modes of transport will be sought to encourage the community and visitors to arrive and travel within the Broads via sustainable modes of transport.

Within the area, particular improvements required include:

- i) The improvement of access to and views of the waterside by the introduction of additional footpaths and cycle ways;
- ii) The promotion of access to enjoy the built, historic and cultural landscape; and
- iii) The creation of links to/from settlements.

### Reasoned Justification

Parts of the Broads are rural and other parts are more urban, albeit on the edge of settlements. While using the car in rural areas is often the only practical way to get around, the policy promotes the use of more sustainable modes of transport. The benefits vary from reduced air pollution, reduced emissions contributing to climate change, less congestion and less money spent on fuel.

Visitors to the Broads arriving by private car can cause seasonal congestion during the summer travel period, particularly in and around towns that act as a focus for attractions and provide easy access to the rivers or broads. This results in increased pressure in terms of demands for visitor attractions, accommodation, road space and parking. It creates a contradictory impression to visitors who expect the Broads to be tranquil and not an area of dense traffic and congestion, and can have a damaging impact on the local economy, environment and people's health. Through traffic will be encouraged to find alternative routes away from visitor and residential areas achieved through measures including improved signage.

The improvement of interchanges between passenger transport, walking and cycling facilities, seasonal road and water bus services and boats between rail stations, town centres, tourist attractions, and moorings, and bespoke provisions such as a Broads Hopper bus service, are all measures that may be considered appropriate and that would reduce car-based travel within the area. Developers can make a contribution by encouraging a modal shift, for example with a travel plan and by providing infrastructure and ensuring provision is made for example cycle routes when making changes.

The Broads area is crossed by a number of major transportation links, including the A47 trunk road east of Norwich and south of Great Yarmouth, and by a number of other important roads. However, as a predominantly rural area, access to the villages, rivers and broads is usually off minor roads and this can be a constraint on development of isolated sites.

Employees of visitor facilities and Broads businesses also have to travel within the area. Any improvements to access would take into account the needs of disabled people.

The Authority seeks to encourage access to the area by bicycle. This promotes quiet and sustainable access in a manner compatible with the National Park ethos, while encouraging visitors to consider the impact of their activities on an ecosystem vulnerable to climate change. The improvement of walking and cycling facilities will support the local economy and the diversification of the tourism industry and will be encouraged.

**Policy MODSP9: Recreational access around the Broads**

Safe recreational access to both land and water and between the water's edge and the water will be protected and improved through:

- i) Developing the Public Rights of Way (PRoW) network in line with the recommendations of the Norfolk and Suffolk Rights of Way Improvement Plans, Cycling and Walking Delivery Plan and the Broads Integrated Access Strategy;
- ii) Developing and/or improving access to other areas of the Broads from land and water, where appropriate;
- iii) Identifying and safeguarding potential crossing points of land and water;
- iv) Protecting and improving moorings, staithes and slipways;
- v) Creating new moorings and slipways where there is good road access and provision for parking;
- vi) Protecting and creating waterside spaces for informal recreation; and
- vii) Incorporating and developing appropriate measures for disabled people.

Improved access will only be permitted where adverse impacts on the natural and historic environment have been considered and addressed in line with other policies in this Local Plan.

**Reasoned Justification**

Due to the geography and network of waterways, much of the Broads area is relatively difficult to access. The best – and sometimes only – way to reach many parts of the system is by water. Moreover, links between land and water-based recreational provisions are limited.

Historically, many parish staithes had a slipway for use of residents, but many of these have been lost through redevelopment, change of ownership or neglect (see MODSSSTAITHES). This affects the ability of communities to access the water and of visitors to access the shore. A network of slipways is required with good road access, close to other services and facilities, and offering parking for trailers in discrete locations. Redevelopment of the waterfront often leads to restricted views and loss of access to the water's edge. Opportunities to provide public access to the water's edge and/or into the water should be sought when waterside sites are developed, as part of a comprehensive scheme for the site.

Part II of the Countryside and Rights of Way Act (CRoW Act) seeks to modernise the rights of way system<sup>70</sup> to reflect current culture and to complement the provisions with regard to access to open country. Suffolk and Norfolk County Councils, as local highway authorities, will prepare and publish Public Rights of Way (ProW) Improvement Plans. The Broads Integrated Access Strategy sits alongside these plans, and looks at issues and actions such as access by, across and to water, and its impact on landscape and tranquillity for local residents, visitors, anglers and boat users.

Poor accessibility in the Broads area can be further exacerbated by the geographical nature of the waterways themselves, which dissect much of the area, making it difficult to get from one place to another without having to go around the waterways. The provision of well-designed and appropriately located bridges/crossings will be investigated where they can provide safe crossings of roads by pedestrians and cyclists, or of navigable waterways where navigation will not be impeded.

It is important to be aware of the risk of habitat deterioration and disturbance which could arise from increased access in some locations around the Broads.

**Policy MODDM23: Transport, highways and access**

Development proposals that need to be accessed by land shall:

- a) Be assessed in terms of their impact upon the highway network in respect of traffic capacity, highway

<sup>70</sup> There are many trails in Norfolk ([www.norfolk.gov.uk/out-and-about-in-norfolk/norfolk-trails](http://www.norfolk.gov.uk/out-and-about-in-norfolk/norfolk-trails)) and Suffolk ([www.discoversuffolk.org.uk/](http://www.discoversuffolk.org.uk/)). The England Coast Path will also pass through and by the Broads ([www.nationaltrail.co.uk/england-coast-path-se](http://www.nationaltrail.co.uk/england-coast-path-se)).

safety and environmental impact of generated traffic. As appropriate, mitigation will be required including off-site works, points of access, visibility and turning facilities;

- b) Incorporate opportunities for electric cars and increased sustainable public access by a choice of transport modes including by bus, train, foot, bicycle or horse, including where possible new access to CROW access land;
- c) Provide parking in accordance with the relevant adopted standards;
- d) Where appropriate, be accompanied by a Travel Plan that seeks to improve the accessibility of the developments by non-car modes, the implementation of which will be secured by planning condition or obligation; and
- e) Avoid any adverse effect on dark skies, the landscape character, historic environment, protected species or habitats.

When determining development proposals, the Authority will safeguard public rights of way and ensure that future routes are not compromised. Development will not be acceptable where it would result in the severance or loss of an existing public route.

New development adjacent to a waterway shall, where appropriate, facilitate pedestrian access to, and along, the waterway by providing a safe and attractive waterside walkway and pedestrian links between the waterside and other key pedestrian routes.

#### Reasoned Justification

To maintain the tranquillity and special character of the Broads, the Authority will expect new development to be of a scale and nature appropriate to the adjacent road network and the character of the area. Where a development proposal could have an impact on a trunk road, it will be assessed by Highways England in accordance with policies of the relevant Department for Transport Circular<sup>71</sup>.

Traffic congestion is a problem in parts of the Broads. To minimise the impact of new development on congestion, proposals should incorporate measures that enable the development to be accessed by a choice of transport modes and that provide adequate levels of parking. Discussions will be had with the relevant district and relevant county council about the parking standards to apply (some districts have their own parking standards). [See Appendix J for details of the standards in place at the time of adopting this Local Plan.](#)

A Travel Plan should be submitted as part of any planning application where the proposed development has significant transport implications. This should illustrate the accessibility of the site by all modes of transport, indicate the probable modal split of journeys to and from the site, and provide details of any proposed measures to improve access to the site by public transport, walking and cycling. Further guidance is available in the NPPG<sup>72</sup> and from Norfolk<sup>73</sup> and Suffolk<sup>74</sup> County Councils.

Public Rights of Way provide opportunities to encourage walking, cycling and horse riding as safe and attractive modes of transport within the Broads, whether for recreational or other purposes. As valuable transport infrastructure, the Authority will afford them protection from development that is likely to prejudice their current or future use. In the context of the policy, Rights of Way include CROW access land, bridleways, cycle ways, permissive paths, byways (and restricted byways) and roads used as public paths and footpaths. The policy also seeks to safeguard potential future routes from development (policy MODSSTRACKS identifies some potential routes).

<sup>71</sup> currently 02/2013: THE STRATEGIC ROAD NETWORK AND THE DELIVERY OF SUSTAINABLE DEVELOPMENT: [www.gov.uk/government/publications/strategic-road-network-and-the-delivery-of-sustainable-development](http://www.gov.uk/government/publications/strategic-road-network-and-the-delivery-of-sustainable-development)

<sup>72</sup> Travel Plan Guidance: [planningguidance.communities.gov.uk/blog/guidance/travel-plans-transport-assessments-and-statements-in-decision-taking/overarching-principles-on-travel-plans-transport-assessments-and-statements/](http://planningguidance.communities.gov.uk/blog/guidance/travel-plans-transport-assessments-and-statements-in-decision-taking/overarching-principles-on-travel-plans-transport-assessments-and-statements/) and [planningguidance.communities.gov.uk/blog/guidance/travel-plans-transport-assessments-and-statements-in-decision-taking/travel-plans/](http://planningguidance.communities.gov.uk/blog/guidance/travel-plans-transport-assessments-and-statements-in-decision-taking/travel-plans/)

<sup>73</sup> Norfolk Travel Plans: [www.norfolk.gov.uk/roads-and-transport/alternative-ways-to-travel/travel-plans](http://www.norfolk.gov.uk/roads-and-transport/alternative-ways-to-travel/travel-plans)

<sup>74</sup> Suffolk Travel Plans: [www.suffolk.gov.uk/planning-and-environment/planning-and-development-advice/travel-plans-for-new-developments/](http://www.suffolk.gov.uk/planning-and-environment/planning-and-development-advice/travel-plans-for-new-developments/)

Improving and enhancing public access to the waterways is a key objective for the Authority. New development adjacent to the waterway will be expected to facilitate pedestrian access to and along the waterway, secured by legal obligation where required. This will be particularly appropriate in the case of new residential, commercial and tourism related developments. Extensions and changes of use of existing development may present opportunities to secure enhanced public access, although this will be negotiated on a case-by-case basis, dependent on the nature of the site and the adjoining network of public access. The Safety by the Water policy (MODDM46) is relevant to such schemes.

If a proposal is likely to result in increased vehicular movements and associated emissions that have the potential to affect an internationally designated site, it will need to be considered in accordance with the Conservation of Habitats and Species Regulations ~~2010~~2017 (the Habitats Directive) and a project level Appropriate Assessment undertaken. Development that could affect the integrity of a European site would not be in accordance with Policy MODDM13 of the Local Plan.

[Where a development proposal could have an impact on a trunk road, it will be assessed by Highways England in accordance with policies of the relevant Department for Transport Circular<sup>75</sup>.](#)

#### **Policy MODDM24: Recreation facilities parking areas**

Proposals for recreational facilities are required to consider how users will access these facilities, with access by public transport, walking and cycling being preferred where practicable.

If these recreation facilities are to be accessed by vehicles or bicycles, consideration needs to be given to where these vehicles, trailers and bicycles can be safely parked.

Limited provision for parking of cars (including trailers) and bicycles to enable use of the facility will be supported, if proposals adequately address the following:

- i) Recreation facility is readily accessible from the parking area;
- ii) The parking area is of an appropriate and commensurate size for the facility it serves;
- iii) High quality design of surface, landscaping and boundary treatments including to address management of water (run off and avoiding pollution);
- iv) Safe access and visibility into and out of the parking area can be achieved;
- v) Impact on designated habitats and priority species;
- vi) Impact on the local landscape; and
- vii) Protect dark skies.

#### **Reasoned Justification**

In line with sustainable tourism policies, facilities should be located where they can be accessed by walking, cycling or public transport.

To improve facilities providing tourism and access benefits, in some cases provision of parking facilities is essential and in others desirable. For example, canoes and boats tend to be transported to slipways by a motor vehicle, so the canoeist/boater needs somewhere to leave their vehicle and trailer. Equally, the provision of a new facility like a footpath (such as the Wherryman's Way) may result in increased car use by people wanting to get to the path, as bus services may not drop off near to the access point.

Proposals are required to consider how users will access the facility and consequently where modes of transport will be parked. When deciding on the location of a recreation facility, its accessibility by public

<sup>75</sup> Currently 02/2013: THE STRATEGIC ROAD NETWORK AND THE DELIVERY OF SUSTAINABLE DEVELOPMENT: [www.gov.uk/government/publications/strategic-road-network-and-the-delivery-of-sustainable-development](http://www.gov.uk/government/publications/strategic-road-network-and-the-delivery-of-sustainable-development)

transport, cycling and walking is a key consideration. If a car needs to be used, opportunities for using existing parking in the vicinity of the facility, with the agreement of the landowner, should be explored.

Parking areas will need to be designed in a way that is acceptable in the Broads. Of relevance are the policies on landscaping and design (Policy MODDM43) and the policy on light pollution (policy MODDM22) as the areas to which this policy may apply could generally be in more rural areas. They also do not need to be immediately by the particular attraction - a short walk from the car park to the access point is acceptable. Parking areas will need to meet the safety requirements of the Local Highways Authority.

It is not intended that parking standards relating to development such as employment or residential land uses are addressed through this policy approach - this section relates more to the location and design of car parking related to slipways and footpaths. The parking design standards of Suffolk and Norfolk County Councils and any district standards remain in place.

#### Evidence used to inform this section

- Officer knowledge and expertise.
- Some policies rolled over from Development Management DPD and Core Strategy.
- Broads Integrated Access Strategy (2013). [www.broads-authority.gov.uk/news-and-publications/publications-and-reports/conservation-publications-and-reports/water-conservation-reports/49.-Integrated-Access-Strategy.pdf](http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/conservation-publications-and-reports/water-conservation-reports/49.-Integrated-Access-Strategy.pdf)

## 22. The Broads economy

### **Policy MODSP10: A prosperous local economy**

Proposals that contribute towards sustainable economic growth, prosperity and employment will be supported, subject to other policies in this local plan, there being no adverse impacts on the special qualities of the Broads, and there being sufficient infrastructure to accommodate proposals.

To support and strengthen the local and rural economy, the Authority will:

- i) Support a stock of premises that are suitable for a variety of business activities, for businesses of differing sizes, and available on a range of terms and conditions for businesses with differing resources;
- ii) Protect sites and properties in employment uses from redevelopment resulting in a loss of employment, by supporting and promoting appropriate diversification; and
- iii) Seek an increase in employment opportunities for local residents, including training and apprenticeships.

#### Reasoned Justification

This policy refers to land use classes B1, B2, [and B8](#) ~~and A1~~ and uses which are deemed ancillary to these uses.

While much of the land which provides local employment is beyond the Broads Authority Executive Area, it will be necessary to protect those areas which do provide employment from inappropriate redevelopment and to retain them in employment use. The loss of employment-generating businesses would increase the need for commuting and reduce the viability, vitality, diversity and specialist skills of the local economy, contrary to wider sustainability objectives. Retention in employment use would not necessarily preclude all change, but would prevent the loss of local opportunities.

Support of the local economy is not only about the boating industry. There are many other businesses and operators within the Broads who rely on visitors and residents for their livelihood. In the longer-term, diversification of the economic base and the tourism offer may provide the best opportunity to sustain local economic viability.

The viability of communities and local economies would be increased by a widening of the economic base, and there is considerable support for the promotion of diversification, both within the tourism and agricultural sectors.

Agriculture is undergoing a period of substantial change as a result of reforms to the support mechanisms (such as EU subsidies), and these will have implications for the Broads. Support for agricultural diversification should seek to ensure that the value of the landscape and conservation interest is maintained.

The Authority will promote and seek contributions to the provision of training facilities or other opportunities to improve the skills and qualifications of the resident workforce and help sections of the workforce that are disadvantaged in the labour market (particularly school leavers not in employment, education or training). Training initiatives will be also supported. Strengthening a skilled workforce in the marine and tourism industries, and in specialist traditional/craft skills on which the distinctive character of the Broads relies, as well as supporting and promoting employment in nature conservation, is also important to the area.

### **Policy MODSP11: Waterside sites**

A network of waterside sites in employment and commercial use will be maintained throughout the Broads, providing:

- i) Boating support services;

- ii) Provision of visitor facilities;
- iii) Access to the water;
- iv) Wider infrastructure to support tourism;
- v) Recreational facilities ([such as moorings and access for anglers](#)); and
- vi) Community facilities.

Limited redevelopment of boatyards and other waterside employment or commercial sites for alternative employment or commercial uses will be permitted, subject to retention of a viable level of boatyard facilities on the site. Uses other than employment or commercial will only be considered once it has been satisfactorily demonstrated that an employment or commercial use is not viable.

#### Reasoned Justification

The boating industry has a very prominent role in the Broads, providing for a wide range of recreational and tourist use of the water, and is a key part of Broads' life.

Historically, the Broads Local Plan policies have sought to retain boatyards in boatyard use, and there has been a general presumption against redevelopment for alternative uses. The justification for this, which is still valid, has been to retain and maintain the special character of the area and the balance between water and land-based opportunities for recreation. However, there have been significant changes in the holiday industry, including patterns of leisure, customer expectations and an increase in short breaks, and this has coincided with a period of decline in the traditional Broads holiday.

The majority of waterside sites are within areas identified as at risk of flooding, and this will be a constraint to alternative uses in many locations. The Authority is also mindful that the marine industry draws services from across Norfolk and Suffolk, supporting its concern that the economic and social impact of diversification within the boatyards or their closure would be felt in the wider Broads area and across a range of businesses. This will need to be taken into account in determining appropriate alternative uses.

Some smaller boatyards may not be financially viable and operators may seek alternative uses for their site. The policy seeks retention of such sites in a use that benefits the local economy and provides job opportunities. Any other changes to the use of the site need to be fully justified, with viability evidence provided in support of applications for such changes.

If waterside sites do move away from boatyard uses, it is expected that facilities will still be available for boat users. Boatyard facilities referred to in this policy and section include moorings, access into the water, waterside safety provisions and fresh water, pump-out and electricity provision.

[There remains many months of low season availability for angling tourism, extending the visitor season for the benefits of the local community. Any further loss of water front access enabling angling would greatly impact the existing limited river bankside access](#)

#### **Policy MODDM25: New employment development**

Proposals for new employment uses (classes B1, B2 and B8 ~~and A1~~), or the extension of existing premises used for employment uses, will be approved subject to meeting all of the following criteria:

- i) The site is located within a development boundary or within or adjacent to existing employment sites or is a building used as an employment use;
- ii) Proposals do not have an adverse impact on landscape character, [designated sites and biodiversity or the historic environment](#);
- iii) Site planning, layout and servicing arrangements are developed comprehensively;
- iv) The use does not affect amenity (see policy MODDM21) with particular attention paid to noise, disturbance from traffic, hours of operation, external storage, light pollution, vibration or airborne emissions including odours;

- v) The site is capable of being satisfactorily accommodated within the highway network;
- vi) The site has been designed to promote user accessibility by walking, cycling and public transport;
- vii) The layout of the site has suitable space for landscaping, parking (including for large vehicles where appropriate), loading and unloading and any other operational requirements, and responds to natural drainage flow patterns;
- viii) The development is sustainable in its energy usage, environmental impact, waste management, flood risk and transport implications;
- ix) Adequate protection of groundwater and other watercourses/bodies from pollution from the storage, handling or use of chemicals can be demonstrated to the satisfaction of the Environment Agency;
- x) The proposal does not use the best and most versatile agricultural land (grade 3a and above), or impact unduly on the viability or functionality of farms; and
- xi) The proposal should make effective use of previously developed land.

a) Live-work units

Proposals for live-work units should also be in accordance with the housing policies in this Plan.

b) Home based businesses

The use of part of a residential property, a small scale extension, the use of ancillary buildings where they are well related to existing buildings or, where no suitable buildings exist new outbuildings within the domestic curtilage, for a small scale home based business will be permitted where there is no adverse impact on the landscape or the amenity of the area or on the occupiers of neighbouring properties.

Reasoned Justification.

The NPPF ~~at Paragraph 28 says: 'Planning policies says that Local Plans should support a prosperous rural economy. economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development'.~~

The Employment Topic Paper, which assesses the Employment Studies of the Authority's constituent Councils, concludes that there is no requirement for the Broads Local Plan to allocate sites for employment use. As such, this criteria based policy seeks to guide proposals for new employment development.

The National Parks Circular recognises that conserving and enhancing the natural beauty, wildlife and cultural heritage and supporting vibrant, healthy and productive living and working communities need not be in conflict. It is important that employment is supported in a way that is consistent with Broads Authority objectives and the area's mostly rural nature. The policy brings together the important considerations when seeking to develop employment related schemes in a protected landscape.

The Authority would welcome floor space suitable for start-ups and small and medium enterprises, as well as managed affordable workspace where viable.

Proposals for new development on waterside sites will also be assessed against Policy MODDM28.

Policy MODSP10 and MODDM13 relating to biodiversity and the Biodiversity Enhancements Guide may be relevant, as new build could provide the opportunity for biodiversity gain.

**Policy MODDM26: Protecting general employment**

Sites and properties currently in employment use will be protected by permitting:

- a) The re-use for employment uses in the first instance or, subject to demonstrating that such uses are unviable;
- b) Community facilities or services in the second instance (see policy MODDM44) and, only if these are not required or feasible in these locations, tourism and recreation will be considered.

Alternative uses not falling within (a) and (b) will only be permitted where it is demonstrated to the satisfaction of the Authority that:

- c) The use of the site and/or buildings for uses lists in (a) or (b) above cannot be continued or made viable in the longer term;
- d) The development would not compromise the operation of remaining employment uses adjacent to the site;
- e) The proposal provides benefits that significantly outweigh the loss of land for employment uses; and
- f) In relation to proposals for new retail uses, the proposal is compliant with the sequential approach to site selection as defined in the NPPG or the retail floor space would be ancillary to services at a boatyard. Planning conditions will be used to ensure any approved floor space remains ancillary to the primary use.

Proposals for residential development will be considered in accordance with the relevant housing policies in the Plan.

In the case of waterside sites, including boatyards, development proposals will also be determined against Policy MODDM28 and will, where appropriate, ensure the retention of facilities for water access and mooring.

#### Reasoned Justification

There are limited developable sites within the Broads. As a result, sites in employment use are likely to be under pressure to be developed for alternative uses whenever there is a decline in demand for particular employment uses. However, to support and strengthen the local economy it is essential that the needs of new and existing businesses are not constrained by a lack of suitable sites. The Authority will resist loss of employment uses and sites through change of use to non-employment use, unless it is demonstrated to its satisfaction that (a) the site or building is no longer suitable for its existing use, and (b) the possibility of retaining, reusing or redeveloping the site or building for similar or alternative type and size of business use has been fully explored over an appropriate period of time.

The policy establishes a sequential approach to protecting general employment sites and properties, and to permitting their change of use or redevelopment to other uses. To prevent the loss of established employment sites and properties, proposals to redevelop them to uses related to community facilities or to sustainable tourism and recreation uses will only be permitted if it can be demonstrated that employment uses (uses within Classes ~~A1~~, B1, B2 or B8 of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2010) are unviable. Only then will alternative uses be permitted, again subject to demonstrating that employment, tourism, recreational or community uses would be unviable.

Applications should be accompanied by a statement, completed by an independent chartered surveyor, which demonstrates that employment uses are not viable. The level of detail and type of evidence and analysis presented should be proportionate to the scale and nature of the site and/or property in question. The statement should provide an assessment of the current and likely future market demand for the site or property, and details of the attempts to market it at a reasonable [price or rate](#) for a sustained period of 12 months and its value. It should demonstrate that all available opportunities of grant funding and financial support to help retain the employment use(s) have been fully explored and none are viable, and that interventions to improve the attractiveness of the site for employment uses are not feasible. It should also justify the need for the alternative proposed use in this locality, and show how the proposed redevelopment would not compromise the primary employment function of the locality or the operations of neighbouring users. The statement will be independently reviewed, entirely at the applicant's expense.

Non-employment uses in established employment areas can create tensions with existing users and harm the ability of existing businesses to operate effectively. When considering whether a proposed non-employment use has the potential to compromise the operation of remaining employment uses, regard will

be had to issues such as noise, odour, dust, hours of operation, vehicular access, parking and servicing and safety associated with both the established and proposed uses.

In considering whether a proposed development would provide benefits that outweigh the loss of employment land, regard will be given to the social and economic benefits of the proposed use. Consideration will also be given to whether the redevelopment of the site or property would deliver improvements to its appearance or result in a reduction in traffic, odour, noise, dust or other emissions.

If a proposal is considered in the context of this policy to potentially have an effect on an internationally designated site, it will need to be considered against the Habitats Regulations and a project level Appropriate Assessment undertaken.

**Policy MODDM27: Business and farm diversification**

Business or farm diversification to provide a range of employment uses will be permitted where:

- a) The uses proposed are complementary in scale and kind and support the original business or farm operation;
- b) There is no loss of local or visitor facilities;
- c) The proposed uses would not have an unacceptable impact on the local transport network;
- d) It is demonstrated that the business or agricultural use of the existing building(s) to be re-used is no longer required for its most recent or other former purpose; and
- e) The proposal is in accordance with other policies of the Local Plan.

New build development as part of a business or farm diversification will only be permitted when it can be demonstrated to the satisfaction of the Authority that the diversified use cannot be accommodated through the conversion of an existing building. Diversification proposals shall not involve a significant amount of new build development. Any new buildings will need to be fully justified and should relate well to existing buildings or farm group.

In the case of farm diversification, development should be complementary in scale and kind to the main farm operation and site area, and must not prejudice the existing or future agricultural operations. Farm shops will only be acceptable where a significant proportion of the range of goods for sale is produced on the farm.

In the case of proposed diversification, redevelopment or change of use of commercial waterside sites, including boatyards, development proposals will be determined against Policy MODDM28.

Reasoned Justification

Rural businesses and farming are integral to the long-term sustainability of the Broads. They are of economic value and provide employment opportunities, and also contribute to managing the special landscape character of the Broads and help maintain biodiversity.

For these reasons, the Authority recognises the importance of allowing farming enterprises and businesses to diversify and generate new income streams to ensure their continued viability.

Nevertheless, it is essential that the diversification of farming and businesses is carefully managed so it does not harm landscape character, adversely affect the original business or farm operation, or have a detrimental impact on the tranquillity of the Broads by resulting in an unacceptable impact on the transport network or unacceptable levels of traffic and noise. Additionally, development proposals that could have an adverse effect on the integrity of a protected site would not be deemed appropriate in accordance with policy MODDM13.

To protect the special landscape character of the Broads, the Authority will make sure that existing buildings are used to accommodate the diversification wherever possible. New build development as part of a business or farm diversification will only be permitted where it is regarded as the only viable option.

Proposals to diversify a business or farm to a tourism use will also be assessed against policy MODDM29: Sustainable Tourism.

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.

**Policy MODDM28: Development on waterside sites in employment or commercial use, including boatyards**

~~Within existing boatyards, the development of new boatsheds and other buildings to meet the operational requirements of the boatyard will be permitted.~~

~~The development of new buildings or uses of existing buildings for other employment purposes within boatyard sites will only be permitted provided that:—~~

- ~~a) It is demonstrated that the use of the existing building(s) to be re-used is no longer required for its most recent or other former purpose;~~
- ~~b) The development would involve a subsidiary part of the yard and is compatible with retention of existing uses on remainder of the site;~~
- ~~c) The site is large enough to accommodate the different uses in a manner that would not conflict with each other, and would not have a significant adverse effect on adjoining uses and occupiers; and~~
- ~~d) There is no loss of local or visitor facilities, such as moorings and access to the waterside.~~

~~Proposals for the diversification, redevelopment or change of use of a waterside site in employment or commercial use will only be permitted subject to criteria (d) above and when:~~

- ~~e) It is demonstrated that the existing use is not viable;~~
- ~~f) The proposed use is an employment or commercial use that is complementary in scale and kind with existing waterside uses on adjacent sites;~~
- ~~g) The proposals form part of a comprehensive scheme for the site that retains the site as a unified management unit; and~~
- ~~h) The proposed use would not prejudice a return to boatyard use.~~

Within existing waterside sites, the development of new boatsheds and other buildings to meet the operational requirements of the site will be permitted subject to other policies of the development plan.

The development of new buildings for employment purposes within waterside sites, other than those directly associated with that site, will only be permitted provided that:

- a) The development would involve a subsidiary part of the site and is compatible with retention of existing uses on remainder of the site;
- b) The site is large enough to accommodate the different uses in a manner that would not conflict with each other, and would not have a significant adverse effect on adjoining uses and occupiers; and
- c) There is no loss of local or visitor facilities, such as moorings, access for angling and access to the waterside.

Proposals for the change of use of existing buildings in a waterside site to an employment use not directly associated with that site will only be permitted subject to a, b and c above and provided that:

- d) It is demonstrated that the use of the existing building(s) to be re-used is no longer required for its most recent or other former purpose;
- e) The proposed use is an employment or commercial use that is complementary in scale and kind with

- existing waterside uses on adjacent sites;
- f) The proposed use would not prejudice a return to boatyard use.

Proposals for a redevelopment of a waterside site which will result in a comprehensive change to the use of the site will only be permitted subject to c and d above and provided that:

- g) It is demonstrated that the existing use is not viable;
- h) The proposals form part of a comprehensive scheme for the site that retains the site as a unified management unit; and
- i) The proposed redevelopment does not have a significant adverse effect on adjoining uses and occupiers.

Uses other than commercial or employment will only be permitted subject to policy PUBDM25.

In all cases, development proposals should, as far as practicable, ensure that waterside **employment and** commercial uses, including construction activity, avoid increased sedimentation and disturbance to the waterways<sup>76</sup>.

Storage of potentially polluting material, for example oils, is proposed and implemented in such a way that pollution is avoided, including during flood events.

#### Reasoned Justification

For ease of reference, waterside sites in employment or commercial use, including boatyards, are referred to as 'waterside sites' in this policy.

Waterside sites are sites which are adjacent to a river, broad, navigable cut or basin and which are associated with the operation of commercial boat related activities. The range of boat related activities is varied, ranging from boat construction and maintenance to boat hire, but they are all characterised primarily by the functional relationship between the use and the water, and the importance of the water to the use. This policy will cover marinas and other private moorings which are operated on a commercial basis where individual boat owners pay a mooring fee, but will not cover private moorings which are associated with an individual dwelling or individual mooring plots.

Waterside sites are in practice a finite resource because whilst new mooring basins or cuts can be dug, there are often strong landscape reasons why this is not acceptable. It is therefore important to conserve the existing waterside sites for the boatyards and commercial uses which are characteristic of the Broads and which contribute so significantly to its economy and attraction to the visitor. Waterside sites provide a range of vital services used by boat hirers and private owners, including boat maintenance, fuel, pump out facilities and short stay moorings.

For the purposes of this policy, the definition of waterside sites is not limited only to the waterside buildings within which these activities take place, but will include surrounding land and ancillary buildings which are currently used (or were last used) in connection with the enterprise. The reason for this is that a boatyard or other waterside site in a commercial use will need land for associated uses such as storage, hardstanding and parking to support the commercial use. This land does not need to be immediately adjacent to the water, however it does need to be close and convenient to the main business and usually forms part of the main site. The change of use of this land to other non-related purposes or development will reduce the capacity and resilience of the boatyard site and cumulative incremental change can reduce viability as the site becomes too small and/or constrained to function effectively. In order to protect boatyard and other waterside sites in commercial use, therefore, any proposal for change of use will need to demonstrate

<sup>76</sup> Pollution prevention for businesses [www.gov.uk/guidance/pollution-prevention-for-businesses](http://www.gov.uk/guidance/pollution-prevention-for-businesses)

robustly that the land which is being proposed for the new use is no longer required for boatyard, employment or commercial use.

Many boatyard uses are classed as 'general industrial' uses and fall within a Class B use of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2010 where permitted development rights apply which permit change to other uses within Class B. This policy does not alter this and any such changes are outside its remit. The land use changes covered by this policy are those for which planning permission is required and will include changes from Class B to Class A (retail etc.), Class C (dwellings), Class D (institutions, assemble and leisure) or sui generis uses, or from sui generis to any other use.

~~Waterside sites in commercial use, including boatyards, are an integral part of the riverside scene and make an essential contribution to the local economy and character of the Broads. Boatyards also provide a range of vital services used by boat hirers and private owners, such as fuel, pump out facilities and short stay moorings.~~

There have been an increasing number of proposals to redevelop ~~boatyard~~ waterside sites in the Broads. Due to the importance of these ~~and other waterside sites in commercial use~~ to the local economy and character of the Broads, the Authority will seek to make sure these sites are retained in commercial use wherever possible.

Nevertheless, the special qualities of the Broads dictate that away from these sites there are a limited number of suitable sites that could accommodate the changing circumstances of businesses and their needs to diversify. It is important to strike a balance between protecting waterside sites in commercial use and allowing businesses to diversify or relocate. Accordingly, proposals that seek to establish other employment uses within a boatyard will be permitted provided that the proposed development would not erode the character of the site, compromise the viability of established uses or restrict or reduce opportunities for use of the waterways.

Waterside sites in commercial use may be affected by flooding. Policy MODDM5 on flood risk will be of particular importance in determining applications to change the use.

Policy MODDM37 on residential moorings states that boatyards and marinas (subject to the locational and other criteria within that policy) could be suitable areas for residential moorings.

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 also important to note that works near a main river may require an environmental permit. Further information is provided in paragraph 32.3.

## 23. Sustainable tourism

### Policy MODSP12: Sustainable tourism

Sustainable tourism in the Broads will be strengthened by the creation, enhancement and expansion of high quality and inclusive tourism attractions and related infrastructure, in accordance with the policies within this Local Plan, and by:

- i) Encouraging an appropriate network of tourism and recreational facilities throughout the Broads;
- ii) Ensuring proposals will enhance the existing tourism offer, benefit the local economy and are of a suitable scale and type for the proposed location;
- iii) Protecting against the loss of existing tourism and recreation facilities by supporting appropriate development and change when this is proven to be needed;
- iv) Supporting diversification of tourism where economically and environmentally sustainable;
- v) Promoting low-impact tourism which seeks to protect or enhance the special qualities of the Broads which visitors come to see, enjoy or experience. Development proposals for visitor accommodation and visitor attractions that would have an adverse impact on the Broads' landscape, heritage assets and natural environment will be refused;
- vi) Locating tourism development where it is easily accessible by a variety of modes of transport including by water. Consideration will be given to the establishment of tourism facilities in less accessible locations where it relies on a specific geographically located resource to justify this location; and
- vii) Seeking improvements to the quality of existing visitor accommodation/attractions and broadening the range of accommodation/attractions provided.

### Reasoned Justification

The World Tourism Organisation and United Nations Environment Programme define sustainable tourism as *'tourism that takes full account of its current and future economic, social and environmental impacts, addressing the needs of visitors, the industry, the environment and host communities'*.

The Broads attracts more than 7 million visitors a year. Boating, cycling, canoeing, fishing, visiting the heritage of the area, walking and wildlife-watching are just some of the ways visitors and those living here enjoy the area. One of the Authority's statutory purposes is to promote understanding and enjoyment of the Broads in ways that are beneficial to, and integrated with, conservation and navigation interests. Tourism brings more than £400 million into the local economy every year, but needs sensitive management to make sure the fragility of this special landscape is not adversely affected.

The economic viability of the Broads' tourism industry relies on a healthy and attractive natural and built environment and opportunities to engage in a range of appropriate recreational activities. The Authority encourages quiet forms of recreation on land and water, based on the area's distinctive beauty, culture, traditions, history and wildlife. In other words, it supports tourism and recreation that does not damage the Broads' environment or people's enjoyment of it. It is vital to ensure that enjoyment of the area is combined with an awareness and understanding of the special qualities of the Broads. That being said, some festivals and more extreme sports may be acceptable in certain locations and for limited periods of time.

The Broads Authority adopted a Tourism Strategy and Destination Management Plan for the Broads in 2016. The vision for sustainable tourism in the Broads in 2020 is: *'working together effectively to provide a brilliant visitor experience of a unique National Park, delivering year round benefits to the local economy – through engaging and supporting local businesses and protecting, enhancing and celebrating the special natural and cultural heritage of the Broads'*.

The leisure sector is a fast-changing industry and the patterns and popularity of uses change over time. The Local Plan helps to guide tourism and recreational development (including holiday accommodation) by making sure it is of an appropriate scale and location where the environment, infrastructure and facilities

support and can accommodate the visitor impact. Detailed considerations about location are addressed in MODDM30. Proposals should be of a suitable scale and type to protect the character of the townscape and landscape. The Authority encourages the use of brownfield sites in the first instance, where feasible.

Shops, pubs, restaurants, moorings, water, electricity and boating supplies are used by local communities as well as visitors. These services are all part of the essential infrastructure of a holiday destination. Proposals are encouraged to provide refuse disposal points and public toilets where appropriate, taking into consideration their ongoing management and maintenance.

Provision of facilities that enable visitors and residents to experience, explore and enjoy the Broads and access visitor destination points are guided by and driven in the main by the Broads Integrated Access Strategy. This is discussed in more detail in the transport section.

Tourism initiatives will include consideration of their accessibility. Small-scale highways improvements may be required to allow schemes to go ahead in an acceptable manner. Improvements need to be made to the cycle network around the Broads and also to provide access by modes other than the private car. New development should, where possible, support such opportunities. This could involve infrastructure for electric vehicle charging points and other new technologies.

Access to a number of the main tourist destinations in the Broads can be realistically achieved only by the use of the private car. However, future medium-sized and major development should be located only where alternative means of access can be provided as part of the development, such as by water, close to train stations or bus stops. It may be the case that the scale of a new tourism facility could justify a new bus route or stop that will serve it.

Across the Broads there is considerable variation in landscape types and ecological sensitivity, with some areas more sensitive and vulnerable to change than others. Similarly, visitor pressure is not evenly spread across the system, with some areas being 'honey pots', particularly in the height of the season, while other areas remain relatively quiet. The aim is to distribute tourism throughout the Broads, while providing protection to sensitive and vulnerable areas. Development will need to be carefully sited and designed to protect and enhance the special features and character of the Broads. This could be achieved through using previously developed sites.

The term 'tourism and recreation development' also covers holiday accommodation. The role of land-based accommodation in supporting the local tourism and leisure economies in the Broads is increasingly recognised and further development can support this. Such accommodation can help to replace the bed spaces lost by the decline in the hire boat fleet, as well as offering alternative ways to enjoy the Broads and encouraging diversification of the tourism base. Policies will permit development to provide land-based accommodation for holiday use, subject to satisfaction of criteria set out in other Local Plan policies.

#### **Policy MODDM29: Sustainable tourism and recreation development**

##### **a) General Location of Sustainable Tourism and Recreation Development**

New tourism and recreational development (including holiday accommodation) will be permitted where it:

- i) Is within or adjacent to a defined development boundary; or
- ii) Is closely associated with an existing visitor attraction/tourism site, group of holiday dwellings, boatyard or established sailing or similar club.

For all proposals it should be demonstrated that the use of brownfield sites has been considered.

In all cases the development must be ~~Can be~~ satisfactorily accessed by sustainable means, which could include public transport, walking, cycling, horse riding or by water.

Tourism and recreational facilities in all other areas not covered by (i) and (ii) will be permitted only where there is a clear and demonstrable need for the facilities to be situated in the proposed location and where:

- iii) They are in accordance with the policies in this Local Plan;
- iv) They do not involve a significant amount of new build development. New build development will only be of a scale that is compatible with the location and setting; and
- v) They do not adversely affect and wherever possible and appropriate contribute positively to water quality, dark skies, the landscape character, historic environment, protected species or habitats; ~~and.~~
- ~~vi) The demand for the proposed tourism or recreation facility is not already met in more sustainable locations.~~

~~The Authority requires applicants to consider first using brownfield sites for tourism and recreation development, in line with the location framework set out above.~~

The requirement to demonstrate a need to be located in areas other than (i) or (ii) does not apply to farm diversification development to provide tourist accommodation.

Intensive tourism and leisure uses, including static caravans, will not normally be permitted on greenfield sites.

#### Principles of Sustainable Tourism and Recreation Development

Proposals for new tourism and recreation development, including within existing sites or attractions, will be positively supported where:

- vii) There is proven sufficient capacity of the highway network;
- viii) Sufficient car and cycle parking can be provided on site;
- ix) They do not adversely affect - and wherever possible enhance - dark skies, the landscape character, historic environment, protected species or habitats;
- x) Proposals are of a high quality design and are suitable for the setting;
- xi) Navigation is not adversely affected; and
- xii) Proposals are of a scale compatible with their location and setting.

Regard will be given to the cumulative impacts of tourism and recreation proposals on landscape character, nature conservation value and local transport movement.

#### Reasoned Justification

The NPPF advises that Local Planning Authorities should support sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors and that use and enrich, rather than harm, the character of the countryside, its towns, villages, buildings and other features. The tourism sector plays a vital role in the local economy.

The tourism economy of the Broads is heavily dependent on the quality of the natural environment. Inappropriate development proposals, including for intensive tourism and leisure uses, can detract from the special qualities of the Broads upon which tourism relies. The Sustainable Tourism and Recreation Strategy for the Broads therefore aims to develop, manage and promote the Broads as a high quality sustainable tourism destination, in keeping with its status as an internationally renowned environment.

The policy directs tourism and recreational development to appropriate locations with the necessary infrastructure and facilities to support such development and accessible by a variety of transport modes. The settlements of the Broads provide the greatest potential for accommodating additional visitor numbers without detriment to the environment. These locations are also among the most accessible by public transport. To make sure the special qualities of the Broads are protected for future generations while

maintaining the economic benefits of tourism, the Authority will support new tourism and recreational development in or adjacent to defined settlements and on existing tourism sites.

Proposals for new tourism and recreation facilities outside these areas will need to be accompanied by a robust and comprehensive statement that demonstrates why the proposed facility needs to be located away from development boundaries and specific attractions (as described in i and ii of the policy), and provides evidence to justify the scale of development. This requirement does not apply to farm diversification projects providing tourist accommodation (which will be considered against other policies of the Local Plan). Due to the potential impact on the openness and special character of the landscape, facilities located away from development boundaries and specific attractions will only be permitted where the scale of built development would not have an adverse impact on the character of the local area and special qualities of the landscape. In addition, proposals that may have an effect on a protected site or species will only be permitted where a site level Habitats Regulations Assessment can successfully demonstrate that there are no adverse effects on the qualifying features of those habitats or species.

### **Policy MODDM30: Holiday accommodation – new provision and retention**

New holiday accommodation will be permitted where:

- a) It complies with the approach to locations for tourism and recreation development as set out in Policy MODDM29;
- b) It will be for holiday use for short stay occupation on a rented basis for a substantial period of the year, not occupied on a continuous basis by the same people, and not used as a second home or for the main residence of the occupiers;
- c) The applicant provides clear evidence that the proposed holiday accommodation has been planned on a sound financial basis and takes into account demand for this type of accommodation in the area it is proposed ; and
- d) A register of bookings is maintained at all times and is made available for inspection.

When permitting new holiday accommodation, the Authority will seek to ensure that it remains available for short stay occupation on a rented basis by attaching an occupancy condition to restrict the sale of the property on the open market or use of the property for year-round occupation or as a second home.

Existing tourism accommodation will be protected. Change of use to a second home or permanent residence will only be considered in exceptional circumstances where it can be fully and satisfactorily demonstrated that there is no demand for tourist accommodation. Marketing evidence must be provided which demonstrates that the premises have been marketed for a sustained period of 12 months.

The conversion or redevelopment of hotels and guest houses to permanent residential accommodation will be resisted ~~where it would result in the loss of more than five bed spaces available for holiday use~~, unless it can be demonstrated that the existing tourism use is no longer viable.

The Authority will also seek a variety of accommodation types where they are appropriate to their location.

The extension, intensification, upgrading or replacement of existing static caravan sites will only be permitted where:

- e) The proposal is in accordance with other policies of the Local Plan;
- f) The proposal is compatible with the Landscape Character Assessment;
- g) Any associated buildings proposed are modest in scale and the visual impact of the proposal is minimised by appropriate siting, design, external materials and colour; and
- h) [Proposals are of a scale compatible with their location and setting.](#)

Opportunities for appropriate relocation or redevelopment of existing visitor accommodation or related development which is currently resulting in harm to the special qualities of the Broads will be encouraged.

### Reasoned Justification

Tourism makes a valuable contribution to the local economy, and a statutory purpose of the Broads is to provide opportunities for the understanding and enjoyment of the special qualities of the area by the public. The provision of a sufficient level and range of holiday accommodation is essential for supporting the contribution made by the tourism sector to the local economy.

The policy seeks to secure and retain a supply of appropriately located tourist accommodation. The Authority will expect all new holiday accommodation to be available for lettings for at least nine months in any one year. To make sure new holiday accommodation is used for tourism purposes that benefit the economy of the Broads, occupancy conditions will be sought to prevent the accommodation from being used as a second home or sold on the open market. To ensure an adequate supply of holiday accommodation is retained, the removal of such a condition will only be permitted where the proposal is accompanied by a statement, completed by an independent chartered surveyor, which demonstrates that it is financially unviable or that any net loss of accommodation is necessary to allow appropriate relocation or redevelopment. Evidence of a robust marketing campaign of at least 12 months will be required that clearly demonstrates that there is no market demand for the premises. The Authority will need to verify the content of such a report and may need to employ external expertise to do so (the applicant will need to meet the cost of this).

Proposals to redevelop an existing hotel or guest house that would result in the loss of more than five bed spaces available for holiday use will also be expected to be accompanied by a statement completed by a chartered surveyor, demonstrating that the existing use is unviable (see previous paragraph regarding marketing and independent review of viability assessments). The threshold of five bed spaces relates to the associated small-scale employment that such sized operations support. Cumulatively, the employees associated with operations of five or more bed spaces adds up to a significant amount around the Broads.

Static caravans contribute to the provision of a range of accommodation in the Broads and can also provide a valuable supplementary source of income for farm businesses. Although there is a need to provide a range of tourist accommodation, the nature of this type of activity can have a significant visual impact on the appearance and character of the landscape. Applications for the extension, intensification, upgrading or replacement of existing static caravan sites will therefore only be permitted where the scale of the proposals and their visual impact is compatible with the character of the location and the wider Broads setting and landscape.

Holiday homes that will be occupied as second homes are not considered as holiday accommodation for the purpose of this policy, but as new dwellings. The removal of occupancy conditions on holiday homes will be considered as proposals for new dwellings in accordance with the policies in the housing section of this Local Plan.

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.

Policy MODDM12 on reusing historic buildings may be of relevance.

### Evidence used to inform this section

- Policies generally rolled forward from the Development Management DPD. Amendments as a result of officer experience.
- Tourism Strategy and Destination Management Plan for the Broads 2016: [www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0012/769773/Sustainable-Tourism-in-the-Broads-2016-20-May-2016.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0012/769773/Sustainable-Tourism-in-the-Broads-2016-20-May-2016.pdf)

## 24. Navigation

### **Policy MODSP13: Navigable water space**

The water space will be managed in a strategic, integrated way and navigation and conservation interests will be maintained and enhanced.

Opportunities for the extension or creation of navigable/recreational water space will be promoted, subject to compliance with other policies in this plan.

Navigable water space will be protected and enhanced through:

- i) The careful design of flood alleviation/protection projects; and
- ii) Avoiding development and changes in land management which are detrimental to its use.

Adequate water depths will be maintained for safe navigation, and the disposal of dredged and cut material will be carried out in ways that avoid adverse impacts on the environment with appropriate mitigation measures implemented as required. Beneficial re-use of dredged materials will be expected where practicable. Opportunities for the disposal of dredged materials to enable the management of the navigation will be sought and promoted. Measures to control sediment input from surrounding land, highways and river banks will be considered in development proposals.

### Reasoned Justification

The waterways as a whole are a core resource of the Broads. Promoting the enjoyment of the Broads and protecting the interests of navigation are two of the Authority's statutory purposes, and the water is one of the key attractions for local people and visitors. The waterways will be maintained and protected, and development that would have an adverse impact on the enjoyment of navigable water space will not be permitted.

There is considerable pressure in certain areas on the use of water space for navigation, recreation and nature conservation purposes. Its management therefore requires an integrated approach, based on levels of use and importance (for example heads of navigation and Very Important Sailing Areas), and suitability and potential for different uses (such as water skiing zones). The Authority works with partner organisations and local communities, taking an integrated approach to waterways management, to achieve improvements for people and wildlife.

Development proposals close to the navigation will be assessed against their impact on the use and enjoyment of the navigation - for example, avoiding a reduction in the wind required for sailing, and provision for lowering of masts.

Parts of the rivers and broads are subject to periodic dredging to keep the waterways open to navigation, not only ~~for~~ by the Authority but also ~~for~~ by owners of private water space who may require planning consent for disposal. Historically, the dredged materials have been disposed of on land when ecological gain and agricultural benefits could be derived. Dredging is guided by local and national legislation. Silt from bank erosion is a recurring issue with a number of causes, and once these have been addressed action must be taken to restore and protect banks. The Authority provides advice to landowners on appropriate riverbank stabilisation<sup>77</sup> methods, encouraging the use of natural or 'soft' engineering techniques wherever possible.

The principles for sediment management of 'Reduce/Reuse/Recycle' should be adopted by relevant bodies. Generic principles that should be adopted as a baseline approach are:

<sup>77</sup> Riverbank Stabilisation Guide: [www.broads-authority.gov.uk/planning/Planning-permission/design-guides/river-bank-stabilisation](http://www.broads-authority.gov.uk/planning/Planning-permission/design-guides/river-bank-stabilisation)

- Reduce – reducing specifications where appropriate or inputs, through varied source control options.
- Reuse – direct reuse options include habitat creation, flood protection works, combined schemes
- Recycle – material can be used in wider construction schemes, but would usually require treatment/reclamation/remediation.
- Disposal – land fill should only be considered as a last resort, and in any event minimised as far as is possible.

Of relevance are policies MODDM18 on excavated material and MODDM17 on land-raising.

#### **Policy MODDM31: Access to the water**

Developments that support and encourage the use of waterways, including the provision of supporting infrastructure for navigation such as the construction of moorings, jetties and walkways and the provision of electric hook up points, will be permitted ([subject to other policies in this local plan](#)) provided that they:

- a) Would not adversely impact navigation;
- b) Would not result in hazardous boat movements;
- c) Would not compromise opportunities for access to, and along, the waterside, access to and use of staithes, or for waterway restoration;
- d) Are consistent with the objectives of protecting and conserving the Broads landscape and ecology, including the objectives of the Water Framework Directive;
- e) Are consistent with the light pollution policy; and
- f) Would not prejudice the current or future use of adjoining land or buildings.

Proposals incorporating staithes or slipways will be permitted ([subject to other policies in this local plan](#)) where:

- g) The use of the slipway and any associated uses or facilities, including car parking, would not have an adverse effect on either the waterway or the adjacent riverside, including ecological, biodiversity or flood risk effects and significance and character of the historic environment; and
- h) Access and other highway requirements for cars and trailers would be adequately provided for (in line with transport policies).

Development proposals for new freight wharves and for the provision of freight interchange on brownfield sites adjacent to the navigation will be permitted where these are in accordance with the other policies of the Local Plan.

#### Reasoned Justification

The Broads is one of the most extensive and varied inland waterway systems in the UK. The Government has stated that it expects the Authority to continue to encourage a greater range of people to take up sailing, canoeing and fishing and other water related activities<sup>78</sup>.

Accordingly, development proposals that support and encourage the use of waterways will be permitted where they would not have a detrimental impact on public safety on land or water or an unacceptable impact on other people's enjoyment of the Broads. Proposals should also be consistent with the objectives of the Water Framework Directive and with protecting and conserving the Broads' landscape and wildlife. In particular, if a proposal is considered likely to have an effect on internationally designated sites, it will need to be considered in accordance with the Conservation of Habitats and Species Regulations ~~2010~~2017 (The Habitats Directive) and a project level Appropriate Assessment undertaken. Development that could affect the integrity of a European site would not be in accordance with Policy MODDM13 of the Local Plan.

<sup>78</sup> English National Parks and the Broads: UK Government Vision and Circular (2010) – Defra: <https://www.gov.uk/government/publications/english-national-parks-and-the-broads-uk-government-vision-and-circular-2010>

The waterways of the Broads have the potential to provide a sustainable and efficient mode of transporting freight. However, it is important that the use of waterways for this purpose does not affect the special qualities of the Broads. Consequently, proposals for infrastructure to support the greater use of the waterways by freight will be permitted provided that they do not have an adverse impact on landscape character, biodiversity, tranquillity or other people's enjoyment of the Broads.

#### **Policy MODDM32: Riverbank stabilisation**

Development proposals that include riverbank stabilisation will be permitted ([subject to other policies in this local plan](#)) where the need can be fully justified and it can be demonstrated, through the submission of the Riverbank Stabilisation Checklist<sup>79</sup> for Design, that the proposal has been designed to take account of:

- a) The nature of the watercourse;
- b) The scale of tidal range;
- c) Safe navigation;
- d) The character of the location;
- e) Existing uses in the area;
- f) Future maintenance of the riverbank stabilisation method proposed;
- g) A changing climate;
- h) Biodiversity; and
- i) The requirements of the Water Framework Directive.

'Soft' engineering techniques shall be used as a first preference where appropriate.

Piling of banks will only be permitted where it takes account of criteria (a) to (i) and:

- j) There is a proven need to prevent bank erosion by this method; or
- k) ~~The site is within an established settlement~~ Where piling/[quay heading](#) is part of the character of the area; [or](#)
- l) The proposal is for replacement piling for a site that has been piled in the recent past and where soft engineering techniques are unlikely to provide adequate protection; or
- m) The piling works are required for:
  - i) navigation purposes (including moorings, but see mooring policies that follow);
  - ii) compliance with the Water Framework Directive;
  - iii) the prevention of diffuse pollution to the water environment; or
  - iv) flood defence.

Mooring on banks that have been piled may not necessarily be permitted. Where mooring is permitted, the number of craft allowed, type of mooring (e.g. private, visitor) and whether stern-on or single alongside only mooring, will be specified.

#### Reasoned Justification

By leading to an enhanced rate of soil loss from river banks, erosion can have a significant impact on the appearance and ecological value of the waterways in the Broads. Bank erosion can also add to the reduction of water quality and loss of open water, and release nutrients into the waterways of the Broads. Bank erosion is expensive to repair and the sediment that enters watercourses increases the amount and frequency of dredging to maintain adequate water depths for navigation. The careful design of new or replacement bank edging is therefore crucial for protecting the special landscape character and conservation value of Broads' habitats and for maintaining the navigation area to the required standard.

The wide variation in depth, width, boating activity, tidal ranges and bank construction on different river sections in the Broads mean that no one riverbank stabilisation solution will be suitable for the whole area. The appropriate technique will also depend on the objective behind the bank protection. To help design

<sup>79</sup> Riverbank Stabilisation Checklist: [www.broads-authority.gov.uk/planning/Planning-permission/design-guides/river-bank-stabilisation](http://www.broads-authority.gov.uk/planning/Planning-permission/design-guides/river-bank-stabilisation)

proposals for riverbank stabilisation, the Authority has adopted guidance and a design checklist. Accordingly, development proposals that include riverbank stabilisation need to be accompanied by a completed Riverbank Stabilisation Checklist for Design that provides justification for the choice of bank protection solution in relation to the issues listed in the policy and guidance.

Some 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 and should be used in preference to piling where technically feasible. The Authority will ensure that the piling of banks only takes place where there is a 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.

Proposals relating to piling are directed to the Moorings Guide for material and other considerations.

A Works Licence, issued by the Broads Authority, will be necessary for the design and timing of installation of works which affects areas that are publicly navigable. Full details can be found on the Authority's website<sup>80</sup>.

[It is also important to note that works near a main river may require an environmental permit. Further information is provided in paragraph 32.3.](#)

#### **Policy MODSP14: Mooring provision**

The provision of a range of additional short term visitor moorings will be encouraged to ensure that visitor moorings are available in appropriate locations, and where they are most needed, and where they contribute to the management of a safe and attractive waterway. Existing short term visitor moorings will be protected. The Authority will also encourage the provision of residential moorings in appropriate locations.

#### Reasoned Justification

The provision of a network of moorings throughout the Broads system is essential for local communities, businesses and visitors to the Broads. A lack of moorings can restrict the use and enjoyment of the water, impede the local economy and, by resulting in the concentration of visitors where mooring is most plentiful, have an adverse effect on tranquillity and the quiet enjoyment of the Broads. The Authority will therefore protect existing moorings and encourage the provision of new moorings across the system.

It is important that mooring basins and marinas are provided only in appropriate locations. New moorings support the local economy by protecting the economic viability of marinas and boatyards, thereby protecting ancillary services and facilities which might otherwise be lost. Riverside mooring can constrict the navigable waterways and lead to congestion and overcrowding on the rivers. New moorings will therefore be permitted only where they would not have a negative impact on navigation, for example in an off-river basin or within a boat yard. The quality of the waterways and surrounding landscape is vitally important to the wellbeing of the tourism industry and, by extension, the economy of the Broads. It is therefore essential that proposals for mooring basins or marinas do not impinge on the natural beauty, ecological value and local distinctiveness of the Broads or other people's enjoyment of it.

Also of relevance is Policy MODDM37: New residential moorings.

<sup>80</sup> Works Licences: [www.broads-authority.gov.uk/planning/Planning-permission/works-licences](http://www.broads-authority.gov.uk/planning/Planning-permission/works-licences).

**Policy MODDM33: Moorings, mooring basins and marinas**

In accordance with the Broads Integrated Access Strategy, new moorings will be permitted where they contribute to the network of facilities around the Broads system in terms of their location and quality.

Proposals for new moorings, mooring basins and marinas, including changes to existing provision, will be permitted where it can be demonstrated, through the submission of a mooring questionnaire,<sup>81</sup> that the proposal has been designed to take account of:

- a) The nature of the watercourse;
- b) The scale of tidal range;
- c) The character of the location (including landscape character, features and the historic environment);
- d) Existing uses in the area;
- e) Future maintenance of the mooring method proposed;
- f) Biodiversity; and
- g) The requirements of the Water Framework Directive; and that
- h) They would be located where they or their use would not have an adverse impact on navigation (for example in an off-river basin or within a boat yard);
- i) There is provision for an adequate and appropriate range of services and ancillary facilities, or adequate access to local facilities in the vicinity;
- j) The proposed development would not prejudice the current or future use of adjoining land or buildings; and
- k) The proposed development would not unacceptably impact the amenity of adjoining residents.

In addition, proposals for development at or within commercial mooring basins or marinas shall:

- l) Not result in the loss of moorings available for visitor/short stay use;
- m) Provide, manage, ~~maintain and advertise and maintain~~ new short stay moorings (visitor, tidal, or de-masting ~~moorings~~ as appropriate) ~~at not less than 10% of total new moorings provided, with a minimum provision of two berths provided~~ at nil cost to the Broads Authority as follows. These moorings shall be provided on-site, but in exceptional circumstances the Authority may consider off-site contributions to any type of mooring.

<u>Size of scheme – no. of moorings proposed</u>	<u>Number/% provided and managed for short stay visitor moorings</u>
<u>2-9</u>	<u>1 permanent mooring</u>
<u>10-19</u>	<u>2 permanent moorings</u>
<u>20-29</u>	<u>3 permanent moorings</u>
<u>30 or more</u>	<u>15% permanent moorings, rounded to the nearest whole number (less than 0.5, round down, more than or equal to 0.5, rounded up.</u>

- n) Make adequate provision for car parking, waste and sewage disposal and the prevention of pollution<sup>82</sup>;
- o) Provide for the installation of pump-out facilities (where on mains sewer) unless there are adequate alternative facilities in the vicinity; and
- p) Provide an appropriate range of ~~services and ancillary features~~, ancillary facilities on site (for example potable water, wastewater pumpout, and electricity) unless there is access to local facilities within walking distance.

The Authority supports the provision of electric hook up points where appropriate, subject to the impacts associated with their construction and operation being acceptable (for example, illumination and location of electricity supply).

<sup>81</sup> Mooring questionnaire [www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0010/703882/Mooring-design-Pre-application-questionnaire.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0010/703882/Mooring-design-Pre-application-questionnaire.pdf)

<sup>82</sup> Refer to [planningguidance.communities.gov.uk/blog/guidance/water-supply-wastewater-and-water-quality/water-supply-wastewater-and-water-quality-considerations-for-planning-applications/](http://planningguidance.communities.gov.uk/blog/guidance/water-supply-wastewater-and-water-quality/water-supply-wastewater-and-water-quality-considerations-for-planning-applications/) for information on pollution prevention measures

### Reasoned Justification

This policy applies to private and public moorings. In the Broads, mooring types<sup>83</sup> traditionally fall under the following general categories:

- **Private Moorings:** A mooring that comprises the usual base for a vessel from which it might or might not go cruising. This type of mooring will often be allocated to or occupied by a single, identifiable vessel. There is no 'residential use'. A charge is usually made for the use of a private mooring unless it forms part of a private dwelling/ leisure plot.
- **Visitor/Short Stay Moorings:** A mooring that is specifically designated to enable boats to stop-off or stay for short periods while cruising, usually for a maximum, specified period. This type of mooring is usually occupied by different visiting vessels in succession (not necessarily continuously). A charge may or may not be made for the use of visitor/short stay mooring.
- **Casual/Informal Moorings:** A mooring where boats moor on a casual basis, anywhere along a river bank, for a short period of time. These do not generally require the benefit of planning permission.
- **Commercial Moorings:** A mooring (usually in a mooring basin or marina) used by a commercial operator on a commercial basis, where boats may be moored for long or short periods between cruising. The vessels may or may not be in the ownership of the commercial operator.
- **Tidal (layby) moorings:** Used to moor a vessel while waiting for the correct state of tide to proceed with the journey. These could be near to bridges for example. They do not have to have access to the land.
- **De-masting moorings:** Used to moor a vessel in order to lower the mast to enable the vessel to continue with the 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.

The analysis undertaken as part of the Broads Integrated Access Strategy highlighted that the demand for visitor moorings exceeds supply. However, due to the conversion of boatyards to alternative uses and engineering works associated with flood defence works, the quantity of available visitor moorings across the Broads has been in decline for a number of years. To encourage the use and enjoyment of the waterways and to support the valuable contribution made by tourism to the local economy, the Authority will ensure that development proposals for commercial basins and marinas do not result in the further loss of moorings available for visitor use. Proposals for new commercial basins and marinas will also be expected to make an appropriate provision for new visitor moorings.

With regards to the requirement [to provide short stay visitor moorings as set out in part m of the policy](#) ~~for 10% or two short stay mooring berths (whichever is greater)~~, the preference is to deliver these short stay moorings on site. 'On site' does not have to be part of the development site; it could be elsewhere in an appropriately accessible and suitable part of the marina or boatyard. Indeed, the applicant may wish to provide these moorings in a location easily accessible by novice helms to minimise the potential for accidental damage. It is expected that these moorings will be appropriately advertised, perhaps on websites or signed on the river (in accordance with policy MODDM49).

In exceptional circumstances, the Authority may accept off-site contributions towards mooring provision. The contribution would be calculated to reflect the cost of delivering the moorings on site. That is to say that the contribution [in line with the standards set out in the policy](#) ~~of 10% or two mooring berths~~ would be equal to the cost of delivering the same amount of moorings as part of that scheme. This reflects that it would cost the Broads Authority this amount to deliver an equivalent provision in the same location.

To support the delivery of the mooring berths contributions, the Authority is willing to consider seasonal usage of moorings. A boatyard or marina may have moorings they only need for their own use in the off peak season (November to March) and could therefore allow to be used for short stay moorings, as per the

<sup>83</sup> Note: Residential Moorings are addressed separately under Policy PUBDM36.

policy requirements, in the peak season only (April to October). If this is the case, the Authority would consider this approach subject to agreeing an appropriate and deliverable approach to operating, monitoring, managing and advertising the seasonal moorings and would expect more short stay moorings than set out in part m to be provided ~~provision of 15%/three mooring berths contributions~~ in the peak season’.

Operators may wish to charge a fee for use of these moorings, but this should be commensurate with the average mooring charges in the local area.

The Broads Integrated Access Strategy is a starting point in regard to where moorings could be delivered, paid for by the off-site contributions, and other opportunities will come about outside that strategy.

The quality of the waterways and surrounding landscape is vitally important to the wellbeing of the tourism industry and, by extension, the economy of the Broads. It is therefore essential that proposals for mooring basins or marinas do not impinge on the natural beauty, ecological value and local distinctiveness of the Broads or other people’s enjoyment of it. If a proposal is considered in the context of this policy to potentially have an effect on an internationally designated site, it will need to be considered against the Habitats Regulations and a project level Appropriate Assessment undertaken.

The Authority has adopted a Moorings Design Guide, which sets out considerations for different types of moorings.

Other policies of particular importance to proposals for new or reconfiguring moorings are:

- The safety by the water policy, which sets out what the Authority requires in relation to egress from the water, life rings and so on.
- The boat wash down policy is of importance in relation to biosecurity and antifouling paint.
- Peat and archaeology policies.

#### Evidence used to inform this section

- Policies generally rolled forward from the Development Management DPD. Amendments as a result of officer experience.
- Integrated Access Strategy (2013): [www.broads-authority.gov.uk/news-and-publications/publications-and-reports/conservation-publications-and-reports/water-conservation-reports/49.-Integrated-Access-Strategy.pdf](http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/conservation-publications-and-reports/water-conservation-reports/49.-Integrated-Access-Strategy.pdf)
- Moorings Design Guide (2015): [www.broads-authority.gov.uk/planning/Planning-permission/design-guides/mooring-design-guide](http://www.broads-authority.gov.uk/planning/Planning-permission/design-guides/mooring-design-guide)
- Riverbank Stabilisation Design Guide (2015): [www.broads-authority.gov.uk/planning/Planning-permission/design-guides/river-bank-stabilisation](http://www.broads-authority.gov.uk/planning/Planning-permission/design-guides/river-bank-stabilisation)

## 25. Housing

### Policy MODSP15: Residential development

#### a) Meeting the Objectively Assessed Housing Need

The Authority will endeavour to enable housing delivery to meet its objectively assessed housing need throughout the Plan period which is 286 dwellings. The Broads is within 3 housing market areas and the need within each HMA is as follows:

- Central Norfolk HMA: 163
- Waveney District HMA: 57
- Great Yarmouth Borough HMA: 66

The Authority will allocate land in the Local Plan to provide around 146 net new dwellings<sup>84</sup>. To meet the remaining requirement of ~~393~~38 dwellings to 2036, which falls within that part of the Broads in the Borough of Great Yarmouth, the Authority will work with Great Yarmouth Borough Council to address housing need.

A contribution from housing development towards the provision of affordable housing will be sought.

#### b) The type of new homes

The size and type of homes for each proposal will be based on up-to date evidence of local needs. A suitable mix will be determined through liaison with housing authorities and rural housing enablers where applicable. The size of dwellings will be commensurate with the latest Strategic Housing Market Assessment.

#### c) Protecting European Sites

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.

#### d) Spatial Strategy

The Authority will direct development to meet the amount of housing as set out in this policy to the following locations:

- i) Development proposals will be located to protect the countryside from inappropriate uses to achieve sustainable patterns of development, by concentrating development in locations with local facilities, high levels of accessibility and where previously developed land is utilised; or
- ii) Brownfield sites at Pegasus in Oulton Broad, Utilities Site in Norwich, sites off Station Road in Hoveton and Hedera House in Thurne, and the greenfield site at Stokesby, as detailed in the site allocation section of this Local Plan; or
- iii) In relation to windfall, those areas within development boundaries as detailed in policy MODDM35; or
- iv) Housing will only be permitted elsewhere where it is necessary, and subsequently retained, in connection with rural enterprises (MODDM38), replacement dwellings (MODDM40) or to provide affordable housing where local need has been demonstrated in District Councils' or local housing needs surveys.

<sup>84</sup> The objectively assessed housing need for the Broads is 286 dwellings. ~~156~~186 net new dwellings have been permitted or completed between April 2015 and April 2017. The Local Plan allocates land for ~~146~~130 dwellings ~~(and this number excludes OUL2 and THU1 as these sites have permission but are still allocated in the Local Plan as these schemes have not been completed at the time of writing the Local Plan).~~ So as a whole, the objectively assessed housing need for the Broads has been met. But the Broads is in three housing market areas. In two of these housing market areas, the need is met and exceeded

### Reasoned Justification

- ~~Meeting the~~ Objectively Assessed Housing Need

The NPPF states at paragraph 47: ~~‘to boost significantly the supply of housing, local planning authorities should (inter alia) 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, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period’.~~ The 2012 NPPF required local planning authorities to meet housing need in the housing market areas. As such, the evidence base used to inform this policy as well as the policy itself were prepared in line with the 2012 NPPF’s requirements.

The Broads Authority Executive Area is part of three separate Housing Market Areas (HMAs):

Housing Market Area	Districts in the HMA	Strategic Housing Market Assessment (SHMA) progress
Central Norfolk	North Norfolk, South Norfolk, Norwich, Broadland, Breckland	Completed 2017
Great Yarmouth	Great Yarmouth	Completed 2013
Waveney	Waveney	Completed 2017

As most of the Broads Authority Executive Area is within the Central Norfolk Housing Market Area, the Central Norfolk Strategic Housing Market Assessment<sup>85</sup> (SHMA) calculated the Objectively Assessed Housing Need for the entire Broads area, and this is shown in the following table. The Housing Need Topic Paper<sup>86</sup> gives more detail on the methodology and findings of the study. The OAN is for the period 2015 to 2036.

Part of the Broads in...		Objectively Assessed Housing Need	Annual average from 2015 to 2036	Total Need per HMA
Housing Market Area	District			
Central Norfolk HMA	Broadland	50	<del>2.63</del> 2.38	163
	North Norfolk	70	<del>3.68</del> 3.33	
	Norwich	3	<del>0.16</del> 0.14	
	South Norfolk	40	<del>2.10</del> 1.90	
Great Yarmouth HMA	Great Yarmouth	66	<del>3.47</del> 3.14	66
Waveney HMA	Waveney	57	<del>3</del> 2.71	57
Total:		286	13.6	286

For the avoidance of doubt, each element of the Broad’s Objectively Assessed Need identified in the table above for each of the six districts also forms part of each district’s Housing Market Area objectively assessed need and is not additional to.

The need for the Broads Authority Executive Area part of each HMA is as follows:

- Central Norfolk HMA: 163
- Waveney District HMA: 57
- Great Yarmouth Borough HMA: 66

The NPPF at Para 47 says Local Planning Authorities should meet the need unless policies in the 2018 NPPF provide a strong reason for not doing so or adverse impacts significantly outweigh benefits when policies in the NPPF 2018 are considered. ~~‘as far as is consistent with the policies set out in this Framework’.~~ It is important to note that the 2018 NPPF places great weight on the status of the Broads:

<sup>85</sup> A SHMA is a study which identifies housing need for an area. The 2017 version of the Central Norfolk SHMA can be found [www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2](http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2)

<sup>86</sup> Housing Topic Paper, Revised July 2017: [www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2](http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2)

- Paragraph 14: ~~Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless... specific policies in this Framework indicate development should be restricted.~~
- Paragraph 11 b) 'strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas<sup>5</sup>, unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area<sup>6</sup>,'

~~Footnote 9: For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.~~ Footnote 6: The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.

The Housing Target for the Local Plan for the Broads and how this will be met

The Authority must balance the demands of meeting the housing needs and protecting the special qualities of the Broads. The Housing Target for the Broads is 286 net new dwellings as set out in PUBSP15. The Broads is within 3 housing market areas and the need within each HMA is as follows:

- Central Norfolk HMA: 163
- Waveney District HMA: 57
- Great Yarmouth Borough HMA: 66

As such, the housing need for the Broads is met in the following ways. As the Housing Need Topic Paper shows, the housing need has been exceeded in the Central Norfolk and Waveney Housing Market Areas.

i) ~~Completions and permissions between April 2015 and April 2017~~

<b>District</b>	<b>Housing Market Area</b>	<b>Net completions</b>	<b>Net permissions</b>
Broadland	Central Norfolk	<u>5</u>	<u>2</u>
North Norfolk	Central Norfolk	<u>1</u>	<u>9</u>
Norwich	Central Norfolk	<u>0</u>	<u>0</u>
South Norfolk	Central Norfolk	<u>54</u>	<u>5</u>
Great Yarmouth	Great Yarmouth	<u>4</u>	<u>20</u>
Waveney	Waveney	<u>4</u>	<u>82</u>
		<u>68</u>	<u>118</u>
		<u>186</u>	

ii) ~~Allocations within this Local Plan~~

<b>Policy</b>	<b>Location</b>	<b>Housing Market Area</b>	<b>Approx. number of dwellings</b>
Policy PUBNOR1: Utilities Site	Norwich	Central Norfolk	120
Policy PUBOUL2: Pegasus Site	Oulton Broad	Waveney	Included in permissions
Policy PUBTHU1: Hedera House	Thurne	Great Yarmouth	16
Policy PUBSTO1: Land at	Stokesby	Great Yarmouth	4

Tiedam			
Policy PUBHOV3: Brownfield land off Station Road, Hoveton	Hoveton	Central Norfolk	(at least) 6
Total			146

- i) Completions and permissions between April 2015 and April 2017 as well as allocations in this Local Plan

HMA	District	Completions	Outstanding permissions	Allocations	District Totals	HMA Totals
Central Norfolk HMA	Broadland	5	2	0	7	202
	North Norfolk	1	9	HOV3: (at least) 6	16	
	Norwich	0	0	NOR1: 120	120	
	South Norfolk	54	5	0	59	
Great Yarmouth HMA	Great Yarmouth	4	20	THU1 Included in permissions STO1: 4	28	28
Waveney HMA	Waveney	4	82	OUL2 Included in permissions	86	86
Totals		68	118	130	316	

- ii) Cooperating with Great Yarmouth Borough Council

~~As the Housing Need Topic Paper shows, the housing need has been exceeded in the Central Norfolk and Waveney Housing Market Areas. However~~ There is a residual need in the Great Yarmouth Housing Market Area for 39 dwellings. Great Yarmouth Borough Council, in their representations to the Local Plan Issues and Options consultation, stated that they do not consider it appropriate for the Broads to be obliged to meet the housing need in the Great Yarmouth area because of the special qualities of the Broads. They have already included the whole of the Borough, including that part within the Broads, in their assessment of the Borough's housing needs.

The Great Yarmouth Borough area of the Broads Authority is constrained from flood risk and European designated sites. Furthermore there are more sustainable locations, subject to fewer constraints, outside of the Broads Authority Executive Area where it is more prudent to develop land for residential dwellings.

They are keen for the signed Memorandum of Understanding to stay in place, and to continue the arrangement that, while the Borough will endeavour to meet the whole of its needs outside the Broads, any housing development coming forward in the Broads part of the Borough is counted towards delivery against the Borough's needs. Through the Duty to Cooperate, Great Yarmouth Borough Council will deliver the residual ~~44~~ 38 dwellings.

- Affordable housing

The provision of affordable housing is a key issue in local communities, particularly in rural areas where sites appropriate for development may be limited or may fail to meet sustainability criteria. In the Broads, this is exacerbated by the limited availability of land due to flood risk and the demand for second/holiday homes that inflates land and property prices, and is a disincentive for the provision of lower cost housing.

The requirement for a percentage of properties within a development to be ‘affordable’ is an established mechanism used by planning authorities to achieve provision of social housing (see Developer Contributions section of the Local Plan). This mechanism, however, is not easily applied within the Broads, as development is of a small-scale and is often individual properties, and larger sites that trigger such a requirement come forward rarely. See Policy MODDM34 for more information.

Developers are encouraged to use Rural Housing Enablers to carry out Local Housing Needs Surveys where affordable housing contributions for local need will be sought.

- Type

Because the Broads Authority is not the Housing Authority for its planning area, it will work closely with its districts who undertake this function to determine the type of housing that needs to be delivered in a certain area.

- Project level HRA

Project level Habitats Regulations Assessments (HRA) will need to consider implications for European sites arising from their scheme, for example through increased recreation pressure. There may be a need for adequate mitigation, such as adequate green infrastructure. HRAs should be evidence based and draw on available information, such as the Norfolk wide visitor survey work undertaken by Footprint Ecology<sup>87</sup>.

- Location of development

The policy approach will be to prevent residential development beyond settlements other than in exceptional circumstances, or which accords with the Authority’s statutory purposes. Development within settlements will be permitted only where it meets criteria covering issues such as flood risk, satisfactory provision of infrastructure, and design.

If needed, the criteria used to assess settlements in the Settlement Study<sup>88</sup> as well as that relating to access to services and facilities in the Housing and Economic Land Availability Assessment (HELAA)<sup>89</sup> will be used to determine sustainable patterns of development.

In most cases, settlements in the Broads straddle the Broads boundary, and the greater part of the settlement lies within the neighbouring local planning authority’s jurisdiction. Because of the national protection afforded to the Broads and the vulnerability to flooding of most of the Broads area (the boundary generally follows the edge of the flood plain), it will usually be the case that both the greatest need and greatest opportunity for development in any settlement straddling the boundary will be in that part of it outside the Broads.

The spatial strategy aims to ensure that communities across the Broads continue to thrive and are economically resilient, environmentally sustainable, socially mixed and inclusive. The spatial strategy is the overall framework for guiding development across the Broads, determining in what general locations and settlements different kinds of development will be encouraged or restricted. It offers the most sustainable way to accommodate housing in the Broads as:

- it makes the best use of previously developed land;
- it places new residents in close proximity to jobs, shops, leisure and cultural facilities and public transport nodes to support sustainable lifestyles; and
- it regenerates some of the more run down areas around the Broads.

- Housing trajectory

<sup>87</sup> Norfolk Recreation Impact Study: [www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base](http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base)

<sup>88</sup> Settlement Study: [www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base](http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base)

<sup>89</sup> HELAA: [www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base](http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base)

The housing trajectory gives an estimated time line of when various developments could come forward over the Plan period - see [Appendix K: Broads Local Plan Housing and Residential Mooring Trajectory](#). The following table shows the detail of the trajectory and when extant permissions and allocations in this Local Plan are anticipated to come forward.

	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36
<u>Allocations in Local Plan</u>	0	2	2	0	0	6	0	0	0	0	0	0	40	40	40	0	0	0
<u>Outstanding permissions</u>	6	12	14	32	40	14	0	0	0	0	0	0	0	0	0	0	0	0

- Five year land supply on adoption of the local plan

As a result of the anticipated timeline for the delivery of extant planning permissions and allocations in the Local Plan, the Authority confirms it will have a five year lands supply in place using both the Liverpool and Sedgefield methodology as follows. A buffer of 5% has been used in calculating the five year land supply. Completions in the Broads Authority have far exceeded the number of dwellings that should have been completed since April 2015 when using the annual average objectively assessed housing need as set out in the Central Norfolk SHMA. Subsequently, there is no shortfall to take into account, rather an over-provision of housing delivery.

<u>Area</u>	<u>Liverpool</u>	<u>Sedgefield</u>
<u>Broads Authority Executive Area</u>	<u>11.41 years</u>	<u>16.17 years</u>

<u>Broads Five Year supply</u>	<u>Liverpool approach + 5% buffer</u>	<u>Sedgefield approach + 5% buffer</u>
(a) <u>Housing need total 2015-2036</u>	<u>240</u>	<u>240</u>
(b) <u>Housing need annualised (240/21 years)</u>	<u>11.43</u>	<u>11.43</u>
(c) <u>Housing need April 2015 to 31 March 2019 (11.43 x 4)</u>	<u>45.72</u>	<u>45.72</u>
(d) <u>Completions between 1 April 2015 and 31 March 2019</u>	<u>68</u>	<u>68</u>
(e) <u>Shortfall since 2015<sup>90</sup> (c – d)</u>	<u>-22.28</u>	<u>-22.28</u>
(f) <u>Revised shortfall using the Liverpool approach (e/17 years<sup>91</sup> x 5 years)</u>	<u>-6.55</u>	<u>n/a</u>

<sup>90</sup> Negative implies an over provision.

<sup>91</sup> As this statement is produced as if it were 2019/20, there are 17 years left in the plan period.

<u>Broads Five Year supply</u>	<u>Liverpool approach + 5% buffer</u>	<u>Sedgefield approach + 5% buffer</u>
<u>(g) OAN 2019/2020 to 2023/24 (11.43 x 5 years)</u>	<u>57.15</u>	<u>57.15</u>
<u>(h) NPPF 5% buffer (g x 0.05)</u>	<u>2.86</u>	<u>2.86</u>
<u>(i) Total 5 Year requirement 2019/2020 to 2023/24 (Liverpool = f + g + h/Sedgefield = e + g + h)</u>	<u>53.45</u>	<u>37.73</u>
<u>(j) Predicted supply 2019/2020 to 2023/24</u>	<u>122</u>	<u>122</u>
<u>(k) Surplus (j-i)</u>	<u>68.55</u>	<u>84.27</u>
<u>Supply in years (Predicted supply/Total requirement x 5)</u>	<u>11.41 years</u>	<u>16.17 years</u>

**Policy MODDM34: Affordable housing****a) Delivery of affordable housing**

~~Contributions towards affordable housing provision will be sought in accordance with the full requirements of the adopted standards and policies of the relevant District Council, including thresholds, level (%) of contribution, house types/mix and tenure and phasing arrangements.~~

Developments of 10 or more dwellings will be required to provide affordable housing in accordance with the requirements of the adopted standards and policies of the relevant District Council<sup>92</sup>, including proportion (%) of contribution, house types/mix and tenure and phasing arrangements.

Developments of 6-9 dwellings in all districts other than North Norfolk District will be required to contribute a commuted sum (off-site contribution) towards the provision of affordable housing. This contribution will be calculated in accordance with the full requirements of the adopted standards and policies of the relevant District Councils. The commuted sum will be calculated in relation to thresholds and proportion of dwellings which should, subject to viability, be affordable. The commuted sum should reflect the subsidy required to deliver the affordable housing requirement off site (to include the cost of land and construction).

Development of less than ten dwellings in North Norfolk District will be required to meet the policy requirements set out in the development plan for North Norfolk as North Norfolk is a designated rural area and so, according to the NPPF (paragraph 63), affordable housing can be sought on schemes of this size.

The following table summarises the approach to affordable housing set out in this policy:

<u>Size of scheme</u>	<u>Approach</u>
<u>10 or more dwellings</u>	<u>All schemes expected to provide on-site requirement as per policy of district</u>

<sup>92</sup> This is the constituent council – Broadland, Great Yarmouth, North Norfolk, Norwich, South Norfolk, Waveney Council. See Appendix L for a summary of the adopted affordable housing standards of each Council.

6 to 9 dwellings

All schemes expected to provide off-site contributions

The Authority will only consider reducing the requirement for the proportion of affordable housing on a particular development site, or amending the tenure mix from the relevant District Council's Policy requirement, where:

- i) The applicant has submitted a site-specific viability appraisal (which has been assessed independently or by the relevant council as appropriate) and it has been concluded by the Authority that it is not viable to deliver the full policy requirement of affordable housing and an alternative provision has subsequently been agreed; or
- ii) The applicant has submitted a site specific viability appraisal (which has been assessed independently or by the relevant council as appropriate) and it has been concluded by the Authority that it is not viable to deliver the required tenure mix and the alternative tenure mix has subsequently been agreed; and
- iii) The resultant affordable housing provision would ensure that the proposed development is considered sustainable in social terms through its delivery of housing mix.

b) Provision outside development boundaries (rural exception sites),

Affordable housing developments outside development boundaries as defined on the Proposals Map, will be permitted where:

- iv) There is an identified local need for affordable housing;
- v) The need cannot be met within the boundaries of the adjoining local authority's part of the Broads settlement;
- vi) The location of the proposed development complies with the relevant District Council's criteria for rural exception sites; and
- vii) 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 reflect the character of the area.

A small proportion of the dwellings proposed may be market dwellings if this is fully justified and the market dwellings are the number required to cross subsidise the delivery of the required affordable housing as demonstrated through a site-specific viability assessment to the satisfaction of the Authority and the relevant Council.

The size (number of bedrooms), type (flat, house) and tenure of affordable homes for each proposal will be based on up-to-date evidence of local housing needs in accordance with the requirements of the relevant Council.

c) Planning Obligations

To secure all affordable housing in perpetuity, the Authority will seek a planning obligation from the developer to ensure that:

- viii) The permitted dwellings are affordable in perpetuity by being offered for initial and successive occupation at an affordable or social rent or affordable home ownership;
- ix) The control of occupation of the dwellings is undertaken by a local authority, Registered Provider or other suitable body such as a parish or village trust as approved by the Authority; and
- x) Initial and successive occupation of the permitted dwellings is prioritised for people with strong local connections for all rural exception sites.

Reasoned Justification

The NPPG notes that affordable housing need is based on households "who lack their own housing or live in unsuitable housing and who cannot afford to meet their housing needs in the market".

It is accepted that the Broads Authority defers to the affordable housing policy of its constituent District Councils, as this gives consistency across a district. As the Authority is not the Housing Authority, it works closely with its constituent District Councils who undertake the housing function for the Broads Authority Executive Area.

The NPPF definition of affordable housing will apply in implementing this policy.

- *Delivering affordable housing in the Broads*

There is a very limited supply of suitable sites in the Broads for housing to meet local affordable housing need due to the protected landscape of the area, and to the extent and severity of flood risk. In addition, the high demand for second/holiday homes inflates land and property prices and provides a disincentive for the provision of lower cost housing.

In recent years, applications for dwellings have tended to be in the region of 1.94/4.12 dwellings per application<sup>93</sup> (according to an assessment of the Authority's planning applications as set out in the Housing Topic Paper). ~~A new Government policy states that affordable housing and tariff style contributions should not be sought on sites of 10 units or less, and which have a maximum combined gross floor space of 1,000 square metres.~~ The NPPF2018 says that '*Provision of affordable housing should not be sought for residential developments that are not major developments [For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more], other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer)*'. Presuming that the current trend of size of housing applications continues (windfall), it is unlikely that affordable housing will be delivered through windfall schemes.

With regard to seeking commuted sums on 6-~~10~~9 dwellings, the Broads part of North Norfolk is designated as a rural area and so, according to the NPPG, it can seek planning obligations and affordable housing commuted sum contributions from schemes of that size. The policy goes further to apply the commuted sums approach to all 6-~~10~~9 dwelling sized schemes in the entire Broads area. This is because the opportunities for schemes of ~~10~~9+ dwelling are significantly diminished by the rural character of the area and the environmental constraints. However, there is a clear need for affordable housing and all possible reasonable measures should be taken to address the deficiency.

To be clear, the policy goes further than the NPPF by requiring off-site contributions to affordable housing for schemes of 6 to 9 dwellings. Other than North Norfolk, which is a designated rural area, none of the districts relevant to the Broads can seek affordable housing on schemes of 9 or below and their policies will reflect this.

The policy applies to all net new homes (excluding holiday accommodation with occupancy conditions<sup>94</sup>) permitted anywhere in the Broads Authority Executive Area, in line with the thresholds set out in the policy and the districts' policies.

The Authority will use the relevant Council's approach/methodology for the calculation of affordable housing contributions. The ~~commuted sum would be likely to go to~~ Authority will liaise with the relevant Council to prioritise spend which will likely be first in the parish which generated the commuted sums, then

<sup>93</sup> If all applications are included (including the large scale allocations at Hedera House, Pegasus, Ditchingham Maltings and the Utilities Site) the average number of dwellings per application is: 4.12 dwellings. If the large applications are removed and we focus on windfall (unallocated sites) then the average number of dwellings per application is: 1.94 dwellings.

<sup>94</sup> If the occupancy condition is removed from a holiday home, then this affordable housing policy will apply as per the thresholds set out within it.

to the adjoining parishes, and then to anywhere in the Council area and the Authority/District will have ten years to spend or commit the monies. The Authority will however have regard to the approach of the relevant district council in where the money is spent and for how long the money is held.

- Assessing viability

The independent review process will require the applicant to submit a site-specific viability appraisal (to include a prediction of all development costs and revenues for mixed use schemes) to the relevant Authority's/Council's appointed assessor. They will review the submitted viability appraisal and assess the viable amount of affordable housing or the minimum number of market homes needed to cross subsidise the delivery of affordable housing on a rural exceptions site. This review shall be carried out entirely at the applicant's expense. Where little or no affordable housing would be considered viable through the appraisal exercise, the Authority will balance the findings from this against the need for new developments to provide for affordable housing. In negotiating a site-specific provision with the applicant, the Authority will have regard to whether or not the development would be considered sustainable in social terms.

- Information to accompany an application

Developers advancing specific proposals that incorporate an element of affordable housing should submit an affordable housing statement alongside their application. This should provide information on the number of affordable residential units, the mix of affordable units in terms of type, tenure (intermediate/ social or affordable rented) and size (number of bedrooms and gross floor space), and the arrangements for managing the affordable housing units.

This statement is also required to explain and justify the layout and location of the affordable housing element of a scheme. The Authority expects applicants to liaise with Registered Providers and the Housing Teams of the relevant district council to get advice and recommendations regarding the layout (although the Broads Authority will be the determining body).

- Rural exception sites

The applicant will be required to submit evidence showing how the proposed scheme meets local housing need. The Affordable Housing policy states that '*Some of the dwellings proposed may be market dwellings if this is fully justified...*' when referring to affordable housing schemes outside of development boundaries. This is in keeping with the NPPF definition for rural exception sites '*small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority's discretion.*~~*Small numbers of market homes may be allowed at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant funding*~~'.

How 'small numbers' is defined will reflect the specifics of the scheme, but will be a small proportion of the scheme. Applications need to fully justify the proposed market housing element (the split between market and affordable) of rural exception site schemes through the submission of a site specific viability appraisal. Only the minimum number of market homes required to provide the cross subsidy needed to deliver the affordable homes will be permitted. See 'assessing viability' section of the reasoned justification to this policy for more information.

- Using planning obligations

So that all affordable housing remains affordable to the local community in perpetuity, planning obligations will be sought to ensure that the initial and successive occupation of the dwellings is restricted to people with a housing need. In relation to exception housing sites, the planning obligations will include the requirement that the homes are prioritised for occupiers who have strong local connections, as demonstrated by the relevant Council's local connection criteria for such schemes, and who need to live in the immediate area. This will include people who need to live in the Broads as a result of their current

employment, and existing residents needing separate accommodation in the area (for example people in housing need due to sub-standard, overcrowded or otherwise unsuitable accommodation). Please note that starter homes will be delivered in line with specific regulations applicable at the time of application.

- Offsite provision

Financial contributions in lieu of on-site provision ([for schemes of ten or more dwellings](#)) will only be acceptable in exceptional circumstances, where the Authority is satisfied that an element of affordable housing either could not practically be accommodated on site, or if it can be demonstrated that on-site provision would be unviable. In all cases, planning obligations will be sought to ensure an appropriate contribution to affordable housing is secured.

Please note, however, the requirement for off-site contributions for developments of 6-~~10~~<sup>9</sup> dwellings (as discussed in the policy and under ‘Delivering affordable housing in the Broads’ section of the reasoned justification to this policy).

- Starter Homes

According to the Housing and Planning Act (2016)<sup>95</sup> a ‘starter home’ means a building or part of a building that—

- a) is a new dwelling,
- b) is available for purchase by qualifying first-time buyers only,
- c) is to be sold at a discount of at least 20% of the market value,
- d) is to be sold for less than the price cap, and
- e) is subject to any restrictions on sale or letting specified in regulations made by the Secretary of State (for more about regulations under this paragraph, see section 3).

The Act goes on to say that “*an English planning authority must carry out its relevant planning functions with a view to promoting the supply of starter homes in England*” and “*local planning authority in England must have regard to any guidance given by the Secretary of State in carrying out that duty*”. The Act also defines the various elements to starter homes.

Starter homes will be required in line with national policy, and will reflect the relevant Council’s policy requirement for such homes.

- Habitats Regulations Assessment

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 will need to be undertaken.

**Policy MODDM35: Residential development within defined Development Boundaries**  
**See Development Boundaries Map Bundle**

New residential development will only be permitted within defined development boundaries, and must be compatible with other policies of the Development Plan.

Development will be of a scale that is suitable and appropriate for the size of the site and settlement, and will reflect the character of the area.

Development Boundaries are identified on the policies maps for the following settlement areas.

- a) Horning
- b) Oulton Broad

<sup>95</sup> Housing and Planning Act (2016): [www.legislation.gov.uk/ukpga/2016/22/pdfs/ukpga\\_20160022\\_en.pdf](http://www.legislation.gov.uk/ukpga/2016/22/pdfs/ukpga_20160022_en.pdf)

- c) Thorpe St Andrew
- d) Wroxham and Hoveton

#### Constraints and features

##### **a) Horning**

- Flood risk (zones 1, 2 & 3 by EA mapping [and mostly 1 with some 2, 3a and modelled 3b using SFRA 2017](#))
- Conservation area
- Listed buildings
- Just across river from SAC, SPA, Ramsar Site, SSSI

##### **b) Oulton Broad**

- Area is within Oulton Broad Conservation Area
- High potential for archaeological remains in the area
- Flood risk (mainly zone 1, plus some 2 & 3, by EA mapping [and mostly 1 with some 2, 3a and indicative 3b using SFRA 2017](#))
- Nearby listed buildings

##### **c) Thorpe St Andrew**

- Area is within Thorpe St. Andrew Conservation Area
- Flood risk (mainly zone 2, some zones 1 & 3, by EA mapping [and mostly 1 with some 2, 3a and modelled 3b using SFRA 2017](#))
- The bounded area includes safeguarded minerals (sand and gravel) resources, but the Minerals Planning Authority has advised this is unlikely to constrain the type and scale of development supported by the Policy
- Large number of listed buildings

##### **d) Wroxham and Hoveton**

- Close to SPA and SAC
- Lies partly within Wroxham Conservation Area
- Flood risk (mainly zone 3 by EA mapping, and partly zones 1 & 2 [and 1, 2, 3a and indicative 3b using SFRA 2017](#))
- The SFRA shows almost all of the area is at risk of flooding
- Capacity of minor roads in the area
- Wroxham Bridge is a Scheduled Monument
- The Grange - Grade II listed

#### Reasoned Justification

The purpose of a Development Boundary is to consolidate development around existing built-up communities where there is a clearly defined settlement and where further development, if properly designed and constructed, would not be incongruous or intrusive because of the size of the settlement. Development Boundaries have the twin objectives of focusing the majority of development towards existing settlements while also protecting the surrounding countryside.

Early in the evolution of the Broads Local Plan, consideration was given to the merits of not having development boundaries, but it was concluded that they are a useful tool in promoting sustainable development in the Broads.

Development is directed to areas with Development Boundaries as listed in the policy and defined on the Local Plan Policies Map. Development in these areas could be acceptable, notwithstanding other policies, constraints and other material considerations. It is important to note that just because an area has a Development Boundary, it does not mean that all proposals for development in the area are necessarily

acceptable. The sensitivities of the Broads in terms of biodiversity, landscape, cultural heritage and flood risk mean that careful consideration must be given to the appropriateness of developing a site, and each proposal will be determined against this and other policies of the Plan. Outside the defined Development Boundaries, new residential development will not be permitted except in the circumstances defined in the other housing policies.

The areas with Development Boundaries are rolled forward from the 2014 Site Specific Policies Local Plan. To support the Authority's approach, a Development Boundaries Topic Paper and a Settlement Study have been produced. This work assesses the suitability of settlements for Development Boundaries and seeks to justify why the four areas (Horning, Oulton Broad, Thorpe St Andrew and Wroxham and Hoveton) have Development Boundaries.

Development Boundaries are also important for residential moorings. One of the key criteria of policy MODDM37 relates to the mooring being within or adjacent to a Development Boundary (a Broads Authority Development Boundary or one of our constituent Councils'). The Authority also regards other [areas sites](#) as suitable for residential moorings that are not adjacent to Development Boundaries. These [sites, which are allocated in the Local Plan](#), are in Brundall ([MODBRU6](#)), Horning ([policy MODHOR7 and MODHOR9](#)), Loddon and Chedgrave (MODLOD1 and MODCHE1) Beccles (MODBEC2), [Somerleyton \(MODSOM1\)](#) and Stalham ([policy MODSTA1](#)). While the [areas sites](#) covered by these policies are not deemed suitable for Development Boundaries to reflect constraints on the land, they are still accessible to services and facilities that make them suitable for residential moorings.

Some development proposals could be acceptable outside of Development Boundaries in exceptional circumstances, although this will depend on detail, constraints in the area and accordance with other adopted policies and the NPPF, such as MODDM38 (dwellings for rural enterprises) and MODDM40 (replacement dwellings).

If a proposal is considered to potentially have an effect on an internationally designated site, it will need to be considered against the Habitats Regulations and a project level Appropriate Assessment undertaken.

#### Development Boundary for **Horning**

The Broads part of the village is a substantial length of river frontage of varying character and a range of uses, including dwellings, shops, pubs and boatyards. Trees, garden planting and lawns, and open space also contribute to the character of the area. Local services include shops, public houses, post office, recreation ground, primary school and pre-school. A regular bus service runs to Wroxham/Norwich and Stalham. Although there are no significant undeveloped areas within the core of the village (apart from those important as open space, etc., and dealt with under other policies), there is some potential scope for incremental renewal and replacement development, subject to other policies on flood risk. The boundary has been drawn to specifically exclude the southern 'water gardens' plots area, the immediate riverside where this is currently unbuilt, and more generally excluding gardens, etc., to reflect the Government's definition of previously developed land. For development proposals in Horning, of particular importance is policy MODDM2 regarding water quality and Knackers Wood Water Recycling Centre constraints (see Sites Specifics section of this Local Plan).

#### Development Boundary for **Hoveton and Wroxham**

This combined area is one of the largest concentrations of development, population and services in the Broads. It has a range of shopping, employment opportunities, leisure and health facilities and relatively frequent rail and bus services. Although there is little undeveloped land (aside from gardens and public spaces), there has long been a gradual renewal and replacement of buildings and uses within the area, and there is a limited number of derelict or underused sites ripe for redevelopment. The development boundary excludes areas identified as open space, and includes boatyards and other development on the south (Wroxham) bank. It also complements the Hoveton Town Centre policy (MODHOV5) to continue the focus of

retail and related development in the village centre. Parts of the area are at risk of flooding. The relevant Local Plan and National Planning Policy Framework Policies will apply, and a site flood risk assessment may be required to establish the degree of risk.

#### Development Boundary for **Oulton Broad**

Together with Lowestoft, the area has a wide variety of services, facilities and employment opportunities. Although most of these are at some distance from the area under consideration, there is a bus service, and the distances involved mean walking and cycling are feasible options. The development boundary has been drawn to generally exclude the edge of the Broad except where there is already significant built development. This is to discourage building on the waterfront for flooding and landscape reasons, and to encourage continuance of the overall level of trees and planting that provides an important part of the setting of the Broad and contributes to its value for wildlife. Parts of the area are at risk of flooding. The relevant Local Plan and National Planning Policy Framework Policies will apply, and a site flood risk assessment may be required to establish the degree of risk. In the light of the potential for archaeological remains in the area an archaeological survey may be required in advance of any grant of planning permission.

#### Development Boundary for **Thorpe St Andrew**

Only part of the south side of Yarmouth Road in Thorpe St Andrew is within the designated Broads area. Elsewhere, Broadland District Council is the local planning authority and this part of Thorpe St Andrew is urban in character. Thorpe itself has a range of facilities and services, including employment opportunities and good public transport links to the extensive facilities of Norwich (also within cycling distance). Although there is a range of buildings and uses within the identified boundary, in practice it is not anticipated that there will be a great deal of development in the foreseeable future. The development boundary provides additional scope for some redevelopment if opportunities arise, subject to flood risk. This complements the identification of the Broadland District Council part of Thorpe St Andrew as a growth location in the Greater Norwich Joint Core Strategy.

#### **Policy MODDM36: Gypsy, Traveller and Travelling Show People**

Development proposals for the provision of permanent or transit accommodation, or temporary stopping places, to meet the needs of Gypsies and Travellers and Travelling Show People will be supported where they meet an identified need. ~~a proven need, as identified by a Gypsy and Traveller Accommodation Assessment.~~

Development proposals that would have an adverse impact on the special qualities of the Broads will be refused.

Where there is a proven need, appropriate development will be allowed where the following criteria are met:

- a) Avoid sites being over-concentrated in any one location or disproportionate in size to nearby communities;
- b) Well related to existing settlements, services and facilities and do not harm the character and appearance of the area;
- c) Within reasonable distances to facilities and supporting services;
- ~~d) Are on brownfield (previously developed) land;~~
- e) There are no severe residual impacts on the safe and efficient operation of the highway network;
- f) There is adequate provision for parking, turning and safe manoeuvring of vehicles within the site;
- g) Transit sites should be in close proximity to the main established travelling routes in the area;
- h) Have clearly defined physical boundaries and will be appropriately screened and landscaped and be capable of visual privacy;
- i) The site will not have harm the setting of any heritage asset or any adverse impact on the character and appearance of the surrounding landscape;

- j) Permanent built structures in rural locations or on settlement fringes are restricted to essential facilities;
- k) There is sufficient amenity space for occupiers;
- l) The design, layout and density of the site are based on Government guidance in 'Designing Gypsy and Traveller Sites'<sup>96</sup> (or successor documents);
- m) Sites or pitches are capable of being provided with adequate infrastructure such as power, water supply, foul water drainage and recycling/waste management;
- n) Proposals do not cause unacceptable harm to the amenity of neighbouring uses and occupiers and the tranquillity of the area;
- o) Due regard has been given to all types of flood risk; and
- p) Sites are not proposed which will adversely impact on protected species, priority habitats and designated wildlife sites.

Transit or temporary sites may have conditions applied relating to length of occupancy in consultation with the Housing Authority.

#### Reasoned justification

According to the Gypsy and Traveller Accommodation Needs Assessment (2017) there is no identified need for sites or pitches within the Broads Authority Executive area.

The Government's Planning Policy for Traveller Sites document states '*where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward. Criteria based policies should be fair and should facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community*'.

The policy refers to there being an identified need in order for sites to be considered within the Broads. This need could be identified through a local survey or through liaison with the district's housing team.

This criteria-based policy enables the Authority to assess any applications that may come forward for such sites. The justification for each of the criteria in the policy is discussed below.

Sites in or near to existing settlements are prioritised. Such sites are generally more sustainable than those in remote areas, with better access to services, in particular education and health services. The Authority's preference would be for well related sites located in and near to settlements with a development boundary (either in the Broads Authority Executive Area or in one of our constituent district council's areas), and/or classed as local service centres and above in the settlement hierarchy of our constituent districts. The priority will be that access to services can be reasonably obtained so as to meet the day to day needs of the occupiers, recognising the differences in lifestyles, working patterns and transport preferences. The criteria used in the Settlement Study could be used to determine how well related to settlements proposals are.

National planning policy encourages planning policies and decisions to encourage the effective use of land by re-using previously developed land (brownfield land), provided that it is not of high environmental value. ~~As the Authority does not have a need for Gypsy and Traveller sites or pitches, there is no need for greenfield sites to be developed.~~ The Authority encourages the use of brownfield land for development ahead of greenfield land. Other policies in the Local Plan may be of relevance in this regard such as landscape character impact, impact on peat and high quality agricultural land.

Gypsy and Traveller sites are required to have safe and convenient vehicular access and provide adequate car parking space. The development should avoid significant impacts on local roads and be well located to major routes.

<sup>96</sup> Designing Gypsy Sites: [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/11439/designinggypsiesites.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/11439/designinggypsiesites.pdf)

The local topography and form of the landscape will affect the visibility of a Gypsy and Traveller site and its ability to integrate into its surroundings. Some sites will be highly visible and others more visually contained. The Broads is a protected landscape and sites should respect the local environment, including the historic environment, be of a scale proportionate to the local community and be capable of visual privacy. Sites which allow appropriate natural screening will be considered more favourably. Other relevant policies of the Local Plan are policy MODDM16 on Landscape, policy MODDM43 on Landscaping and policy MODDM20 on Settlement Fringe. The Government's design guide for Gypsy and Travellers emphasises key elements necessary to design a successful site.

To meet the needs of occupiers, proposals need to be capable of being served by appropriate service infrastructure, including public and/or private water supplies and treatment works as appropriate (see policy MODDM2 on Water Quality).

To provide a healthy and safe environment for occupiers, sites should not be located on contaminated land and should avoid areas of unsuitable noise, air quality and major hazards such as pipelines. In line with adopted amenity, tranquillity and light pollution policies, the proposals should not have a negative impact on neighbours and tranquil areas, and should have appropriate lighting that does not add to light pollution.

Caravans and mobile homes are vulnerable to flooding. National and local policies dictate that sites should not be allocated in areas of high risk of flooding, including that of functional flood plains.

The Broads has a wealth of environmental assets, and site locations must not compromise the objectives of any designated areas.

Any planning permission will include a planning condition or obligation to ensure that occupancy of the site is limited to persons able to demonstrate an essential need for the accommodation. When any temporary permission is granted, a planning condition will be attached or an obligation secured to ensure that the permission is for a limited time period, after which time the use shall cease and the land must be restored to its former condition, within a specified period.

Policy MODDM5: Development and flood risk could be of relevance because any Flood Risk Assessment for such accommodation would need to show how the safety of the occupants would be managed and ensured, considering the transient nature of the site and its potential effects on the occupant's ability to receive flood warnings.

#### **Policy MODDM37: New residential moorings**

The Authority will endeavour to enable delivery to meet its assessed need of 63 residential moorings.

Applications for permanent residential moorings will be permitted provided that the mooring:

- a) Is in a mooring basin, marina or boatyard that is within or adjacent to a defined development boundary or 800m/10 minutes walking distance to three or more key services (see reasoned justification) and the walking route is able to be used and likely to be used safely, all year round or is in Norwich City Council's Administrative Area ~~and if more than one residential mooring is proposed, the proposal is commensurate with the scale of development proposed for that settlement (as a whole).~~
- b) ~~Furthermore, that the mooring basin, marina or boatyard.~~ Provides an adequate and appropriate range of ~~services and~~ ancillary facilities on site to meet the needs of the occupier of the residential moorings (for example potable water, wastewater pumpout (see j below), and electricity) or provides adequate access to ~~local~~ these ancillary facilities in the vicinity of the residential mooring;
- c) Would not result in the loss of moorings available to visitors/short stay use;

- d) Would not impede the use of the waterway;
- e) Would not have an adverse impact upon:
  - i) the character ~~or~~ and appearance of [the site on](#) the surrounding area [arising](#) from the [moorings and the](#) use of adjacent land incidental to the mooring;
  - ii) protected species, priority habitats and designated wildlife sites;
  - iii) the amenities of neighbouring occupiers; or
  - iv) bank erosion.
- f) Provides safe access between vessels and the land without interfering with or endangering those using walkways;
- g) Has adequate car parking and makes provision for safe access for service and emergency vehicles and pedestrians;
- h) Would not prejudice the current or future use of adjoining land or buildings;
- i) Makes adequate provision for waste, sewage disposal and the prevention of pollution; and
- j) Provides for the installation of pump-out facilities (where on mains sewer) unless there are adequate facilities in the vicinity.

[If more than one residential mooring is proposed, the proposal must be commensurate with the scale of development proposed for that settlement \(as a whole\).](#)

[Converting an entire basin, marina or boatyard to residential moorings would be judged on a case by case basis to assess and take account of the impact on infrastructure in the area \(such as highways\) and the impact on neighbouring uses.](#)

[Whilst the policy contains a general presumption in support of residential moorings in Norwich, the cumulative impact resulting from any proposal will be considered, along with the impact on the infrastructure and amenity of the area.](#)

[The economy policies of the Local Plan will also be of relevance and in Norwich, so too will the City Council's policies for proposals in Norwich.](#)

[Conditions will be used to restrict the number, scale and size of boats using the residential moorings. A management plan for the site and a register of those who live on boats will be required and will be covered by a planning condition imposed on any planning permission granted.](#)

Proposals need to set out how provisions will be made for facilities associated with residential uses (such as rubbish, amenity space, external storage and clothes drying for example).

All such development will meet the requirements of the Water Framework Directive.

(Note: Refer to [www.gov.uk/guidance/pollution-prevention-for-businesses](http://www.gov.uk/guidance/pollution-prevention-for-businesses) for information on pollution prevention measures)

#### Reasoned Justification

The Authority acknowledges that the high environmental quality of the Broads and wide range of opportunities it offers for boating make the area a popular location. As a consequence, there is a significant associated demand for residential moorings. The provision of residential moorings must, however, be carefully managed to make sure the special qualities of the Broads and their enjoyment are protected.

Tourism makes a valuable contribution to the local economy, and a statutory purpose of the Broads is to provide opportunities for the understanding and enjoyment of the special qualities of the area by the public. To make sure there are sufficient facilities to allow visitors to enjoy the Broads, the Authority will resist

proposals for permanent residential moorings where they would result in the loss of visitor/short term moorings or boatyard services.

To ensure that people living on boats have access to adequate facilities and services such as education, recreation, and domestic waste collection, and to minimise impact of new development on landscape character, the Authority will require new residential moorings to be directed to mooring basins, marinas or boatyards within walking distance of at least three of the key services listed below or in or adjacent to defined development boundaries (which could be within the Broads Authority Executive Area or in the planning area of our constituent districts). Residential moorings may also be appropriate on parts of the river in Norwich, subject to other policy considerations in particular the impact on neighbouring uses and impact on navigation of the river. Proposals for residential moorings will be expected to be commensurate in scale with the size of the settlement and the level of residential development proposed for the settlement by the relevant Local Planning Authority. Furthermore, converting an entire marina, basin or boatyard, or in Norwich the entirety of the river banks, may not be appropriate because of the potential impact on neighbouring uses and infrastructure in the area, as well as the consequences of the loss of the facility for non-residential boaters; the Authority will consider such proposals on a case by case basis.

The key services referred to in the policy could be three or more of the following. These key services reflect the Housing and Economic Land Availability Assessment methodology:

- A primary school
- A secondary school
- A local healthcare service (doctors' surgery)
- Retail and service provision for day to day needs (district/local shopping centre, village shop)
- Local employment opportunities which are defined as follows, which reflect areas with potentially a number of and variety of job opportunities:
  - Existing employment areas allocated/identified in our districts' Local Plans; or
  - City, Town or District Centre as identified in the Local Plan for the Broads or our District's Local Plan. We note that this means such centres count towards two of the three key services test. Or
  - These sites that are allocated in the Local Plan for the Broads: MODBRU2, MODBRU4, MODCAN1, MODHOR6, MODPOT1, MODSTA1, MODTSA3.
- A peak-time public transport service to and from a higher order settlement (peak time for the purposes of this criterion will be 7-9am and 4-6pm)

Residential moorings that have the potential to affect a protected site or species will only be permitted where a project level Appropriate Assessment (under the Habitats Directive) can successfully demonstrate that there are no adverse effects on qualifying features on the site or a detrimental impact on the species.

Where permission is granted for a new permanent residential mooring, planning conditions and/or obligations will be used to secure agreements for the management of the mooring and surrounding land. This will be done to protect visual and residential amenity and make sure the use of residential moorings does not compromise public safety. The use of surrounding land for incidental purposes such as storage and seating can have a negative impact if incorrectly managed. Proposals will need to set out how they will address areas for the drying of clothes and amenity space, as well as any other related facilities for those living on the boats. The Authority does not expect marinas and boatyards to subdivide or demarcate areas of land to be associated with residential moorings.

Policy MODDM50 provides guidance on the forms of development permissible on the adjacent waterside environment associated with a mooring.

For the purposes of this policy, a 'residential mooring' is a mooring where someone lives aboard a vessel (capable of navigation), where the vessel is used as the main residence, and where the vessel is moored in one location for more than 28 days in a year. The vessel may occasionally/periodically go cruising and return to base.

For the purposes of this policy, it should be noted that there is an expectation that the moorings will be occupied by a vessel of standard construction and appearance and which is conventionally understood to be a boat. For the avoidance of doubt, the policy does not apply to houseboats. Houseboats are considered to be structures without means of independent propulsion and will be dealt with on a case by case basis due to their potential impact on character of the area.

The policy requires a management plan for the site as well as a register of those boats being lived on within the marina. These will be required through conditions on planning application(s). The management plan will help ensure the site as a whole is appropriately managed. This would normally cover things like noise, waste, deliveries times etc. and would have contact details of who to contact if the management requirements of the site are not adhered to. A breach of this management plan would then be a breach of condition and could be enforced. The register of who lives on which boat will be maintained at all times.

Proposals for residential moorings must ensure they have adequately considered the following:

- a) The technique/method of mooring the vessel. The Flood Risk Assessment (FRA) should show how the boat will be moored to prevent it being too tight or too loose. If the vessel is moored too tightly it could list, and by being too loose it could float onto the landside of the quay heading or be cast adrift at times of flooding. Both scenarios have safety concerns for occupiers, possessions and other objects or vessels that could be hit by a loose boat, and should be addressed within the FRA.
- b) 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, causing 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.
- c) Finally, the FRA should include consideration of how the boat moored at the residential mooring will be monitored at times of flood to make sure it does not cause damage to other vessels, and to prevent damage to the belongings on board and the boat itself.

The Authority intends to produce a guide for residential moorings as well as a template to assist with the production of management plans. The Authority is aware of guidance being produced by other organisations on residential moorings and we will ensure we are involved with those guides and reflect them in our own guide.

Development proposals for residential moorings should provide a biodiversity net gain as a result of the development as there are likely to be significant opportunities for waterside biodiversity enhancement.

#### Meeting the need for ~~'houseboats'~~ residential moorings

The Accommodation Needs Assessment completed in 2017 identifies a need for 63 residential moorings. This figure needs to be interpreted with some caution, as it is based on limited interviews with boat dwellers and on anecdotal estimates rather than a comprehensive count or survey of the people who live on boats.

The study also indicates that those living on boats do so from choice, rather than from an ethnic background, and that most are single people or childless couples.

The Local Plan seeks to address the need for ~~houseboats through the provision of~~ residential moorings. ~~The Authority does this~~ in several ways:

- ~~• Four sites have been allocated for residential moorings amounting to around 25 residential moorings.~~

- ~~Policy PUBDM36 is a criteria-based policy that sets out the framework within which the Authority considers it reasonable to deliver residential moorings:~~
  - Ten residential moorings have been permitted on appeal at Waveney River Centre and ~~Four~~ six sites have been allocated for residential moorings amounting to around ~~25~~ 41 residential moorings. See Appendix K for the residential moorings trajectory which shows the total identified supply as 10 residential moorings.
  - Some areas of the Broads have been identified in this Local Plan as suitable in principle for residential moorings and these are policies MODDMSTA1 and MODMHOR6. Although they are potentially suitable in principle, deliverability is not confirmed, therefore they are not allocated in the Plan and do not appear in the identified supply figures.
  - The Authority also intends to meet with marinas and boatyards that meet the locational criteria of the policy to discuss the potential for residential moorings.

The Residential Moorings Topic Paper<sup>97</sup> (revised 2017) has more information on meeting the need for ~~houseboats~~ residential moorings.

#### **Policy MODDM38: Permanent and temporary dwellings for rural enterprise workers**

Development of a new dwelling or a residential mooring for rural workers will only be permitted outside the defined development boundaries if:

- a) Satisfactory evidence is submitted that demonstrates an existing essential need for full-time worker(s) to be available on site or nearby at all times for the enterprise to function properly;
- b) The need is arising from a worker employed either full-time or one employed primarily in the Broads in a rural enterprise;
- c) Evidence is submitted that demonstrates that the business has been established for at least three years, has been profitable for at least one of them, is currently financially sound and has a clear prospect of remaining so;
- d) The functional need cannot be met by an existing dwelling on the site or nearby, and there has been no sale on the open market of another dwelling on the site that could have met the needs of the worker in the past three years;
- e) Where practicable and appropriate, first consideration has been given to the conversion of an existing building;
- f) The dwelling is commensurate in size and scale with the needs of the enterprise and the cost would be viable in relation to the finances of the enterprise;
- g) The dwelling is sited so as to meet the identified functional need and is well related to any existing buildings of the enterprise; and
- h) The proposal would not adversely affect the historic environment, landscape character or protected species or habitats.

Should a new dwelling be permitted under this policy, the Authority will impose a condition restricting its occupation to a person (and their immediate family) solely or mainly employed in agriculture, forestry or a Broads related rural enterprise, as appropriate.

The removal of an occupancy condition will only be permitted in exceptional circumstances where it can be demonstrated that:

- i) There is no longer a long-term need for the dwelling on the particular enterprise on which the dwelling is located; and
- j) Unsuccessful attempts have been made to sell or rent the dwelling at a price that takes account of the occupancy condition.

<sup>97</sup> Residential Moorings Topic Paper: <http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base>

Applications for a temporary mobile home, caravan or residential mooring for rural enterprise workers will only be permitted if:

- k) Residential occupation would be for a period of up to three years;
- l) There is clear evidence that the proposed enterprise has been planned on a sound financial basis for the same period (or longer) which the application seeks permission for a temporary dwelling/residential mooring for;
- m) The functional need cannot be met by an existing dwelling on the site or nearby;
- n) In relation to temporary caravans and mobile homes, the proposed temporary dwelling would not be located in Flood Risk Zone 3;
- o) The temporary structure can be easily dismantled or taken away; and
- p) The proposal would not adversely affect protected species or habitats, the historic environment and landscape character.

Any planning permission granted will specify the period for which the temporary permission is granted, and the date by which the temporary dwelling/mooring will have to be removed. If there is no planning justification for a permanent dwelling, then the mobile home or caravan must be removed or, for a residential mooring, the vessel's residential use must cease. Successive extensions to a temporary permission will not normally be granted unless material considerations indicate otherwise.

#### Reasoned Justification

The erection of dwellings outside defined development boundaries has the potential to have a negative impact on the openness and special character of the Broads. Rural Enterprise dwellings outside development boundaries will require special justification for planning permission to be granted. The NPPF states one such example as accommodation required to enable agricultural, forestry and certain other full-time rural workers to live at or nearby their place of work.

For the purposes of this policy, the term 'rural enterprise workers' relates to those who work in agriculture, horticulture, forestry, tourism and boatyards and other enterprises that require a rural location. Any application would need to fully justify why it considers the dwellings to be linked to a rural enterprise.

Proposals that support the proper functioning of rural enterprises will generally be supported because of the contribution such enterprises make to the local economy. However, to protect the landscape character of the Broads, as well as considering the issue of dwellings isolated from services and facilities, essential worker dwellings will only be permitted where there is a demonstrable need for a full-time worker to live at or very close to the site of their work, and that this functional need cannot be met by an existing dwelling on the site or in the locality.

When judging locality, the Authority will take into account the requirement of the business for an employee to live nearby, and a reasonable distance to travel to the business. This will vary on a case-by-case basis, and an application should explain what distance is appropriate and why.

To make sure the demand for a dwelling is likely to be sustained, proposals must be accompanied by evidence to demonstrate that the business has been established for at least three years, profitable for at least one of them, currently financially sound and with a clear prospect of remaining so. A business plan for the subsequent three years will assist in assessing the future prospects.

Any proposals to convert buildings to a rural enterprise dwelling (criterion e) will be considered against the relevant conversion policies in the Local Plan. When looking at dwellings that already exist nearby (criterion d), properties available for rent need to be considered as well as those available to buy, and it should be demonstrated what price the enterprise can reasonably afford. Properties that are outside of the Broads Authority Executive Area (but nearby) will also need to be considered.

Any new dwelling permitted under this policy will be restricted in size and scale to one which is commensurate with the needs of the enterprise, so that the proposal does not have an unacceptable impact on the special landscape character of the Broads. The cost of constructing the dwelling in relation to what can be afforded by the enterprise is an important consideration, as the erection of a dwelling should not affect the finances such that the enterprise would no longer be financially viable. Permitted development rights for future extensions and alterations may be removed to maintain control over the size of the dwelling, and in the interests of protecting the landscape and local character.

If a proposal is considered in the context of this policy to potentially have an effect on an internationally designated site, it will need to be considered against the Habitats Regulations and a project level Appropriate Assessment undertaken.

Applicants should be aware that the Authority will use appropriate external expertise when necessary to assess the more technical information needed to accompany proposals. The independent review shall be carried out entirely at the applicant's expense.

Where a new dwelling is permitted, the occupancy will be restricted by condition to ensure that it is occupied by a person, or persons currently or last employed working in local agriculture, horticulture, forestry and other rural activities, or their surviving partner or dependant(s).

Because of changing farm practices, the vulnerability of the agricultural sector and potential decline in other rural businesses, there may be instances where a dwelling or mooring for a rural worker is no longer needed. The Authority will only consider favourably applications to remove occupancy conditions where it can be demonstrated that there is no longer a need for the dwelling on the particular enterprise on which the dwelling is located, either due to changes in the nature of the business or because the business is no longer viable. Applications for the removal of occupancy conditions will also need to be accompanied by robust information to demonstrate that unsuccessful attempts have been made, for a continuous period of at least 12 months, to sell or rent the dwelling at a reasonable price. This should take account of the occupancy condition, including offering it to a minimum of three local Registered Social Landlords operating locally on terms which would prioritise its occupation by a rural worker as an affordable dwelling, and that option has been refused. With regards to criterion J, unless there are special circumstances to justify restricting the dwelling to the particular enterprise where the dwelling is located, an occupancy condition is likely to allow occupation by other workers in the locality. In this case it should be considered whether there is other demand locally, not just whether the demand for this particular enterprise has ceased.

Proposals for a temporary mobile home or residential mooring for rural workers will only be permitted for a period of up to three years. To protect the landscape character of the Broads, a planning condition will be attached to any permission to ensure that any mobile home or vessel is removed at the end of this three year period. The NPPG lists caravans and mobile homes for permanent occupation as a 'highly vulnerable' use. Accordingly, a proposal to site a caravan or mobile home in an area defined as being within Flood Zone 3 will be contrary to the NPPG on flood risk.

**Policy MODDM39: Residential ancillary accommodation**

Residential ancillary accommodation within the curtilage of an existing residential dwelling is acceptable in principle, subject to other policies of the Local Plan.

Residential ancillary accommodation shall be functionally integral to the main dwelling. Where this is not possible, residential ancillary accommodation shall be physically attached to the main dwelling. Only where this is not feasible will consideration be given to the conversion of a suitable existing detached outbuilding within the curtilage, and only where this is not feasible will consideration be given to new build detached residential ancillary accommodation. In all cases, there will be no boundary treatments that physically separate the accommodation from the main dwelling or a

separate vehicular access, and this will be managed by condition.

In all cases, restrictions will be applied limiting the occupation of the residential ancillary accommodation by condition/planning obligation to remain ancillary to the main dwelling and in occupation by family members, and preventing the sale of the residential ancillary accommodation on the open market separate to the main dwelling.

#### Reasoned Justification

The creation of residential ancillary accommodation to an existing dwelling can create a useful facility for the support and care of family members. With an increasingly elderly population and rising life expectancy in the area, there are more people who, although capable of living relatively independently, could benefit from living close to relatives or carers for support. This need can often be met through the purchase of a nearby property. However, on some occasions it may be important for the carer or relative to be closer at hand to provide care and support at short notice. Residential ancillary accommodation can offer a way of addressing this more immediate need.

Fundamentally, residential ancillary accommodation needs to be designed so that it will continue to be used as part of (integral to) the main dwelling, without creating an independent dwelling unit. This should include the option of absorbing the residential ancillary accommodation back into the main dwelling accommodation if necessary, by the same or future occupiers. The occupiers should still all be living together as one family and not occupying the buildings completely separately and independently of one another.

There are two ways the Authority considers residential ancillary accommodation to be integral. Residential ancillary accommodation can be functionally integral, which means that only a bathroom or kitchen is provided and not both, with the existing building providing the other facility. If physically attached to the main building, independent facilities could be acceptable subject to a link being maintained between main dwelling house and residential ancillary accommodation. Residential ancillary accommodation can also be physically integral/dependent, which means it is attached to the existing building and therefore shares facilities with the existing building. In both cases, it is acceptable for residential ancillary accommodation to have a separate entrance.

The provision of residential ancillary accommodation outside of development boundaries could lead to detrimental impacts on the environment and landscape. Unduly large or detached residential ancillary accommodation can prove an economic and practical liability when vacated or when the property changes hands, leading to pressure for the residential ancillary accommodation to be severed and sold or let separately from the main dwelling. This can create sub-standard dwellings with inadequate standards of access, amenity and space and future pressure to permit the residential ancillary accommodation to be let or sold as an independent unit, contrary to the objectives of sustainable development and to other policies in the Local Plan. This could create a new dwelling where it would not otherwise be permitted.

As such, it is usually preferable for residential ancillary accommodation in rural areas to be in the form of extensions to existing dwellings, capable of serving the needs of the dependents but easily re-integrated into the existing dwelling when no longer required.

Detached residential ancillary accommodation in the countryside is more likely to be visually prominent and is often set in larger plots, thereby being more likely to be capable of being let or sold independently in the future. The conversion of existing outbuildings (such as garages) to residential ancillary accommodation can be preferable to a new annexe being built. The conversion of an existing suitable building is less likely to be visually intrusive and it is likely that a converted building can be returned to its original use when no longer required. However, in some circumstances the conversion of existing buildings may be undesirable, particularly if it would lead to the requirement for new outbuildings to be built or for the converted building to be substantially altered (in order, for example, for it to be habitable as it may not be a building intended

to be lived in, such as a garden shed). An additional consideration will be the distance from the main dwelling of any existing outbuilding proposed to be converted to a residential ancillary accommodation. The further away the proposed residential ancillary accommodation is from the main dwelling, the less the functional integration.

Any residential ancillary accommodation will have planning conditions or obligations attached to the permission which could relate to the occupier(s) of the accommodation or prevent use as an independent separate dwelling.

**Policy MODDM40: Replacement dwellings**

Replacement dwellings outside of the development boundary will be permitted on a one-for-one basis provided that:

- a) The existing dwelling has a lawful residential use; and
- b) The existing dwelling has no historic, architectural or cultural significance making it worthy of retention.

If criteria a and b have been met, that:

- c) The scale, mass, height, design and external appearance of the replacement dwelling are appropriate to its setting and the landscape character of the location; and
- d) The replacement would be located within the same building footprint as the existing dwelling or in an alternative location within the same curtilage, which would be at a lower risk of flooding or would provide benefits for landscape, wildlife or cultural heritage.

Where permission is granted, conditions will be attached to ensure that the existing dwelling is demolished and removed from the site prior to the replacement dwelling first being occupied.

Reasoned Justification

Applications for replacement dwellings often come forward where an existing dwelling is in disrepair.

Replacement dwellings of a scale, mass, height, design or external appearance inappropriate to their setting can, either individually or cumulatively, have a detrimental impact on the landscape character of the Broads or undermine the reasons for its designation. The replacement of dwellings outside defined development boundaries therefore needs to be managed to prevent development that would be unacceptable by virtue of its size, design or positioning.

Where the residential use has been abandoned, any proposals will be assessed against policies relevant to new build residential dwellings.

Replacement by a new dwelling of modern building and energy efficiency standards will demand particular attention to design and siting to avoid harm to the landscape and character of the area.

The replacement dwelling should be sited on or close to the existing footprint of the building unless the benefits that may be achieved for flood risk, landscape character, wildlife or cultural heritage can justify the replacement dwelling to be sited in an alternative location. In such situations, locations inherently more sustainable will be favoured, such as replacing a remote substandard dwelling in the open countryside with a dwelling in a nearby settlement.

In terms of this policy the 'existing dwelling' is the dwelling as it exists at the point of application to the Broads Authority.

A condition will also be attached to any planning permission to ensure that where the existing building is not demolished prior to construction, it is removed from the site prior to the replacement building being occupied.

If a proposal is considered in the context of Policy MODDM13 to potentially have an effect on an internationally designated site, it will need to be considered against the Habitats Regulations and a project level Appropriate Assessment undertaken.

Of relevance to proposals for replacement dwellings is policy MODDM2 on water quality and policy MODDM4 on flood risk, in particular the information relating to footprint in Policy MODDM5: Development and Flood Risk.

**Policy MODDM41: Elderly and specialist needs housing**

~~When assessing the suitability of sites and/or~~ Proposals for the development of or change to elderly or specialist needs housing, ~~the Authority will have regard to:~~ will be supported if they are located within a development boundary and they have regard to:

- i) The local need for the accommodation proposed;
- ~~ii) The ability of future residents to access essential services, including public transport, GPs and shops;~~
- iii) Whether the proposal would result in an undue concentration of such provision in the area; and
- iv) Impact upon amenity, landscape character, the historic environment and protected species or habitats.

Reasoned Justification

This policy reflects the ageing population of the Broads Authority Executive Area. The NPPG says ‘*older people have a wide range of different housing needs, ranging from suitable and appropriately located market housing through to residential institutions (Use Class C2). Local planning authorities should count housing provided for older people, including residential institutions in Use Class C2, against their housing requirement. The approach taken, which may include site allocations, should be clearly set out in the Local Plan.*’

Older people in housing are included in the Objectively Assessed Need as calculated in the Central Norfolk SHMA. However, those in Class C2 are not included. According to the Central Norfolk SHMA, the institutional population (older people residing in care homes) is projected to increase by 3,909 persons between 2015 and 2036 in the Central Norfolk SHMA authority areas (North Norfolk, Norwich, Broadland, South Norfolk, Breckland). The OAN as set out previously in this section does not include this figure.

However, it does not necessarily follow that all this need should be provided as additional bed spaces in residential institutions in Use Class C2. The Government’s reform of Health and Adult Social Care is underpinned by a principle of sustaining people at home for as long as possible, thereby avoiding expensive hospital and care home services. Therefore, despite the ageing population, current policy means that the number of care home and nursing home beds needed may increase proportionately more slowly than the number of older people, as people are supported to continue living in their own homes for longer.

Of relevance to housing for older people are the following policies of the Local Plan:

- Policy MODDM39 refers to residential ancillary accommodation, acknowledging that residential annexes to an existing dwelling can create a useful facility for the support and care of family members.
- Policy MODDM43 relates to design, and in particular dementia and lifetime homes.

A study by Norfolk County Council on the supply and need for accommodation for older people (2017) found that the total population in Norfolk is forecast to increase by 13% by 2036, with the highest increase (70%) in the population aged 75 and older. The Waveney SHMA finds that 29.3% of households in the

Waveney HMA were older person only households (households where all members are 65 or over) and that the population aged 65 or over is going to increase dramatically from 30,131 in 2014 to 42,427 in 2036 in the Waveney HMA, a rise of 40.8%. The Projecting Older People Information System (POPPI) website indicates that the proportion of older persons living alone is projected to increase from 36.5% in 2015 to 38.4% in 2030. The studies present information at a district council level, and do not identify a need for elderly housing specifically in the Broads Authority Executive Area. The Authority has therefore taken the approach of a criteria-based policy in relation to elderly housing needs to enable applications to be assessed.

The Authority considers it important for this accommodation to be [within development boundaries \(See DM34\) so they are](#) close to services and facilities to provide benefits to residents, staff who work there and visitors. ~~In the Broads, these locations will be those with Development Boundaries as set out elsewhere in this Local Plan.~~

#### **Policy MODDM42: Custom/self-build**

The Authority encourages developers of multi-dwelling sites to set aside part of their scheme for custom/self-build plots.

Custom/self-build dwelling proposals will be considered in accordance with other policies in the Local Plan on the location of new dwellings.

#### Reasoned Justification

'Self-build' or 'custom-build' is when someone obtains a building plot and builds their own home on it. The majority of work can be completed by the future occupiers, or the future occupier could take the role of project manager and employ professionals to deliver their plans. Such homes can be built as a one off or on a community basis. The Government wants to enable more people to build their own home and wants to make this form of housing a mainstream housing option.

It is important to understand that self-build/custom-build schemes are still required to meet the policy requirements in local plans as well as national policy and guidance, and are subject to the same constraints as developer delivered dwellings.

Some councils are looking at policies that require a certain percentage of a larger development to be set aside for custom/self-build. The Authority is not likely to receive applications for large scale development, but our policy does encourage developers to set aside plots for custom/self-build plots. That being said, provision of serviced plots is encouraged as part of the housing allocations later in the document.

In accordance with policy MODSP19 and MODDM35, custom/self-build development is directed to settlements with development boundaries. Custom/self-build proposals in rural areas will be determined in line with other policies in this Local Plan.

#### Custom/self-build register

Since April 2016, the Authority has a register<sup>98</sup> in place where those wishing to build their own homes can register their interest. At the time of writing (September 2017) there were 100 individuals interested in building their own home on the register. However, it is important to note that the register covers four Local Planning Authorities who use the same register: South Norfolk, Breckland, King's Lynn and West Norfolk and the Broads Authority. When assessing the register, in the vast majority of cases, individuals have stated that they wish to develop in the Broads as well as in another district; few, if any, individuals express a desire to develop in the Broads alone.

#### Evidence used to inform the housing section

<sup>98</sup> Self-build and custom build register: [www.broads-authority.gov.uk/planning/Other-planning-issues/self-build-and-custom-build-register](http://www.broads-authority.gov.uk/planning/Other-planning-issues/self-build-and-custom-build-register)

- Sustainable Settlement Study (2016), Development Boundaries Topic Paper (2016), Central Norfolk Strategic Housing Market Assessment (2017), Housing Need Topic Paper (2017). HELAA (2017), From HELAA towards Allocations (2017), Gypsy and Traveller Study and Caravan and Houseboat Study (2017). <http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base>
- Waveney District Council Strategic Market Housing Assessment (2017): [www.eastsuffolk.gov.uk/planning/local-plans/suffolk-coastal-local-plan/local-plan-review/suffolk-coastal-local-plan-evidence-base/](http://www.eastsuffolk.gov.uk/planning/local-plans/suffolk-coastal-local-plan/local-plan-review/suffolk-coastal-local-plan-evidence-base/)
- PPS7: [webarchive.nationalarchives.gov.uk/20120919132719/www.communities.gov.uk/archived/publications/planningandbuilding/pps7](http://webarchive.nationalarchives.gov.uk/20120919132719/www.communities.gov.uk/archived/publications/planningandbuilding/pps7)
- The most recent Development Plan of our constituent District Councils – affordable housing (see [Appendix L: Current constituent district policies relating to affordable housing](#)).

## 26. Design

### Policy MODDM43: Design

All development will be expected to be of a high design quality. Development should integrate effectively with its surroundings, reinforce local distinctiveness and landscape character and preserve or enhance cultural heritage. Innovative designs will be encouraged where appropriate.

Proposals will be assessed to ensure they effectively address the following matters:

- a) **Siting and layout:** The siting and layout of a development must reflect the characteristics of the site in terms of its appearance and function, and be an easy to navigate environment.
- b) **Relationship to surroundings and to other development:** Development proposals must complement the character of the local area and reinforce the distinctiveness of the wider Broads setting. In particular, development shall respond to surrounding buildings and the distinctive features or qualities that contribute to the landscape, streetscape and waterscape quality of the local area. Design shall also promote permeability and accessibility by ensuring ease of movement between homes, jobs and services and by creating links to public transport services.
- c) **Mix of uses:** To create vitality and interest, proposals should incorporate a mix of uses where possible and appropriate.
- d) **Density, scale, form and massing:** The density, scale, form, massing and height of a development must be appropriate to the local context of the site and to the surrounding landscape/streetscape /waterscape character.
- e) **Appropriate facilities:** Development shall incorporate appropriate waste management and storage facilities, provision for the storage of bicycles, and connection to communication networks.
- f) **Detailed design and materials:** The detailing and materials of a building must be of high quality and appropriate to its context. New development should employ sustainable materials, building techniques and technology where appropriate. Proposals shall minimise construction waste.
- g) **Crime prevention:** The design and layout of development should be safe and secure, with natural surveillance. Measures to reduce the risk of crime and antisocial behaviour should be considered at an early stage so as not to be at the expense of overall design quality.
- ~~h) **Adaptability and adaptability:** Developments shall be capable of adapting to changing circumstances, in terms of occupiers, use and climate change (including changes in water level). In particular, dwelling houses should be able to adapt to changing family circumstances or ageing of the occupier(s) in accordance with 'Lifetime Homes' standards, and commercial premises should be able to respond to changes in industry or the economic base. Applicants are required to consider if it is appropriate for their proposed dwelling/ some of the dwellings to be built so they are accessible and adaptable and meet Building Regulation standard M4(2) and M4(3). If applicants do not consider it appropriate, they need to justify this. For developments of more than 20 dwellings, 5% 5 dwellings or more, 20% will be built to meet Building Regulation Standard M4(2).~~
- i) **Accessibility and adaptability:** Developments shall be capable of adapting to changing circumstances, in terms of occupiers, use and climate change (including changes in water level). In particular, dwelling houses should be able to adapt to changing family circumstances or ageing of the occupier(s) and commercial premises should be able to respond to changes in industry or the economic base. Applicants are required to consider if it is appropriate for their proposed dwelling/ some of the dwellings to be built so they are accessible and adaptable and meet Building Regulation standard M4(2) and M4(3). If applicants do not consider it appropriate, they need to justify this. For developments of 5 dwellings or more, 20% will be built to meet Building Regulation Standard M4(2).
- j) **Flood risk and resilience:** Development shall be designed to reduce flood risk but still be of a scale and design appropriate to its Broads setting. Traditional or innovative approaches may be employed to reduce the risks and effects of flooding.
- k) **Biodiversity:** The design and layout of development shall aim to protect, provide for, restore and enhance biodiversity.

- ~~l) **Accessibility:** Applicants are required to consider if it is appropriate for their proposed dwelling/ some of the dwellings to be built so they are accessible and adaptable and meet Building Regulation standard M4(2) and M4(3). If applicants do not consider it appropriate, they need to justify this. For developments of more than 20 dwellings, 5% will be built to meet Building Regulation Standard M4(2).~~
- m) **High quality landscaping.** All proposals shall be designed to respond to and integrate effectively with the landscape character of the area, making a positive contribution through a high quality landscaping scheme as appropriate.

#### Reasoned Justification

Good design is vital for protecting and enhancing the special character of the Broads and for achieving truly sustainable development. The design principles set out in this policy provide a high-level framework for new development that supports the diverse nature of good design. All development proposals should demonstrate compliance with the design principles in the policy. Where development proposals need to be accompanied by a Design and Access Statement, it should be used to explain how the principles of good design, including the criteria set out in this policy, have been incorporated into the development. The following text explains the criteria in the policy.

**Easy to navigate environments** can help everyone, especially those with mobility issues, sight loss or dementia, to live well, by being designed to be familiar, legible, distinctive, accessible, comfortable and safe. There are many guides that can help design better environments, such as:

- BS 8300: 2009+A1:2010<sup>99</sup> looks at the design of buildings and their ability to meet the requirements of disabled people.
- The RTPI have produced DEMENTIA AND TOWN PLANNING (2017)<sup>100</sup>
- Neighbourhoods for Life - Designing dementia-friendly outdoor environments<sup>101</sup>

Development proposals are not designed in isolation from their **context**. Although there is considerable variation in local architectural styles, buildings in the Broads are typically of simple construction, often from lightweight materials, and of a scale which blends with their natural surroundings. New development should take account of the characteristics of the site, as well as the distinctiveness of the wider Broads' setting, and make a positive contribution to the surrounding area. The density, scale and mix should be compatible with the character of the local area and avoid adverse impacts of development on views, vistas and skylines. In accordance with the NPPF and NPPG, the Authority considers design to be of great importance and development will not be acceptable if its design is inappropriate in its context, or fails to take opportunities available for improving the character and quality of an area and the way it functions. In the interests of sustainability and good design, it is also important to promote ease of movement within and between places where people live, and between these places and work places and other amenities and services.

**Appropriate facilities** for users of new development should be integrated effectively into its design and layout so they can be accessed in a safe and convenient manner and do not detract from the overall appearance of the development. The nature of the facilities will vary depending on the development proposed, but should include waste management and storage facilities to aid recycling, provision for the safe, secure and user friendly storage of bicycles in locations convenient to the cyclist, with good natural or CCTV surveillance to help reduce cycle theft, and connection to telephone and broadband networks.

Particular attention should be given to details in regard to the **appearance** of development in the Broads' landscape. This should take into account the form, mass and scale of a building or structure. Proposals should also consider the texture, colour, pattern and durability of materials used and reference Broads' vernacular and local detailing. Materials should aim to conserve and enhance the local identity and

<sup>99</sup> Design of buildings and their approaches to meet the needs of disabled people. Code of practice [shop.bsigroup.com/ProductDetail/?pid=000000000030217421](http://shop.bsigroup.com/ProductDetail/?pid=000000000030217421)

<sup>100</sup> Dementia and town planning: <https://www.rtpi.org.uk/knowledge/practice/dementia-and-town-planning/>

<sup>101</sup> Designing dementia-friendly outdoor environments; [www.idgo.ac.uk/about\\_idgo/docs/Nfl-FL.pdf](http://www.idgo.ac.uk/about_idgo/docs/Nfl-FL.pdf)

distinctiveness of the built environment and landscape character. Non-traditional unsustainable materials will be resisted if they are not considered to be a high quality material appropriate to context or able to contribute to local distinctiveness. Many modern materials have a uniform and applied texture which does not weather or soften over time. Individually and cumulatively these materials are considered to erode the distinctive character of the Broads, and will become increasingly incongruous in the area. However, it is acknowledged that there will be instances when modern construction methods and design solutions may necessitate the use of other sustainable materials.

The **safety and security** of the users of new development is an important consideration at an early stage in the design process. The attributes of good design include safer places. Well-designed development will create safe, sustainable and attractive places to live and work. It is important that new development is designed to minimise both the opportunity for crime and the perception or fear of crime, while ensuring that other planning and design objectives are not compromised.

~~With regard to **adaptable** dwellings, the Authority refers to the 16 criteria relating to Lifetime Homes<sup>102</sup>. We encourage new housing to be built to the Lifetime Homes standard, which makes it easier for people to remain in their own homes as their mobility needs change, through encouraging homes to be built in a way in which rooms can be used flexibly over time. The criteria in this policy also contribute towards the creation of safe, functional and well-designed communities as aspired to by the Government's Lifetime Neighbourhoods<sup>103</sup> ambitions.~~

Assessing design quality for major applications for residential development will be made using the Building for Life 12<sup>104</sup> criteria (see [Appendix M](#)), which are reflected in this policy. Applicants will be expected to demonstrate that the scheme positively addresses relevant categories within the Building for Life criteria.

It is important that proposals are able to accommodate access by **emergency service vehicles and waste disposal vehicles**. Considering the Fire Service in particular, sprinklers are encouraged in developments, and the requirements to include fire hydrants and hard standings for firefighting are judged on a case-by-case basis and may be a planning condition.

The Authority also encourages the provision of some dwellings, in appropriate locations, to be designed to be **accessible** and accommodate wheelchairs. In schemes of ~~over 205~~ dwellings ~~or more~~ it requires 205% to meet Building Regulations part M4(2). The details are set out in the Building Regulations part M<sup>105</sup>.

The justification for this requirement is discussed in the Design policy requirement relating to Building Regulations M(4)2 Topic Paper (2018) (insert footnote and link). In summary:

- The Census 2011 shows that the Broads Authority Executive Area has an ageing population, with 30% of the population being over 65, and 23% of people saying their daily activities are limited.
- The age profile of the Broads is likely to change in a similar manner to our districts. That is to say that the relative proportions of those aged 65 and over and 85 and over will increase by 2035/36. Older people may experience health and mobility issues and it is these issues which the Building Regulations M4(2) seeks to help address.
- Turning to viability, the 2017 Viability Assessment concludes that for new build, the requirement can be designed in from the start at little or no cost. If sites are on steep hills, the cost could increase; but it is recognised that there are very few steep hills in the Broads. For conversions, there could be a slight cost increase but that depends on the level of works to the structure being converted.

<sup>102</sup> Lifetime Homes Standards Homes that are accessible to everybody and where the layout can be easily adapted to meet the needs of future occupants. [www.lifetimehomes.org.uk/](http://www.lifetimehomes.org.uk/)

<sup>103</sup> Government's Lifetime Neighbourhoods [www.gov.uk/government/publications/lifetime-neighbourhoods-2](http://www.gov.uk/government/publications/lifetime-neighbourhoods-2)

<sup>104</sup> Building for Life 12: [www.designcouncil.org.uk/resources/guide/building-life-12-third-edition](http://www.designcouncil.org.uk/resources/guide/building-life-12-third-edition)

<sup>105</sup> Building Regulations part M: [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/506503/BR\\_PDF\\_AD\\_M1\\_2015\\_with\\_2016\\_amendments\\_V3.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/506503/BR_PDF_AD_M1_2015_with_2016_amendments_V3.pdf)

The NPPG<sup>106</sup> is clear, however, in saying that ‘*Local Plan policies should also take into account site specific factors such as vulnerability to flooding, site topography, and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable. Where step-free access is not viable, neither of the Optional Requirements in Part M should be applied*’. The Authority acknowledges that this standard may not be appropriate in some locations or for some schemes, but applicants are required to justify reasons for not including dwellings that are accessible and adaptable.

**Landscaping** is part of the design response to mitigate and/or enhance a proposal. Some types and forms of hard surfaces and structures or soft landscaping (planting) can have biodiversity, amenity and recreation benefits and are more appropriate in the Broads Executive Area than others. What is suitable on a site would reflect the location and setting. The landscaping design proposals should reflect the key positive characteristics of the locality and its setting. As a minimum, all proposals that are deemed to have a landscape impact will be accompanied by a Landscaping Strategy. The detailed landscaping scheme and management plan will be conditioned should permission be granted. It may be prudent for some schemes to provide the landscaping scheme and management plan as part of the application, rather than using the two stage approach. The size of the scheme may determine this<sup>107</sup>.

When designing new development, consideration should also be given to the design implications set out in other policies in this plan. Of particular relevance are: Landscape, Water quality and resources, Historic environment, Energy generation and efficiency, Accessibility on land, Accessibility to water, Amenity, Flood risk, Land raising, and Disposal of excavated material. Applicants should also have regard to the design guides produced by the Authority<sup>108</sup>.

#### Evidence used to inform this section

- The policy is rolled forward from the Development Management DPD.
- Amendments reflect officer experience.
- ~~Lifetime Homes: <http://www.lifetimehomes.org.uk/>~~
- Building for Life: <http://www.builtforlifehomes.org/>

<sup>106</sup> NPPG: [planningguidance.communities.gov.uk/blog/guidance/housing-optional-technical-standards/accessibility-and-wheelchair-housing-standards/](http://planningguidance.communities.gov.uk/blog/guidance/housing-optional-technical-standards/accessibility-and-wheelchair-housing-standards/)

<sup>107</sup> See landscaping guide [www.broads-authority.gov.uk/planning/Planning-permission/design-guides](http://www.broads-authority.gov.uk/planning/Planning-permission/design-guides).

<sup>108</sup> Design guides: <http://www.broads-authority.gov.uk/planning/Planning-permission/design-guides>

## 27. Visitor and community facilities and services

### **Policy MODSP16: New community facilities**

The Authority supports the retention of existing community facilities and services. New community facilities will be supported where there is a proven need identified and location within the Broads is fully justified.

Community facilities such as shops, post offices, libraries, public houses and primary schools provide essential services that contribute to the sustainability of communities. The policy supports the retention of such services. New community facilities are supported provided there is an operational and locational justification.

It is essential that proposals for new community facilities do not impinge on the natural beauty, ecological value, historic environment and local distinctiveness of the Broads or other people's enjoyment of it.

It should be borne in mind that the Authority boundary is drawn tightly around the settlements, and much of the built development within a village, and the land potentially available for development, is outside the Authority boundary. To achieve the provision of facilities beyond the Authority area that will benefit whole communities, it will be necessary to work in close co-operation with the adjoining Districts.

#### Localism act and community rights

The Localism Act (2011) aims to help the devolution of decision-making powers from central government control to individuals and communities. Of particular relevance to this policy is the Community Right to Bid, where community groups have the opportunity to nominate land or buildings (assets) in their area which they think are of 'community value' to be included on a list held by the Council.

Adding an Asset of Community Value to the list triggers a stand still period, to allow community groups to plan and assemble funds that would allow them to bid for the asset should it be placed for sale on the market. Assets can be owned by a council or have private owners.

Assets of Community Value can include buildings or land that promotes the social interests or wellbeing of the area (e.g. cultural, recreational, shopping or sporting) or which have had such a use in the recent past, for example libraries, community centres, pubs and shops. The power to list an asset does not mean the owner must sell to the community group.

The Broads Authority does not hold or maintain a list, as it is a function of our constituent districts councils. Applicants should contact the councils directly for information<sup>109</sup>.

### **Policy MODDM44: Visitor and community facilities and services**

Applications for the change of use or redevelopment of an existing community, visitor or recreational facility or service that meets a local need or contributes to the network of facilities through the Broads will only be permitted where:

- a) It can be proven that there is no community need for the service/facility; or
- b) It can be demonstrated through a viability assessment that the current use is economically unviable.  
and
- ~~c) Details of consultation with the community regarding the change of use or redevelopment are provided; and~~
- ~~d) There is an equivalent facility available or one is made available prior to the commencement of redevelopment, to serve the same need in an equally accessible and convenient location.~~

<sup>109</sup> More information is provided at [mycommunity.org.uk](http://mycommunity.org.uk) and [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/5959/1896534.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5959/1896534.pdf)

In all instances, details of consultation with the community regarding the change of use or redevelopment need to be provided.

Development of new buildings, the extension of existing buildings or the use of land to meet a need for local community uses and facilities will be permitted provided that:

- e) An assessment can demonstrate a need for the facility and that it will support the social viability of a community;
- f) Locating the facility within the Broads can be justified;
- g) It would not adversely affect protected species or habitat, landscape character or the historic environment; and
- h) The facility is in a sustainable location, accessible by a choice of transport modes and is of an appropriate scale.

In addition to the above, new village halls or community centres will be permitted provided that:

- i) They are designed in a way to keep running and maintenance costs (including appropriate water and energy efficiency measures) to a minimum; and
- j) A long term funding (minimum 10 years), maintenance and management plan is produced to identify how the facility will generate sufficient income to ensure self-financing to assure the Broads Authority of the proposed facility's financial sustainability. This could include an appropriate permanent usage for part of the facility (e.g. health or social care).

Facilities which are educational in nature or relate to the promotion of the conservation of the Broads environment will be supported.

#### Reasoned Justification

The economy of the Broads is underpinned by tourism. Policies in the tourism section seek to support, widen and strengthen this tourism base by encouraging a network of tourism and recreational facilities, protecting against the loss of existing services and supporting the diversification of tourism where economically and environmentally sustainable. Development proposals that would result in the loss of existing visitor facilities will be expected to demonstrate that the business is no longer economically viable through the submission of relevant financial information.

The loss of facilities such as post offices and libraries would result in people having to travel further to meet their everyday needs, which can have a particularly adverse impact on those who do not have the ability to travel easily, such as the elderly. Serving both residents and visitors, they can contribute significantly to the quality of experience. Furthermore, many of the employment generating businesses within the Broads serve visitors as well as the resident market, such as shops and pubs ([although pubs are not covered in this policy](#), see policy MODSSPUBS), and their loss can have a wider than local impact. To maintain a level of local servicing, the Authority will seek to protect existing community facilities and services and will only approve proposals that would lead to their loss where it can be robustly demonstrated that the facility is no longer suitable or viable for its community use. Only then will alternative uses be permitted, again subject to demonstrating that the existing uses would be unviable. Applications should be accompanied by a statement, completed by an independent chartered surveyor, which demonstrates that current uses are not viable. This statement should provide an assessment of the current and likely future market demand for the site or property, attempts to market it for a sustained period of 12 months, and its value. The level of detail and type of evidence and analysis presented should be proportionate to the scale and nature of the site and/or property in question. The Authority will need to verify the content of such a report and may need to employ external expertise to do so. The applicant will need to meet this expense.

The siting of any development will vary depending on the facility being replaced and the location, but accessibility by a variety of transport modes will be an important factor. The policy therefore requires

proposals for new facilities likely to attract large numbers of people to be located where they are accessible by a choice of transport means. Applicants are required to justify the sustainability of the location for the proposed development. Development proposals will also be expected to be accompanied by a needs assessment that demonstrates the demand for the proposed facility and why an alternative site outside the Broads could not accommodate the development.

The ongoing maintenance and management that ensures the longevity of community centres or village halls is an important early consideration. The primary purpose of these buildings is to provide a community meeting space. However, there should be the scope to accommodate appropriate ancillary uses, some of which may be permanent. Some examples of acceptable permanent uses include a café, outreach health and social care, or a community enterprise. Applicants are required to provide information that explains how the village hall or centre will be used and how its longevity can be assured.

Examples are:

- Community facility – post offices, cemeteries (see policy MODACL1 and MODDM7), ~~pubs (see policy PUBSSPUBS)~~, libraries, village halls, shops, sports facilities (also see policies MODDIT2 and MODFLE1). Please note that pubs are addressed in their own policy, MODSSPUBS.
- Visitor facility – car parks, visitor moorings, bike stands, slipways.

Proposals relating to play areas, sports fields, open space and allotments are addressed in policy MODDM7.

If a proposal is considered to potentially have an effect on an internationally designated site, it will need to be considered against the Habitats Regulations and a project level Appropriate Assessment undertaken.

Ancillary provision to these facilities, such as parking and litter bins, will be an important consideration.

#### Evidence used to inform this section

- Policies are rolled forward from the Development Management DPD.
- Officer experience has informed amendments.

## 28. Health and wellbeing

### Policy MODDM45: Designing places for healthy lives

Development proposals that support healthy choices, healthy behaviours and reduce health inequalities will be supported. All new housing, commercial and recreational development are required to explain how their development facilitates enhanced health and wellbeing through the provision of conditions supportive of good physical and mental health.

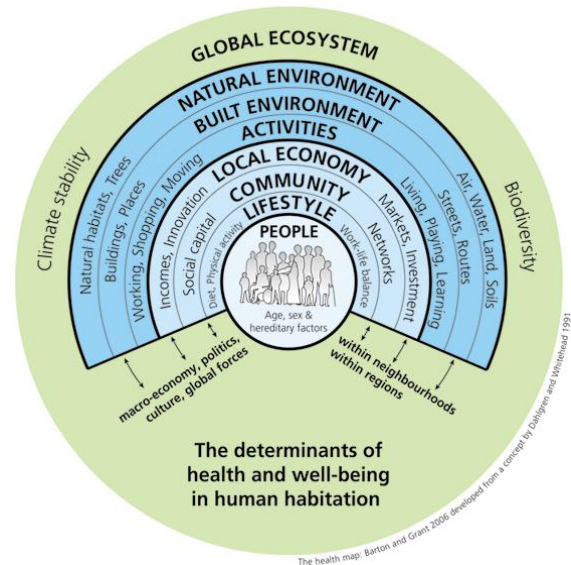
#### Reasoned Justification

The link between planning and health has been long established, and the built and natural environments are major determinants of health and wellbeing. The Health Map (below) shows how individual determinants, including a person's age, sex and hereditary factors, are nested within wider determinants such as lifestyle choices, social and community influences, living and working conditions and general socio-economic, cultural and environmental conditions.

The Government is clear about the role of health and wellbeing in planning, stating that '*local planning authorities should ensure that health and wellbeing, and health infrastructure are considered in local and neighbourhood plans and in planning decision making*' (NPPG).

There are six themes under which planning applications for new housing, commercial and recreational development can provide '*conditions supportive of good physical and mental health*'. Developments are required to produce a statement saying how their proposal addresses:

- i. Partnership and inclusion, including engagement and integration.
- ii. Vibrant neighbourhoods, including access to social infrastructure, access to local food shops and the public realm.
- iii. Active lifestyles, including access to green space and active travel.
- iv. Healthy environment, including construction, equality, noise, open space, renewable energy, biodiversity, local food growing, flood risk and overheating.
- v. Healthy housing, including accessible housing, healthy living, and housing mix and affordability.
- vi. Economic activity, including local employment and healthy workspaces.



Sport England offers guidance on designing and adapting where we live to encourage activity in our everyday lives (Sport England, Active Design, [www.sportengland.org/facilities-planning/active-design/](http://www.sportengland.org/facilities-planning/active-design/)).

It is important to note that other policies in this Plan are also relevant to a healthy community, such as those on tranquillity, amenity, sport and recreation, pollution and housing need, all of which have an impact on health and wellbeing.

#### Evidence used to inform this section

- Liaison with Norfolk County Council Public Health.

## 29. Safety by the water

### **Policy MODDM46: Safety by the water**

Proposals that increase the number of people accessing the water or facilitate the enjoyment of land adjacent to the water must address water safety. For such developments, a Water Safety Plan must be produced to accompany planning applications. The Water Safety Plan must give consideration to the following:

- a) What are the risks of someone falling into the water, and who is likely to be exposed to the risk as a direct result of the proposed development?
- b) How is this risk to be minimised?
- c) What is the water depth and speed of flow?
- d) What design and safety features will be incorporated into the development to ensure that anyone in the water can get out safely? Consideration must be given to the landscape impact and the impact on any Heritage Asset of any water safety feature to be used.
- e) How will the safety features be maintained?

If new development increases the risk of difficulty of getting out of the water, either by new quay heading or raising current levels, then these risks are required to be mitigated even if there is no public access on the site but there is boating activity on the adjacent water body.

#### Reasoned Justification

Being a primarily water-based area that people enjoy for recreation, safety in the Broads is an important issue. Sadly on occasion people die in the water, and many more fall in. On a hot day, the cool water may attract those wanting a quick swim, and the hazards are not always recognised or considered. The area is also popular for organised wild and open water swimming groups, and people sail on the Broads using stand-up paddle boards, canoes, sailing boats and motorised cruisers. Others enjoy walking beside the waterways and visiting the nearby open spaces, pubs and cafes, and there are many other waterside buildings including boatyards and homes.

Easily accessible safety equipment like lifebuoys, throw lines and ladders are essential in helping someone in trouble get out of the water. There were 381 drownings and water-related deaths from accidents or natural causes across the UK in 2013<sup>110</sup>. As in previous years, more than half of the deaths (227) were in inland waters such as tidal and freshwater rivers, lakes and reservoirs. In the Broads, over the last 15 years there have been on average 5 deaths per year, 26 related to boating and 48 non-boating related. It should be noted that some of these deaths were not accidental, and this policy seeks to influence accidental water related incidents. Over the same period, there were 264 near drownings or people falling in. This figure does not include people engaged in water sports where they expected to enter the water. The near drowning events were those reported to or witnessed by Broads Authority staff, and the true figure is likely to be much larger due to under reporting.

The National Water Safety Forum has produced the UK Drowning Prevention Strategy<sup>111</sup> which aims to reduce accidental drowning fatalities in the UK by 50% by 2026, and reduce risk amongst the highest risk populations, groups and communities. A target of the Strategy that is particularly relevant to this policy is to increase awareness of everyday risks in, on and around the water. The strategy asks communities to develop a risk assessment for the area and to put in place Water Safety Plans at a community level.

While this policy refers to proposals that increase the number of people accessing or being by the water, there may be other development where it is appropriate to consider safety by the water. The Authority will work with promoters on these occasions.

<sup>110</sup> Taken from [www.rospace.com/media-centre/press-office/press-releases/detail/?id=1276](http://www.rospace.com/media-centre/press-office/press-releases/detail/?id=1276)

<sup>111</sup> Drowning Prevention Strategy: [www.nationalwatersafety.org.uk/strategy/info/uk-drowning-prevention-strategy.pdf](http://www.nationalwatersafety.org.uk/strategy/info/uk-drowning-prevention-strategy.pdf)

In submitting a Water Safety Plan with relevant planning applications, applicants will be required to consider the risks of people falling into the water, and put in place means to help people while in the water and a safe way for them to get out. A guide will be produced to assist applicants in preparing a Water Safety Plan, identifying appropriate risk control measures and safety features for their proposed development. The safety of those involved in the construction of the scheme should also be an important consideration for the Water Safety Plan.

For development near to Heritage Assets or in Conservation Areas, measures such as bright plastic covers on life rings may detract from the scenery or setting. Less visually intrusive, but equally effective forms of safety equipment can be provided in such locations.

Evidence used to inform this section

- Broads Authority monitoring data from the Safety Team.

### 30. Planning obligations/developer contributions

#### Policy MODDM47: Planning obligations and developer contributions

The Authority will seek appropriate contributions from developers to serve the development and its occupants. Where the development is of a type that will introduce additional pressure on the Broads Authority Executive Area, including for permanent moorings, contributions will be sought towards the appropriate provision of social facilities and benefits including affordable housing, biodiversity enhancement, recreational, community and navigation facilities, and to achieve sustainable development.

~~Contributions may be sought towards, or commitments to provide:~~

- ~~a) Affordable housing (as detailed in policy PUBDM33);~~
- ~~b) Community infrastructure (including police and fire service provision, community halls, sports facilities, education facilities and libraries);~~
- ~~c) Green infrastructure and biodiversity/geodiversity on-site mitigation, management, off-site compensation and/or enhancement;~~
- ~~d) Open space and children's play facilities;~~
- ~~e) Landscaping, landscape enhancement and management;~~
- ~~f) Public footpaths, rights of way, green links, signing and maintenance;~~
- ~~g) Waste management and recycling facilities;~~
- ~~h) Highway works and/or improved public transport facilities and funding for the implementation of Travel Plans;~~
- ~~i) Flood management/mitigation;~~
- ~~j) Dredging to maintain navigation (any part of the operation);~~
- ~~k) Administrative costs;~~
- ~~l) Visitor or de-masting moorings; and~~
- ~~m) Conservation or enhancement of heritage assets.~~

~~Other c~~Contributions may be sought in appropriate circumstances. Where appropriate, the standards and thresholds adopted by the relevant authority, including Housing Authorities [and County Councils](#), will apply. Contributions may be pooled with others from outside the Broads area to fund wider community infrastructure.

Reduced contributions, where necessary (for example due to the exceptional costs of redeveloping a particular site), will be negotiated on an 'open book' basis, based on the financial viability of the scheme.

#### Reasoned Justification

Development can place additional pressure upon physical infrastructure, social facilities and green infrastructure, and it is a well-established principle that new development should contribute towards the cost of meeting these additional demands. Developer contributions (also referred to as Planning Obligations) are a means of funding works to mitigate the impact of development, and to provide benefits to local communities and support the provision of local infrastructure.

Where existing infrastructure is inadequate to meet the needs of new development, the Authority will use conditions or planning obligations to ensure that proposals are made acceptable through securing the provision of necessary improvements to facilities, infrastructure and services.

The nature and scale of any contribution sought for this purpose will be related to the development proposed and its potential impact upon the surrounding area. It is important to consider the following in relation to Developer Contributions (as set out in the Community Infrastructure Levy Regulations 2010 as amended, regulations 122 and 123):

- Developer contributions must be necessary to make the development acceptable in planning terms, be directly related to the development, and be fairly and reasonably related in scale and kind to the development.
- The combined total impact of contributions should not threaten the viability of the scheme.
- There are [currently](#) pooling restrictions on S106 contributions, whereby only five contributions can be sought towards generic types of infrastructure.

The Authority will seek contributions towards transport, police and fire service provision, education facilities, libraries, [health facilities](#) and social service provision where appropriate, using 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 [\(for example in relation to play and open space and waste management\)](#). Contributions to affordable housing will be sought in accordance with the approach set out in policy MODDM34 on affordable housing and policy MODDM7 on open space.

In relation to the protection [and use](#) of the waterways and navigation, contributions will be sought from development, where appropriate<sup>112</sup>, towards dredging [and provision of moorings \(see MODDM33\)](#). The dredging and proper disposal of sediment from the bed of the rivers and broads is the largest cost in the maintenance of the navigation area. The required level of contribution will be calculated on a site-by-site basis, using the Authority's latest available dredging costings and reflecting site specific characteristics such as quantity, contamination and ease of disposal. ~~The Authority will seek an administrative contribution to cover the cost of arranging and monitoring developer obligations.~~

Any financial contributions resulting from planning obligations will be held by the Authority until agreement is reached with the providing body for the relevant facilities to be provided. If agreement is not reached or the infrastructure is not constructed, those monies will be returned to the developer after a period of 10 years. Maintenance sums will be sought for the first 10 years of the life of a facility where relevant (15 years for highways maintenance in relation to bridges or other highway structures, 120 years for lifetime replacement).

#### The Broads Authority and CIL

The Community Infrastructure Levy (CIL) is a planning charge introduced by the Planning Act 2008. It is a discretionary charge that can be used as a tool by local authorities in England and Wales to help deliver infrastructure to support the development of their area. The Broads Authority has not introduced a CIL, due to the low levels of development in the area, difficulties involved in identifying specific Broads' infrastructure, and the costs of collecting and monitoring CIL when balanced against the sums likely to be generated.

#### Evidence used to inform this section

- Policy rolled forward from Development Management DPD and Core Strategy.
- Amendments as a result of officer experience and changes to national policy.

<sup>112</sup> The development may be in an area which is not usually dredged and might attract more vessels. Or might be in an area where larger boats are attracted so would need more dredging to increase the water depth.

## 31. Other Development Management policies

### Policy MODDM48: Conversion of buildings

The re-use, conversion or change of use of buildings and structures to employment, tourism (including holiday accommodation for short stay occupation on a rented basis), recreation and community uses will be supported where:

- a) The building makes a positive contribution to the landscape of the Broads to make it worthy of retention;
- b) A structural survey demonstrates that the building is structurally sound and capable of conversion without major rebuilding and/or substantial extension;
- c) The building can be redeveloped without an adverse effect on the character of the Broads' landscape or its setting and the redevelopment takes the opportunity to make a positive contribution to the appearance of the locality;
- d) The proposal is of a high quality design, retaining the ~~external and/or internal~~ features that contribute positively to the character of the building, ~~including original openings and materials, and with minimal intervention to the original form and fabric of the building (e.g. new openings);~~
- e) The nature, scale and intensity of the proposed use are compatible with, and would not prejudice, surrounding uses and the character of the locality;
- f) The highway network is able to accommodate safely the demands resulting from the proposed use;
- g) The design and details of conversion will maintain, and enhance, restore or add to biodiversity; and
- h) It incorporates measures to enhance the environmental performance of the building, where appropriate.

For proposals outside development boundaries the above criteria will apply and also that:

- i) The building is in a sustainable location, with adequate access to services and facilities or adequate access to people who would use the service or facility.

The conversion of a building or structure to a residential use outside a development boundary, where the building would be used as a second home or for the main residence of the occupiers, will only be acceptable when all the above criteria are met and when it is clearly demonstrated that employment, recreation, tourism and community uses would be unviable.

### Reasoned Justification

The re-use of buildings in the countryside can support the vitality of rural communities and help minimise the need for new build development that has the potential to detract from the special landscape character of the Broads. The Authority is therefore generally supportive of the re-use of appropriately located and suitably constructed buildings in the countryside, although certain buildings may not be suitable for conversion and re-use.

The building must be of a sufficient quality to warrant retention. Large, modern agricultural and industrial buildings will generally be considered to be unsuitable for conversion. The Authority will consider the appearance and architectural value of the building and how it contributes to the Broads' landscape, as well as the street scene, both before and after conversion.

The term 'holiday accommodation' means that permitted by policy MODDM30, e.g. short term holiday lets.

The conversion and re-use of buildings in the countryside will only be acceptable where a structural survey undertaken by an independent Structural Engineer demonstrates that the building is structurally sound and capable of conversion without major rebuilding or reconstruction.

To protect the character of the building and the surrounding landscape, all conversion works must be undertaken sensitively, using a high standard of design and good quality materials. The erection of substantial extensions can have a detrimental impact on the original form of a building or group of buildings and on the openness and special character of the landscape. The removal of external features, including original openings and materials, can erode the character of the building. It is expected that conversion works would involve minimal intervention to the original form and fabric of the building, such as new openings.

Buildings in the countryside have the potential to provide important breeding and [roosting](#) places for a number of species protected under a range of legislative provisions, including bats, barn owls or nesting birds. In accordance with policy MODDM13, if the presence of a protected species is suspected the applicant will be required to submit appropriate protected species surveys. The policy also seeks to ensure that conversion works aim to maintain and enhance, restore or add to biodiversity. If a proposal is considered in the context of this policy to potentially have an effect on an internationally designated site, it will need to be considered against the Habitats Regulations and a project level Appropriate Assessment undertaken.

Proposals within a development boundary are deemed to have very good access to services and facilities. While it will not always be possible to apply the same standards of accessibility in established settlements to proposals in the countryside, when assessing proposals to convert a building in the countryside regard will be given to the sustainability of the location and the impact the proposed use would have on the local highway network. That being said, on occasion a building may be worthy of retention and benefit from conversion but be in an isolated location, and the Authority will balance the criteria within the policy.

Residential conversions may be appropriate for some types of buildings and in certain locations, providing that it has been demonstrated that a commercial or community use of the building is unviable and that the building is of sufficient quality to merit retention by conversion. Applications to convert a building outside of a development boundary to residential use should be accompanied by a report undertaken, by an independent Chartered Surveyor, which demonstrates why employment, recreation, tourism and community uses would not be viable due to inherent issues with the building. This should include details of conversion costs, the estimated yield of the commercial uses, and evidence of the efforts that have been made to secure employment, recreation, tourism and community re-use for a sustained period of 12 months. The Authority will need to verify the content of such a report, and may need to employ external expertise to do so. The applicant will need to meet the cost of this.

Where a building is of historic or architectural merit, the application will be considered under Policy MODDM12 on the re-use of historic buildings. [For re-use or conversions of historic buildings \(designated or non-designated\), please refer to MODDM12.](#)

There are permitted development rights to change the use of existing buildings. These are less permissive in the Broads than in other undesignated areas. A proposal may not require planning permission, but the applicant is advised to check with Development Management Officers at the Broads Authority for advice.

#### Evidence used to inform this section

- Policy rolled forward from Development Management DPD.
- Amendments as a result of officer experience.

#### **Policy MODDM49: Advertisements and signs**

Advertisements and signs should be sensitively designed and located, having regard to the character of the building/structure on which they are to be displayed, and/or the general characteristics of the locality including their location relative to the dark sky zones (policy MODDM22).

Advertisements will only be permitted where the size, design, positioning, materials and degree of illumination of the advertisement would not have an adverse visual impact on the built or landscape

character of the Broads or a detrimental effect on public safety on land, water or on the operational safety of the highway, railway and water network.

Where an advertisement would have an adverse impact on the special qualities of the Broads, it will be refused.

#### Reasoned Justification

The Authority recognises that advertisements provide businesses with an important means of attracting customers and can play an important role in informing visitors to the Broads and supporting visitor trade. By their very nature, advertisements and signs are designed to attract attention and are frequently displayed in prominent positions. Their impact on the character and appearance of buildings, settlements and the landscape can, as a result, be significant. Illuminated advertisements can have a particularly significant visual impact and detract from the tranquillity and dark skies of the Broads.

The Authority will therefore carefully consider proposals for advertisements to make sure they are sympathetic to the special character of the Broads and do not have an unacceptable impact on public safety on land and water. The design of an advertisement, together with its size, positioning and materials, can determine how well it fits into or stands out from the surrounding area. To reduce unnecessary visual intrusion, the number of advertisements will be kept to a minimum and amalgamated with existing signage. An advertisement or sign should complement existing architecture and the local context. Cumulative impact in relation to other signage in the vicinity will also be an important consideration.

Particular regard should be had to any impact of proposals on conservation areas and the historic environment. Proposals that obscure features of architectural or historical interest, or are uncharacteristic of a building's design, will not be permitted.

Some types of advertisement are exempted from detailed control. Other specific categories do not require express consent from the Local Planning Authority, and instead qualify for 'deemed consent' provided they conform to stated conditions and limitations for each category. Further information on advertisement control can be found in the NPPG<sup>113</sup>.

#### Evidence used to inform this section

- Policy rolled forward from Development Management DPD.
- Amendments as a result of officer experience.

#### **Policy MODDM50: Leisure plots and mooring plots**

New leisure plots and mooring plots will not normally be permitted.

The use of existing mooring plots will be restricted to the mooring of boats and uses incidental to that activity. Mooring plots will be kept generally free of buildings and above ground structures. Provision of unobtrusive moorings, steps, ramps, renewable energy generating equipment to provide energy for electric hook up points and small scale storage lockers, for use incidental to the enjoyment of the moorings, may be appropriate in some locations where they would be consistent with the objectives of protecting and conserving the Broads landscape character and ecology, and with other policies of the Development Plan.

For existing leisure and mooring plots, permission will not normally be granted for the erection of buildings, enclosures or structures, and the permanent or seasonal occupation of the land, vehicles, boats, etc., or the stationing of caravans, will not be permitted. The provision and maintenance of additional landscaping will

<sup>113</sup> NPPG: [planningguidance.communities.gov.uk/blog/guidance/advertisements/](https://planningguidance.communities.gov.uk/blog/guidance/advertisements/)

be encouraged, having regard to the existing character of the area and limiting wind shadow on the river in the interests of sailing.

#### Reasoned Justification

Leisure plots often result in the creation of a suburban appearance, with associated domestic paraphernalia that detracts from the landscape character of the Broads and the visual quality of the waterscape. Consequently, the creation of new leisure and mooring plots will not normally be supported by the Authority. There may be occasions when this type of development could only be permitted where the degree of change would not have an adverse effect on the existing landscape character and visual appearance of the area.

The erection of structures on existing leisure plots, such as sheds, summerhouses, caravans and fences to demarcate the plots, has the potential to not only detract from the character and appearance of sensitive parts of the Broads' landscape but also damage areas of wildlife importance. For this reason, the Authority will control development on existing plots to make sure development only takes place where it is incidental to the mooring of boats and is consistent with the other policies in the Plan.

For the purpose of this policy, the term 'leisure plot' describes a plot resulting from the sub-division of land and its use for leisure purposes, such as quiet enjoyment of the plot and scenery, and informal recreation.

Within the Broads, leisure plots are often established in waterside locations, in which case they are termed 'mooring plots'. A mooring plot is an area of land associated with moorings that may have boundary treatments but has limited other paraphernalia other than that incidental to the enjoyment of the moorings such as small scale storage lockers or modestly sized single room day huts, storage sheds and boat sheds.

#### Evidence used to inform this section

- Policy rolled forward from Development Management DPD.
- Amendments as a result of officer experience.

### **Policy MODDM51 – Retail development in the Broads**

Proposals for retail uses outside of town centres and across the Broads Authority Executive Area will be considered in accordance with:

- i) The sequential test requirements as set out in national policy; and
- ii) The relevant policies and retail hierarchy of the local plan of the district in which the proposal is located, including in particular the relevant adopted floorspace threshold if there is one<sup>114</sup>; and
- iii) The most up to date retail evidence of the District Council within which area the proposal is located; and
- iv) Relevant development plan policies.

Retail development within settlements will only be permitted in line with i to iii above and where:

- a) It is of a scale commensurate with the size of that settlement; and
- b) There would be, either individually or cumulatively, no significant adverse impact on the retail function, viability and vitality of centres (whether in or out of the Broads Authority Executive Area); and
- c) The proposal is in accordance with other policies of the development plan.

<sup>114</sup> If there is not a locally set impact threshold see 2018 NPPF Paragraph 89. 2018 NPPF paragraph 88 may also be of relevance for small scale rural development.

The catchment area used to assess impacts (including which centres within this catchment area which are to be assessed) will be agreed with the Authority on a case by case basis depending on the scale and type of the proposal and its location relative to other centres<sup>115</sup>. The sequential test set out in the NPPF will cover the whole of the identified centre and the entire settlement<sup>116</sup>.

Development outside of settlements will only be supported where it will help to sustain an existing business, including farm diversification schemes (see policy MODDM27) and it meets the requirements of the other policies in the development plan.

#### Reasoned justification

The Broads is primarily a rural area, but a number of the settlements within or near to the Broads Authority Executive Area have retail and town centre uses and typically these tend to be located outside of the Broads part of that settlement. Many of the settlements have developed strong links between one another, based on the need for self-sufficiency. Larger towns outside the Broads Authority Executive Area provide access to higher tier services, such as hospitals and large retail outlets. These cross boundary relationships are recognised, as are neighbouring district strategies. It is important to note that the two identified centres that are within the Broads Authority Executive Area (albeit partly) are Hoveton Town Centre and Oulton Broads District Centre.

It is important the Authority works within the landscape character and environmental limits, and builds upon the existing traditional settlement pattern, but at the same time enables local centres to change and develop and adapt to challenges as this will help those rural communities be sustainable. Development must be of a scale that is commensurate with the size and sympathetic to the role of the settlement and respect its appearance and physical capacity. When assessing a development proposal, spatial variations, such as location, size and level of service provision will be taken into account. Development will not be permitted where it compromises the area's special qualities or its distinctiveness.

There may be occasions when applications are received for Town Centre and/or retail proposals in the Broads Executive Area. It is important to consider retail across a district as a whole and therefore the policy states that the Authority will assess these proposals against national policy requirements (as set out in the NPPF and NPPG) as well as the local policy requirements, including the retail hierarchy of the district within which the proposal is located.

The Local Plan will seek to support and enhance local provision through focusing retail and leisure proposals within town centres, with retail uses focused within the Primary Shopping Areas. The development of additional retail floorspace outside of defined centres (as defined in Local Plans of the Authority's constituent districts) will be restricted where it fails the sequential and impact tests where relevant.

This approach will enable the Authority to assess and appropriately manage proposals for town centre uses across the Broads in relation to the performance of town centres, local communities and rural areas.

There are three policies within this local plan that refer to specific areas of retail and those policies will be used in determining applications for development at those sites:

- MODHOV5 relates to the part of Hoveton Town Centre within the Broads Authority Executive Area;
- MODOUL3 relates to the part of Oulton Broad District Centre within the Broads Authority Executive Area; and
- MODPOT1 relates to Potter Heigham Bridge.

<sup>115</sup> Due to the nature of the Broads Authority Executive Area boundary, in particular its shape and limits on development the Area does not form its own retail catchment, hence the case by case approach.

<sup>116</sup> Settlements in the Broads tend to be partly within the Broads and partly within the Local Planning Authority area of the constituent district.

## 32. Site-Specific policies

### 32.1 Introduction

The Site Specific policies section of the Local Plan allocates land for certain uses. The policies may refer to change of use or may seek to protect certain assets from inappropriate change.

### 32.2 Flood risk and the Site Specific policies

The underlying principle of development and flood risk is summarised in the 2018 NPPF (100 155): *'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere, but where development is necessary, making it safe without increasing flood risk elsewhere'*. A sequential test has been completed on all these allocations<sup>117</sup>. Where development is required to undertake an Exceptions Test as guided by the NPPG, there is further guidance available in the flood risk policy (policy MODDM5) and in the Flood Risk SPD<sup>118</sup>.

The Strategic Flood Risk Assessment (2017) provides best available data to help inform flood risk considerations of the site specific policies. Each policy, in its constraints and features section, reflects the flood risks the SFRA indicates are experienced by these sites. Indeed, the policies maps that accompany the Local Plan display the SFRA flood risk data for the sites. For more information on the SFRA, please see [Appendix C](#).

### 32.3 Environment Agency permit or rules for works near to a main river or flood defence

Under the Environmental Permitting (England and Wales) Regulations 2010, an environmental permit may be required for works in, under, over or within 8m of a main river or flood defence, or within 16m of a tidal main river or flood defence. 'Flood Risk Activities' may require the Environment Agency to issue a bespoke permit, or may be covered by a standard rules permit that includes a set of fixed rules. Activities identified as lower risk may be excluded from the need for a permit, or may need to be registered as an exempt activity and comply with certain rules. [Anyone carrying out these activities without a permit where one is required is breaking the law.](#)

- Further information on Flood Risk Activity permits: [www.gov.uk/guidance/flood-risk-activities-environmental-permits](http://www.gov.uk/guidance/flood-risk-activities-environmental-permits)
- To apply or get further advice, contact the Environment Agency by email: [floodriskactivity@environment-agency.gov.uk](mailto:floodriskactivity@environment-agency.gov.uk) or by telephone: 03708 506 506.

### 32.4 Settlement fringe

Some policies, such as the cemetery and playing field extensions in Acle, could be seen to be contrary to the Settlement Fringe policy MODDM20. However, these are important infrastructure requirements that the Local Plan seeks to address. While a cemetery may urbanise compared to, for example, a field in agricultural use, landscaping and design are important considerations throughout the Local Plan.

### 32.5 ACLE

#### Policy MODACL1: Acle Cemetery extension

#### Policy Map 1

Land to the rear of the existing cemetery is allocated as an extension to the cemetery. This development will be:

<sup>117</sup> Sequential Test: [www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2](http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2)

<sup>118</sup> Flood Risk SPD: [www.broads-authority.gov.uk/data/assets/pdf\\_file/0006/917844/Broads-Flood-Risk-SPD-Final-March-2017.pdf](http://www.broads-authority.gov.uk/data/assets/pdf_file/0006/917844/Broads-Flood-Risk-SPD-Final-March-2017.pdf)

- a) Subject to a prior archaeological assessment;
- b) Subject to a prior groundwater protection risk assessment in accordance with Environment Agency Guidance: Assessing Groundwater Pollution for Cemetery Developments<sup>119</sup> (or successor document or advice);
- c) Integrated into the wider surroundings by a landscaping scheme, including boundary hedge and tree planting; and
- d) Coordinated with any adjacent proposed playing field extension in terms of design and boundary treatment.

A management plan that addresses how the site will be managed to benefit biodiversity is required as part of any application.

Proposals will also be designed to avoid contributions to light pollution.

#### Constraints and features

- Archaeological interest in vicinity (contains and adjacent to cropmarks of enclosures and field systems).
- Outside identified high flood risk areas (zone 1 by Environment Agency mapping and SFRA 2017).
- As a minimum, a basic Tier 1 risk screening assessment is required for all cemetery extensions (as set out in guidance on the Environment Agency website).

#### Reasoned Justification

The existing cemetery at Acle is close to capacity. Acle Parish Council has, over a period of time, actively sought a site to accommodate further burials. Following a search of potential locations around the village, this is its preferred site and is understood to have widespread local support. The location adjacent to the existing cemetery makes practical sense, and the use can be satisfactorily accommodated here, subject to the considerations outlined in the policy. The Parish Council has yet to secure ownership of the site but has indicated its firm intention to do so, and is negotiating with the owner to achieve this.

The area concerned is around 0.8ha (2 acres), gently sloping and currently part of an arable field adjacent to the existing cemetery and bounded on one side by a narrow track/public footpath. The Parish Council's intention is that the immediately adjacent piece of land to the east would be used as an extension to the existing recreation centre playing fields, and this is supported by a complementary policy. Together they would form a reasonable extension to the existing urbanised extent of Acle, forming a new boundary line linking the extremity of the existing playing fields to the east with the approximate limit of housing development to the west.

The site lies wholly in Flood Zone 1 by both Environment Agency (EA) mapping and the Broads Strategic Flood Risk Assessment (SFRA 2017) mapping and there are no flood risk issues constraining the development. However, the EA wishes to ensure that any risk of risk of pollution to groundwater is adequately assessed before any planning permission is granted, and the policy reflects this. The EA is content with the allocation for the proposed use on the basis of the results of preliminary investigations by the Parish Council.

The area is of archaeological interest and this development should be subject to prior assessment of the archaeological value, and arrangements for archaeological recording in the event the development proceeds. A requirement for suitable boundary treatment and planting would help integrate the development into the wider Broads landscape.

<sup>119</sup> This guidance has been withdrawn. The EA will need to be contacted regarding the successor document: [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/290462/scho0404bgl-a-e-e.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/290462/scho0404bgl-a-e-e.pdf)

A management plan will be needed, setting out steps to manage the site so it can benefit biodiversity in the area, in recognition of its location at the edge of an urban area and a protected landscape. The extension to the cemetery also needs to be designed to avoid light pollution.

Please note that this allocation received planning permission in 2014 and again in 2017. The policy is carried forward from the Site Specific Policies Local Plan 2014 as the permission is yet to be built out and there is still an infrastructure deficit.

#### **Policy MODACL2: Acle Playing Field extension**

##### **Policy Map 1**

Land is allocated for an extension to the playing fields at Acle Recreation Centre. This development will be:

- a) Subject to a prior archaeological assessment;
- b) Integrated into the wider surroundings by a landscaping scheme including boundary hedge and tree planting; and
- c) Coordinated with any adjacent proposed cemetery extension in terms of design and boundary treatment.

Any floodlighting shall be designed to minimise light spillage into the wider Broads landscape, and avoid adverse effects on neighbouring residents' amenity.

##### Constraints and features

- Outside identified high flood risk areas (zone 1 by EA mapping and Broads SFRA 2017).
- Archaeological interest in vicinity (contains and adjacent to cropmarks of enclosures and field systems).
- Partially on safeguarded minerals (sand and gravel) resource.

##### Reasoned Justification

The area concerned is a piece of gently sloping land, currently part of an arable field adjacent to the existing playing fields. It is immediately adjacent to the land subject of Policy MODACL1 for a cemetery extension. Together they would form a reasonable extension to the existing urbanised extent of Acle, forming a new boundary line linking the extremity of the existing playing fields to the east with the approximate limit of housing development to the west.

The Recreation Centre is a well-used local resource. The Trust that runs it has identified a need for additional playing field capacity. Extending the existing playing fields makes practical sense, and meets a social need in a location well related to the village and built surroundings. The proposed extension is around 0.44ha (1 acre), and would increase the existing playing fields area, which is largely outside the Broads area, by about 10% (they are currently around 4ha or 10 acres). The location also enables coordination and landscaping with the proposed cemetery extension adjacent. The scheme has the active support of Acle Parish Council. It is also supported in principle by Sport England and Broadland District Council.

The playing fields extension could be satisfactorily integrated into the Broads landscape in this location, and integrated with the proposed cemetery extension adjacent, by means of a landscaping scheme including boundary planting, and the policy provides for this.

The site is partly on a safeguarded mineral (sand and gravel) resource, but Norfolk County Council has no objection to the sports field use, provided that no permanent buildings are erected on the site. The potential need for additional ancillary facilities such as car parking and changing rooms has been considered by the Trust. It plans to provide these within its existing area and does not plan to erect buildings on the area, subject to this policy.

Please note that this allocation received planning permission in 2014 and again in 2017. The policy is carried forward from the Site Specific Policies Local Plan 2014 as the permission is yet to be built out and there is still an infrastructure deficit.

Evidence used to inform this section

- Policy rolled forward from the Sites Specific Local Plan 2014.

**32.6 BECCLES**

**Policy MODBEC1: Former Loaves and Fishes, Beccles**

**Policy map 2 and inset map.**

The Authority supports the retention of the building and the resumption of its use as a public house ~~or other tourist facility~~. The Authority would also support the building being used as follows:

- Employment uses, particularly B1.
- Retail uses (A1, A2, A3) but only where proposals have been subject to the sequential test and any evidence base or Beccles retail policy produced by Waveney District Council.
- Potentially for live/work units whereby residential use is on the upper floors, subject to the policies in this Local Plan on flood risk.

The Authority would not support conversion of the lower floor to residential on flood risk grounds.

Proposals will need to address each of these criteria:

- Careful consideration will be given to the design, scale and layout of any proposals and potential additional impacts on nearby land uses;
- Proposals must enhance the appearance and character of the area including the public realm;
- The site is at risk of flooding and the type, siting and layout of development will need to take account of this in conformity with national policy; and
- Appropriate measures to manage any risk of water pollution arising from development are required to be put in place.

Constraints and features

- Within flood risk zone 3 (EA mapping) and ~~indicative~~ modelled 3b (Waveney SFRA 2018) (SFRA-2017).
- Within the Beccles Conservation Area.
- There is a dyke that leads up to the west end of the site.
- Next to the popular quay where boats are moored.
- Residential development surrounds the site.
- Interesting features of a courtyard and balcony.
- Limited availability for on street parking.
- High potential for encountering archaeological remains.

Reasoned Justification

This Local Plan seeks to address some disused/underused or derelict sites around the Broads Authority Executive Area. Such sites can have a negative impact on the landscape, townscape or waterscape and if brought into an appropriate use can be an important asset to the area. The Authority would support appropriate proposals to bring this pub back into use.

Evidence used to inform this policy

- Local knowledge and site visits. The building has been redundant for a number of years and a policy could help bring it back into use.

**Policy MODBEC2: Beccles residential moorings (H. E. Hipperson's Boatyard)**

**Policy map 2 and inset map.**

~~Policy MODDM36 (New Residential Moorings) will apply as the boatyard will be treated as if it were adjacent to a development boundary.~~ Proposals for up to a maximum of five residential moorings will be supported in the area marked on the policies map subject to it being satisfactorily demonstrated that the proposal would not compromise existing business on the site and meet the criteria in the Broads Local Plan policies on General Employment and Boatyards. Proposals must ensure no adverse effects on water quality and the conservation objectives and qualifying features of the nearby SSSI (site is within SSSI Impact Zone).

Development should preserve or where opportunities arise enhance the character or appearance of the Conservation Area and its setting. Conditions will be used to restrict the number, scale and size of boats using the residential moorings.

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.

A management plan for the site and a register of those who live on boats will be required and will be covered by a planning condition imposed on any planning permission granted.

Conditions will be used to restrict the number, scale and size of boats using the residential moorings.

Constraints and features

- In a SSSI Impact Zone.
- Flood Zone 3 (EA Mapping) and indicative 3b (SFRA 2017).
- Beccles Conservation Area is across the river.

Reasoned Justification

The Authority would support around five of the moorings at the H.E. Hipperson's Boatyard being converted to residential moorings. The benefits of a regular income, as well as passive security that residential moorings can bring, are acknowledged. However, in accordance with other Local Plan policies, the conversion of an entire business to residential moorings would not be supported. The H.E. Hipperson's Boatyard has good access by foot to everyday services and facilities in Beccles (such as a supermarket, pharmacy, school and post office). Bus stops to wider destinations are also within walking distance from these areas. Proposals must also take into consideration the SSSI and Conservation Area near to this boatyard. It is anticipated that the moorings will be place ~~within a few years of adoption of the Local Plan~~ after 2025, possibly by the end of 2020~~30~~.

Proposals will also need to show that there are adequate facilities for water supply, electricity and pump out.

Evidence used to inform this policy

- Residential moorings topic paper  
<http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base>

**32.7 BRUNDALL RIVERSIDE**

**Policy MODBRU1: Riverside chalets and mooring plots**

**Policy Map 3**

The area of riverside chalet and mooring plots will be managed to retain its contribution to the enjoyment and economy of the Broads, and to the river scene.

Further development will be limited by the area's vulnerability to flooding and the retention of its semi-rural and holiday character.

Permission will not be granted for:

- a) New permanent residential dwellings;
- b) New holiday homes;
- c) The use as permanent dwellings of buildings restricted to holiday or day use;
- d) The use for holiday or permanent occupation of buildings constructed as day huts, boatsheds or temporary buildings; or
- e) The stationing of caravans.

Extensions to existing buildings, and replacement buildings, will be permitted provided that:

- f) The building and use proposed comply with policies for development in areas of flood risk;
- g) The design, scale, materials and landscaping of the development:
  - i) Contributes positively to the semi-rural and holiday character of the area;
  - ii) Pays appropriate regard to the amenity of nearby occupiers;
  - iii) Ensures that the extent of hard surfacing does not dominate the plot and where provided is permeable; and
  - iv) Provides additional landscape planting where practicable and having regard to navigation interests;
- h) Care is to be taken to avoid over-development of plots, and in particular:
  - i) A significant proportion of the plot area (excluding mooring areas) should remain un-built;
  - ii) Buildings should not occupy the whole width of plots;
  - iii) Buildings should be kept well back from the river frontage; and
  - iv) Buildings should be of single storey of modest height. This may limit room heights where floor levels need to be raised to meet flood risk mitigation requirements.

Applications to vary existing occupancy conditions that allow less than 12 months holiday use to allow 12 months holiday use will be permitted as long as the building remains in holiday use only and is not used as the sole or main residence.

#### Constraints and features

- Whole area at serious risk of flooding (zones 2 & 3 by EA mapping, zone indicative 3b by SFRA 2017 mapping).
- Road access is via a railway level crossing, limited in width and alignment, and at risk of flooding.
- Area is just across river from Site of Special Scientific Interest (SSSI).
- Article 4 Direction (1954) removes all Permitted Development Rights.

#### Reasoned justification

The chalets make an important contribution to the enjoyment of the Broads and to the local economy. However, the management of incremental development of the Riverside Estate area, including that covered by this policy, has been contentious and problematic since at least the 1950s.

Further development of the area is largely constrained by national flood risk policies, together with landscape and visual amenity considerations. The policy continues to support adaptation and updating of the existing chalets and retain its best features, while avoiding increases in flood risk.

Proposals will need to meet the requirements of policy MODDM22, as the Brundall riverside area generally has good dark skies.

The Environment Agency supports the intention to keep buildings back from the river frontage. While 'well back' is difficult to define and depends on particular local circumstances, in general setting the building back by a third of a plot could be appropriate. Being hard up or too close to the water's edge could enclose the river and be overbearing. Setting of buildings with an undeveloped area in front will also allow architectural interest of buildings to be appreciated.

**Policy MODBRU2: Riverside Estate Boatyards, etc., including land adjacent to railway line**  
**Policy Map 3**

In this area, the development and retention of the boatyards and related uses will be supported and Broads Local Plan policies on general employment and boatyards in the economy section will apply.

Full regard will be given to the limitations of the road access, avoidance of potential water pollution, and the risk of flooding to the site.

Retention of existing, and provision of new or replacement landscape planting, including trees and nectar-mixes, will be encouraged. The type and location of planting should have regard to limiting wind shadow on the river in the interests of sailing.

~~Policy PUBDM36 on new residential moorings will apply as the area will be treated as if it were adjacent to a development boundary. Proposals for residential moorings will be permitted in this area if they are at a scale which would not compromise existing business on the site and would meet the criteria in Broads Local Plan policies on general employment and boatyards.~~

Constraints and features

- Whole area at serious risk of flooding (zones 2 & 3 by EA mapping and zone 2 and indicative 3b by SFRA 2017 mapping).
- Road access is constrained, especially to the south-eastern portion of the area.
- Area is close to SSSI, SAC, SPA, Ramsar site.
- Article 4 Direction (southern portion only) (1954) – removes all PD Rights.

Reasoned Justification

The boatyards and associated developments contribute to navigation and to the character, enjoyment and traditional skills of the Broads. The policy seeks to encourage the retention and adaptation of the existing uses, providing scope for new development including diversification. This will help secure these important uses, while balancing these objectives with the flood risk and infrastructural limitations of the area.

The Environment Agency confirms that boatyard uses are compatible with the flood risk to the site. A small part of the area is outside the higher flood risk zones and potentially less constrained, and the application of national flood risk policy would steer any vulnerable uses to this part of the site. However, any development that relied on this lower risk for acceptability would need to be supported by a site flood risk appraisal, and take into account the higher flood risk to the surroundings (see section on Dry Islands of the Flood Risk policies), including the road access. The Environment Agency also highlights the need to address the risks of water pollution for waterside sites in industrial/boatyard use.

A measure of appropriate planting within the constraints of the business use of the site will help soften the visual impact of the buildings and boats on the local landscape, and strengthen the biodiversity of the Broads, within the constraints of the business use of the site.

~~The Authority would support perhaps one or two of the moorings at a boatyard being converted to residential moorings. The benefits of a regular income, as well as passive security that residential moorings can bring, are acknowledged. However, in accordance with policy PUBDM36, conversion of an entire~~

~~business-to-residential moorings would not be supported. These sites have good access by foot to every day services and facilities in Brundall (such as a supermarket, pharmacy, school and post office). Bus stops and railway stations to wider destinations are also within walking distance from these areas.~~ Norfolk County Council as Highways Authority has indicated that because of the access constraints (the road and level crossing) they would not support residential moorings at this site.

Proposals will need to meet the requirements of policy MODDM22 as the Brundall Riverside area generally has good dark skies.

### **Policy MODBRU3: Mooring Plots**

#### **Policy Map 3**

The continued use of this area for mooring of boats and uses incidental to that activity will be supported, and the generally open character of the area retained.

The defined area will be kept generally free of buildings and above ground structures. Provision of unobtrusive moorings, steps, ramps and small scale storage lockers, for use incidental to the enjoyment of the moorings, will be permitted.

The provision and maintenance of additional shrub or tree planting will be encouraged, having regard to limiting wind shadow on the river in the interests of sailing.

The permanent or seasonal occupation of the land with vehicles, boats, etc., or the stationing of caravans, will not be permitted.

#### Constraints and features

- The area is at serious risk of flooding (zone 3 by EA mapping; wholly in zone indicative 3b by SFRA 2017 mapping).
- Road access is constrained.
- Area is close to SSSI, SAC, SPA, Ramsar site.
- Article 4 direction covers Part 4 temporary buildings and uses and Part 5 Class C use of land by members of certain recreational organisations.

#### Reasoned Justification

The management of incremental development of the Riverside Estate area, including that covered by this policy, has been an issue since at least the 1950s. This part of the riverside area remains largely open and free of buildings and structures. The policy seeks to retain this openness and balance with the more developed parts of the riverside, and the contribution this makes to the character of the wider area, while continuing the mooring uses that support the local economy and the enjoyment and navigation of the Broads.

Use of the area for moorings, and the presumption against permanent or seasonal occupation and the stationing of caravans, is supported by the Environment Agency on flood risk grounds.

Applicants are directed to the Authority's adopted Mooring Design Guidance<sup>120</sup>.

### **Policy MODBRU4: Brundall Marina**

#### **Policy Map 3**

In this area:

- i) The development and retention of marina, boatyard and related uses will be supported;

<sup>120</sup> Mooring Design Guide: [www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0005/703940/Mooring-design-guide.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0005/703940/Mooring-design-guide.pdf)

- ii) Broads Local Plan policies on general employment and boatyards in the economy section will apply; and,
- ~~iii) Policy PUBDM36 (New residential moorings) will apply, as the marina will be treated as if it were adjacent to a development boundary.~~

To retain the openness of the southern majority of the area (where vessels are moored), the development of buildings and large structures will be generally restricted to the northern portion of the site (where existing buildings are located), except where a specific locational need is demonstrated and the scale and design of the proposal are compatible with this objective.

In assessing development proposals full regard will be given to:

- a) The flood risk;
- b) The limitations of the road access;
- c) Management of risks of water pollution;
- d) Increasing the amount of trees and other planting on the site (with due regard to avoiding creating wind obstruction near the riverside which might affect the sailing on the river); and
- e) Providing permeable surfaces and controlled drainage.

#### Constraints and features

- The area is at serious risk of flooding (zones 1, 2 & 3 by EA mapping; almost wholly in zone indicative 3b by SFRA 2017 mapping).
- Road access is limited.
- Area is close to SSSI, SAC, SPA, Ramsar site.
- Potential archaeological interest.
- An Article 4 Direction removes all PD Rights in the area.

#### Reasoned Justification

The marina is an important resource for enjoyment and navigation of the Broads, and contributes to the local economy and the retention of marine skills in the area. The policy seeks to encourage its retention and future development, while protecting and enhancing the best qualities of the area, within the constraints of the flood risk to the area.

The Environment Agency confirms that the uses supported by the policy accord with national flood risk policy. The EA also highlights the need to address the risks of water pollution for waterside sites in industrial/boatyard use.

~~Policy PUBDM36 provides potential for residential moorings in certain circumstances in locations adjacent to development boundaries. Given the scale of the marina, and its close proximity to the public transport connections and extensive facilities of Brundall, it is considered that this marina should be specifically included within those provisions, even though there is no development boundary immediately adjacent.~~ [Norfolk County Council as Highways Authority has indicated that because of the access constraints \(the road and level crossing\) they would not support residential moorings at this site.](#)

Proposals will need to meet the requirements of policy MODDM22 as the Brundall Riverside area generally has good dark skies.

#### **Policy MODBRU5: Land east of the Yare Public House**

##### **Policy Map 3**

This land will be kept generally free of built development to help conserve its trees and contribution to the visual amenity and biodiversity of the area, provide a wildlife corridor between the Natura 2000 site to the east and the river to the west, and reflect flood risk to the area and retain flood capacity.

#### Constraints and features

- Flood risk (site includes zones 1, 2, & indicative 3b by SFRA 2017 mapping; and zones 1, 2, & 3 by EA mapping).
- Adjacent SAC, SPA, SSSI, Ramsar site.
- Archaeological interest (brick kiln).
- Tree Preservation Order.

#### Reasoned Justification

This policy continues the long-term protection of this valuable semi-natural green area, providing a backdrop to the Riverside area, separation from the housing and other development to the north of the railway line, and a link with the marshland to the east, which has multiple national and international environmental designations.

The avoidance of built development of the area is supported by the Environment Agency on the grounds of flood risk.

#### **Policy MODBRU6: Brundall Gardens**

##### **Policy Map 3a**

~~Policy MODDM36 (New residential moorings) will apply as the marina will be treated as if it were adjacent to a development boundary.~~ Proposals for up to a maximum of five residential moorings will be supported in the area marked on the policies map, subject to it being satisfactorily demonstrated that the proposals would not compromise existing business on the site and that they meet the criteria in the Broads Local Plan policies on general employment and boatyards. Proposals must ensure no adverse effects on water quality and the conservation objectives and qualifying features of the nearby SPA, SAC and SSSI.

Conditions will be used to restrict the number, scale and size of boats using the residential moorings.

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.

A management plan for the site and a register of those who live on boats will be required and will be covered by a planning condition imposed on any planning permission granted.

#### Constraints and features

- Area is just across river from Site of Special Scientific Interest. Yare Broads and Marshes SSSI is a component SSSI of Broadland SPA and Ramsar site and The Broads SAC
- Brundall Gardens Railway Station next to Marinas.
- Area in flood zone 3 (EA) and indicative 3b (SFRA 2017).

#### Reasoned Justification

The Authority would support ~~perhaps one or two~~ up to five of the moorings at ~~the~~ boatyard being converted to residential moorings. The benefits of a regular income as well as passive security which residential moorings can bring are acknowledged. However, in accordance with Broads Local Plan Policies on general Employment and boatyards in the economy section, conversion of an entire business to residential moorings would not be supported. It is anticipated that the moorings will be place ~~within a few years of adoption of the Local Plan~~ towards the end of the plan period, perhaps ~~by the end of 2020~~ around 2030.

These sites have good access by foot to everyday services and facilities provided in Brundall (such as a supermarket, pharmacy, school and post office). Bus stops and railway stations to wider destinations are also within walking distance from these areas.

Proposals will also need to show that there are adequate facilities for water supply, electricity and pump out for example.

#### Evidence used to inform this section

- Policy rolled forward from Site Specific Policies Local Plan and to reflect the Dark Skies study 2016.

### **32.8 CANTLEY**

#### **Policy MODCAN1: Cantley Sugar Factory**

##### **Policy Map 4**

This site is defined as an employment site for the purposes of Broads Local Plan Policies on general employment (MODDM26).

Development on this site which secures and enhances the sugar works' contribution to the economy of the Broads and wider area will be supported where this also:

- Protects or enhances wildlife and habitats (including the nearby Ramsar site, SPA and SAC);
- Protects or enhances the amenity of nearby residents;
- Avoids severe residual impacts on highway capacity or safety;
- d) Improves the appearance of the works, particularly in views from the river and other receptors in the locality, through design, materials and landscaping [and have regard to the setting of the nearby designated heritage assets](#).
- Reduces light pollution;
- Uses the disposition, bulk and location of buildings and structures to avoid extending the built-up part of the site into the open areas around or more prominent in the skyline;
- Can be demonstrated to be in conformity with national policy on flood risk; and
- Appropriately manages any risk of water pollution.

Renewed use of the railway or river for freight associated with the plant would be particularly encouraged, as would measures reducing carbon dioxide emissions.

Employment uses other than that associated with the sugar works will be supported only where they do not prejudice the future of that use (and associated waste operations) and also meet the above criteria.

#### Constraints and features

- Flood risk (zones 1, 2 & 3 by EA 2012 mapping; zones 1, 2 & indicative 3b by SFRA 2017 mapping).
- Site is close to SPA, SAC, SSSI and Ramsar designated areas.
- Public footpaths cross the site.
- The policy area is within the consultation zone of a waste operation associated with the sugar works.
- 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.
- [The discovery of artefacts and the sites of two drainage mills within the area of the sugar factory, plus the recovery of Iron Age to medieval objects in the wider area, suggests some areas of the sugar factory have potential to contain undisturbed archaeological remains.](#)

#### Reasoned Justification

The Cantley sugar works is a major contributor to the local economy, and supports jobs and agriculture (beet production) over a wide area. Around 120 people are employed on the site, but many more are employed seasonally and in the sugar beet supply chain.

The works are, though, a major emitter of carbon dioxide within the Broads, and the heavy road freight associated with the works has negative impacts on local residents' amenity, and on highway safety and capacity.

The policy continues the long-standing approach of supporting the continuation and upgrading of the works, while encouraging this to happen in a way that minimises adverse impacts and makes the most of opportunities for improving the local environment and amenities. Planning permission exists to develop the works to enable the processing of imported cane sugar, but this has yet to be implemented.

The potential for recommencing use of the river and or railway to transport freight to and from the site was explored in the Cantley Transport Feasibility Study. Although there is no immediate prospect of this being achieved, it remains an aspiration should circumstances permit.

The Habitats Regulations Assessment identified that any development on the site should be subject to site-level screening at the planning application stage. This is ensured by the Habitats Regulations and Local Plan policy MODDM13.

The risk of water pollution needs to be mitigated where new development is undertaken, and on an ongoing basis to ensure the water environment is protected.

Parts of the site are vulnerable to flood risk (and have experienced flooding), but the precise extent of different levels of risk in the immediate area could not be ascertained by the Broads' SFRA. A site flood risk assessment will be needed to demonstrate the level of the risk associated with any future proposed development. The Environment Agency highlights the need to address the risks of water pollution for waterside sites in industrial use.

The Authority acknowledges the work undertaken to reduce light pollution, which gained an award in 2010 for sky friendly night time exterior lighting and restricting light above the horizontal. The requirement to address light pollution remains in the policy to reflect the good dark skies in the area, particularly when further away from the works. The Authority would like to see further reduction in light pollution to improve the dark skies of the area as a whole.

#### Evidence used to inform this section

- Policy rolled forward from Site Specific Policies Local Plan.

### **32.9 CHEDGRAVE**

#### **Policy MODCHE1: Greenway Marine residential moorings**

##### **Policy Map 5**

~~Policy MODDM36 (New residential moorings) will apply as the boatyard will be treated as if it were adjacent to a development boundary.~~ Proposals for residential moorings of up to a maximum of five will be allowed in this area if they are not at a scale which would compromise existing business on the site, as well as meeting the criteria in Broads' policies on general employment and boatyards.

Proposals must ensure no adverse effects on water quality and the conservation objectives and qualifying features of the nearby SSSI.

The residential boats moored here must not encroach further into the river.

A satisfactory solution will be required to address the Highways Authority concerns regarding visibility at the junction of the access road to Greenway Marine (and other properties) with Bridge Street.

A management plan for the site and a register of those who live on boats will be required and will be covered by a planning condition imposed on any planning permission granted.

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.

Conditions will be used to restrict the number, scale and size of boats using the residential moorings.

#### Constraints and features

- In the vicinity of Hardley Flood SSSI part of the Broadland SPA.
- Flood Zone 3 (EA Mapping) and indicative 3b (SFRA 2017).
- Loddon and Chedgrave Conservation Area is across the river.
- Generally the approach to the boatyards in this area is quite busy with occupied moorings.
- Electricity, water and pump out facilities available on site although uses a septic tank.
- Many services and facilities walking distance from site.
- Visibility concerns at junction with Bridge Street.

#### Reasoned Justification

Whilst the entire length of moorings at Greenway Marine is allocated, the Authority would support up to five of the moorings at the Greenway Marine Boatyard being converted to residential moorings in line with policy MODDM37. The benefits of a regular income as well as passive security that residential moorings can bring are acknowledged. However, in accordance with other Local Plan policies, the conversion of an entire business to residential moorings would not be supported. It is anticipated that the moorings will be place within a few years of adoption of the Local Plan perhaps by the end of 2020.

To make sure the residential boats moored here do not impact navigation and as the moorings are stern on, there could be a length restriction on boats here as part of any application.

The Greenway Marine Boatyard has good access by foot to everyday services and facilities provided in Loddon and Chedgrave (such as a supermarket, pharmacy, school and post office). Bus stops to wider destinations are also within walking distance from these areas. Proposals must also take into consideration the SSSI and Conservation Area near to this Boatyard.

The quay heading used to moor and access boats may be in need of improvements and any application should address this.

The Authority is aware of plans to improve the toilet and include a shower available to residential moorings users. We would expect this to be completed prior to any occupation of the moorings for residential purposes. It is also noted that the site uses a septic tank and policy MODDM2 may be of relevance.

The Highways Authority has raised concerns regarding the visibility available to vehicles exiting the track from Greenway Marine (and the other properties along this track) at the junction to Bridge Street, and this will need to satisfactorily be addressed.

The policy requires a management plan for the site as well as a register of those boats being lived on within the marina. These will be required through conditions on planning application(s). The management plan will help ensure the site as a whole is appropriately managed. This would normally cover things like noise, waste, deliveries times etc. and would have contact details of who to contact if the management requirements of the site are not adhered to. A breach of this management plan would then be a breach of condition and could be enforced. The register of who lives on which boat will be maintained at all times.

#### Evidence used to inform this section

- Residential moorings topic paper  
<http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base>

### **32.10 DILHAM**

#### **Policy MODDIL 1: Dilham Marina (Tyler's Cut Moorings)**

##### **Policy Map 6**

The continued use of this area for mooring of boats and uses incidental to that activity will be supported, and the semi-natural quality of the area retained.

The defined area will be kept generally free of buildings and above ground structures. Provision of unobtrusive moorings, steps, ramps and small scale storage lockers, for use incidental to the enjoyment of the moorings, will be permitted.

A predominantly green and semi-natural appearance of the area will be retained. The management and renewal of trees and other planting will be supported in a way which gives due regard to navigation and facilitates security and the enjoyment of the moorings, while also supporting wildlife and enhancing the landscape and visual amenity of the area.

The permanent or seasonal occupation of the land, vehicles, boats, etc., or the long-term stationing of caravans, will not be permitted.

#### Constraints and features

- Flood risk (site partly in zone 2, and indicative 3b by SFRA 2017 mapping).
- The area is close upstream from SSSI, SAC, SPA, and Ramsar site.

#### Reasoned Justification

This policy is intended to retain the existing positive qualities and facilities of the area, and harmonise its policy treatment with similar mooring areas across the Broads. While it provides valuable mooring facilities, there is a perceived need to control ancillary development, and this is best achieved by applying a similar policy to those for other mooring areas in the Broads, but with specific reference to the importance of the semi-natural quality of this area.

The site is at risk of flooding, but the Environment Agency supports both the current use and restriction on permanent and seasonal occupation.

Applicants are directed to the Authority's adopted Mooring Design Guidance<sup>121</sup>.

#### Evidence used to inform this section

- Policy rolled forward from Site Specific Policies Local Plan and improved to reflect officer experience.

<sup>121</sup> Mooring Design Guide: [www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0005/703940/Mooring-design-guide.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0005/703940/Mooring-design-guide.pdf)

### 32.11 DITCHINGHAM DAM

#### **Policy MODDIT1: Maltings Meadow Sports Ground, Ditchingham**

##### **Policy Map 7**

The continued use of the area for sports facilities will be supported.

Any proposal to improve existing and provide new facilities will be supported if:

- i) It retains the general character of openness of the area;
- ii) It avoids unacceptable impacts on neighbouring occupiers;
- iii) Particular care is taken to consider the landscape impacts of fencing, lighting columns and other structures;
- iv) It is of a high standard of design, materials and landscaping;
- v) Steps are taken to reduce light pollution where possible;
- vi) New lighting installations do not contribute to light pollution;
- vii) It manages flood risk on the site and does not increase flood risk elsewhere; and
- viii) Any demand for additional car parking is addressed.

Any development permitted here would be subject to a condition requiring the production and implementation of a robust travel plan for the entire site.

Any 'assembly and leisure' uses which are otherwise acceptable under this policy will be restricted to those parts of the site demonstrated to have a lower than 1-in-20 year return flood risk.

The site lies on a safeguarded mineral resource (sand and gravel) and any development proposals will need to address this (see Norfolk County Council's Core Strategy Policy CS16 - Safeguarding mineral and waste sites and mineral resources).

##### Constraints and features

- Risk of flooding (almost wholly zone 3 by EA mapping; zones 1, 2, 3a & [modelled](#) 3b by SFRA 2017 mapping).
- Minerals (sand and gravel) safeguarding area.
- Contains cropmarks of enclosures and a field system. Prehistoric, Roman, medieval and post objects have been recovered from or immediately adjacent to the site. A Roman settlement is known to have existed less than 500m away to the southwest.

##### Reasoned Justification

The site provides valuable sports and recreation facilities for a wider area. The policy is intended to support the continuation of this, while ensuring the interests of the landscape, neighbour amenity and flood risk are appropriately addressed.

This policy is intended to provide clarity and consistency in the approach to future development of the area, and in particular to stress the importance of the landscape sensitivity of this area of floodplain and grazing marshes, and potential impacts on neighbours' amenity.

The Authority is aware of the management committee's aspirations to improve the layout of the venue and provide further sport and recreation facilities, both indoors and outdoors. This policy generally supports appropriate improvements to the facility that would benefit the health and wellbeing of the community, as well as appropriate amendments to enable greater and improved social use of the site.

On the issue of transport and access to the venue, the requirement of the policy for a robust, deliverable travel plan will assist the venue to accommodate demand for parking, especially at peak times. The aim is to

seek modal shift away from single occupancy car use, reducing the demand for car parking spaces. The travel plan needs to address the use of the entire site.

The Bungay and Ditchingham area is one of the darkest areas of the Broads. As part of any proposals, there may be opportunities to address current external lighting. New lighting proposals should be line with Policy MODDM22 on light pollution.

Restrictions on the location of any 'assembly and leisure' uses are made on the advice of the Environment Agency and in furtherance of national policy on flood risk. This recognises that these uses are not appropriate in those parts of the site at a higher degree of risk where outdoor sports and recreation, and essential facilities such as changing rooms, may be located.

#### Evidence used to inform this policy

- Policy rolled forward from Site Specific Policies Local Plan 2014. Changes suggested as a result of meeting the management of the site as well as to reflect the Dark Skies study 2016.

### **Policy MODDIT2: Ditchingham Maltings Open Space, Habitat Area and Alma Beck**

#### **Policy map 7**

The areas defined on the policies maps (including Alma Beck) shall be protected as open space and habitat area.

The area allocated as open space will be kept open because of its contribution to amenity, townscape and recreation, as well as providing an important pedestrian link from Ditchingham Dam through the site to the crossing of the A143 into Ditchingham.

The habitat area will be conserved and enhanced for its contribution to the landscape, its wildlife and its openness.

#### Constraints and features

- New development nearby (Ditchingham Maltings).
- Path runs through open space.
- Alma Beck is an IDB drain.
- Habitat area and open space on site.
- Beck and surrounding area classed as mostly 2 and some 3a and modelled 3b flood zones – SFRA 2017.

#### Reasoned justification

The habitat and open space areas were provided as part of the Ditchingham Maltings major development, completed in 2016. Both areas contribute to the character of the area, with the open space providing informal recreation space for residents and visitors. The open space is also an important pedestrian link through the site, linking Ditchingham Dam to Ditchingham and its services and facilities.

The habitat area benefits wildlife on the site by retaining, enhancing and creating habitats and maintaining favourable conservation status of bat species. Much of this habitat area falls outside of the Broads Authority Executive Area, and South Norfolk District Council has been contacted about allocating the remaining habitat areas in their future Local Plan.

Alma Beck forms part of the open space and habitat area allocation because of its contribution to the amenity, recreation and biodiversity value of the area. It is an Internal Drainage Board drain, maintained for its drainage function and enhanced for its importance to wildlife.

#### Evidence used to inform this policy

- The Ditchingham Maltings planning application.

### 32.12 **FLEGGBURGH**

#### **Policy MODFLE1: Broadland Sports Club**

##### **Policy map 8**

The continued use of the area for sports facilities will be supported.

Any proposal to improve and provide new facilities will be supported if:

- It is of high standards of design, materials and landscaping;
- Steps are taken to reduce light pollution where possible;
- New lighting installations do not contribute to light pollution;
- It manage flood risk on the site and do not increase flood risk elsewhere;
- It avoids adversely impacting designated nature sites; and
- Any demand for additional car parking is addressed.

Any development permitted here would be subject to a condition requiring the production and implementation of a robust travel plan for the entire site.

##### Constraints and features

- Part in flood zone 2 and 3 (EA mapping), 2 and indicative 3b (SFRA 2017)
- Adjacent to the Trinity Broads SSSI and the Broads SAC
- Contains cropmarks of a ditch and bank.

##### Reasoned Justification

The Authority supports the continued use of the Sports Club to reflect the benefits it provides to health and wellbeing of the community. The Authority is aware of Club's aspirations to improve the venue and raise the standard of its facilities to be a regionally important area for racquet sports, and to improve the swimming pool provision and storage to expand the exercise offer.

The venue is subject to some constraints such as flood risk and proximity to a Site of Special Scientific Interest. Broadland Sports Club is also fairly remote from significant areas of population and attracts people from as far away as Winterton on Sea. These will be important considerations for future proposals.

On the issue of transport and access to the venue, the requirement of the policy for a robust, deliverable travel plan will assist the venue in accommodating demand for parking, especially at peak times. The aim is to shift away from single occupancy car use, reducing the demand for car parking spaces. Such a travel plan needs to address the usage of the entire site.

The Trinity Broads area is one of the darkest areas of the Broads. As part of any proposals there may be opportunities to address current external lighting. New lighting proposals should be line with Policy MODDM22 on light pollution.

##### Evidence used to inform this section

- Policy reflects meeting the management of the site and reflects the Dark Skies study 2016 and other constraints nearby (using GIS mapping).

### 32.13 **GREAT YARMOUTH**

#### **Policy MODGTY1: Marina Quays (Port of Yarmouth Marina)**

##### **PolicyMap 9**

The reuse and enhancement of existing facilities at Marina Quays for river and other leisure users, or appropriate redevelopment, will be encouraged where this is compatible with the flood risk to the site.

Careful consideration will be given to the design, scale and layout of any redevelopment, its potential additional impacts on nearby residents [and setting of the Halvergate Marshes Conservation Area](#), and its role as a landscape buffer between the Bure Park and more urban areas.

Any boatyard/marina uses will need to address risks to the natural environment, including disturbance and water pollution in relation to designated sites.

[An archaeological assessment may be required as part of any application.](#)

#### Constraints and features

- River frontage with riverside footpath passing through.
- Current access to the mooring frontage does not meet modern Health and Safety requirements.
- Adjacent to Bure Park.
- Petrol station and main road (Caister Road) adjacent.
- Flood risk zone 3 by EA mapping and part 2 and indicative 3b by SFRA 2017 mapping.
- Some areas of the river are not the required depth for safe mooring and dredging is likely to be required. Dredging immediately in front of the Quay heading would be the responsibility of the landowner or operator. Discussions with the Broads Authority, in order to obtain a works licence, would be required.
- River in this area is tidal and water flow can be quite fast.
- Halvergate Marshes Conservation Area over the river.
- Adjacent to the extended Outer Thames Estuary pSPA.
- Close to a number of World War Two sites, including the site of an anti-aircraft battery. Potential for archaeological remains associated with these sites and the use of the adjacent River Bure.

#### Reasoned Justification

The marina, public house and public toilets on this site are closed and boarded up. While their reuse and upgrading would be welcome, it is uncertain whether this will be achieved. The policy wording reflects this situation, and also supports alternative redevelopments which will bring the area back into use, while addressing the need to ensure appropriate regard is given to neighbouring uses and occupiers. Any such development would be subject to the Natural Environment policy MODDM13 and required to demonstrate no likely adverse impact on the integrity of Natura 2000 sites, including Breydon Water.

The Environment Agency advises that more recent evidence indicates the flood risk to the area is greater than that suggested by the Broads Strategic Flood Assessment. While this may limit the potential for other development, the continued use for boating and for outdoor leisure is likely to be compatible with flood risk policies. The EA also draws attention to this site in relation to the potential for water pollution from boatyard or industrial uses in waterside sites.

#### Evidence used to inform this section

- Policy rolled forward from Site Specific Policies Local Plan

### **32.14 HORNING**

#### Horning – Knackers Wood Water Recycling Centre

Anglian Water and the Environment Agency agree that the Horning Knackers Wood Water Recycling Centre (WRC) does not currently have capacity to accommodate further foul flows. While flows to the Water Recycling Centre remain high, measures to reduce existing flows and prevent additional flows to the catchment need to be taken. Development that could increase the flows to the Water Recycling Centres

therefore needs to be avoided. All opportunities to prevent and reduce clean surface, ground or fluvial water entering the sewage system also need to be taken. See information at MODDM2 and the Joint Position Statement.

#### **Policy MODHOR1: Car Parking**

##### **Policy Map 10**

The continued use of this land for car parking for visitors will be supported. Improved cycle parking provision in a more prominent and useful location will also be supported.

Environmental improvements and landscaping will be encouraged to improve the site's contribution to the character ~~and~~ or appearance of the Conservation Area and to visual amenity, and to address surface water runoff.

##### Constraints and features

- Within Horning Conservation Area.
- Not far (across river) from SSSI.
- Flood risk zones 1, 2 & 3 by EA mapping and small part 2 and 3a by SFRA 2017.
- Knackers Woods Water Recycling Centre
- Surface water concerns (linked to Knackers Wood Water Recycling Centre).

##### Reasoned Justification

Horning is a popular location for its views, boating and boat trips, shops, pubs and more. Most visitors and residents arrive by car, and the car parks in the village are important to its economy and to the value of the area for enjoyment of the Broads. The existing pay and display car/coach park intrudes somewhat into the village scene close to the riverside, but it would be difficult to find a satisfactory alternative of similar capacity, given the layout and sensitivity of the locality.

There is a second important parking area near the staithe. This is also protected in this car parking policy.

Proposals will need to meet the requirements of policy MODDM22 as the Horning area generally has good dark skies.

##### Evidence used to inform this policy

- Policy rolled forward from Site Specific Policies Local Plan and reflects the Dark Skies study 2016.

#### **Policy MODHOR2: Horning Open Space (public and private)**

##### **Policy Map 10**

This area of open space is conserved for its contribution to the character and landscape of Horning, and for the amenity of residents and visitors.

The area marked on the policies map outside the Swan Inn will be retained as private open space for its contributions to the character and appearance of the village.

##### Constraints and features

- Within Horning Conservation Area.
- Just across river from SSSI.
- Flood risk zones 1, 2 & 3 by EA mapping, most 2 and 3a with some modelled 3b by SFRA 2017 mapping.

##### Reasoned Justification

This is a well-used and appreciated open space, contributing to the amenity of residents and visitors, to the setting of nearby historic buildings, and to the wider landscape of the area. Although many other spaces

around Horning contribute in various ways to the appearance and amenities of the area, this is perhaps the most characteristic and important to its sense of place and role as a focus for visitors.

Identifying this as open space is intended to complement the development boundary shown for other parts of Horning, and to clarify that the various types of development, which the Local Plan would normally permit adjacent to or outside a development boundary, would not be acceptable in the defined area of the open space.

At the time of writing, the area marked as ‘private open space’ is a pub garden. As such, this is not public open space as access onto this private land is only for paying customers of the pub. This landscaped open space adds to the character and attractiveness of the staithe, and will be retained in this generally open and attractive state for the benefit of pub users, as well as for its quaint appearance from land and water.

#### Evidence used to inform this policy

- Site Specific Local Plan policy and site visits.

### **Policy MODHOR3: Waterside plots**

#### **Policy Map 10**

The designated area of waterside plots will be protected from over-intensive development and suburbanisation (including from the character of moorings and boundary treatments). The maintenance or upgrading of existing buildings will be encouraged, and their replacement permitted, where this is consistent with the openness and the low key and lightweight forms of building (generally characteristic of the area) and policies on flood risk. Proposals need to improve the existing disposal of surface water and ensure that any additional surface water generated by the development is addressed appropriately.

Development should contribute where feasible to:

- An upgrading of private sewerage systems, and
- An increase in the amount of trees and other planting in the area (with due regard to avoiding wind obstruction near the riverside that might affect sailing on the river).

#### Constraints and features

- Parts close to (across river) SAC, SPA, Ramsar, and SSSI.
- Flood risk (zone 3 by EA mapping and all 2 and 3a with most [modelled](#) 3b by SFRA 2017 mapping).
- Knackers Woods Water Recycling Centre.
- Surface water concerns (linked to Knackers Wood Water Recycling Centre).

#### Reasoned Justification

The policy seeks a balance between updating and redevelopment of the waterside plots, while retaining the best characteristics of the area and discouraging suburbanisation and over-intensive development. The wording of the policy aims to clarify what the Authority is trying to achieve, and focuses on the key qualities to be addressed in any development.

The sailing club is excluded, and is subject to a separate policy (MODHOR4).

Proposals will need to meet the requirements of policy MODDM22 as the Horning area generally has good dark skies.

Applicants are directed to the Authority’s adopted Mooring Design Guidance<sup>122</sup>.

#### Evidence used to inform this policy

<sup>122</sup> Mooring Design Guidance [www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0005/703940/Mooring-design-guide.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0005/703940/Mooring-design-guide.pdf)

- Policy rolled forward from Site Specific Policies Local Plan and to reflect the Dark Skies study 2016.

#### **Policy MODHOR4: Horning Sailing Club**

##### **Policy Map 10**

Continued use of the island for sailing facilities will be supported.

Maintenance and upgrading, or replacement, of existing buildings for this use will be supported where this is consistent with the character of the riverside area and policies on flood risk. Dwellings, business uses and holiday accommodation will not be permitted.

Development proposals in this area will be required to:

- Be of high standards of design;
- Limit the height, bulk and extent of building to retain the general openness of the area in which the club is located;
- Improve the existing disposal of surface water and ensure that any additional surface water generated by the development is addressed appropriately;
- Avoid impacting the amenity of nearby occupiers; and
- Avoid adversely impacting navigation and nature conservation (including designated Natura 2000 sites).

The continued use of the land south of the footbridge (next to HOR2) for car parking associated with the sailing club is supported, but built development here would not be acceptable.

##### Constraints and features

- Lies within Horning Conservation Area.
- Just across river from SSSI, SAC, SPA, and Ramsar Site.
- Flood risk zone 3 by EA mapping and all 2 and 3a with some [modelled](#) 3b by SFRA 2017 mapping.
- Knackers Woods Water Recycling Centre.
- Surface water concerns (linked to Knackers Wood Water Recycling Centre).

##### Reasoned Justification

In reviewing the 1997 Local Plan policy that covered this area, it was considered preferable to treat the sailing club separately from the holiday and residential waterside plots around it. This encourages the continuation of this valuable use in the location, and allows the Policy wording to be better focused on the particular likely redevelopment issues relating to a sailing club and to its immediate surroundings. The land off the island is considered suitable for car parking associated with the sailing club, but built development here would reduce the area's contribution to the openness of the area in general and the adjacent public open space in particular.

The Habitats Regulations Assessment identified the potential for future developments at the club to have adverse effects on the nearby Natura 2000 sites. The Habitats Regulations and Policy MODDM13 require that this potential is assessed and avoided in respect of any future planning application.

Proposals will need to meet the requirements of policy MODDM22 as the Horning area generally has good dark skies.

Of particular importance to this area is the policy on surface water (MODDM6).

##### Evidence used to inform this policy

- Policy rolled forward from Site Specific Policies Local Plan as well as to reflect the Dark Skies study 2016.

### **Policy MODHOR5: Crabbett's Marsh**

#### **Policy Map 10**

This area will be protected for its landscape and nature conservation value. It is also recognised that the access here is a major constraint.

All forms of new build development will be firmly resisted, as will the stationing of vehicles, caravans and boats. In this context, the stationing of boats excludes short-term halts of waterborne craft in the course of navigation.

Acceptable uses are likely to be those which are compatible with its semi-natural and undeveloped state, such as intermittent and very low level private leisure use, and those that enhance or restore the natural character of the area.

#### Constraints and features

- Tree preservation order for this and adjacent area, which also forms an important backdrop to Horning.
- Alder Carr woodland is a Broads Biodiversity Action Plan priority habitat.
- Not far (across river) from SAC, SPA, Ramsar, SSSI.
- Article 4 Direction (1972) removes permitted development rights for gates, fences, walls and enclosures; temporary use of land under '28 day rule'; etc.
- Flood risk - predominantly zone 3 by EA mapping, with small areas of zones 1 & 2 and almost all 2 and 3a with most [modelled](#) 3b by SFRA 2017 mapping.

#### Reasoned Justification

Attempts to control the incremental development of this area go back to at least the early 1970s, and have been complicated by the sale and purchase of individual leisure plots without always sufficient regard to the lawful uses of the land. During that time a limited amount of development has either been granted planning permission or become immune from enforcement action, but more generally the Authority (and its predecessors as local planning authority) has sought to resist built development and engineering works such as the building of roads and the cutting of mooring basins.

The policy seeks to resist the erosion of the area's landscape and nature conservation value, recognising the limitations of the road access, while revising the wording to clarify what the policy is seeking to achieve and the acceptable range of possibilities.

Built development in this context includes sheds and similar structures, and such engineering works as raised ground levels, road building, and creation of moorings, cuts, paved tracks, hard-standings or moorings.

The stated protection of this site, and the restriction on caravans, etc., is supported by the Environment Agency on flood risk grounds.

#### Evidence used to inform this policy

- Policy rolled forward from Site Specific Policies Local Plan.

### **Policy MODHOR6: Horning - Boatyards, etc. at Ferry Road. and Ferry View Road**

#### **Policy Map 10**

The land identified on the Adopted Policies Map will be subject to policies in the economy section of the Local Plan, and for the purposes of MODDM37 (New residential moorings) will be treated as if ~~adjacent to a development boundary.~~ it meets the locational criteria of MODDM37 (in relation to being treated as though adjacent to a development boundary/within walking distance to at least three key services set out in that policy) to enable the delivery of a cumulative maximum of 10 residential moorings in this area through the use of existing private mooring spaces. Any residential moorings should be located a minimum of 15

[metres from the sewage pumping station.](#)

[No moorings on the banks of the SPA/SAC site over the river from MODHOR6 will be allowed.](#)

Developments shall include:

- a) Appropriate measures to manage any risk of water pollution arising from development;
- b) Improvements to the existing disposal of surface water and ensure that any additional surface water generated by the development is addressed appropriately;
- c) Significant landscape planting to help soften the appearance of the area, integrate it into the wider landscape, and support wildlife and biodiversity (e.g. by use of nectar mixes), but subject to avoiding the creation of additional wind shadowing of the river affecting its sailing value; and will
- d) Pay particular regard to the setting of the nearby listed buildings.

The range of potential development will be constrained by the high flood risk to most of this area and the application of national and local policies on flood risk.

#### Constraints and features

- Close to SAC, SPA, Ramsar site, SSSI, NNR.
- Flood risk - predominantly zone 3 by EA mapping, with small areas of zones 1 & 2 and most 2, 3a and [modelled](#) 3b according to SFRA 2017 mapping.
- Knackers Woods Water Recycling Centre [capacity constraints](#)..
- Surface water concerns (linked to Knackers Wood Water Recycling Centre).
- Inappropriate use of drains, some of which are poorly maintained.
- nearby Grade II\* Listed Hobbs Mill and Grade II Listed Horning Ferry Mill
- [Sewage pumping station in this area.](#)

#### Reasoned Justification

The area is somewhat separate from the heart of the village, but provides an important range of boating and ancillary services and of moorings. Significant development has taken place in recent years. The boat and related services contribute to the character of Horning, the local economy, and sustaining marine skills.

The policy gives certainty to the application of industrial and boatyard policies to the area. It has been further considered that it may be appropriate to permit residential boat moorings here, given the scale and character of the area and the availability of nearby services. Even though the area does not abut a development boundary, the relevant policy is applied to it (and to a limited number of boatyards elsewhere). [To reflect highways access concerns of Norfolk County Council, a cap of a maximum of ten residential moorings is applied to the entire area covered by this policy – that is to say that the cumulative total of residential moorings in this area will be ten \(not ten per boatyard/operator\).](#)

Of particular importance to this area is the policy on surface water (MODDM6) [and MODDM2 in relation to Horning Knackers Wood Water Recycling Centre capacity issues.](#)

The SFRA 2017 highlights that almost all the area is in flood risk zone [modelled](#) 3b, and there is a need to address the risks of water pollution for waterside sites in boatyard use.

Proposals will need to meet the requirements of policy MODDM22 as the Horning area generally has good dark skies.

#### Evidence used to inform this policy

- Policy rolled forward from Site Specific Policies Local Plan.

## **Policy MODHOR7: Woodbastwick Fen moorings**

### **Policy Map 10**

This area will be conserved for the green and semi-natural backdrop it gives to Horning village while providing a significant number of moorings for navigable craft. Improvements to the appearance of the area will be sought. If opportunities arise, houseboats and residential moorings will be removed.

Particular care will be taken to protect the landscape, environmental and wildlife value of Woodbastwick Fen, including the adjacent internationally protected wildlife site.

The defined area will be kept generally free of buildings and above ground structures. Provision of unobtrusive moorings, steps, ramps and small scale storage lockers, for use incidental to the enjoyment of the moorings, will be permitted. External storage, and extensive hard paving or boardwalks will not be acceptable.

To avoid further restriction of the navigable area of the river, no new moorings will be permitted on the river frontage.

New residential moorings or houseboats will not be permitted. The area will be treated as [not meeting the locational criteria](#) ~~adjacent to a development boundary for the purposes~~ of Policy MODDM37.

### Constraints and features

- Immediately adjacent to (and slightly overlaps) SSSI, SAC, SPA, Ramsar site.
- Part of setting of the Horning Conservation Area on the opposite bank of the river.
- Flood risk zones 2 & 3 by EA mapping and all 2 and 3a with some [modelled](#) 3b by SFRA 2017 mapping.

### Reasoned Justification

The area is an important boating resource, but is also sensitive in terms of landscape, wildlife and habitat. There is also potential to impinge on navigation in one of the busiest stretches of water in the Broads.

Woodbastwick Parish Council has specifically sought restrictions to development in the parish to retain the natural landscape where important habitats have evolved.

The area excludes the less developed western extent of moorings, now considered best treated as open countryside for planning purposes.

The policy's restriction on buildings, and intended removal of houseboats and residential moorings, if opportunities arise, are supported by the Environment Agency on flood risk grounds.

The houseboats and residential moorings give rise to parking problems in the village and reduce the use of the staithe by the public. They also have limited if any facilities such as water, and tend to look unsightly.

Applicants are directed to the Authority's adopted Mooring Design Guidance<sup>123</sup>.

### Evidence used to inform this policy

- Policy rolled forward from Site Specific Policies Local Plan.

## **Policy MODHOR8: Land on the Corner of Ferry Road, Horning**

### **Policy map 10**

The existing live/work units shall be retained for the contribution they make to small business and the local economy. The ground floors shall be used for A1, A2, A3, B1 and B2 uses (use classes order 1987 as

<sup>123</sup> Mooring Design Guide: [www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0005/703940/Mooring-design-guide.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0005/703940/Mooring-design-guide.pdf)

amended). Such uses shall be capable of being carried out without detriment to the amenity in the area. The upper floors shall be used as residential for persons solely or mainly employed in the management or operation of the business activity on the ground floor below.

Proposals need to improve the existing disposal of surface water and ensure that any additional surface water generated by the development is addressed appropriately.

#### Constraints and features

- Close to SAC, SPA, Ramsar site, SSSI, NNR.
- Flood risk - predominantly zone 3 by EA mapping, with small areas of zones 1 & 2). By SFRA 2017, part 2 and 3a.
- Knackers Woods Water Recycling Centre capacity constraints.
- Surface water concerns (linked to Knackers Wood Water Recycling Centre).

#### Reasoned Justification

The live/work units are a unique offer in the Broads. They offer business space, residential accommodation and off-street parking, and have moorings associated with them. Each unit is relatively small and provides an opportunity for small-scale and new businesses to become established, with reduced overheads as the operators can live onsite. The objective of this policy is to retain the units in beneficial use and ensure their contribution to the local economy and community is maintained long term.

Any business use must not affect the amenity of nearby land uses, in line with policy MODDM21.

The site is outside of a development boundary and therefore dwellings would not normally be permitted. However, residential use is restricted to the upper floors only and must be used only by staff (and family) associated with the business operating on the ground floor.

Alternative uses will only be considered in line with this policy and employment policies if it can be satisfactorily demonstrated the existing permitted range of uses are not financially viable and the proposed new use is compatible with flood risk, protecting amenity and the location outside a defined development boundary and other policies in this Local Plan. The Authority will need to verify the content of any viability report and may need to employ external expertise to do so (the applicant will need to meet the cost of this).

#### Evidence used to inform this policy

- Site visits and planning application history

### **Policy MODHOR9: Horning Residential Moorings (Ropes Hill)**

#### **Policy Map 10**

Proposals for up to 6 Residential Moorings will be supported in the area marked on the policies map subject to:

- a) Adequate capacity at Horning Knackers Wood Water Recycling Site for foul water being proven in line with policy DM1 (Water Quality and Foul Drainage);
- b) Peat assessment, recoding and disposal or re-use in line with policy DM9 (Peat Soils);
- c) It being satisfactorily demonstrated that the proposal would meet the criteria in the Policy DM36 (New Residential Moorings) which will apply as the site will be treated as if it were adjacent to a development boundary;
- d) No adverse effects on trees, water quality and the conservation objectives and qualifying features of the nearby SSSI (site is within SSSI Impact Zone);
- e) Car parking provision set back from the river frontage with a suitable surface and landscaping treatment; and

f) Careful consideration of the location and design of a small associated amenities block.

Conditions will be used to restrict the number, scale and size of boats using the residential moorings.

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.

A management plan for the site and a register of those who live on boats will be required and will be covered by a planning condition imposed on any planning permission granted.

Constraints and features

- Horning Knackers Wood Water Recycling Centre constraints.
- Likely to be on peat soils.
- Residential and mooring land uses are characteristic of the area.
- Car parking areas exist but likely to need formalising.
- Highways considerations including surfacing of track and visibility splays.
- Near to sailing club.
- Adjacent to the existing Horning Conservation area and this is in the process of being reviewed.
- Accessed using a private road.
- Off main navigation channel.
- In a SSSI Impact Zone (Bure, Broads and Marshes SSSI).
- Flood Zone 3 (EA Mapping) and most 3a and some modelled 3b (SFRA 2017).
- Trees on site.
- Existing moorings are timber quay heading.

Reasoned Justification

The Authority would support around six residential moorings at Ropes Hill Dyke, Horning. The site has good access by foot to everyday services and facilities in Horning (such as a shops and a school). Bus stops to wider destinations are also within walking distance from the site.

One major constraint to the development of residential moorings at this site is the capacity for foul water at the Horning Knackers Wood Water Recycling Centre. The Joint Position Statement between the Environment Agency and Anglian Water shows a general presumption against development that would result in increased foul water flows. The Authority is aware of ongoing work by Anglian Water to resolve this issue, and as such, the site is allocated to come forward when this issue is resolved. It has been presumed in the residential mooring trajectory ([Appendix K](#)) that this will be from around 2024.

The scheme promoter has indicated that they would make a new mooring cut to accommodate the first three residential moorings. With the peat map at [Appendix H](#) indicating that this area could be peat, the requirements of policy DM9 will need to be met. The cutting of new moorings will trigger the need for archaeological monitoring of any excavation (in line with policy DM10 Heritage Assets) particularly involving peat. A condition requesting an archaeological watching brief would be the minimum requirement in these circumstances. Furthermore, any quay heading and decking will need to be in timber in line with the surrounding area.

Proposals must also take into consideration the SSSI and Conservation Area near to this boatyard.

Whilst informal parking areas exist, there may be a need to formalise the parking areas. Parking should be set back from the river frontage, as not cause visual sprawl of the concentration of riverbank activities. Surfacing for the car parking would need to be carefully considered. Woodchip is used extensively in the

area and this would be an appropriate solution in this instance. Boundary treatments and planting to the site boundaries should be considered to ensure that residential amenity is maintained and / or enhanced for existing residencies.

Cabinets and storage of any kind should be kept to a minimum and sensitively designed. Any amenity building to provide toilets, showers and storage could be acceptable, subject to detailed design and location considerations. The removal of permitted development rights might be an appropriate way of controlling undesirable build-up of domestic paraphernalia.

Any future application should be accompanied by an appropriate arboricultural assessment to BS5837 and make provision for special construction techniques / mitigation as appropriate.

In the interests of residential amenity impacts, the number, size and scale of boats using the moorings will be controlled using conditions attached to future planning permissions.

Proposals will also need to show that there are adequate facilities for water supply, electricity and pump out.

The Horning area is an area of good dark skies – see policy DM21.

Evidence used to inform this policy

- [Residential moorings assessment \(2018\)](http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan)  
[www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan](http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan)

### **32.15 HOVETON AND WROXHAM**

#### **Policy MODHOV1: Green infrastructure**

##### **Policy Map 11 and inset map**

The identified significant areas of green infrastructure will be ~~retained~~ [maintained and enhanced](#) for their combined and respective contributions to the character and appearance of the village, the amenity of visitors and local residents, flood water capacity and nature conservation.

##### Constraints and features

- Parts lie within the Wroxham Conservation Area.
- Most at serious risk of flooding, according to SFRA.
- Flood risk - zones 1, 2 & 3 by EA mapping and all 2, some 3a and some [modelled](#) 3b by SFRA 2017.

##### Reasoned Justification

This policy seeks to protect a number of areas of open space/green infrastructure. It is important to recognise that it is protecting their openness, and not specifically promoting public access to them - parts of the proposed area have public access, but others are private and do not.

The area has four distinct parts:

1. The first area is off Brimblelow Road, much of which is private garden and mooring, but which makes an important contribution to the landscape and amenity of the vicinity, is a visual and wildlife link to the open land (marshes and woodland) close to the east, and is where significant development would not be acceptable because of flood risk and access/highway limitations.
2. The second area comprises the extensive gardens of properties in Beech Road. The inclusion of the area in this policy is intended to provide greater clarity about what the Authority wishes to see here, and to avoid some recent developments creating a precedent.
3. The third area is the public open areas along the riverside between Granary Quay (included) and stretching up past the pub, moorings, Visitor Centre, railway bridge and a little beyond. Hoveton Parish

Council has previously stated that it wished to see Granary Staithe kept open and accessible to the public for the enjoyment of both residents and visitors and as an asset on the northbound entry into Hoveton, and that this view is widely supported by feedback from residents.

4. The fourth area is the public staithe, Trafford Memorial Ground, Caen Meadow area off Church Road. The area is remote from the development boundaries in this plan but very close to those of the development boundary in the current Broadland Local Plan, just across the road and outside the Broads Authority Executive Area boundary.

The wording of the policy is intended to highlight their common and combined value and treatment, while recognising the differences in their qualities and access.

Evidence used to inform this section

- Policy rolled forward from Site Specific Policies Local Plan.

**Policy MODHOV2: Station Road car park**

**Policy Map 11 and inset map**

This area will be retained in use for car parking. Environmental improvements and landscaping will be encouraged to improve its contribution to the character and appearance of the area.

Constraints and features

- Flood risk zones 1, 2 & 3 by EA mapping and some zone 2 by SFRA 2017 mapping.

Reasoned Justification

The availability of sufficient parking is a major factor in the continued success of businesses in the area and to the vitality of Wroxham and Hoveton. Given the nature of the hinterland, car use is the primary means of access to facilities for most people, and the present level of parking is important to maintain that access. The concentration of car parking here and elsewhere in the village also helps to reduce the clutter of cars in the wider townscape.

Evidence used to inform this policy

- Policy rolled forward from Site Specific Policies Local Plan.

**Policy MODHOV3: Brownfield land off Station Road, Hoveton**

**Policy Map 11 and inset map**

The following sites are allocated for the following uses:

- a) Former Broads Hotel Cottage site is allocated for A3 and A4 land uses (land use class order 1987 as amended). Retail and an element of residential, in particular affordable housing, may be acceptable.
- b) Former Waterside Rooms is allocated for A3 and A4 land uses (land use class order 1987 as amended). Retail and an element of residential, in particular affordable housing, may be acceptable.
- c) Building next to the King's Head pub is allocated for holiday accommodation.

With regard to the former Waterside Rooms and the building next to the King's Head, the Authority would welcome a comprehensive scheme that covers both areas to deliver a mixed use scheme that takes advantage of this waterside location within the centre of the village and offers environmental and visual improvements.

Proposals for these sites off Station Road will need to address each of these criteria:

- i) Careful consideration will be given to the design, scale and layout of any redevelopment and potential additional impacts on nearby land uses;
- ii) Proposals must enhance the appearance of the area, including the public realm;
- iii) Proposals must reinforce the relationship with the already established riverside walk;

- iv) Part of the sites are at risk of flooding and the type, siting and layout of development will need to take account of this in conformity with national policy;
- v) Appropriate measures to manage any risk of water pollution arising from development are required to be put in place;
- vi) Proposals to provide car parking must be thoroughly justified and if the need is proven, must be well designed; and
- vii) [Development proposals will conserve and where appropriate enhance the setting of the nearby Wroxham Bridge Scheduled Monument.](#)

[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.](#)

#### Constraints and features

- Near to Wroxham Bridge, a Scheduled Ancient Monument.
- Land next to the King's Head pub is partly in flood risk zones 2 and 3 according to EA mapping And former Waterside Rooms and Former Broads Hotel Cottage site are partly within flood zone 2 again according to EA mapping. SFRA 2017 mapping shows some in zone 2 and very small parts of the allocation in 3a.
- Station Road and the footpath along the river run either side of these sites, which are en-route from the car parks at Hoveton and the railway station.
- Popular area for boats to moor.
- Successful King's Head pub nearby.
- Former Broads Hotel site is in North Norfolk (this site has been cleared of buildings, but vegetation has grown back) linked to the Broads Hotel Cottage site.
- Potential for archaeological remains associated with the use of the adjacent River Bure.

#### Reasoned Justification

This Local Plan seeks to address some redundant/underused or derelict sites around the Broads Authority Executive Area. Such sites can have a negative impact on the landscape, townscape or waterscape and, if brought into an appropriate use, can become an important asset to the area.

The three sites allocated in Hoveton are close to each other along Station Road. Two of the sites are either derelict or demolished and the third site is underused and boarded up.

It is anticipated that development could take up to 15 years to complete. The housing element could be completed sooner, perhaps by the end of ~~2019~~ [2023](#).

#### a) Former Broads Hotel Cottage site

This site was linked with the Broads Hotel across the road. On behalf of North Norfolk District Council it was demolished soon after the hotel, because it was unsafe. The policy requires the site to be used for food and drink, with the potential for retail and residential use as part of a mixed use scheme to reflect the central village location. Affordable housing in particular would be welcomed.

#### b) Former Waterside Rooms

This former public house has been derelict for some time and can be viewed from the water, thus detracting from what is otherwise a popular and well maintained area of Hoveton riverside. The policy seeks regeneration of this site. Demolition and redevelopment could be acceptable. Any scheme will need to be of the highest quality of design to reflect the prominent waterside location and the nearby collection of buildings associated with the King's Head pub, also part of this policy. The Authority would wish to see food and/or drink premises, retail or holiday accommodation. Some market residential could be acceptable as part of a mixed use scheme. Affordable housing in particular would be welcomed.

c) Buildings next to the King's Head pub

This interesting building has great potential to be improved and brought into better use. The site could provide some holiday accommodation to counter the loss of the Hotel on Station Road. The buildings are of heritage value, although not nationally or locally listed, and make a significant contribution to the street scene and riverside at Hoveton. The Authority seeks to retain and reuse them, allowing the positive visual and heritage contribution they make to be retained. This could be in isolation or as part of a wider scheme for the Station Road area. This building and the former Waterside Rooms are under the same ownership and a comprehensive scheme for the two sites considered together would be welcomed. This could also address the car parking at the pub, and the courtyard could be brought into better use to reflect its waterside location.

Potential scale of residential development

The Authority has presumed in its housing trajectory that the Waterside Rooms could accommodate around 6 dwellings, although across the three sites, there could be scope for more dwellings.

Other considerations

The policy lists some considerations relevant to the three sites, and other policies of the Local Plan are likely to be of relevance.

This area is very prominent, both from the river and Station Road. Many people walk past these sites between the car park and station to the village centre, along the river or by the road. Design, and how proposals fit with the public realm in the area, is of great importance.

This end of the village has many car parking spaces, with more on the other side of the railway, and the Authority is aware that some people would like to see more car parking in this area of the village. Any proposals for car parking for public use must be thoroughly justified through a car park assessment undertaken at peak times over a suitable time period, assessing weekend and weekdays. The proposals also need to be well designed, with safety a key factor.

Evidence used to inform this section

- Site visits and local knowledge of this area

**Policy MODHOV4: BeWILDerwood Adventure Park**

**Policy Map 11 and inset map**

The retention of the park, as identified on the policies map, as an outdoor adventure and education facility will be supported.

Ancillary development to meet the operational needs of the park, alterations to existing development and modest new development that supports the outdoor adventure and education facility will be permitted if the following considerations are satisfactorily addressed:

- a) impacts on individual trees and the woodland as a whole;
- b) impacts on protected species and habitats;
- c) impacts on amenity of adjoining occupiers, including from changes in activities on site and opening times;
- d) traffic, transport, access and parking;
- e) flood risk and water quality;
- f) ongoing management of the activities of the park to protect the trees, woodland, habitats and species; and,
- g) impacts on visual amenity and landscape character of the area.

The outdoor adventure and education facilities shall remain within the existing main facility area

(as identified on the policies map).

Appropriate complementary diversification necessary to support the existing park may be acceptable, subject to consideration of the above points and other policies in the Local Plan and NPPF.

The policies map identifies three main areas:

- i) The main area of the outdoor adventure and education park. In this area, retention and alteration of the existing play structures and other features will be broadly acceptable. Some modest new development may also be appropriate.
- ii) The maturing woodland area is protected as a visual and amenity buffer. Small-scale park related activities, which do not result in adverse impacts, may be supported in this area; and
- iii) The car parking and service areas will be retained in such a use.

#### Constraints and features

- Previous surveys have found BAP invertebrates, bats, breeding birds, otter, and water voles.
- There are large areas of wet woodland.
- Flood risk has changed over time. Previous FRAs have found parts of the area in Flood Zone 2 and 3. Much more is affected when considering climate change allowance. SFRA 2017 shows some of the area in flood zone 2.
- The Three Rivers Way walking and cycle route passes by the entrance to BeWILDerwood.
- The site is also home to The Norfolk Broads Cycling Centre.
- Contains cropmarks of field systems. Some of the boundaries may be Roman.

#### Reasoned Justification

BeWILDerwood Adventure Park is one of the major attractions in the Broads. There are treehouses, zip wires, storytelling, boat trips and marsh walks, and the BeWILDerwood education programmes offer cross-curricular activities.

Being a unique and popular attraction in a special setting, a policy is deemed necessary to manage change in a way that seeks to protect and enhance the trees, species and amenity of nearby and adjoining occupiers. The park has continued to develop incrementally since first opening, but the trees and habitat are sensitive to the activities of the park. This policy also seeks to help the local community understand what may or may not happen in future.

The Park is required to be within the existing woodland because of visual, landscape and amenity impact.

The Horning Road access shall remain the primary access, with internal circulation on the track permitted by planning applications 2012/0038 and 2016/0063 and limited emergency and delivery access via Long Lane in accordance with planning applications 2012/0038 and 2016/0063. Any development that would result in an increase in visitor numbers should be served by appropriate sustainable transport options. Additional demands for on-site parking, if acceptable with regards to traffic and highway safety, would need to be carefully designed to integrate into the landscape and protect the amenity of adjoining occupiers.

All proposed development within the park should be assessed in line with BS5837:2012-Trees in relation to design, demolition and construction (or any successor standard). The policy seeks to make sure the management of the existing development and any future development takes account of the following impacts on trees:

- Reduction in tree cover
- Compaction of roots and associated impact on tree vigour
- Severance of roots
- Impact damage

- Tree protection during construction
- Comprehensive and sustainable woodland management

With regard to habitats around the site:

- The **wet woodland habitat** is the most important and species rich of the habitats on the site. Any future development should avoid adverse impacts to wet woodland habitat and associated plant and invertebrate species.
- **Grassland** is used by resident breeding barn owls for hunting and should remain available and managed as such.
- The **woodland** on the site supports many species including bats, birds and invertebrates, and some reptile potential such as grass snake. Any further development should take into account protected species mitigation and enhancement.

The car parking lies outside these areas but is an important component of the development, and there are dedicated service areas. It would be appropriate to retain these uses in these areas.

The emphasis of this policy is in line with BeWILDerwood's own Environment Policy<sup>124</sup> which states that the Parks was designed to 'have a light environmental impact and to carry a sustainable approach throughout every aspect of the business'.

#### Evidence used to inform this section

- Experience gained through assessing planning applications and collaborative working with the owners.

#### **Policy PUBHOV5: Hoveton Town Centre and areas adjacent to the Town Centre** **Inset Map 11**

For both areas identified on the Policies Map:

- Appropriate improvements to the quality of the public realm, in particular the river frontage and access to the river, will be supported.
- Residential uses will be supported only where they do not displace a potential retail, tourism or business frontage (e.g. at first floor level or on a non-business frontage).
- Particular care will be taken to ensure that:
  - developments do not significantly exacerbate traffic congestion and air quality problems in the town centre, particularly in the vicinity of the bridge, and
  - the scale, massing and external treatments, including advertising, contribute to the enhancement of the area's appearance.

#### The Town Centre

Proposals in Hoveton will be considered in the context of the entire town centre and the policies of the relevant North Norfolk District Council Development Plan so that retail and main town centre uses proposals address the town centre in its entirety.

Hoveton Town Centre is identified as a medium town centre.

Proposals for new retail and leisure growth, shop extensions, expansion and re use of vacant units for town centre uses will be supported as long as they:

- are of a scale appropriate to the size of Hoveton Town Centre;
- enhance the appearance and respect the character of the centre including its retail function and historic interest;
- enhance access to the Broads;
- assist in maintaining the existing retail function; and

<sup>124</sup> BeWILDerwood's Environment Policy: <https://www.bewilderwood.co.uk/our-policies/environmental/>

- v) contribute to the vitality and viability of the Town Centre.

Retail uses A1 to A5 (as per the land use class order 1987 as amended) will be concentrated in the Primary Shopping Area as defined on the policies maps [of both North Norfolk District Council and the Broads Authority](#). [Site selection for retail and other town centre uses should follow national policies and guidance.](#)

For Town Centre land uses outside of the Town Centre, a Sequential Test and Impact Assessment will be required. The Impact Assessment threshold for Hoveton Town Centre is locally derived and set at 500sq m gross.

In addition to the NPPF requirements of impact thresholds (see [2018 NPPF](#) paragraph [86](#)), any impact assessment must include an assessment on locally important impacts such as, but not limited to, access to the river, traffic flows over the bridge, the safety of pedestrians crossing Norwich Road, and the impacts on the provision of surface car parking.

~~The 2017 North Norfolk District Council retail study identified limited potential to accommodate additional growth over the plan period, in the region of 1,234 gross Sqm. Proposals that seek to deliver additional retail A1-A5 will be supported in accordance with the identified floor space projections.~~

#### The areas adjacent to Hoveton Town Centre

Redevelopment of sites and buildings within this area will be supported where this provides retail, tourist or boating facilities that meet the requirements set out in a) to c) and i) to v). The safety of pedestrians crossing Norwich Road, and the impacts on the provision of surface car parking, are other important considerations.

#### Constraints/Features

- Actual Town Centre [and Primary Shopping Area](#) spans North Norfolk District Council and Broads Authority boundaries
- Localised congestion in the town centre and over the bridge into Wroxham.
- Hoveton Town Centre is classed as a Medium Town Centre in the emerging North Norfolk District Council Local plan.
- Town centre is dominated by Roy's Department Store.
- Town Centre extends to near to the river and riverside area.
- Flood risk from SFRA 2017 mapping: part 2, 3a and [modelled](#) 3b.

#### Reasoned Justification

This policy has been produced in coordination with North Norfolk District Council in recognition that the Local Planning Authority boundary is arbitrary and the town centre needs to be considered as a whole. The following map shows the entire town centre, although the policies maps of North Norfolk District Council and the Broads Authority will show only that part of the Town Centre within their respective areas.

~~This policy only covers the area of the town centre and PSA within the Broads but in applying the sequential test/ impact tests consideration needs to be given to the entire town centre and the policies of North Norfolk District Council so that retail considerations address the town centre in its entirety.~~ [The intention of the policy approach is to ensure the town centre is considered as a whole. Proposals will need to consider the entire town centre and the policies of North Norfolk District Council so that retail considerations address the town in its entirety and cross boundary issues. This is especially important in applying the sequential and impact tests.](#)

The North Norfolk Retail and Main Town Centre Uses Study (2017) supports the policy approach for Hoveton Town Centre as the shops in Hoveton are identified as trading below national levels and there is a low retention rate, especially for comparison goods, resulting in people spending money in Norwich. That being said, the town's tourist role is equally important and a broad mix of retail establishments is seen as key to maintaining the whole town's vitality and viability. The shop vacancy rate in Hoveton ~~is also~~ remains low. ~~In terms of meeting the floor space requirements, this could be accommodated in vacant units and extensions.~~

The Retail Study recommends that Hoveton Town Centre should not have Primary or Secondary Frontages. This is because of the dominance of Roy's of Wroxham (i.e. a small number of large Class A1 units) and the predominance/scatter nature of tourist related facilities.

The **sequential test** ([site selection process](#)) for town centre uses outside of the town centre (NPPF2018 paragraph 86) needs to consider cross boundary policies and treat the town centre as a whole - and indeed Hoveton as a whole, rather than limited to the area within the Broads Authority. It may be prudent to also include Wroxham as the two settlements adjoin each other. This floor space requirement is for the town centre as a whole and could be met in either of the Local Planning Authority Areas (or through a combination of sites in both).

A locally set threshold of 500 sq.m gross for the **Impact Assessment** would be appropriate for retail and leisure development in Hoveton/Wroxham, reflecting the existing scale of the town centre and the floor space projections<sup>125</sup>.

The 2017 North Norfolk District Council retail study identified limited potential to accommodate additional growth over the plan period, in the region of 1,234 gross sqm. Since the study was completed, a permission was granted by North Norfolk District Council for 1357 sqm of A1 and 550 sqm of A3 in the Primary Shopping Area and Town Centre. This has effectively taken up identified available retail capacity in Hoveton Town Centre (as calculated in the retail study based on 2016 expenditure rates). Where necessary, further retail applications adjacent to and outside of the town centre are required to demonstrate if there is additional expenditure and capacity to support retail growth without significant impacts on other retail outlets in Hoveton Town Centre.

Policy MODDM51 is the generic retail policy for the Broads and may be of relevance to proposals in Hoveton Town Centre.

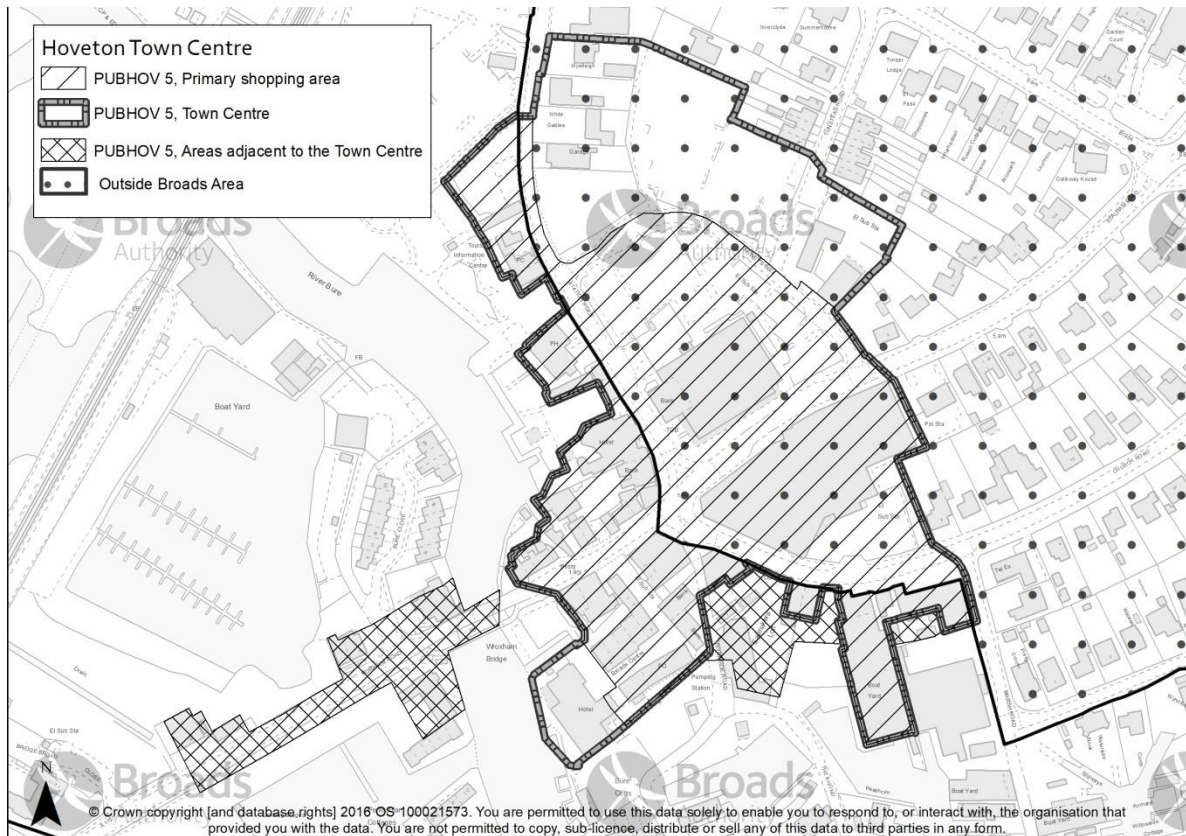
#### Areas Adjacent to the Town Centre

Outside the Town Centre the policy makes provision for enhancement of the visitor experience to Hoveton/Wroxham and support will be given to redevelopment, in line with the policy requirements above, for the reuse and redevelopment in the identified adjacent areas. Although separated from the Town Centre and PSA, the areas adjacent to the Town Centre currently provide important visitor facilities and provide opportunities where investment could be directed.

#### Evidence used to inform this section

The North Norfolk Retail and Main Town Centre Uses Study (2017)

<sup>125</sup> A threshold of 2,500 sq.m gross is stated in the [2018 NPPF](#) (paragraph [89](#)). The retail study concluded that this would be significant in relation to the scale of existing retail provision in Hoveton/Wroxham and is more than double the total floor space projection over the plan period. A locally set threshold is therefore adopted.



### 32.16 **LODDON**

#### **Policy MODLOD1: Loddon Marina Residential Moorings**

##### **Policy Map 5**

~~Policy MODDM36 (New residential moorings) will apply as the boatyard will be treated as if it were adjacent to a development boundary.~~ Proposals for residential moorings of up to a maximum of 10 will be allowed in this area if they are not at a scale which would compromise existing business on the site and which would meet the criteria in Broads' policies on general employment and boatyards.

Proposals must ensure no adverse effects on water quality and the conservation objectives and qualifying features of the nearby SSSI.

The residential boats moored here must not encroach further into the river.

A satisfactory solution will be required to address the Highways Authority's concerns regarding impact of the development on High Street and Church Plain.

[A management plan for the site and a register of those who live on boats will be required and will be covered by a planning condition imposed on any planning permission granted.](#)

[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.](#)

[Conditions will be used to restrict the number, scale and size of boats using the residential moorings.](#)

##### Constraints and features

- In the vicinity of Hardley Flood SSSI part of the Broadland SPA
- Flood Zone 3 (EA Mapping) and indicative 3b (SFRA 2017)
- Within the Loddon and Chedgrave Conservation Area
- Generally the approach to the boatyards in this area is quite busy with occupied moorings.
- Electricity, water, toilet and shower pump out facilities available on site.
- Many services and facilities at walking distance from site.
- Potential issues relating to impact of residential moorings on traffic flow of High Street and Church Plain.

#### Reasoned Justification

The Broads Authority would support up to ten of the moorings at Loddon Marina being converted to residential moorings in line with policy MODDM37. The benefits of a regular income, as well as passive security that residential moorings can bring, are acknowledged. However, in accordance with other Local Plan policies, the conversion of an entire business to residential moorings would not be supported. While the entire length of moorings at Loddon Marina is allocated, the Authority supports a maximum of ten of these moorings to be residential moorings. It is anticipated that the moorings will be place within a few years of adoption of the Local Plan perhaps by the end of 2020.

To ensure the residential boats moored here do not impact navigation and as the moorings are stern on, there could be a length restriction on boats here as part of any application. It is not a requirement of this policy that the basin is extended; rather, that private moorings are converted to residential moorings.

Loddon Marina has good access by foot to everyday services and facilities provided in Loddon and Chedgrave (such as a supermarket, pharmacy, school and post office). Bus stops to wider destinations are also within walking distance from these areas.

Proposals must also take into consideration the SSSI near to this Marina and the Marina's location within a conservation area.

The quay heading used to moor and access boats may be in need of improvements and any application should address this.

The Highways Authority has raised some concerns regarding the impact of the development on High Street and Church Plain, which already experience traffic related issues. Any proposals will need to address these concerns satisfactorily.

Anglian Water Services will need further information relating to foul water disposal to assess if there is capacity in the network.

The policy requires a management plan for the site as well as a register of those boats being lived on within the marina. These will be required through conditions on planning application(s). The management plan will help ensure the site as a whole is appropriately managed. This would normally cover things like noise, waste, deliveries times etc. and would have contact details of who to contact if the management requirements of the site are not adhered to. A breach of this management plan would then be a breach of condition and could be enforced. The register of who lives on which boat will be maintained at all times.

#### Evidence used to inform this section

- Residential moorings topic paper  
[www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2](http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2)

### **32.17 NORWICH**

#### **Policy MODNOR1: Utilities Site**

### Policy Map 12 and inset map

Redevelopment of this area will be sought to realise its potential contribution to the strategic needs of the wider Norwich area. [The site is allocated for mixed use development which could include around 120 dwellings.](#)

Redevelopment proposals will only be supported where they:

- a) Do not prejudice a comprehensive and deliverable mixed use scheme for the whole of the Deal Ground/Utilities Sites Core Area (including those parts outside the Broads Authority Executive Area boundary);
- b) Protect and enhance natural assets [and the historic environment and setting of heritage assets;](#)
- c) Provide a high quality local environment through high quality design and landscaping;
- d) Balance scale and massing of development, having regard to its location on the urban fringe, and make a positive contribution to the views between the river and the site;
- e) Do not impede the navigation of the Rivers Yare and Wensum;
- f) Provide evidence, including a site flood risk assessment, to confirm that any development will be consistent with national and local policy in terms of both on-site and off-site flood risks;
- g) Provide [a suitable and appropriate solution to the constrained access to the site for all modes of transport sustainable access](#), including the pedestrian and cycle links through the site and linking to the wider network;
- h) Provide public access to the length of the Yare riverfront;
- i) Are energy and water efficient;
- j) Identify, and provides remediation of, any existing ground contamination;
- k) Manage any risk of pollution of groundwater or river water arising from the proposed uses; and
- l) Make appropriate use of the safeguarded sand and gravel resources on the site where practicable (see Norfolk County Council's Core Strategy Policy CS16 - Safeguarding mineral and waste sites and mineral resources).

The provision of serviced self-build/custom build plots is encouraged.

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.

The Authority will also expect the following to be delivered as part of the overall scheme, unless it is demonstrated this cannot practically be achieved:

- i) Improved opportunities for recreation on site;
- ii) Improved facilities for recreational boating on the river frontage; and
- iii) A pedestrian/cycle link across the Wensum and Yare between the City Centre and Whitlingham Country Park.

A proportionate developer contribution will be required to address any increased demand on services and facilities in Whitlingham Country Park arising from the creation of this link.

### Constraints and features

- Close to Norfolk County Wildlife Site – Cary's Meadow.
- Likely to be of archaeological interest. Contains a range of heritage assets, including evidence for Roman settlement, a possible Roman wharf, and possible World War Two features and structures. Potential for archaeological remains associated with the use of the adjacent River Yare.
- Flood risk - zone 2 by EA mapping and small parts in zone 2, 3a and [modelled](#) 3b by SFRA 2017 mapping. When EA climate change allowance of 65% added, site is affected.
- Contributes to the urban/rural transition.
- Semi natural habitat on the edge of Norwich.

- Future growth could have an impact on the foul sewerage network capacity.
- [Access to the site is particularly constrained for all modes of transport.](#)
- [This site is in close proximity to a number of designated heritage assets including the Grade II listed of Ruins of Trowse Newton Hall, the Thorpe Ridge Conservation Area and the Grade II listed Registered Park and Garden \(RPAG\) of Crown Point.](#)

#### Reasoned Justification

[The site sits to the East of Norwich, yet on the urban rural fringe. In this area there is much brownfield redundant land that Norwich City Council and Norfolk County Council \(in liaison with Broadland District Council, South Norfolk District Council and the Broads Authority\) are keen to see redeveloped and realise their potential.](#) The Utilities site is part of a much wider area of industrial land, now largely redundant, stretching across the planning boundaries of the Broads Authority, Norwich City Council and South Norfolk District Council. [Over the river, to the south west, is the 'Deal Ground' site which has extant outline planning consent for a mixed use development including 670 dwellings, a local centre, restaurant/dining quarter, flood risk management and landscape measures, a new access road, and an access bridge over the river Yare. To the West of the Deal Ground is the Carrow Works which is currently occupied by Britvic/Unilever but which is likely to become vacant early on in the plan period and may have potential for redevelopment.](#) This wider area is seen as having strategic development potential, but bringing development forward is complicated by access problems and the number of different landowners. [The Joint Core Strategy \(adopted 2011 with amendments 2014\) identifies the East Norwich area as having major physical regeneration opportunities for mixed use development and enhanced green linkages from the city centre to the Broads. The Greater Norwich Local Plan is being produced and could potentially allocate land at the Utilities Site, Deal Ground and Britvic/Unilever site and those policies will be of great relevance to any scheme that comes forward on the Utilities Site. Indeed the Norwich City Council Site Allocations and Site Specific Policies Plan \(adopted December 2014\) has the following policies currently in place: R9: The Deal Ground, Trowse \(residential led mixed use development\) and R10: Utilities Site, Cremorne Lane \(mixed use development\).](#)

The wording for this policy reflects, but simplifies and adds to, the content of the East Norwich Joint Statement produced by Norwich City Council in association with the Broads Authority and South Norfolk District Council.

[The access constraints referred to in the policy reflects that the site is bounded by railway lines and a river. Whilst there are two ways to get to the site, the bridge over the railway to Cremorne Lane is not designed to cater for traffic that could arise from the redevelopment of this site and the access by the river uses a tunnel under the railway bridge which again is not designed to cater for more traffic. The likely solution would be the provision of a bridge over the river that would connect the Utilities Site \(in its entirety, not just the part within the Broads\) to the Deal Ground site.](#)

The Environment Agency:

- supports the reference to the need to address flood risk issues, and highlights the need for Flood Defence Consent from the Agency for development and trees in proximity to the river;
- highlights the importance of protection against water pollution, that the site lies over groundwater resources and within Source Protection Zone 1, and the potential risks of water pollution from waterside sites in any industrial/boatyard uses; and
- draws attention to the potential of contaminated land.

Norfolk County Council identifies that the site includes a safeguarded minerals (sand and gravel) resource.

There may be a requirement for an evidence based, project level HRA to assess the impact of this development on European Protected sites. Mitigation measures could be required, such as adequate daily recreation and dog walking facilities to meet need.

There may be potential for serviced plots to be provided for people to build their own homes as part of any residential element of the scheme.

It is anticipated that the dwellings will be delivered [after 2030](#) ~~between 2021 and 2025~~. [The Authority considers that the site could potentially accommodate 120 dwellings.](#)

In relation to the potential new link to Whitlingham Country Park, there could be more use of the park by residents living at the Utilities Site. The Authority appreciates that this link would make the Park more directly accessible to more visitors and that it benefits the wider existing community in the area, not just the residents of the Utilities Site. As such, an assessment of the increased number of visitors likely to visit the Park from the Utilities Site development will be needed. This will then determine the developer contribution required to enable the park to accommodate the additional visitors and demand on the services and facilities. The developer contributions sought would only reflect the visitors arising from Utilities Site development.

#### Evidence used to inform this section

- Policy rolled forward from Site Specific Policies Local Plan.
- East Norwich Joint Statement

#### **Policy MODNOR2: Riverside walk and cycle path**

##### **Policy Map 12 and inset map**

Land will be safeguarded for a riverside walk and cycle path along the Wensum/Yare, and implemented in a way which links to the wider network of public access in the area. Development of the walkway will need to address the archaeological and minerals potential of the area.

#### Constraints and features

- Likely archaeological interest in the area (Roman wharfs, WW2 structures found in vicinity).
- Flood risk - zone 2 by EA mapping and small parts in zone 2, 3a and [modelled](#) 3b by SFRA 2017 mapping.
- Being next to the river, will need to consider impact on navigation.

#### Reasoned Justification

Public access to the riverside along this stretch of the River Yare (from the confluence of the rivers Yare and Wensum to the railway bridge over the Yare) has long been a policy objective. This is included in the aspirations for the development of the Utilities Site, but is proposed as an additional and separate policy so that this is clearly indicated as an intention even if the adjacent site is developed later, or in a way different to that envisaged by that policy.

The Environment Agency highlights the need for Flood Defence Consent from the Agency for development and for any trees in proximity to the river.

The safety by the water policy requirements will be of particular importance to this riverside path.

#### Evidence used to inform this section

- Policy rolled forward from Site Specific Policies Local Plan.
- Emerging River Wensum Strategy is also of relevance.

### **32.18 ORMESBY ST. MICHAEL**

#### **Policy MODORM1: Ormesby waterworks**

##### **Policy Map 13**

Ormesby water treatment works will be protected from development which adversely affects the proper

functioning of the waterworks and its contribution to the landscape and visual amenity of the locality.

Development reasonably required for the operation of the water treatment works, and the operator's statutory duties as a water supply undertaker, will be supported where:

- a) it is designed to make a positive contribution to the local landscape or to minimise any negative visual impact, particularly when viewed from Ormesby, Ormesby Little, and Rollesby Broads;
- b) the tree coverage of the site, which makes an important contribution to the character and appearance of the area, is retained and also protected during construction works;
- c) it reduces light pollution; and
- d) it has no adverse effect on the adjacent Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI).

#### Constraints and features

- Site adjacent to and slightly overlapping with, SAC and SSSI.
- Flood risk - zones 1, 2 & 3 by EA mapping and similar for SFRA 2017 mapping, although indicative 3b

#### Reasoned Justification

Ormesby Waterworks, run by Essex & Suffolk Water, provides the public water supply for a large area around Great Yarmouth. The company is also involved in improvements to water quality in the Trinity Broads as part of the Trinity Broads Partnership.

The policy is intended to encourage the continuing maintenance and upgrading of the works, while making sure the sensitivities of the area are fully addressed in any development.

Proposals will need to meet the requirements of policy MODDM22 as the Trinity Broads generally has very good dark skies.

#### Evidence used to inform this section

- Policy rolled forward from Site Specific Policies Local Plan and amended to reflect Dark Skies Study 2016.

### **32.19 OULTON BROAD**

#### **Policy MODOUL1: Boathouse Lane Leisure Plots**

##### **Policy Map 14**

The rural and semi-natural character of the area, its contribution to the views from the Broad, and flood water capacity will be protected.

Development will be strictly managed to support these aims, and in view of the poor road access and the serious risk of flooding affecting significant parts of the policy area.

The provision of...

- a) small scale storage lockers for use incidental to the enjoyment of moorings, or
- b) modest sized single room day huts, storage sheds and boat sheds

will generally be permitted provided:

- i) the plot within which they are located remains predominantly open;
- ii) the number of buildings does not lead to an over-developed site (usually one building is acceptable);
- iii) in the case of day huts and storage sheds, that these are sited well back from the water's edge and not prominent in views from the Broad; and
- iv) the design, materials and boundary treatments are not intrusive in the area or in views from

the Broad.

The raising of ground levels will not generally be acceptable, in order to retain flood capacity.

The permanent or seasonal occupation of the land, vehicles, boats, etc., or the stationing of caravans, will not be permitted.

In the light of the potential for archaeological remains in the area, an archaeological survey may be required in advance of any grant of planning permission.

#### Constraints and features

- Within Oulton Broad Conservation Area. Near (across broad) SAC, SPA, and SSSI.
- Article 4 Direction (1981) – removes permitted development rights for walls, gates, enclosures, etc.
- Flood risk (zones 1, 2 & 3 by EA mapping; mainly zones indicative 3b, and some zone 2, by SFRA 2017 mapping).
- [Site is within Suffolk's minerals consultation area for sand and gravel. However, the site is heavily constrained by flood risk, heritage and nature designations, dark sky areas, access and amenity, so is likely not economically viable as a mineral extraction site.](#)

#### Reasoned Justification

The area features some long-established leisure plots accessed by a narrow unmade lane. The area forms an important part of the setting of Oulton Broad and the trees and shrubbery contribute to a semi-natural appearance. Maintaining an appropriate balance between the lawful use of the land and the control of additional buildings, structures and vehicles that owners often want to install on their plots has been a challenge for many years.

The policy seeks to clarify what the Authority is trying to achieve, and permit a basic level of built development in support of the plots' lawful uses while minimising adverse impacts on the scenic beauty of the Broads and on the flood water capacity of the area.

The Environment Agency supports the intention to keep buildings back from the river frontage/water front. While 'well back' is difficult to define and depends on particular local circumstances, in general setting the building back by a third of a plot could be appropriate. Being hard up or too close to the water's edge could enclose the river or broad's edge and be overbearing. Setting of buildings with an undeveloped area in front will also allow architectural interest of buildings to be appreciated.

#### Evidence used to inform this policy

- Policy rolled forward from Site Specific Policies Local Plan.

### **Policy MOD0UL2: Oulton Broad - Former Pegasus/Hamptons Site**

#### **Policy Map 14**

This site is allocated for:

- a) a boatyard use; and
- b) (optionally) housing, recreation, entertainment, or employment use (or uses) where compatible with the boatyard use, road access, neighbouring uses and flood risk.

Development of the site will be required to:

- i) Be of high standards of design;
- ii) Have high quality landscaping;
- iii) Fully assess the impact of the development on the surrounding road network, demonstrate adequate capacity to meet the likely traffic demands and demonstrate adequate capacity or provision of

- satisfactory mitigation to meet the likely traffic demands of the site;
- iv) Incorporate appropriate measures to manage any risk of water pollution arising from the development;
  - v) Incorporate appropriate measures to mitigate or remedy any ground contamination;
  - vi) Provide evidence, including a site flood risk assessment, to confirm that any development will be consistent with national and local policy in terms of both on-site and off-site flood risks;
  - vii) Preserve or enhance the character or appearance of the Oulton Broad Conservation Area ~~Take account of the site being within the Conservation Area~~; and
  - viii) Provide appropriate and safe access to the water (slipways, moorings) and facilitate views of the water.

The provision of serviced self-build/custom build plots is encouraged.

In the light of the potential for archaeological remains in the area, an archaeological survey may be required in advance of any grant of planning permission.

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.

#### Constraints and features

- Within the Oulton Broad Conservation Area.
- Opposite (across broad) SAC, SPA, SSSI.
- Flood risk zones 1, 2 & 3 by EA mapping and some 2 and indicative 3b by SFRA 2017 mapping.
- Future growth could have an impact on the foul sewerage network capacity.
- Close to a pumping station.

#### Reasoned Justification

This is a visually prominent site on the Broad, now largely derelict, and the Authority has long sought redevelopment of the site. We recognise that it is unlikely that the whole of it will remain in boatyard use, but seek to retain boatyard use and the availability of moorings, etc., at the waterside because of its importance to the local economy and the recreational value of the wider area. This policy sets out our approach to achieving such redevelopment, and reflects the essentials of earlier adopted Supplementary Planning Guidance for the site, published jointly with Waveney District Council.

A particular local issue is the congestion north of Mutford Lock, as set out in the Local Transport Plan, which may be impacted upon by development of this site. Any transport assessment under this policy should include this constraint. Suffolk County Council may seek contributions from this development, to mitigate any impacts on the highway network.

The Environment Agency highlights the need to address the risks of water pollution for waterside sites in industrial/boatyard use, and the need to deal with the risk of existing ground contamination.

There may be a requirement for an evidence based, project level HRA to assess the impact of this development on European Protected Species and Habitats. Mitigation could be required, such as adequate daily recreation and dog walking facilities to meet needs.

There could be potential for serviced plots to be provided for people to build their own homes as part of any residential element of the scheme.

Please note that this allocation received planning permission in 2012<sup>126</sup> [for 76 market dwellings, office accommodation and moorings](#). The policy is being carried forward from the Site Specific Policies Local Plan 2014 because the permission is yet to be built out. It is anticipated that the dwellings will be delivered by the end of ~~2020~~ [2024](#).

Evidence used to inform this policy

- Policy rolled forward from Site Specific Policies Local Plan.

**Policy MOD0UL3 - Oulton Broad District Shopping Centre**  
**Policy Map 14**

[New Town Centre Use Development \(falling within use classes A1, A2, A3, A4, A5, C1, D2 and B1a\) will be permitted within the Oulton Broad District Centre where the scale and function of the development is consistent with the role of the District Centre and would not impact on the vitality and viability of Lowestoft Town Centre.](#)

Within the Oulton Broad District Shopping Centre proposals for changes of use of ground floor premises from use classes A1 (retail) and A2 (financial and professional services) to ~~other non-retail uses will not be permitted~~ [A4 \(drinking establishments\), A5 \(hot food takeaways\) and other non-A Class uses will not be permitted.](#)

The following changes of use [of ground floor premises](#) will only be permitted where either cumulatively or individually they have no significant adverse impact on the character, retail function and vitality and viability of the centre, residential amenity including noise, fumes, smell and litter, highway safety, parking and community safety:

- From use classes A1 (retail) and A2 (financial and professional services) to A3 (restaurants and cafés).
- ~~Other premises~~ [From any use other than use classes A1 \(retail\) or A2 \(financial and professional services\) in the Oulton Broad District Shopping Centre to use classes A3 \(restaurants and cafés\), A4 \(drinking establishments\) and A5 \(hot food takeaways\).](#)

Constraints and Features

- Flood Zone 3 and 2 according to EA mapping. Some 2 and indicative 3b by SFRA 2017 mapping.
- Centre is in Waveney District and Broads Authority Local Planning Authority areas.
- Next to protected open space – Nicholas Everett Park.
- Spar is the largest retail unit in this centre.
- In Oulton Broad Conservation Area.

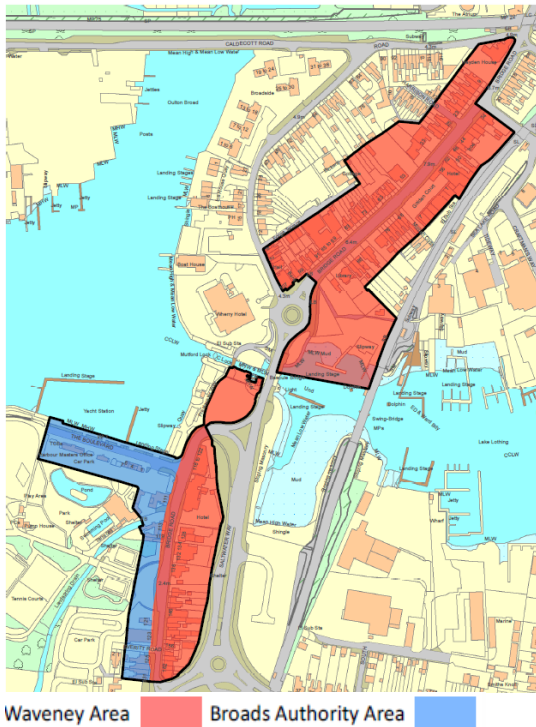
Reasoned Justification

The [2018](#) NPPF, at paragraph 23, says ~~'planning policies should be positive, promote competitive town-centre environments and set out policies for the management and growth of centres over the plan period'~~. ['planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation'.](#)

Recent retail evidence and on-site monitoring continues to identify Oulton Broad as a 'District Centre' where shops and services will be protected and prevented from changing to other uses. Planning Policy Statement 4 (PPS4) 'Planning for Sustainable Economic Growth' (now deleted), defines District Centres as a *'group of shops, separate from the town centre, usually containing at least one supermarket or superstore, and a range of non-retail services, such as banks, building societies and restaurants, as well as local public facilities such as a library'*. There is no definition for District Centres in the NPPG or NPPF.

<sup>126</sup> The Planning Application is BA/2012/0271/FUL

Oulton Broad District Centre is located around Bridge Road in Oulton Broad. The area is shared between the Broads Authority and Waveney District Council Local Planning Authority areas. There are around 50 retail units currently in operation (according to 2016 monitoring data).



Reproduced under license SLA100042052. from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright 2016. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

The 2016 Retail and Leisure Study says that the Centre has a relatively good mix of independent stores for its size but an under provision of banks and building societies. The Centre was principally identified as a 'top-up' food shopping destination in the household survey. The assessment suggests that there is potential to increase the convenience food offer as well as increase the number of cafes and restaurants to cater for the need of the local population and the wider tourist market. The assessment also identifies the potential to increase the linkages between the centre and the Broads.

The increase in the number of takeaways has been a cause for concern in Oulton Broad, with late opening times often being associated with anti-social behaviour that harms the amenity of local residents and the environmental quality of the areas. Concern has been raised that a continuation of this trend could reduce the centre's retail provision, making it less attractive for local residents and thereby potentially affecting the viability of the remaining shops.

Policy MODOUL3 is included within both the Waveney District Council Local Plan and the Broads Local Plan to reflect the centre's location across both planning authority areas. The policy intends to protect the existing shopping and service offer in the Centre and promote new restaurants and cafes where they would not undermine the viability of the Centre. The policy restricts changes of use to A4 and A5 in order to address amenity concerns discussed previously.

It is acknowledged that some changes of use can take place without planning permission under the Permitted Development Order 2015, which allows some flexibility of uses within the area (dependent on size, final proposed land use and whether the site is located in the Broads or not). This policy will apply to circumstances where planning permission is required.

[Of relevance will be the generic retail policy MODDM51.](#)

Evidence used to inform this policy:

- Waveney District Council Retail and Leisure Needs Study (2016)  
<http://www.eastsuffolk.gov.uk/planning/local-plans/waveney-local-plan/new-waveney-local-plan/supporting-documents/retail-and-leisure-needs-assessment>

### 32.20 **POTTER HEIGHAM BRIDGE**

#### **Policy MODPOT1: Bridge Area**

##### **Policy Map 15**

The area around Potter Heigham Bridge, as identified on the Adopted Policies Map, will be further developed and enhanced as a location for river related leisure and tourism. Within this area identified on the Adopted Policies Map:

- i) public realm and landscaping improvements are welcomed;
- ii) new residential development will not be permitted; and
- iii) the amenity of existing residential occupiers will be protected.

New development should not harm Potter Heigham bridge or its setting as a Scheduled Monument and Grade II\* listed building.

Proposals will be designed to avoid contributions to light pollution and address existing sources of light pollution.

In addition, the relevant policies of the Local Plan will apply with the following provisos:

At the Staithe:

- a) Particular care will be taken to achieve improvements to the appearance and public realm of the area;
- b) Development which provides facilities supporting recreation and tourism will be supported; and
- c) Care will be taken to generally limit loss of existing car parking provision, and to ensure adequate car and cycle parking is provided to serve new facilities.

At the former Bridge Hotel site:

- d) Particular care will be taken to achieve improvements to the appearance and public realm of the area;
- e) Development which provides facilities supporting recreation and tourism will be supported; and
- f) New holiday accommodation will only be permitted as part of a comprehensive scheme for the site which includes other appropriate recreation and tourism related provisions.

At the large retail outlet:

- g) The retail use of this site will be protected;
- h) Appropriate and well-designed improvements or changes to the site will be supported; and
- i) Care will be taken to avoid loss of existing levels of car parking provision, and to ensure adequate car and cycle parking is provided to serve these facilities.

#### Constraints and features

- Potter Heigham Bridge is a scheduled ancient monument and Listed Grade II\* building.
- Area close to SAC, SPA, SSSI.
- Flood risk zones 2 & 3 by EA mapping; zones 1, 2, 3a, modelled 3b and indicative 3b by SFRA 2017 mapping).
- Potential archaeological interest.
- Local Green Space nearby – Bridge Green.

#### Reasoned Justification

The area around Potter Heigham Bridge is one of the most popular areas for visitors to the Broads. A range of attractions, including boatyards, cafe, public house, restaurant, shops, moorings and slipway, combined with direct access to and views of the River Thurne, contribute to its appeal.

Car parking in the area is privately controlled. With the number of visitors, boat hirers, workers and chalet occupiers wishing to park in the area, there is potential for the parking provision to come under significant pressure, particularly at peak times. Provision of further car parking is problematic given the sensitivity of the area. It is therefore important to make sure that none of the existing capacity is lost. The policy also seeks the provision of improved cycle parking of a useful design in accessible locations to aid visitors by means other than motor cars.

While environmental improvements and some upgrading of premises have occurred in recent years, there remains scope for further improvements and development. In particular the site of the former Bridge Hotel, at the southern end of the bridge, would benefit from a more attractive and permanent redevelopment.

Parts of the area are at risk of flooding. The relevant Local Plan and National Planning Policy Framework policies will apply, and a site flood risk assessment may be required to establish the degree of risk.

The large retail outlet is an important visitor attraction in the area, drawing visitors from around the county and beyond. The policy seeks to protect this land use and allow appropriate and well-designed improvements or changes to the business.

The policy provides encouragement and guidance for further improvements and facilities for the area.

Proposals will need to meet the requirements of policy MODDM22 as the Potter Heigham Bridge area generally has good dark skies and is near to the area of darkest skies in the Broads.

[Of particular relevance to changes in this area will be the Generic Retail Policy MODDM51.](#)

#### **Policy MODPOT2: Waterside plots**

##### **Policy Map 15**

The rural and 'holiday' character of the area of waterside plots will be conserved.

##### **a) Chalet plots**

Existing waterside chalet plots will be protected from over-development and suburbanisation, while allowing the maintenance and upgrading or appropriate replacement of existing buildings and boundary treatments where this maintains the openness and the low key, lightweight and sometimes whimsical forms of building generally characteristic of the area, and is consistent with policies on flood risk.

Particular care will be taken to:

- i) retain or reinstate an open margin, clear of buildings, to the river frontage;
- ii) retain open areas around and between buildings, and views and glimpses between the river and the land behind the chalets;
- iii) limit the height, bulk and extent of buildings to approximately their present levels, and generally to a maximum of around (i) 70% of the plot width (excluding mooring basins coverage), and (ii) plot coverage of 70%, subject to the particulars of the site and its surroundings;
- iv) encourage the retention or provision of lawn, and flower or shrubbery planting;
- v) exploit any opportunities to reduce flood risk through the development;
- vi) reduce light pollution; and
- vii) consider the implications of any proposed development on navigation and nature conservation.

Additional dwellings or holiday accommodation will not be permitted, nor will permission be granted for

permanent residential occupancy of holiday chalets.

b) Mooring plots

Development will not be permitted other than appropriate riverbank stabilisation and mooring infrastructure, and the provision of small scale storage lockers incidental to the mooring use of the plot.

c) Undeveloped plots

Development will not be permitted on undeveloped plots.

Constraints and features

- High flood risk – outside defences (zones 2 & 3 by EA mapping; zone 2, 3a/indicative 3b and parts modelled 3b by SFRA 2017 mapping).
- Close to, and in places adjacent to, SAC, SPA, Ramsar site, SSSI.
- Parts close to Potter Heigham Bridge, which is both a Grade II\* Listed Building and a Scheduled Ancient Monument.

Reasoned Justification

This option continues the general approach of the 1997 Local Plan. Proposals will need to meet the requirements of policy MODDM22, as the area covered by this policy generally has very good to excellent dark skies. The Mooring and Rivers Bank Stabilisation Design Guides are of relevance.

**Policy MODPOT3: Green Bank Zones**

**Policy Map 15**

Development will not be permitted within the ‘green bank zones’ defined on the Adopted Policies Map, in order to conserve the remaining openness and rural character of the area in the vicinity of the Thurne waterside plots and chalets.

Constraints and features

- High flood risk – outside defences (zones 2 & 3 by EA mapping; zone 2, 3a/indicative 3b and parts modelled 3b by SFRA 2017 mapping).
- Close to, and in places adjacent to, SAC, SPA, Ramsar site, SSSI.
- Parts close to Potter Heigham Bridge, which is both a Grade II\* Listed Building and a Scheduled Ancient Monument.

Reasoned Justification

Further spread of riverside plots would erode the landscape and special character of the locality, add to flood risk, threaten water quality and lead to further demand for car parking provision and utilities infrastructure.

Evidence used to inform this section

- Policy rolled forward from Site Specific Policies Local Plan and amended to reflect Dark Skies Study 2016.

**32.21 ST. OLAVES**

**Policy MODSOL1: Riverside area moorings**

**Policy Map 17**

The defined area will be kept generally open, and uses limited to the mooring of boats and uses incidental to that activity. Particular care will be taken to ensure that any development is sensitively designed, landscaped and, where appropriate, screened from river views.

Provision of unobtrusive access tracks, parking areas, moorings, steps, ramps and small scale storage lockers, for use incidental to the enjoyment of the moorings, will be permitted.

The permanent or seasonal occupation of the land, vehicles, boats, etc., or the stationing of caravans, will not be permitted.

#### Constraints and features

- Article 4 Direction (1990) – removes wall/gate/enclosure PD Rights.
- Area at high risk of flooding (zones 2 & 3 by EA mapping; zones 2 and indicative 3b by SFRA 2017 mapping).

#### Reasoned Justification

Management of a potential proliferation of development in this area has been an issue going back some years. The policy continues the approach of the 1997 Local Plan. Applicants are directed to the Authority's adopted Mooring Design Guidance<sup>127</sup>.

#### **~~Policy PUBSOL2: Land adjacent to A143 Beccles Road and the New Cut (Former Spinnakers restaurant)~~** **~~Inset Map 16~~**

~~Refurbishment or redevelopment of the former restaurant on this land will be encouraged, in order to improve the visual amenity of the area.~~

~~Holiday accommodation, restaurant, public house or a use associated with boating activities would be supported subject to other policies in the Local Plan. Proposals for reuse or replacement of the premises will need to address the risk of flooding.~~

#### ~~Constraints and features~~

- ~~• Flood risk (zones 2 & 3 by EA mapping; all indicative 3b by SFRA 2017 mapping).~~
- ~~• Halvergate Marshes Conservation Area adjacent but separated visually from the site by elevated road and bridge.~~
- ~~• Boat yard adjacent to the site.~~
- ~~• Site is adjacent to the river.~~
- ~~• A143 (bridge) passes the site.~~
- ~~• A Roman coin has been found on the site and post medieval pottery has been recovered nearby. Adjacent to site of World War Two defences, including a pillbox, tank traps and trenches.~~

#### ~~Reasoned Justification~~

~~These restaurant premises and adjacent land have been unused for a considerable time. The continuing unsightly appearance of the buildings and surrounds are of concern to Fritton and St. Olaves Parish Council (the site actually lies in Haddiscoe Parish, but is visually part of the settlement of St. Olaves).~~

~~Although a reopening of the restaurant premises would be welcome, the policy would permit a range of different redevelopment options, subject to the constraints of the flood risk to the site.~~

~~Proposals will need to meet the requirements of policy PUBDM21 as the St Olaves area generally has very good dark skies.~~

#### ~~Evidence used to inform this section~~

- ~~• Policy rolled forward from Site Specific Policies Local Plan.~~

<sup>127</sup> Mooring Design Guide: [www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0005/703940/Mooring-design-guide.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0005/703940/Mooring-design-guide.pdf)

## 32.22 SOMERLEYTON

### Policy MODSOM1: Somerleyton Marina Residential Moorings

#### Policy Map 16

Proposals for residential moorings in the area marked on the policies map of up to a maximum of ten will be allowed in this area subject to:

- a) It being satisfactorily demonstrated that the proposal would meet the criteria in the Policy DM36 (New Residential Moorings) which will apply as the site will be treated as if it were adjacent to a development boundary;
- b) Not being at a scale which would compromise existing business on the site, as well as meeting the criteria in Broads' policies on general employment and boatyards;
- c) No adverse effects on trees, water quality and the conservation objectives and qualifying features of the nearby SSSI (site is within SSSI Impact Zone);
- d) Car parking provision only in the area of the existing boatyard buildings with a suitable surface and landscaping treatment;
- e) Quay heading upgraded to a satisfactory standard of a design in keeping with the local character, prior to use as residential moorings;
- f) Particular care relating to lighting in line with DM21 (Light Pollution and Dark Skies); and
- g) An assessment of the foul sewerage network to demonstrate that capacity is available or can be made available in time to serve the development.

Conditions will be used to restrict the number, scale and size of boats using the residential moorings.

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.

A management plan for the site and a register of those who live on boats will be required and will be covered by a planning condition imposed on any planning permission granted.

#### Constraints and features

- Part of Somerleyton in Waveney District Council's Planning Area set for a development boundary and two sites allocated for residential development.
- Planning permission for a shop locally.
- Located within marina.
- County Wildlife Site nearby.
- Marina and moorings used for private rented moorings.
- Area for car parking near to the existing buildings likely to need formalising.
- Highways considerations including width of track and visibility splays.
- Adjacent to the existing Somerleyton Conservation area.
- Accessed using a private road.
- In a SSSI Impact Zone.
- Flood Zone 3 (EA Mapping) indicative 3b (SFRA 2017).
- Office could be converted to amenity block.
- Strong sense of tranquillity.
- Quay heading in parts is in need of repair.

#### Reasoned Justification

Whilst the entire marina of Somerleyton Marina is allocated, the Authority would support up to ten of the moorings at Somerleyton Marina being converted to residential moorings in line with policy MODDM37. The

benefits of a regular income as well as passive security that residential moorings can bring are acknowledged. However, in accordance with other Local Plan policies, the conversion of an entire business to residential moorings would not be supported. It is anticipated that the moorings will be place within five years of adoption of the Local Plan perhaps by the end of 2023.

The site has good access by foot to the school and train station. There is planning permission for a local shop.

Residential moorings would increase the parking demand in the context of continued parking requirements for existing boat users of the marina. The track to the north of the existing marina is unlikely to be suitable for developing car parking as it is exposed to views, and there may not be enough space here to formalise parking and allow for turning without making significant interventions. The Marina owners have indicated that car parking could be provided through re-arrangement of how the land is used near to the existing buildings where boats are stored. Subject to detailed design considerations such as surfacing and detailed location, car parking nearer to the buildings is the Authority's preference.

The Marina owners have stated that the existing office building would likely be converted to an amenity block for use by those living at the residential moorings, potentially containing storage, showers and toilets. Cabinets and storage of any kind nearer to the moorings, if required, should be kept to a minimum and sensitively designed. The removal of permitted development rights might be an appropriate way of controlling undesirable build-up of domestic paraphernalia.

The provision of residential moorings here could lead to the temptation to increase lighting, however the impact of artificial light on local amenity, intrinsically dark landscapes and nature conservation should be minimised as the Somerleyton area is an area of good dark skies – see policy DM21.

Proposals must also take into consideration the SSSI and Conservation Area near to this boatyard.

In the interests of residential amenity impacts, the number, size and scale of boats using the moorings will be controlled using conditions attached to future planning permissions.

Proposals will need to show that there are adequate facilities for water supply, electricity and pump out. There should also be space within the site for waste bin storage and presentation so it is not left within the highway.

The quay heading and pontoons used to moor and access boats may be in need of improvements and any application should address this. Any quay heading and decking should be detailed in line with the surrounding area.

Access to the site should provide adequate visibility splays (in line with DMRB standards) and the access width should be adequate to allow two vehicles to pass and accommodate large service vehicles.

Anglian Water Services have identified the need for further details relating to the estimated flow and the proposed connection point(s) to the foul sewerage network be set out in the planning application.

HSE Safety in docks ACOP <http://www.hse.gov.uk/pubns/books/l148.htm>) which is applicable to Marinas and will set out the minimum standards expected in relation to the safety provision.

Evidence used to inform this policy

- Residential moorings assessment (2018)  
<http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base>

**32.23 STALHAM****Policy MODSTA1: Land at Stalham Staithe (Richardson's Boatyard)****Policy Map 18**

The land identified on the Adopted Policies Map will be subject to the policies in the economy section of the Local Plan, and for the purposes of MODDM37 (New residential moorings) will be treated as if ~~adjacent to a development boundary~~ it meets the locational criteria of MODDM37 (in relation to being treated as though adjacent to a development boundary/within walking distance to at least three key services set out in that policy).

The peninsula of land between the river and the mooring basins should be kept clear of buildings and large structures, and landscape planting should be provided on this peninsula to protect and enhance views from the river. The type of planting will need to avoid the creation of additional wind shadowing of the river affecting its sailing value.

Measures to control any risk of water pollution arising from new development will be required.

An archaeological assessment is likely to be required as part of any application for any operational development.

Constraints and features

- Adjacent to Stalham Staithe Conservation Area (re-appraised in 2016).
- Part of site within Barton & Sutton Broad Archaeological area.
- Close upstream of SAC, SPA, Ramsar, SSSI.
- Flood risk zones 1, 2 & 3 by EA mapping and some 2 and 3a by SFRA 2017 mapping.

Reasoned Justification

Richardson's Boatyard is one of the largest in the Broads. Local Plan Policy MODDM37 provides the potential for residential moorings in boatyards adjacent to development boundaries. Although there is no development boundary immediately adjacent to the boatyard, it is close to a significant range of facilities in Stalham. The availability of these facilities, together with the scale of the boatyard, meets the ~~intention locational criteria~~ of Policy MODDM37 ~~despite the absence of an adjacent development boundary. This policy therefore explicitly applies that policy to the area.~~ It also confirms the application of the general employment and boatyard development policies of the Local Plan, steers built development away from the part of the boatyard that forms a prominent river bank in the river approach to Stalham, and seeks to encourage trees and other planting in this area.

The Environment Agency also highlights the need to address the risks of water pollution for waterside sites in industrial/ boatyard use.

Evidence used to inform this section

- Policy rolled forward from Site Specific Policies Local Plan.

**32.24 STOKESBY****Policy MODSTO1 Land adjacent to Tiedam, Stokesby****Policy Map 19**

Land at Tiedam, Stokesby is allocated for up to a maximum of four dwellings ~~for residential development.~~

Residential development proposals on this site will be permitted, providing that:

- i) The scheme delivers a selection of housing types and sizes agreed with the Parish Council, Great

Yarmouth Borough Council and Broads Authority;

- ii) The layout, density, form and design strengthens the rural character of the village and reinforces local distinctiveness and landscape character;
- iii) The mature hedgerows and trees, including the mature oak tree on the site, are retained as an integral element of any scheme in perpetuity; and
- iv) The amenity of residents both adjoining the site and the access to the site are protected.

Development proposals shall be accompanied by:

- a) A palette of materials that complement and reflect the local vernacular;
- b) A detailed landscaping scheme that incorporates the existing planting on the site, provides suitable boundary planting using native hedgerow and plant species, and creates areas of open space, to retain a spacious and green character within the site appropriate for a rural village;
- c) Confirmation that there is adequate capacity in the water recycling centre (sewage treatment works) and the foul sewerage network to serve the proposed development. Proposals shall also set out the methodology for the disposal of surface water and demonstrate that they will not have an adverse impact on ground water in terms of quality and quantity;
- d) A written methodology for the protection of the oak tree on the site during and after construction in accordance with British Standard 5837:2012 (Trees in relation to design, demolition and construction – Recommendations Trees in relation to construction) as amended;
- e) Details of the vehicular access to site including visibility splays, access width and formation to adequately service the number of vehicles associated with the scale of development proposed;
- f) Appropriate habitat and protected species surveys undertaken immediately prior to the submission of any planning application; and
- g) Details of permanent biodiversity enhancements to be incorporated into the dwellings and the landscaping strategy to include, for example, swift nests and bat roosts.

#### Constraints and features

- EA mapping and SFRA 2017 mapping Flood Risk Zone 1.
- Riverside pub nearby.
- Neighbouring dwellings.
- Access and visibility splay and private road access
- Large Oak tree on site (TPO).
- Located on edge of medieval and post medieval village and close to green (as shown by Faden's 1797 map) - it therefore has potential to contain medieval and/or post medieval settlement remains. Artefacts from a range of periods have been found in the vicinity.

#### Reasoned justification

Stokesby is an attractive settlement in the Broads, centrally located and easy to access from the water. It is one of the few settlements in the Broads where the majority of the settlement is in the Broads Authority Executive Area.

The site was promoted through the Preferred Options stage of the Local Plan and subsequently assessed<sup>128</sup>. While the settlement has a lack of services and facilities<sup>129</sup> that could lead to reliance on single occupancy car use by occupiers of the dwellings, other considerations come into play. This includes Great Yarmouth Borough's approach to new dwellings in such villages, the site having few constraints, and the Housing White Paper which refers to enabling villages to thrive. This is discussed in the Site Assessment.

<sup>128</sup> Stokesby Site Assessment: [www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2](http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2)

<sup>129</sup> It has a shop, pub, village hall, play area and moorings according to the Settlement Study. [www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0006/764475/Broads-Authority-Settlement-Study-no-hierarchy-in.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0006/764475/Broads-Authority-Settlement-Study-no-hierarchy-in.pdf).

The site will be largely discreet from the majority of the village but adjacent to development on Croft Hill and Mill Road, to rear gardens of those properties. Given the constraints of the site and the existing pattern of development in the village, it is considered that around four modest dwellings might be accommodated on the site. Consideration should be given to the existing form of development, both immediately adjacent and in the wider settlement. Semi-detached forms or small terraces could be employed, both of which feature prominently within the village. Care should be taken with the detailed design so the insertion contributes positively to the village and its continued development over time. A palette of materials should be considered that complements the existing settlement or contrasts to it in a complementary manner. As always, quality in terms of design, detailing and materials will be critical in achieving a finished product that positively contributes to the character of the settlement.

Proposers are required to engage early with the Broads Authority and Parish Council on the issues of mix of uses, site layout and design. Great Yarmouth Borough Council's Housing Team also needs to be engaged in relation to the type of and size of dwellings needed in the area. In determining the housing to be delivered on site, the applicant should consider if the provision of serviced self-build and custom build plot(s) and/or the provision of starter homes is possible on this site.

Proposals will need to meet the requirements of policy PODM35 as the Stokesby area generally has good to very good dark skies.

There may be a requirement for an evidence based, project level HRA, to inform the proposal.

It is anticipated that the dwellings could be delivered by the end of ~~2019~~ [2021](#).

#### Evidence used to inform this section

- See Site Assessment.

### **32.25 THORPE ST. ANDREW**

#### **Policy MODTSA1: Cary's Meadow**

##### **Policy Map 12 and inset map**

Land at Cary's Meadow will be conserved and enhanced for its contribution to the landscape, its wildlife and openness, and the appropriate recreation use by visitors and local residents.

#### Constraints and features

- Cary's Meadow is a Norfolk County Wildlife Site, part of which lies within the Thorpe St. Andrew with Thorpe Island Conservation Area.
- Flood risk - mainly zone 2 and some zone 1 by EA mapping; small part 2, 3a and by SFRA 2017).

#### Reasoned Justification

Cary's Meadow is a valuable site for wildlife and popular open space for the local community. The policy signals the Authority's continuing commitment to its protection and improvement. The river can also be accessed and viewed from the Meadow. In 2015, canoe access points were put in place.

#### Evidence used to inform this policy

- Policy rolled forward from Site Specific Policies Local Plan.

#### **Policy MODTSA2: Thorpe Island**

##### **Thorpe Island Inset Map 12**

Development on Thorpe Island will be managed to:

- 1) maintain and enhance:
  - i) the character and appearance of the Conservation Area;
  - ii) the visual amenity and the residential amenity of neighbouring occupiers;
  - iii) the contribution of the island to the wider landscape of the River Yare; and
  - iv) the navigational value of the Yare and the New Cut; and
- 2) avoid any significant increase in:
  - v) the intensity or extent of mooring use;
  - vi) the intensity or extent of on-shore development required to support any lawful mooring uses;
  - vii) vehicular traffic using the bridge;
  - viii) dinghy access likely to lead to the mooring or storage of dinghies (or other small craft) on the Thorpe shore, unless specific and satisfactory provision has been made for this;
  - ix) car parking in the Thorpe area, unless specific and satisfactory provision has been made for this;
  - x) risk of groundwater or river water pollution; and
  - xi) flood risk, and reduce flood risk where practicable.

For planning purposes, the island is split into three parts, to which the following criteria apply:

a) Eastern End of Thorpe Island

This part of the island is retained in boatyard usage. Well-designed upgrades or renewals to the existing boatyard buildings to facilitate the continued boatyard use and, which reflect this part of the island being in the conservation area and the urban/rural transition area, as well as being a gateway into Norwich, will be supported. Any proposals must also improve the landscaping of this part of the island. In relation to the private moorings along the river frontage, proposals which seek to give more order and improve the appearance of these moorings and the associated paraphernalia on the island itself will be supported. ~~Any proposals for permanent residential moorings will need to comply with the requirements of PUBDM36.~~

b) Central part of Thorpe Island

~~Continued use of this area for low key recreation and private amenity space is supported.~~ This part of the island will be retained in its current use with no significant extensions to the existing buildings and replacements on a like for like basis.

c) Western end of Thorpe Island (including the basin)

This part of the island will be ~~used for low key uses~~ retained as open in nature with no built development. Proposals which remove the poor quality structures and paraphernalia will be welcomed. Proposals shall make significant improvement to the visual appearance of the area and provide biodiversity enhancements.

Within the basin, the provision of private moorings for up to 25 vessels is acceptable, subject to the satisfactory provision of well-designed and screened on-site car parking, refuse storage and disposal, sewage disposal and upgrades to the bridge. Significant improvements will also be required to the landscaping. ~~These moorings shall be private moorings only, and not residential moorings.~~ Moorings shall be laid out in an informal configuration to avoid regimentation in appearance<sup>130</sup>. Proposals for the basin must include the removal and suitable disposal of the sunken vessels to improve the visual appearance of the area and enable safe usage of the basin.

~~Moorings will only be allowed within the basin and not along the river frontage.~~

No other development shall be permitted on the Western end of the Island.

<sup>130</sup> This wording reflects the Inspector's decision. More detail and background can be found here: <http://www.broads-authority.gov.uk/news-and-publications/news/thorpe-island-full-facts>

### Constraints and features

- Almost the whole of Thorpe Island is within the Thorpe St Andrew with Thorpe Island Conservation Area. (Only the railway line along the southern edge of the Island is excluded.)
- Almost the whole of the Island is in high flood risk zones (EA zone 3; SFRA 2017 most zone 2, 3a and [modelled 3b](#)).
- The Island is in an area of safeguarded minerals (sand and gravel) resources, but the Minerals Planning Authority has advised this is unlikely to constrain the type and scale of development supported by the policy.
- Bridges constrain types and size of vessels entering the river from the cut.
- For the Eastern and Central parts of the Island, there is no pedestrian or vehicular access from land; access is only by boat.
- Narrow vehicular access via a bridge to the Western end of Thorpe Island.
- Amenity of varying neighbouring uses.
- Limited utilities provision.
- Active railway line.
- Mooring basin.
- Sunken vessels within basin.
- Rural/urban transition area.
- Outside development boundary.
- River Green nearby (MODTSA5).

### Reasoned Justification

The semi-natural appearance that much of the Island provides is an important backdrop to views from River Green and its environs, and more generally to the character and appearance of the Conservation Area. It also provides a semi-natural view from the riverside path in Whitlingham Country Park, screening the traffic and urban development of Thorpe St. Andrew and helping provide a more tranquil and semi-rural character to the Park.

Since the closure of the hire boatyards that previously operated from the Island, a whole series of uses and operations, many unauthorised, have given rise to complaints from neighbouring occupiers and the Town Council, with successive enforcement actions by the Authority, decisions by the Planning Inspectorate and subsequent legal judgements by courts. The residential occupancy of the former boatyard office and the operation of a boatyard at the Eastern end of the Island are legitimate (Area A).

The Island has very limited access. A narrow bridge to the west does connect the Island to the shore but is very narrow, with poor alignment and emerging into a small residential estate, and is not a suitable route for significant traffic or heavy vehicles. There is a serious shortage of parking in the vicinity to serve local residents, local business, and visitors to the popular riverside area of River Green.

Significant development ~~or additional occupation~~ of the Island would give rise to additional pressure on this already limited capacity. Access to the Island is primarily by boat, but this too is constrained. Boat access to the north side of the Island from the main river (New Cut) is constrained by shoal water and the low air draught (clearance height) of the railway bridges at both ends of the Island, while the railway along the south edge of the Island rules out direct access to it from the main river. Therefore, further substantial development of the Island is not compatible with the very limited access to it, the lack of available car parking in the environs, the Island's contribution to the character and appearance of the Conservation Area, and the wider landscape.

The Environment Agency highlights that the site lies within its designated Source Protection Zone 1, and the importance here of avoiding the risk of pollution to the groundwater resources. It also emphasises the need to address the risks of water pollution for waterside sites in industrial/boatyard use.

The policy for the **eastern end of the Island** seeks the retention of the boat usage and allows for related improvements to the existing buildings. This reflects the flood risk to the site as well as there being no pedestrian or vehicular access. This is a prominent site at the gateway to Norwich. It is located in the Conservation Area, is within the transition from rural to urban, and is prominent from River Green. Along the river are many long term moorings, with associated paraphernalia on the island itself. It is haphazard in layout and in a prominent location with views from River Green, and the Authority seeks improvements to the appearance of this area.

Turning to the **central part of the island**, the usage includes boatsheds for storing of craft, rowing facilities and amenity plots. The policy seeks to retain this low impact use.

Finally, the **western end of the island** has been the subject of many complaints, enforcement action, planning appeals and legal action. A summary may be found here: [www.broads-authority.gov.uk/news-and-publications/news/thorpe-island-full-facts](http://www.broads-authority.gov.uk/news-and-publications/news/thorpe-island-full-facts). The provision of appropriately surfaced and screened car parking spaces, an agreed method of waste storage and collection as well as provision for pump out all on the island will ensure that the impact of any mooring provision within the basin is minimal on the nearby community. Subject to detailed design this provision could be located to the west of the marina, close to the existing bridge.

#### Evidence used to inform this policy

- The policy wording reflects the most recent Planning Inspector's decision.

#### **Policy MODTSA3: Griffin Lane – boatyards and industrial area**

##### **Policy Map 12 and inset map**

Environmental and landscape improvements to this area will be sought, while protecting the existing dockyard and boatyard uses under Broads Local Plan policies on general employment and boatyards (MODDM26 and 28).

Development in the area will not be permitted except where this furthers these objectives and is compatible with the restricted road access to the area and other highway constraints.

Any change in line with the requirements of this policy will take account of the Listed Grade II building and its setting. Furthermore, in the light of the potential for archaeological remains in the area, an archaeological survey may be required in advance of any grant of planning permission.

#### Constraints and features

- Listed Grade II building within area.
- Area likely to be of archaeological interest.
- Just across river from Whitlingham Marsh Local Nature Reserve.
- Flood risk (mainly zone 3 by EA mapping; zones 2, 3a & [modelled](#) 3b, by SFRA 2017 mapping).
- This area contains safeguarded minerals (sand and gravel) resources, but the Minerals Planning Authority has advised this is unlikely to constrain the type and scale of development supported by the policy.

#### Reasoned Justification

The policy seeks to support the value of the boatyards and dockyard, while ensuring that full regard is given to the desirability of achieving environmental improvements, and to the constrained road access to the area. Environmental improvements could relate to water quality, biodiversity, soil, noise and air pollution.

#### Evidence used to inform this policy

- Policy rolled forward from Site Specific Policies Local Plan.

#### **Policy MODTSA4: Bungalow Lane – mooring plots and boatyards**

##### **Policy Map 12 and inset map**

Further development will be limited by the area's vulnerability to flooding, the retention of its semi-rural character, and the poor road access.

The existing tree cover will be retained. Additional tree and other planting will be encouraged, subject to avoiding the creation of additional wind shadowing of the river affecting its sailing value.

Permission will not be granted for :

1. permanent dwellings;
2. the use as permanent dwellings of buildings restricted to holiday or day use;
3. the use for holiday or permanent occupation of buildings constructed as day huts, boatsheds or temporary buildings; or
4. the stationing of caravans.

Extensions to existing buildings, and replacement buildings, will be permitted, provided that:

- a) the building and use proposed complies with policies for development in areas of flood risk;
- b) the design, scale, materials and landscaping of the development contributes positively to the semi-rural and holiday character of the area, and pays appropriate regard to the amenity of nearby occupiers;
- c) Care is to be taken to avoid over-development of plots, and in particular:
  - i) a significant proportion of the plot area (excluding mooring areas) should remain unbuilt;
  - ii) buildings should not occupy the whole width of plots;
  - iii) buildings should be kept well back from the river frontage; and
  - iv) buildings should be of single storey of modest height, with floor not raised excessively above ground level.

Development of new or replacement buildings within existing boatyards to meet essential operational needs will be permitted, provided that no significant increase in traffic on Bungalow Lane would result.

##### Constraints and features

- Just across river from Whitlingham Marsh Local Nature Reserve.
- Flood risk (zones 2 & 3 by EA 2012 mapping; zone [modelled](#) 3b by SFRA 2017 mapping).
- The site is in an area of safeguarded minerals (sand and gravel) resources, but the Minerals Planning Authority has advised this is unlikely to constrain the type and scale of development supported by the policy.

##### Reasoned Justification

This is a small riverside area of mooring plots, chalets and boatyards. Road access is poor, being a narrow track with an unmanned level crossing of the railway and a restricted junction onto the main road.

The aim is to avoid any increase in road traffic, any consolidation or extension of built development along the river frontage, and any increase in flood risk.

The Environment Agency supports the intention to keep buildings back from the river frontage. While 'well back' is difficult to define and depends on particular local circumstances, in general setting the building back by a third of a plot could be appropriate. Being hard up or too close to the water's edge could enclose the river and be overbearing. Setting of buildings with an undeveloped area in front will also allow architectural interest of buildings to be appreciated.

##### Evidence used to inform this policy

- Policy rolled forward from Site Specific Policies Local Plan.

### **Policy MODTSA5: River Green Open Space**

#### **Policy Map 12 and inset map**

The area of River Green, as defined on the Adopted Policies Map, is allocated as open space and will be kept open for its contribution to amenity, townscape and recreation.

#### Constraints and features

- Area is within Thorpe St. Andrew Conservation Area.
- Flood risk (zone 2 by EA 2012 mapping; zones 2, 3a & [modelled](#) 3b by SFRA 2017 mapping).
- River Green includes safeguarded minerals (sand and gravel) resources, but the Minerals Planning Authority has advised this is compatible with the open space designation, subject to no permanent buildings being erected.

#### Reasoned Justification

River Green is an important amenity, part of the local street-scene, and part of the Thorpe St. Andrew Conservation Area. It also provides public access to the riverside and views of the river and Thorpe Island, within easy reach of a large population. Continued protection of this area is thus warranted.

#### Evidence used to inform this policy

- Policy rolled forward from Site Specific Policies Local Plan.

## **32.26      THURNE**

### **Policy MODTHU1: Tourism development at Hedera House, Thurne**

#### **Policy Map 20**

Land at Hedera House is allocated for tourism uses, with a proportionate amount of general market housing as enabling development. Development proposals on this site shall provide the following:

- i) The majority of the site to be retained in holiday accommodation available as short-stay lets;
- ii) The proportion of the site to be developed for general market housing shall be only that required to deliver satisfactory redevelopment, renovation or upgrading of the existing holiday accommodation. This shall be demonstrated to the satisfaction of the Broads Authority, in a viability assessment of the proposed development which shall be prepared by an independent chartered surveyor;
- iii) A layout, form and design which strengthens the rural character of the village and its location in a national park equivalent area, and which reinforce local distinctiveness and landscape character and take into consideration [the setting and significance of](#) nearby listed buildings;
- iv) Retention of mature hedgerows and provision of suitable boundary landscaping and areas of open space to retain a spacious and 'green' approach within the site appropriate for a rural village;
- v) Demonstration that there is adequate capacity in the water recycling centre (sewage treatment works) and the foul sewerage network to serve the proposed development, and that proposals demonstrate they will not have an adverse impact on surface or ground water in terms of quality and quantity;
- vi) Evidence, including a site flood risk assessment, to confirm that any development will be consistent with national and local policy in terms of both on-site and off-site flood risk;
- vii) Protection of the amenity of nearby residents;
- viii) Adequate vehicular access compatible with the above criteria; and
- ix) Proposals must ensure no adverse effects on the conservation objectives and qualifying features of the nearby SSSI.

The inclusion of ancillary facilities (for example, the retention of the swimming pool and/or games room) for the benefit of visitors or residents would be welcomed, subject to it not compromising the provision of a suitable scheme.

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.

#### Constraints and features

- EA mapping Flood Risk Zone 2 and 3. SFRA 2017 mapping shows part is 2 and indicative 3b.
- Riverside pub nearby.
- SAC, SPA, Ramsar site to the north of the Staithe. Shallam Dyke Marshes SSSI is a component SSSI of Broadland SPA and Ramsar site and The Broads SAC.
- A low density site with boundary hedges, specimen trees and high levels of planting.
- Ludham-Walton Hall Water Recycling Centre capacity issues.
- Nearby Grade II\* Listed Windpumps: Thurne Dyke Windpump and St Benet's Level Windpump.
- Potential for previously unrecorded heritage assets. Within area of medieval and post medieval village (as shown by Faden's 1797 map). Cropmarks of enclosures, trackways and field boundaries to the north. Close to eastern end of medieval/post medieval staithe. Medieval church about 160m to the southeast.

#### Reasoned justification

Thurne is an attractive settlement in the Broads, centrally located and easy to access from the water, and as such is very popular with visitors. Tourism is an important part of the local economy and existing visitor facilities should be protected and enhanced.

Within the centre of the village there is a holiday complex (Hedera House), comprising 11 detached bungalows and a 7-bedroomed house, which are all used for holiday hire, plus a heated swimming pool and games room for the use of guests. The properties are run down and do not meet modern standards for holiday accommodation, and the site is increasingly unviable.

As Hedera House is a tourist accommodation offer in an attractive location, but is rundown and offering 'old fashioned' tourist accommodation (and running at a loss to the owners), this policy seeks the retention of holiday accommodation on the site, while taking a pragmatic approach that allows a proportionate element of enabling development. Any application should be accompanied by a report, undertaken by an independent Chartered Surveyor, which demonstrates the viability of the scheme. The Authority will need to verify the content of such a report and may need to employ external expertise to do so. The applicant will need to meet the cost of this.

Of particular importance to Hedera House are the potential for flood risk and the quality in the design and landscaping of any scheme to reflect Thurne's attractiveness. These factors will be taken into consideration during the viability assessment of the tourist accommodation redevelopment proposals. Proposers are encouraged to engage early with the Broads Authority about the mix of uses, site layout and design. A site-specific flood risk assessment will be required to accompany proposals.

Proposals will need to meet the requirements of policy MODDM22 as the Thurne area generally has good to very good dark skies.

There may be a requirement for an evidence based, project level HRA to assess the impact of this development on European Protected species and habitats. Mitigation could be required such as adequate daily recreation and dog walking facilities to meet needs.

At the time of writing the Local Plan, this allocation had received planning permission [for 16 dwellings; 6 market dwellings and 10 holiday homes](#). It is anticipated that the dwellings could be delivered ~~by the end of 2019~~ [from 2022](#).

Evidence used to inform this section

- Policy rolled forward from Site Specific Policies Local Plan 2014.

**32.27 TROWSE AND WHITLINGHAM**

**Policy MODWHI1: Whitlingham Country Park**

**Policy Map 12 and inset map**

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 and facilities and sustainable recreation, leisure and appropriate visitor uses which contribute to these aims will be supported where they:

- Are of high quality design and materials;
- Contribute positively to the river valley landscape and the setting of the Crown Point Registered Park and Gardens;
- Avoid a proliferation of buildings in the area, and provide for shared use of these buildings where practicable;
- Improve provision for cycling and pedestrians;
- Maximise access by water and public transport;
- Do not generate levels or types of traffic which would have adverse impacts on safety and amenity on Whitlingham Lane and the wider road network;
- Have assessed and addressed the impact of the proposal on existing uses, users or activities (on land and water) and on the quiet enjoyment of the area;
- Provide bio-security measures;
- Provide biodiversity enhancements;
- Contribute to the health and wellbeing of users;
- Improve the visitor experience; and
- Support the sustainable management of the Park.

Any proposals that affect/relate to car parking in the area need to be thoroughly justified and based on assessment of the use of the car parks.

Constraints and features

- Area is adjacent to the Whitlingham Marshes Local Nature Reserve.
- Flood risk (mainly zone 3, some zones 1 and 2, by EA mapping; mainly zone [modelled](#) 3b, some 1, 2 & 3a, by SFRA 2017 mapping).
- Much of the land area is a registered park and garden
- Adjacent and close to the Deal Ground and Utilities Site which are areas allocated for development and change by Norwich City Council and the Broads Authority.

Reasoned Justification

Whitlingham Country Park provides an area for quiet recreation, despite being so close to Norwich. Typical activities include walking, cycling, sailing and supervised open water swimming. There are also play areas, and a visitor centre and café in the Barn.

This policy reflects the importance of the Park to the Broads and local community, and encourages further enhancement of its facilities, while also setting out the constraints and considerations to address.

‘Biosecurity’ means taking steps to make sure that good hygiene practices are in place to reduce and minimise the risk of spreading invasive non-native species. The types of water uses at Whitlingham Country Park range from rowing boats to canoes. These boats can be removed from the water and taken to other

water bodies. Users should be aware of the good practice of ‘check, clean and dry’ to help stop the spread of invasive aquatic species. Of particular relevance is policy MODDM3 on boat wash down facilities.

The Authority’s guide on biodiversity enhancements may be viewed here: <http://www.broads-authority.gov.uk/planning/planning-permission/design-guides>

The Park is a unique recreation offer close to Norwich. It is accessed by Whitlingham Lane, where there are residential dwellings and other recreation offers. The policy aims to make sure that levels of traffic will not impact on safety or amenity, and seek improvements for pedestrians and cyclists to the Park. Any proposals for changes to the car parking provision on site need to be fully justified, using up-to-date assessments of the use of the existing car parks to determine the need for more parking.

#### Evidence used to inform this section

- Policy rolled forward from Site Specific Policies Local Plan 2014.

### **32.28 NON-SETTLEMENT BASED POLICIES**

#### **Policy MODSSTRI: Trinity Broads**

##### **Main Map North East and Policy Maps 8 and 13**

The Trinity Broads area defined on the Adopted Policies Map will be protected for its special nature, character and tranquillity.

The volume, extent and nature of boating on these broads will be strictly controlled for the purposes of quiet recreation and to reflect the importance of the area as a wild bird refuge.

Applicants for planning permission will need to demonstrate that proposed development is compatible with these aims.

Particular care needs to be made to lighting schemes in recognition of the area having very good dark skies.

#### Parishes affected

Filby CP, Fleggburgh CP, Hemsby CP, Martham CP, Mautby CP, Ormesby St. Michael CP, Rollesby CP, Stokesby with Herringby CP.

#### Constraints and features

- Much of area in, variously, SAC, SPA, SSSIs, CWS, and/or LNRs.
- Flood risk and open water (zones 1, 2 & 3 by EA mapping; zones 1, 2, 3a & [indicative](#) 3b by SFRA 2017 mapping).
- Ormesby Water Works (see MODORM1).

#### Reasoned Justification

This area of the Broads, although not alone in either tranquillity or nature value, is especially susceptible to change.

Essex & Suffolk Water abstracts more than five million litres of water (on average) a day from Ormesby Broad, which helps to supply more than 80,000 people in the Great Yarmouth area. Good water quality is vital to this role. The Trinity Broads are separated from the main navigation so there is an absence of through boat traffic, and access and ownership restrictions limit the number and type of craft (for example, petrol and diesel powered craft are prohibited with the exception of safety vessels). These factors contribute to the special tranquillity of the area. The Trinity Broads Project (a partnership of Essex & Suffolk Water, the Broads Authority, Natural England, Norfolk Wildlife Trust and the Environment Agency) has, over a period of

16 years, been highly successful in restoring and managing the biodiversity of the area, improving water quality, managing recreation, and involving local people.

When considering planning applications in this area, the Authority will consider if a trial period with a temporary planning permission and a funded programme of monitoring is appropriate or necessary. The specifics of a proposal could mean that a project level Habitats Regulation Assessment could be needed.

This area of the Broads in particular has dark skies. In accordance with policy MODDM22, the darkness of the skies will therefore be maintained through addressing potential light pollution arising from proposals.

#### Evidence used to inform this section

- Policy rolled forward from Site Specific Policies Local Plan and to reflect the Dark Skies Study 2016.

#### **Policy MODSSUT: Upper Thurne**

##### **Main Map North East and Policy Map 15**

The Upper River Thurne area defined on the Adopted Policies Map will be protected for its special nature, character and tranquillity.

Development likely to lead to a significant increase in the volume or extent of boating, or a change in its nature (particularly an increase in the proportion of motorised craft) in this area will be strictly controlled to reflect the importance of the area for quiet recreation and as a wild bird refuge.

Applicants for planning permission will need to demonstrate that proposed development is compatible with these aims.

In recognition of the area being the darkest in the Broads, particular attention will be paid to lighting schemes in order to protect the dark skies of the Upper River Thurne area.

#### Parishes affected

Catfield CP, Hickling CP, Horsey CP, Ingham CP, Martham CP, Potter Heigham CP, Repps with Bastwick CP, Sea Palling CP, Somerton CP, Winterton-on-Sea CP.

#### Constraints and features

- Much of area in, variously, SAC, SPA, SSSI, CWS.
- Flood risk, including serious risk of coastal inundation (zone 3, with some zones 1 & 2, by EA mapping; zone [indicative](#) 3b by SFRA 2017 mapping).

#### Reasoned Justification

This area, although not alone within the Broads in either tranquillity or nature value, is especially susceptible to change. It is also likely to be in the forefront of climate change impacts.

It differs from most other parts of the Broads in that there are relatively low levels of boat traffic, in part because of the restriction to navigation of the bridge at Potter Heigham. The water quality is vulnerable to change, as limited water flow in this part of the network limits the dispersal of agriculture related pollution and the salinity arising from sea water intrusion through the ground. The Upper Thurne Working Group (made up of statutory, charity, user group and parish representatives) has, over a period of 20 years, been highly successful in restoring and managing the biodiversity of the area, improving water quality, managing recreation and involving local people.

This area of the Broads in particular has very dark skies, with the majority of the area being the darkest in the Broads. In accordance with policy MODDM22, the darkness of the skies will be maintained through addressing potential light pollution arising from proposals.

Evidence used to inform this section

- Policy rolled forward from Site Specific Policies Local Plan and to reflect the Dark Skies Study 2016.

**Policy MODSSCOAST: The Coast**

**Main Map North East**

The Coastal area defined on the Adopted Policies Map and its special nature, character and tranquillity will be conserved for low key quiet recreation and as a wild bird and seal refuge.

In order to further these purposes, and in view of the high flood and tidal inundation risk to the area, operational development will generally not be permitted.

Exceptionally, small-scale development such as bird-watching hides, seal viewing platforms or footpath bridges, which further these aims, are consistent with managing recreational pressure (particularly in relation to Special Protection Area and Special Area of Conservation features), and are unobtrusive in the landscape will be supported.

Parishes affected

Horsey CP, Winterton-on-Sea CP.

Constraints and features

- Wholly in SAC and SSSI, partially within SPA. Adjacent CWS.
- Part of area within the Norfolk Coast Area of Outstanding Natural Beauty (AONB).
- Article 4 Direction (1964) covering most of area removes permitted development rights for caravanning and camping, etc.
- High risk of tidal inundation from a breach of the coastal defences (Environmental Agency work ongoing to model such a breach).
- High risk of flooding (flood zone 3) (EA mapping), riverine flood risk (zone 3 by EA mapping; zone [indicative](#) 3b by SFRA 2017 mapping).
- EA have undertaken considerable work to maintain sea defences.
- Part of the England Coast Path.
- Risk of coastal erosion.

Reasoned Justification

The coastal area of the Broads has a very special character and tranquillity, and wildlife and landscape importance. It is highly valued for walking and for bird and seal-watching. It is also particularly vulnerable to climate change and sea level rise, and has been subject to sporadic coastal inundation for centuries (it was once the river mouth), with parts at risk of riverine flooding. This area of coast is also vulnerable to coastal erosion.

The area is generally unsuitable for development because of these flood risk, wildlife and landscape issues. The policy reinforces this and clarifies the general approach to the area's use and the limited types of development likely to be appropriate.

The Environment Agency highlights the high risk of tidal inundation in the event of a breach of the coastal defences.

This policy approach is consistent with the vision, objectives and policies of the AONB Management Plan Strategy (2014-19) and with the UK vision for the marine environment for 'clean, healthy, safe, productive and biologically diverse oceans and seas'.

In line with policy MODDM22 on light pollution, the area has very good quality dark skies which will be maintained.

According to the Shoreline Management Plan, as a brief summary of this document, the general approach to coastal erosion along this stretch for the present day and medium term is to hold the line up to 2055. This is dependent on the option continuing to be technically and economically deliverable, and over time other options may be investigated such as possible managed realignment, or a retired line of defence further inland. In relation to the present day, the plan says: *'due to the considerable assets at risk and the uncertainty of how the coastline could evolve, the policy option from the present day is to continue to hold the line of the existing defence. This policy option is likely to involve maintenance of existing seawalls and reef structures, replacing groynes as necessary and continuing to re-nourish beaches with dredged sand. This policy option will provide an appropriate standard of protection to all assets behind the present defence line, and, with the recharge, a beach will be maintained as well as a supply of sediment to downdrift areas.'*

#### Evidence used to inform this section

- Policy rolled forward from Site Specific Policies Local Plan and to reflect the Dark Skies Study 2016.

#### **Policy MODSSROADS: Main road network<sup>131</sup>**

##### **Main Map (NE, NW, & S), and various Inset**

New development accessed by the Primary Route Network (directly or by a side road which connects onto it), or by a Main Distributor Route, will only be permitted if, taking into account any mitigation measures, any resulting increase in traffic would not have a severe residual impact on:

- highway safety;
- the route's traffic capacity;
- the amenity and access of any neighbouring occupiers; and
- the Primary Route Network's national and strategic role as roads for long-distance traffic.

In appropriate cases, transport assessment or statements will be required to demonstrate that development proposals can be accommodated on the road network, taking into account any infrastructure improvements and travel plans proposed.

#### Parishes affected

Acle CP, Beccles CP, Broome CP, Bungay CP, Coltishall CP, Ditchingham CP, Filby CP, Fleggburgh CP, Fritton and St. Olaves CP, Gillingham CP, Haddiscoe CP, Halvergate CP, Hoveton CP, Horning CP, Ludham CP, Mautby CP, Potter Heigham CP, Repps with Bastwick CP, Ormesby St. Michael CP, Rollesby CP, Smallburgh CP, Stalham CP, Upton with Fishley CP, Wroxham CP.

#### Constraints and features

- Some of these routes are within or close to SAC, SPA, Ramsar sites, or SSSIs.
- Routes pass through high flood risk zones.

#### Reasoned Justification

<sup>131</sup> More detail is provided as follows. In Norfolk see [www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/roads-and-travel-policies/transport-asset-management-plan](http://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/roads-and-travel-policies/transport-asset-management-plan) in particular map ciii of the appendices. In Suffolk Part 1 of the Suffolk Local Transport Plan has a principal routes diagram on page 35: [www.suffolk.gov.uk/roads-and-transport/transport-planning/transport-planning-strategy-and-plans/](http://www.suffolk.gov.uk/roads-and-transport/transport-planning/transport-planning-strategy-and-plans/) and there is also the Suffolk Lorry Route network: [www.suffolk.gov.uk/assets/Roads-and-transport/lorry-management/Lorry-Route-Map-Amended-MAY-17.pdf](http://www.suffolk.gov.uk/assets/Roads-and-transport/lorry-management/Lorry-Route-Map-Amended-MAY-17.pdf)

The highway authorities and Norfolk and Suffolk County Councils have recommended that the Authority continues the 1997 Local Plan approach of protecting these routes from any development that undermines their wider purpose or highway safety.

A Transport Assessment (TA) is a comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies what measures will be taken to deal with the anticipated transport impacts of the scheme and to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport. In some cases, the transport issues arising out of development proposals may not require a full TA to inform the process adequately and identify suitable mitigation. In these instances, it has become common practice to produce a simplified report in the form of a Transport Statement (TS). There will also be situations where the transport issues relating to a development proposal are limited, and no formal assessment is necessary.

Norfolk and Suffolk County Councils set thresholds for which a TA or TS are required. In general, however, a Transport Statement (TS) is for development that has relatively small transport implications, and a Transport Assessment (TA) is for development that has significant transport implications.

The need for and level of formal transport assessment will be determined in consultation between the developer and the relevant authorities (Local Planning Authority, Local Highways Authority, Local Transport Authority and Highways England). In cases where the development may also impact upon the Trunk Road network (A12 and A47), discussions should also take place with Highways England, who has a responsibility to maintain the Trunk Road network on behalf of the Secretary of State.

Also of relevance is Policy MODSSA47 on the Acle Straight.

#### Evidence used to inform this section

- Policy rolled forward from Site Specific Policies Local Plan and to reflect the Dark Skies Study 2016.

#### **Policy MODSSMILLS: Drainage Mills**

##### **Main Map (NE, NW, & S), and various Inset Maps**

The area's heritage of traditional drainage mills, and drainage mill remains, will be conserved.

Proposals that will maintain, restore and, in appropriate cases re-use standing mills will be judged against the following criteria: Historic significance, survival of historically significant fabric (e.g. machinery, location, group value, fragility), and vulnerability of structure.

Any works to mills will be assessed for impacts on heritage (significance and setting), water (such as resource, quality and flow) and biodiversity. Works will, if necessary, be required to be timed to ensure no disturbance to breeding or wintering birds.

#### Constraints and features

- Many of the mills are listed buildings, Grades II and II\* [or on the Local List](#).
- Some are in Conservation Areas.
- Many of the mills are in SAC, SPA, Ramsar, CWS, etc.
- Most of the mills are at high risk of flooding.

#### Reasoned Justification

Drainage mills are a defining feature of the historic landscape of the Broads and contribute significantly to its landscape character, viewed from both land and water. The mills vary in size and design but all had the fundamental purpose of draining water from the land to enable the fields to be grazed and latterly to be used for other agricultural uses.

Of the 74 standing mills in the Broads, about 50 are listed and the rest are locally listed. Approximately 30 structures are neglected and require active conservation of fabric. Change of use is often a solution to the problem of neglect and can result in repair work being implemented and funded, giving a structure a sustainable future. However, work that will outweigh the benefit of bringing a structure into use by the amount of harm caused to its historic fabric cannot be justified.

Redundancy, exposure to elements and vulnerability to vandalism mean a number of the mills are recorded locally as being 'at risk'. Halvergate Marshes Conservation Area is the only Conservation Area in the Broads that is 'at risk' and is included on Historic England's Heritage at Risk Register.

The policy encourages restoration of standing mills. In cases where there are archaeological remains only, the relevant local and national policies will apply.

There is an action plan for each mill. Short to medium term actions are to make the mills safe and prevent further loss or damage to the structures, while longer term actions seek betterment, such as restoring any missing elements like masts. Mill owners may wish to refer to the Mills Action Plans when developing proposals for repair, maintenance, restoration or re-use.

The mills are in varying conditions, according to the Drainage Mill Action Plan (Broads Authority). The policy therefore gives a general framework to guide decisions. What is appropriate for one mill will not be for another, and expert advice will be required to help assess applications for changes to mills.

Due to their isolated location, usually in areas at risk of flooding, as well as the extent of works required to restore some of the mills, proposals for restoration are not easy to develop and can be costly. The mills tend to be the largest and most obvious structures in the flat, open landscape. The Authority supports the restoration of the mills or, in some cases, works that enable their neglect to be arrested, subject to the historic interest of the structure not being compromised.

The Environment Agency highlights the potential need for a range of consents, and to avoid adverse impacts on fish, flooding and water flows.

Many mills are intrinsically historically significant and contain machinery that represents innovation or is the last example of technology. Many are remote and located in groups of significant visual amenity to the Broads, and epitomise its cultural landscape. Mills are now mainly of landscape value; they are in particularly vulnerable or fragile condition and could potentially be lost to the Broads' landscape. In some cases it may be acceptable to seek alternative uses for those mills which are more accessible, are of lesser historic and greater landscape importance, and contain little or no significant machinery. In such cases re-use may be appropriate, as long as the positive landscape contribution of such mills is retained and enhanced through their creative conservation.

The re-use of historic buildings policy (MODDM12) and conversion of buildings policy (MODDM48) may be of relevance to proposals for mills.

The Authority is progressing its bid for Heritage Lottery Funding. A key aim of the project as a whole is to remove Halvergate Marshes Conservation Area from the Historic England 'At Risk' Register. Specific projects will include works to a number of Broads' drainage mills, from weatherproofing and fabricating new caps and sails to halting their further decline, and developing a model for future management and maintenance of the drainage mills. The Heritage Construction Skills Training project will embed heritage skills training into existing construction skills curricula at colleges, and provide opportunities for students to specialise in heritage construction skills and achieve industry-recognised standards and qualifications.

Evidence used to inform this section

- Policy rolled forward from Site Specific Policies Local Plan and to reflect the Dark Skies Study 2016.
- Drainage Mill Action Plan and Strategy, Broads Authority (not available on line)

**Policy MODSSPUBS: ~~Waterside~~ Pubs network**  
**Main Map (NE, NW, & S), and various Inset Maps**

The following establishments, identified on the Adopted Policies Map, will be protected in their public house use as key parts of a network of community, visitor and boating facilities, as well as for their individual contribution to such facilities.

The Authority will support appropriate proposals in accordance with other policies in this Local Plan that:

- contribute to the retention and viability of these businesses;
- enhance the appearance of these businesses;
- provide benefits to river/water users (such as canoe slipways and electric charging points);
- provide well-designed cycle parking facilities;
- upgrade/improve foul drainage arrangements;
- improve resilience to flood risk; and
- address light pollution.

**YARE**

- Rushcutters, Thorpe Green
- River Garden, Thorpe Green
- Town House, Thorpe Green
- Woods End Water's Edge, Bramerton
- Ferry House, Surlingham
- Coldham Hall, Surlingham
- Yare, Brundall Riverside
- New Inn, Rockland
- Beauchamp Arms, Claxton
- Reedcutters, Cantley
- Reedham Ferry Inn, Reedham
- Lord Nelson, Reedham
- Berney Arms, Berney Arms
- The Ship, Reedham

**BURE**

- Norfolk Mead Hotel, Coltishall
- King's Head, Coltishall
- Rising Sun, Coltishall
- King's Head, Hoveton
- Hotel Wroxham, Hoveton
- Swan, Horning
- New Inn, Horning
- Ferry Inn, Horning
- Bridge Inn, Acle
- Hermitage, Acle
- Ferry Inn, Stokesby
- Maltsters, Ranworth

**ANT**

- Cross Keys Inn, Dilham
- Wayford Bridge Hotel, Wayford Bridge
- Sutton Staithe Hotel, Sutton Staithe
- Dog, Johnson Street (Ludham Bridge)

**THURNE**

- Pleasure Boat, Hickling
- Broadshaven Hotel, Potter Heigham Bridge
- Lion, Thurne

**TRINITY**

- The Boathouse, Ormesby
- Filby Bridge Inn, Filby

**WAVENEY**

- Locks Inn, Geldeston
- Waveney House Hotel, Beccles
- Waveney Inn, Burgh St. Peter
- Duke's Head, Somerleyton
- Bell Inn, St Olaves
- Fisherman's Bar, Burgh Castle

**OULTON BROAD**

- Wherry Hotel, Oulton Broad
- Commodore, Oulton Broad
- Ivy House Hotel, Oulton Broad

Parishes affected

Acle CP, Beccles CP, Bramerton CP, Brundall CP, Burgh Castle CP, Burgh St. Peter CP, Cantley CP, Carleton St. Peter CP, Coltishall CP, Dilham CP, Fritton and St. Olaves CP, Geldeston CP, Halvergate CP, Hickling CP, Horning CP, Hoveton CP, Ludham CP, Ormesby St. Michael CP, Oulton Broad CP, Potter Heigham CP, Reedham CP, Rockland St. Mary CP, Rollesby CP, Somerleyton, Ashby and Herringfleet CP, Stalham CP, Stokesby with Herringby CP, Surlingham CP, Sutton CP, Thorpe St. Andrew CP, Thurne CP, Woodbastwick CP.

#### Constraints and features

- Almost all these premises are in zones of high flood risk.
- Some are in conservation areas, or areas of archaeological interest. Some are themselves of historic interest, including listed buildings.
- Some are within or close to SAC, SPA, SSSI, Ramsar, CWS, etc.

#### Reasoned Justification

The waterside pub network is very important, especially for recreational boating but also to local communities and non-boating visitors. While this can be said about a very wide range of establishments and locations public houses, for a variety of reasons, have been especially vulnerable to closure in recent years.

The loss of any particular pub (or other establishment) can sometimes be difficult to resist. Specifying in the Local Plan that these are part of a defined network will strengthen the planning case against any individual closure. It also signals the planning stance and helps owners and prospective developers get consistent messages about the identified establishments, to guide their own plans.

The policy seeks the retention of the pubs as public houses and supports appropriate improvements to the pub to make sure it remains viable. Such improvements could include the appearance of the pub as well as provision of specific facilities for water and road users (such as canoe slipways and well-designed and located Sheffield Stand cycle parking). The Safety by the Water policy (MODDM46) may be of relevance.

The policy also addresses the issue of drainage, due to the seasonality, proximity to the watercourse, and the nature of the effluent that can pose a significant local risk to the water environment. Ensuring there is no deterioration in water quality is an important requirement under the Water Framework Directive, which applies to all surface water bodies and groundwater bodies.

As set out in policy MODDM22, addressing light pollution in the Broads is an important aspect of the Local Plan. These establishments can be in rural areas, sometimes away from or on the edge of settlements, and any external lighting can have a significant impact on the tranquillity of the area. Proposals therefore need to address light pollution.

In cases where owners wish to pursue other forms of use of the public houses, they will be required to submit a report undertaken by an independent Chartered Surveyor, which meets the tests as set out in the CAMRA Public House Viability Test,<sup>132</sup> with any planning application. The Authority will need to verify the content of the report and may need to employ external expertise to do so (the applicant will need to meet the cost of this).

#### Evidence used to inform this section

- Policy rolled forward from Site Specific Policies Local Plan and to reflect the Dark Skies Study 2016.

#### **Policy MODSSSTATIONS: Railway stations/halts Main Map (NE, NW, & S), and various Inset Maps**

The following railway stations/halts, identified on the Adopted Policies Map, will be protected in their

<sup>132</sup> CAMRA Public House Viability Test : [www.camra.org.uk/documents/10180/36197/PHVT/725c3a01-9c07-4b2b-b263-a1842bef09b7](http://www.camra.org.uk/documents/10180/36197/PHVT/725c3a01-9c07-4b2b-b263-a1842bef09b7)

railway station use as key parts of the local railway network:

- i) Berney Arms rail halt
- ii) Haddiscoe rail halt
- iii) Somerleyton southern platform
- iv) Buckenham Station
- v) Hoveton and Wroxham Station

The Authority will support appropriate and well-designed proposals that:

- a) contribute to their continued/improved use;
- b) enhance their appearance;
- c) address light pollution;
- d) aid interpretation of the local area;
- e) provide improved facilities for passengers; and
- f) improve access by sustainable modes of transport.

#### Constraints

- Flood zone 2 and 3 (EA Mapping) and indicative 3b by SFRA 2017 mapping (except Hoveton and Wroxham Station)
- Buckenham Station: near to Mid Yare National Nature Reserve, Broadland Ramsar Site, Yare Broads and Marshes SSSI, The Broads SAC, Broadland SPA.
- Berney Arms Halt: Halvergate Marshes SSSI, Breydon Water SPA, Breydon Water Ramsar Site

#### Reasoned Justification

There are five railway stations/halts (or parts of) within the Broads Authority Executive Area and these are shown on the policies map.

While some stations are used more than others, all are important to the local community and visitors. The more remote stations or halts offer a unique opportunity for visitors to access the wilder parts of the Broads without the need of a private car.

The policy seeks retention of railway stops and supports appropriate improvements to the facilities that reflect, but do not impact on, the special qualities of the Broads.

With regard to improving access by sustainable modes of transport, example improvements could include the provision of well-designed and located secure cycle parking facilities and electric charging points for electric vehicles.

#### Evidence used to inform this section

- Local knowledge.

#### **Policy MODSSTRACKS: Former rail trackways**

##### **Map: Rail trackways map bundle**

Those parts of the former railway track beds identified on the Adopted Policies Map will be protected for their potential for walking, cycling, or horse-riding routes. Development which could prevent such a use will not be permitted while use for walking, cycling or horse-riding remains a potential.

Path or route creation must avoid adverse impacts to the sensitive designated habitats and species in the vicinity, particularly in relation to recreation pressure and the landscape.

Any route signage or interpretation is expected to be well designed, kept to a minimum and positioned to ensure a minimal landscape impact.

Any foot/cycle path or bridleway could make a deviation from the rail route if provision of similar convenience and amenity to users is guaranteed.

#### Constraints and features

- Flood risk (zones 2 & 3 by EA mapping; zone 2, 3a/indicative 3b and modelled 3b by SFRA 2017 mapping).
- Parts within Beccles Marshes Suffolk County Wildlife Site and adjacent to SPA, SAC and Ramsar site.

#### Reasoned Justification

The routes are:

- Haddiscoe to Beccles
- Beccles to Ditchingham
- Great Yarmouth to Fritton

The Broads Integrated Access Strategy has identified the potential that remnant disused railway lines can add to the access provision in the Broads, particularly for improving cycle route links and bridleway routes - there are only 17km of bridleways in the Broads Authority Executive Area. Establishing routes for walkers, cyclists and horse riders on these disused railways, which are linked to the rural road network, would improve opportunities for recreation and enjoyment of the Broads. Cycling will help deliver the Government's cycling ambition in the National Parks Programme.

The recreational potential of these routes (or parts of them) has long been noted, and Norfolk and Suffolk County Councils support their protection for these purposes. In view of the importance of recreation to the Broads, including the statutory purpose of enjoyment, and the desirability of developing the tourism and recreational potential of the southern Broads, these routes are protected.

These routes are no longer protected for future rail use. Both County Councils, as the transport authorities for the area, have advised there is no realistic prospect of this happening in the foreseeable future.

It is important to note that sections of these routes are outside the Broads Authority Executive Area. The relevant authorities have been asked to consider protecting the routes in their Local Planning Authority areas, in a similar way to this policy. Such routes will benefit from the presence and proximity of wildlife and habitat associated designations, but will need to have regard to such sensitivities in route creation, alignment and management. The impact of changes to the landscape of the Broads is also an important consideration.

The Authority would welcome well designed art and interpretation - see policy MODDM11 on linking to the past. However, signage and interpretation should only be that necessary to promote and direct along the route, and should not impact on the landscape of the Broads (see policy MODDM16).

#### Evidence used to inform this section

- Officer knowledge relating to the tracks.

#### **Policy MODSSLGS: Local Green Space** **See Local Green Space map bundle**

Development proposals that protect or enhance local green spaces and that comply with other relevant policies will be permitted. Development proposals that would have an unacceptable adverse impact on the

use, function and appearance of these local green spaces or would result in their loss will not be permitted other than in ~~exceptional~~ very special circumstances.

#### Reasoned Justification

Local green spaces are green spaces that are demonstrably special to a local community. The preparation of local and neighbourhood development plans offers the opportunity to designate local green spaces and provide extra protection to them that rules out new development other than in very special circumstances.

Local green space must be reasonably close to the community it serves; have demonstrable local significance and interest; be local in character; and not cover an extensive tract of land.

The Broads' community was asked to nominate areas to be considered as local green space. The Local Green Space Map Bundle and the following list show the spaces allocated as areas of local green space:

- Bridge Green, Potter Heigham
- Chedgrave Common
- Part of Waveney Meadow that is not open space, Puddingmoor, Beccles
- Land surrounding Beccles Rowing Club, Off Puddingmoor, Beccles
- The Stone Pit, Station Road, Geldeston
- The playing field, Station Road, Geldeston

The 2018 NPPF at paragraph says that 'policies for managing development within a Local Green Space should be consistent with those for Green Belts'. The NPPF 2018 goes on to say that inappropriate development can harm green belt (and therefore local green space) and should only be approved in very special circumstances. The NPPF 2018 then goes on to provide clarification of this by saying 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

#### Evidence used to inform this section

- Local Green Space Nominations and Assessment, revised 2017. [www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2](http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2)

#### **Policy MODSSSTAITHES: Staithes**

Staithes are protected, in line with their existing access rights, from:

- i) Encroachment;
- ii) Inappropriate built development;
- iii) Their access being obstructed; and
- iv) Development which detrimentally impacts their historic character and setting.

Proposals to enhance staithes will be supported subject to meeting the requirements of other relevant policies of the Local Plan.

#### Reasoned justification

A **staithe** (as defined in the 1988 Broads Act) means any land that is adjacent to a waterway and that the inhabitants of the locality are entitled to use as a landing place. A staithe is for loading and unloading.

There have been a number of instances where staithes have been adversely possessed by individuals, for example being fenced off or claimed as an individual's property. By losing staithes, there is a negative impact on public access to the water as well as use of the staithes for loading. The Broads Act 1988 sets powers on the Broads Authority to protect the existence of staithes and the ability of the public to use and access them (Part 2, section 37).

Evidence used to inform this section

- Officer experience.

**Policy MODSSA47: Road schemes on the Acle Straight (A47T)**

**See Map: Appendix N: Acle Straight and considerations/constraints**

The Authority will work proactively with promoters and designers of any schemes /proposals for changes to the Acle Straight at an early stage and throughout the process, especially at the feasibility and design stages.

Any proposed scheme will need to be justified. Proposed schemes need to consider the special qualities of the Broads and the fact that it is a protected landscape of national importance. Proposals will need to undertake comprehensive scoping of constraints and opportunities at the earliest stage to set out the nature and scale of any resultant impacts (negative or positive) from proposals, demonstrate how any negative impacts would be avoided, mitigated or compensated and take opportunities to enhance the special qualities of the area and people's enjoyment of them.

Transport infrastructure, including roads, accesses, bridges, lighting, signing, other street furniture and public transport infrastructure need to be balanced against the overall impact of the scheme on the special qualities of the Broads and carefully designed and maintained to take full account of the valued characteristics of the special qualities of an iconic and highly protected landscape.

The Authority acknowledges that schemes will be designed to national guidance and requirements. Proposals will need to ensure they consider and address potential impacts to the following locally important characteristics: wildlife, habitats and species, land management practices, landscape, tranquillity and visual amenity, surface water (including pollution risk from spills), existing footpath/Public Right of Way networks and designated or undesignated heritage assets or their setting, including waterlogged archaeology and traditional dyke networks.

Lighting in any scheme needs to be kept to a minimum, thoroughly justified and well designed so as to not contribute to light pollution.

Schemes will need to consider the provision of a strategic walking and cycling route between Acle and Great Yarmouth and interpretation measures and opportunities to safely enjoy and appreciate the iconic views to the mills and over the marshes.

Constraints and features

- Entire length of Acle Straight in Flood Zone 3 (EA mapping) and indicative 3b using SFRA 2017 mapping.
- Western end: Damgate Marshes SSSI, Halvergate Marshes SSSI, Broadland SPA, Broadland Ramsar site and The Broads SAC.
- Eastern end: Breydon Water LNR, SSSI, Ramsar Site, SPA, Outer Thames Estuary SPA.
- Stracey Arms Drainage Mill (listed building) is next to the Acle Straight.
- Other listed buildings with a view towards the Acle Straight that can be viewed from the road.
- Halvergate Marshes Conservation Area.
- The Broads is a site identified by Historic England as having exceptional potential for waterlogged archaeology.
- Undesignated heritage assets that contribute to the cultural heritage of the area, such as the WW2 defences and assets identified on the Norfolk HER and Broads Local List.
- Numerous accesses to tracks, for example to farms.
- Numerous level crossings accessed from the Acle Straight.
- Branch Road junction.
- Little Whirlpool Ramshorn Snail (*Anisus vorticulus*) is a European protected species.

- [The Acle Straight runs in between railway line and river.](#)
- [Open and flat landscape.](#)
- [Historic dyke networks with associated features.](#)
- [Rights of Way.](#)
- [Future changes resulting from the HLF project.](#)
- [Users of the Acle Straight experience congestion regularly.](#)
- [Serious accidents on the Acle Straight are higher than the national average \(13%\) and the average for Norfolk County \(16%\).](#)

### **[Reasoned justification](#)**

#### **[Background to the A47 and Acle Straight](#)**

[The A47 Trunk Road passes through the Broads Authority area and this policy relates to the section of the A47 between Acle and Great Yarmouth, known as the Acle Straight.](#)

[The A47 is the main east-west connection in northern East Anglia. It links Lowestoft to Great Yarmouth and then with Norwich, King's Lynn and Peterborough to the A1, with connections to the Midlands and the north of England. At Great Yarmouth and Norwich, connections to Europe and beyond are available via the port and airport. New Anglia Local Enterprise Partnership's Economic Strategy considers this route of strategic importance.](#)

[The Acle Straight is a single carriageway with at-grade roundabouts at each end. This section of the A47 has high vehicle flows including a high use by HGVs resulting in longer and more unreliable journey times, as well as delays and congestion at junctions. The two-way Annual Average Weekday Flow \(AAWF\) on the A47 at Acle Straight is approximately 21,000 vehicles, including a significant HGV percentage of more than 17% in the AM peak period.](#)

[The Acle Straight has an accident rate above that of the national average, with a total of 59 personal injury accidents occurring in the past 5 years \(2011-2016\) including 3 fatal and 16 serious injuries. The proportion of fatal and serious accidents for this section of single carriageway road is significantly higher than the national average \(13%\) and the average for Norfolk County \(16%\). Accidents on the Acle Straight have also resulted in road closures, with traffic having to be diverted onto unsuitable alternative routes. Incident records show that the greatest delays in the area occur due to accidents, with the average delay exceeding over two hours.](#)

#### **[What could happen to the Acle Straight and why](#)**

[There is an ambition promoted by the A47 Alliance to dual the A47 for its full length, including the stretch between Acle and Great Yarmouth. The A47 Alliance brings together the business community, local authorities, MPs and stakeholders along the whole of the trunk road route between Peterborough and Lowestoft. Partners, including the Greater Cambridge Greater Peterborough and New Anglia LEPs are working together to make the case for improvements and to secure the investment required to make it happen. This is a long-term ambition for post-2021.](#)

[In the medium term, Highways England plan to undertake safety improvements at key locations on the Acle Straight.](#)

[In December 2014, funding was announced in the Government's Autumn Statement to deliver changes along the A47, including safety improvements along the Acle Straight. Two schemes in particular are of relevance:](#)

- [A47/A12 Great Yarmouth: junction improvements, including reconstruction of the Vauxhall roundabout.](#)

- Safety improvements at key hotspots, and joint working with Natural England to establish environmental impacts and mitigation measures for the medium and long term which could include installation of safety barriers, junction improvements and road widening or capacity improvements.

The Authority acknowledges that changes to the Acle Straight could bring benefits in relation to road safety, improved management of surface water and pollutants, and the economy of the local area in particular economic growth of the sub-region of Great Yarmouth and Lowestoft and wider region<sup>133</sup> through reduced congestion and delays and more reliable journey times. There are also opportunities associated with schemes as mentioned in the policy, such as the potential for archaeological finds, a new route alongside a dualled road, and potential for interpretation of the Broads.

#### **Determining applications relating to the Acle Straight**

The Broads Authority would not determine any future planning application for dualling the Acle Straight. The scheme is likely to be determined as a Nationally Significant Infrastructure Project (NSIP) by the Planning Inspectorate, because the developable area could be over 12.5Ha and because the scheme could have environmental impacts<sup>134</sup>.

There is a possibility that the dualling of the Acle Straight will come forward during this Local Plan period and the purpose of this policy is to identify important issues and considerations in determining the suitability of any proposal.

#### **Major Development**

Some changes to the Acle Straight may be considered as Major Development for the purposes of the 2018 NPPF paragraphs 172 and 173 (and footnote 55) and policy DMx of this Local Plan which addresses major development in the Broads.

#### **The Acle Straight and the Broads**

The first statutory purpose of the Broads Authority is conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads. Section 17A of The Norfolk and Suffolk Broads Act 1988 imposes a statutory duty on authorities to have regard to the relevant statutory purposes when exercising their functions that can affect land in the Broads. For the avoidance of doubt, the special characteristics of the Broads are those set out at section 8.4. Furthermore, of particular importance and relevance in understanding the impacts of any scheme are the Broads Landscape Sensitivity Study and Broads Landscape Character Assessment. Areas 19, 24, 25 and 20 of these studies are the relevant areas for consideration.

The Authority acknowledges that schemes will be designed to national guidance and requirements; the policy and the following information highlights and explains locally important criteria that need addressing in any scheme. It is considered that the clear guidance the policy and supporting text provides will assist in the development and design of any future scheme.

Fundamentally, because of the potential adverse impacts that changes to the highway schemes/changes to the Acle Straight may have on the landscape, visual amenity, historic environment, ecology, habitats, access and special characteristics of the Broads, of either a temporary or permanent nature, any changes to the Acle Straight will need to be designed to reduce and avoid such impacts in the first place. Only then can mitigation be considered. These specific criteria need to be considered and addressed as part of any scheme.

#### **Wildlife and habitats**

The Broads is one of the nation's richest areas for biodiversity, with European designated habitats and species flanking and occupying the habitats close to the existing road. European and nationally protected species such as water vole, bat and otter are likely to be impacted by any changes. Water voles have

<sup>133</sup> A47 Wider Economic Benefits (2012) [www.a47alliance.co.uk/assets/AgendasMinutes/Wider-Economic-Benefits-A47.pdf](http://www.a47alliance.co.uk/assets/AgendasMinutes/Wider-Economic-Benefits-A47.pdf)

<sup>134</sup> NSIP: [www.legislation.gov.uk/ukxi/2013/1883/pdfs/ukxi\\_20131883\\_en.pdf](http://www.legislation.gov.uk/ukxi/2013/1883/pdfs/ukxi_20131883_en.pdf)

suffered drastic declines across the country in recent years, although populations in the Broads are still high. Any loss of water vole habitat in the ditches would need to be compensated and water vole populations translocated.

Any increase in lighting could potentially cause adverse impacts on bat populations in the area. Light pollution is known to deter bats from commuting and foraging areas, delay their emergence for hunting and cause disturbance to roosts.

The area is already a significant site for otter mortality. Road widening risks making this worse, so the Authority would expect changes that underline the need to include enhancements, such as wildlife crossing points. Other impacts on wildlife, such as increased barn owl road fatalities, would also need to be addressed.

Many of the grazing marsh ditches hold conservation designations of European importance, supporting important plant and invertebrate communities. Any impacts to the ditch network would need to address this loss, considering alternatives, mitigation (including translocation), compensation, long term conservation and monitoring.

One of the already specified issues that changes to the Acle Straight would need to address is the Little Whirlpool Ramshorn Snail. The dykes around the current road are one of the few habitats of this species, which is on an international 'red list' of endangered species. It is a small aquatic snail with a flattened spiral shell of approximately 5mm in diameter. It has been declining from the UK since the 1960s, although the reason for the decline is not clear. A study investigating the potential to translocate the snail (AECOM, March 2015) concluded that translocation was a potential option, but identified various considerations such as:

- Pathogen transference has been highlighted as an issue, and as such receptor and donor sites should derive from the same drainage unit.
- Donor sites must have a robust population and only sites with no current population should be used as receptor site.
- In order to ascertain these sites and to increase knowledge of the target species, robust pre-translocation survey is a necessity.
- In addition, receptor sites will need to be properly assessed to ensure the receiving habitat is suitable.

Large scale changes such as dualling the Acle Straight are likely to result in the loss of habitat as the surrounding dykes could be lost, as could some marshland. The Authority would expect any loss to be avoided and then minimised, with compensation likely to be required. Areas requiring compensation include the need to secure land purchase, conservation management or long term covenants for defined enhancements, and monitoring regimes. In the first place a scoring system for compensation should be worked up by independent consultant and agreed by all parties.

### **Landscape and tranquillity**

Another key issue is the impact of changes to the road on the landscape character of the Halvergate Conservation Area. The A47 crosses an area known as the Halvergate marshes or Halvergate triangle. This area forms one of the defining landscapes of the Broads Authority Executive Area, being a vast panoramic expanse of grazing marsh dotted with windmills and often teaming with wildlife. The sheer scale, inaccessibility and emptiness of much of the marshland means it remains largely quiet and isolated. It is designated as a Conservation Area and its biodiversity interest is recognised through national and international designations. The dualling of the Acle Straight has the potential to cause significant adverse effects to both the existing landscape character of the area (including tranquillity through increased traffic noise) and nature conservation interests.

Notwithstanding the above, it is recognised that the current use of the road, which is often characterised by congestion, does not always positively contribute to a sense of tranquillity in the area and improvements to

the road which better facilitate the movement of traffic could potentially result in benefits to tranquillity in the area.

Proposed highway options are likely to range in scale, nature and extent. A number of key characteristics have the potential to be affected through changes to the highway/schemes, through both the construction phase and as a result of the completed project. The significance of the effects on the landscape and visual amenity of the area (adverse or beneficial) of any option proposed will need to be assessed in accordance with current guidelines. Reference will need to be made to the current landscape character assessments for Local Character Areas 19, 24, 25 and 20 and the Conservation Area appraisal.

Dualling of the Acle Straight has the potential to cause significant adverse effects on the existing landscape character. Mitigation of these effects may be challenging and would need to recognise that common methods such as screening tree belts may be highly intrusive in terms of the extensive open landscape character.

Noise is an important aspect of tranquillity. Schemes should seek to address this, but the provision of noise barriers would be detrimental to the iconic landscape viewing potential along this route. There could be scope for low noise surfacing.

### **Surface water**

Changes to the Acle Straight could result in more impermeable surfaces, leading to a greater volume of surface run off to wash more pollutants off the road surface. The sensitive habitats nearby could be adversely affected by pollutants.

Any changes to the Acle Straight would need to address increased risk of flooding at that point and elsewhere by implementing sustainable drainage or SuDS, and by considering potential hazard to water quality from the surface runoff. Water may require additional treatment prior to disposal and adequate steps need to be put in place. Where any SuDS are proposed, it is important to demonstrate that the SuDS hierarchy (see policy MODDM6) has been followed both in terms of:

- Surface water disposal location, prioritised in the following order: disposal of water to shallow infiltration, to a watercourse, to a surface water sewer, combined sewer / deep infiltration (generally greater than 2m below ground level); and
- The SuDS components used within the management train (source, site and regional control).

The CIRIA SuDS Manual C753 (2015) looks at designing sustainable surface water drainage from highways, and designing for water quality issues. Additional measures to address accidental spills will also need to be considered.

The Acle Straight is almost entirely within an Internal Drainage Board (IDB) area and the Water Management Alliance should be consulted at an early stage. If infiltration is not favourable, they should be consulted to establish if surface water drainage discharge to a managed network would require consent.

The Environment Agency should also be consulted with regard to water quality and any particularly sensitive receptors nearby as well as in relation to strategic flood risk and any mitigation required to compensate for any floodplain affected. The Environmental Permitting (England and Wales) Regulations 2010 may be of relevance as well.

### **Light pollution**

The Authority's Dark Sky Report (2016) shows that the Acle Straight has good quality dark skies, with the western end in particular having very good quality dark skies<sup>135</sup>. Any schemes need to be assessed in line with policy MODDM22 Light pollution and dark skies.

### **Walkers, cyclists and horse riders**

Changes to the Acle Straight offer the opportunity to improve provision for walkers, cyclists and horse riders and provide new facilities. The Broads Integrated Access Strategy has an aim for a shared use path along the length of the Acle Straight, which would provide a new link to enable non car journeys between Acle and Great Yarmouth.

### **Interpretation and appreciation**

The route is a tourist route as well an access route. Changes to the Acle Straight could include provision of parking laybys, allowing people the opportunity to appreciate the iconic landscape. The Authority would expect these areas to have no impediment to the view, and to provide interpretation points that would add to the visitor experience of the Broads.

### **HLF scheme<sup>136</sup>**

The Broads Landscape Partnership has received a grant of £2.6m from the Heritage Lottery Fund (HLF) through its Landscape Partnership (LP) programme for the Water, Mills and Marshes project. The project aims to enrich and promote heritage sites in the area between Norwich, Great Yarmouth, Lowestoft, Acle and Loddon, unlock the benefits of this distinctive landscape for local people and give them the skills to protect it as a legacy for future generations. Iconic drainage mills on Halvergate marshes, an area which boasts one of the greatest concentrations in Europe, will be documented and renovated through a Heritage Construction Skills training scheme.

Delivery of the HLF project is set for 2018 to 2022. At the time of writing, the results of the scheme and their impact on the landscape in the Halvergate Marshes area is not known. The changes to the area will be an important consideration for any proposals to change the Acle Straight.

### **Heritage assets**

The listed Stracey Arms Drainage Mill is located immediately adjacent to the Acle Straight. The impacts of changes on this heritage asset will need to be addressed. There are many other intervisible (seen from each perspective) drainage mill structures, both nationally and locally listed, collectively forming the largest grouping in the UK. All of them contribute to the historic character of the drained marshland. The Norfolk HER contains many records relating to the area both in terms of archaeology and built form, an example being the World War 2 defences that remain in situ on the marshes.

The special historic interest of Halvergate marshes is particularly significant as a constantly evolving cultural landscape. That evolution is illustrated by numerous remnant structures, landscape and archaeological features, that collectively contribute to the historic significance of the area. Historic England has recognised this significance in terms of undiscovered archaeology and identified the Broads as an area of *exceptional potential for waterlogged heritage*. See policy MODDM11 Heritage Assets, which relates to archaeology.

Virtually the whole of the Acle Straight corridor lies within the Halvergate Marshes Conservation Area, a designated Heritage Asset characterised by the cultural landscape and the features within it.

The Authority would expect that the historic significance, including the potential archaeological significance of the area, is fully assessed and analysed in any proposal for changes to the Acle Straight. The historic environment is a finite resource and once lost cannot be replaced. The Authority therefore expects that any

<sup>135</sup> The readings taken along the Acle Straight were all over 20 arc magnitudes per second with those to the western end of the Acle Straight in particular being over 20.5 arc magnitudes per second.

<sup>136</sup> Water, Mills and Marshes: [www.broads-authority.gov.uk/looking-after/projects/water,-mills-and-marshes](http://www.broads-authority.gov.uk/looking-after/projects/water,-mills-and-marshes)

adverse impact on the historic environment, either built, landscape or archaeological, is kept to an absolute minimum, and that any adverse impact resulting from change is fully assessed and can be justified in line with the tests set out in section 12- 16 of the 2018 NPPF.. Where justification for harm can be made, any impact or harm should be mitigated, including improvements to existing features.

### **Practicalities**

The current route has various pinch points bounded by river on one side and railway on the other. Further, numerous farm accesses and the road towards Halvergate will need to be accommodated. This may mean that any scheme cannot be fitted 'on-line' and a wider route choice corridor has to be considered. This could have immense implications on the landscape, heritage and ecology and could alter the attitude of the Authority to any proposals. Constraint scoping needs to be undertaken very early in the process.

### **Evidence used to inform this section includes**

- Broads Dark Skies Report (2016): [www.broads-authority.gov.uk/ data/assets/pdf file/0007/757402/Broads-Authority-Dark-Skies-Study-March-20161.pdf](http://www.broads-authority.gov.uk/data/assets/pdf_file/0007/757402/Broads-Authority-Dark-Skies-Study-March-20161.pdf)
- Halvergate Marshes conservation area appraisal: Not on line
- Landscape Character Assessment (2017).
- Landscape Sensitivity Study (2012)
- Feasibility study on the translocation of the little whirlpool ramshorn snail (AECOM 2015) [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/454014/Feasibility\\_Study\\_Lesser\\_Whirlpool\\_Ramshorn\\_Snail\\_DRAFT\\_Redacted.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/454014/Feasibility_Study_Lesser_Whirlpool_Ramshorn_Snail_DRAFT_Redacted.pdf)
- Broads Plan 2017
- Rights of Way/Access Improvement Plans

## 33. Implementation, monitoring and review

### 33.1 Introduction

This section discusses how the strategy in this Local Plan will be implemented, monitored and reviewed.

### 33.2 Implementation and delivery

A number of organisations will be responsible for the delivery and implementation of different policies in the Local Plan. The monitoring and implementation framework can be found at [Appendix O](#).

### 33.3 Monitoring the Local Plan

Monitoring the Core Strategy, Development Management and Site Specific Local Plan policies has proven to be difficult as some indicators relied on third parties for up-to-date data, while other data is only monitored every few years. For some policies there are numerous indicators to monitor. The Authority has produced a simpler and hopefully more efficient monitoring regime for this Local Plan.

The individual policies have monitoring indicators, set out at [Appendix O](#). Where there is an obvious quantifiable output to monitor, the indicator reflects this (for example, applications approved contrary to Environment Agency advice, or number of dwelling permitted or developed). Such an approach to other policies is less easy. As such, the Authority has produced a simple questionnaire for its Development Management Officers to use when completing a decision notice. This questionnaire asks which policies have been used to help determine the application, and to what level of conformity the application and decision has been made – in other words, whether the decision and application are in full conformity with policy, part conformity or contrary.

### 33.4 Reviewing the Broads Local Plan

The Authority will assess the use of each policy through the monitoring indicators on an annual basis, to help us understand how the policies are being used and to what effect.

The Housing White Paper discusses the changes to the planning system that the Government intends to make in this parliament (to 2020). If these changes and the policy monitoring data indicate a need to amend adopted policies, the Authority will respond appropriately.

The Authority will start to review the Local Plan around 18 months after it has been adopted. This allows a good period of time for the strategy to take effect, and gives officers time to experience using the policies. [This review would use the monitoring information collected either through the specific monitoring indicators as set out in the Monitoring and Implementation Framework as well as the bespoke questionnaire that Development Management Officers will complete on issuing the decision notice of applications to set out how policies were used in determining applications.](#) With the Local Plan likely to take around three years to implement, this review timetable will result in a new Local Plan in place about five years after this Local Plan has been adopted, in line with the [Housing White Paper's intentions](#). [amended Regulations \(The Town and Country Planning \(Local Planning\) \(England\) \(Amendment\) Regulations 2017\).](#)

## Appendix A: Map and list of districts and parishes of the Broads



As well as the map, the following lists show the parishes that are partly within the Broads and what District they lie within:

<u>Parish/Town Council</u>	<u>District</u>
<u>Acle Parish Council</u>	<u>Broadland</u>
<u>Aldeby Parish Council</u>	<u>South Norfolk</u>
<u>Ashby St Mary Parish Council</u>	<u>South Norfolk</u>
<u>Ashby with Oby Parish Council</u>	<u>Great Yarmouth Borough</u>
<u>Ashby, Herringfleet and Somerleyton Parish Council</u>	<u>Waveney</u>
<u>Barnby Parish Council</u>	<u>Waveney</u>
<u>Barsham and Shipmeadow Parish Council</u>	<u>Waveney</u>
<u>Barton Turf and Irstead Parish Council</u>	<u>North Norfolk</u>
<u>Beccles Town Council</u>	<u>Waveney</u>
<u>Beighton Parish Council</u>	<u>Broadland</u>
<u>Belaugh Parish Council</u>	<u>Broadland</u>
<u>Belton with Browston Parish Council</u>	<u>Great Yarmouth Borough</u>
<u>Blundeston and Flixton Parish Council</u>	<u>Waveney</u>
<u>Bradwell Parish Council</u>	<u>Great Yarmouth Borough</u>
<u>Bramerton Parish Council</u>	<u>South Norfolk</u>
<u>Brampton Parish Council</u>	<u>Broadland</u>
<u>Broome Parish Council</u>	<u>South Norfolk</u>
<u>Brumstead Parish Council</u>	<u>North Norfolk</u>
<u>Brundall Parish Council</u>	<u>Broadland</u>
<u>Bungay Town Council</u>	<u>Waveney</u>
<u>Burgh Castle Parish Council</u>	<u>Great Yarmouth Borough</u>
<u>Burgh St Peter and Wheatacre Parish Council</u>	<u>South Norfolk</u>
<u>Caister-on-Sea Parish Council</u>	<u>Great Yarmouth Borough</u>
<u>Cantley Parish Council</u>	<u>Broadland</u>
<u>Carleton St Peter Parish Council</u>	<u>South Norfolk</u>
<u>Carlton Colville Parish Council</u>	<u>Waveney</u>
<u>Catfield Parish Council</u>	<u>North Norfolk</u>
<u>Chedgrave Parish Council</u>	<u>South Norfolk</u>
<u>Claxton Parish Council</u>	<u>South Norfolk</u>
<u>Coltishall Parish Council</u>	<u>Broadland</u>
<u>Crostick Parish Council</u>	<u>Broadland</u>
<u>Dilham Parish Council</u>	<u>North Norfolk</u>
<u>Ditchingham Parish Council</u>	<u>South Norfolk</u>
<u>Earsham Parish Council</u>	<u>South Norfolk</u>
<u>East Ruston Parish Council</u>	<u>North Norfolk</u>
<u>Ellingham and Kirby Cane Parish Council</u>	<u>South Norfolk</u>
<u>Filby Parish Council</u>	<u>Great Yarmouth Borough</u>
<u>Fleggburgh Parish Council</u>	<u>Great Yarmouth Borough</u>
<u>Freethorpe Parish Council</u>	<u>Broadland</u>
<u>Fritton and St Olaves Parish Council</u>	<u>Great Yarmouth Borough</u>
<u>Geldeston Parish Council</u>	<u>South Norfolk</u>
<u>Gillingham Parish Council</u>	<u>South Norfolk</u>
<u>Haddiscoe and Toft Monks Parish Council</u>	<u>South Norfolk</u>

<u>Parish/Town Council</u>	<u>District</u>
<u>Hales and Heckingham Parish Council</u>	<u>South Norfolk</u>
<u>Halvergate Parish Council</u>	<u>Broadland</u>
<u>Hemsby Parish Council</u>	<u>Great Yarmouth Borough</u>
<u>Hickling Parish Council</u>	<u>North Norfolk</u>
<u>Honing and Crostwight Parish Council</u>	<u>North Norfolk</u>
<u>Horning Parish Council</u>	<u>North Norfolk</u>
<u>Horsey Parish Council</u>	<u>North Norfolk</u>
<u>Horstead with Stanninghall Parish Council</u>	<u>Broadland</u>
<u>Hoveton Parish Council</u>	<u>North Norfolk</u>
<u>Ingham Parish Council</u>	<u>North Norfolk</u>
<u>Kirby Bedon Parish Council</u>	<u>South Norfolk</u>
<u>Kirby Cane &amp; Ellingham Parish Council</u>	<u>South Norfolk</u>
<u>Langley with Hardley Parish Council</u>	<u>South Norfolk</u>
<u>Loddon Parish Council</u>	<u>South Norfolk</u>
<u>Lound Parish Council</u>	<u>Waveney</u>
<u>Ludham Parish Council</u>	<u>North Norfolk</u>
<u>Martham Parish Council</u>	<u>Great Yarmouth Borough</u>
<u>Mautby and Runham Parish Council</u>	<u>Great Yarmouth Borough</u>
<u>Mettingham Parish Council</u>	<u>Waveney</u>
<u>Neatishead Parish Council</u>	<u>North Norfolk</u>
<u>North Cove Parish Council</u>	<u>Waveney</u>
<u>Norton Subcourse Parish Council</u>	<u>South Norfolk</u>
<u>Norwich City</u>	<u>Norwich City</u>
<u>Ormesby St Margaret with Scratby Parish Council</u>	<u>Great Yarmouth Borough</u>
<u>Ormesby St Michael Parish Council</u>	<u>Great Yarmouth Borough</u>
<u>Oulton Broad Parish Council</u>	<u>Waveney</u>
<u>Oulton Parish Council</u>	<u>Waveney</u>
<u>Postwick with Witton Parish Council</u>	<u>Broadland</u>
<u>Potter Heigham Parish Council</u>	<u>North Norfolk</u>
<u>Reedham Parish Council</u>	<u>Broadland</u>
<u>Repps with Bastwick Parish Council</u>	<u>Great Yarmouth Borough</u>
<u>Rockland St Mary with Hellington Parish Council</u>	<u>South Norfolk</u>
<u>Rollesby Parish Council</u>	<u>Great Yarmouth Borough</u>
<u>Salhouse Parish Council</u>	<u>Broadland</u>
<u>Sea Palling and Waxham Parish Council</u>	<u>North Norfolk</u>
<u>Smallburgh Parish Council</u>	<u>North Norfolk</u>
<u>Somerton West/East Parish Council</u>	<u>Great Yarmouth Borough</u>
<u>South Walsham Parish Council</u>	<u>Broadland</u>
<u>Stalham Town Council</u>	<u>North Norfolk</u>
<u>Stokesby with Herringby Parish Council</u>	<u>Great Yarmouth Borough</u>
<u>Strumpshaw Parish Council</u>	<u>Broadland</u>
<u>Surlingham Parish Council</u>	<u>South Norfolk</u>
<u>Sutton Parish Council</u>	<u>North Norfolk</u>
<u>Thorpe St Andrew Town Council</u>	<u>Broadland</u>
<u>Thurlton Parish Council</u>	<u>South Norfolk</u>
<u>Thurne Parish Council</u>	<u>Great Yarmouth Borough</u>

<u>Parish/Town Council</u>	<u>District</u>
<u>Trowse with Newton Parish Council</u>	<u>South Norfolk</u>
<u>Upton with Fishley Parish Council</u>	<u>Broadland</u>
<u>West Caister Parish Council</u>	<u>Great Yarmouth Borough</u>
<u>Winterton-on-Sea Parish Council</u>	<u>Great Yarmouth Borough</u>
<u>Woodbastwick Parish Council</u>	<u>Broadland</u>
<u>Worlingham Parish Council</u>	<u>Waveney</u>
<u>Wroxham Parish Council</u>	<u>Broadland</u>

## Appendix B: Superseded policies

Please note that no policies are proposed to be 'saved'.

REF	What has happened to policy	Reference Number in Local Plan
DP1	Policy rolled forward with slight amendments.	MODDM13
DP2	Policy rolled forward with slight amendments.	MODDM16, 17, 18
DP3	Policy rolled forward with slight amendments.	MODDM2, 3, 4
DP4	Policy rolled forward with slight amendments.	MODDM43
DP5	Policy rolled forward with slight amendments.	MODDM11
DP6	Policy rolled forward with slight amendments.	MODDM12
DP7	Policy rolled forward with slight amendments.	MODDM14 and 15
DP8	Policy rolled forward with slight amendments.	MODDM14 and 15
DP9	Policy rolled forward with slight amendments- now utilities infrastructure	MODDM19
DP10	Policy rolled forward with slight amendments.	MODDM49
DP11	Policy rolled forward with slight amendments.	MODDM23
DP12	Policy rolled forward with slight amendments.	MODDM31
DP13	Policy rolled forward with slight amendments.	MODDM32
DP14	Policy rolled forward with slight amendments.	MODDM29
DP15	Policy rolled forward with slight amendments.	MODDM30
DP16	Policy rolled forward with slight amendments.	MODDM33
DP17	Policy rolled forward with slight amendments.	MODDM50
DP18	Policy rolled forward with slight amendments.	MODDM26
DP19	Policy rolled forward with slight amendments.	MODDM27
DP20	Policy rolled forward with slight amendments.	MODDM28
DP21	Policy rolled forward with slight amendments.	MODDM48
DP22	Forms part of Development Boundary policy.	MODDM35
DP23	Policy rolled forward with slight amendments.	MODDM34
DP24	Policy rolled forward with slight amendments.	MODDM40
DP25	Policy rolled forward with slight amendments.	MODDM37
DP26	Policy rolled forward with slight amendments.	MODDM38
DP27	Rolled forward with slight changes and combined with CS25.	MODDM44
DP28	Policy rolled forward with slight amendments.	MODDM21
DP29	Policy rolled forward with slight amendments.	MODDM5 and 6
DP30	Policy rolled forward with slight amendments.	MODDM47
CS1	Separated out into topic specific policies.	MODSP6, 7, 8
CS2	Incorporated into a new biodiversity policy	MODSP6
CS3	Rolled forward with some slight amendments. Combined with CS13 and CS15.	MODSP13
CS4	Separated out into different policies.	MODSP2, 6 and DM43
CS5	Policy rolled forward with slight changes. Combined with CS6	MODSP5
CS6	Policy rolled forward with slight changes. Combined with CS5	MODSP5
CS7	Generally covered in the water and design policies.	Water section and DM43
CS8	Policy rolled forward with slight changes	MODSP3
CS9	Combined into tourism strategic policies.	MODSP12
CS10	Discarded. Approach no longer deemed necessary.	-

REF	What has happened to policy	Reference Number in Local Plan
CS11	Combined into tourism strategic policies.	MODSP12
CS12	Combined into tourism strategic policies.	MODSP12
CS13	Rolled forward with some slight amendments. Combined with CS3 and CS15.	MODSP13
CS14	Rolled forward with some slight amendments.	MODSP14
CS15	Rolled forward with some slight amendments. Combined with CS3 and CS13.	MODSP13
CS16	Rolled forward with some slight amendments.	MODSP8
CS17	Rolled forward with some slight amendments.	MODSP9
CS18	Rolled forward with some slight amendments. Combined with CS24.	MODSP15
CS19	Combined into tourism strategic policies.	MODSP12
CS20	Many changes to reflect changes in national flood risk policy since the core strategy.	MODSP2
CS21	Combined into tourism strategic policies.	MODSP12
CS22	Rolled forward with some slight amendments.	MODSP10
CS23	Rolled forward with some slight amendments.	MODSP11
CS24	Rolled forward with some slight amendments. Combined with CS18.	MODSP15
CS25	Combined with DP27	MODDM44
ACL1	Rolled forward with some slight amendments.	MODACL1
ACL2	Rolled forward with some slight amendments.	MODACL2
BRU1	Rolled forward with some slight amendments.	MODBRU1
BRU2	Rolled forward with some slight amendments.	MODBRU2
BRU3	Rolled forward with some slight amendments.	MODBRU3
BRU4	Rolled forward with some slight amendments.	MODBRU4
BRU5	Rolled forward with some slight amendments.	MODBRU5
BRU6	Rolled forward with some slight amendments.	MODBRU6
CAN1	Rolled forward with some slight amendments.	MODCAN1
DIL1	Rolled forward with some slight amendments.	MODCAN2
DIT1	Discarded. Development built out. New open space policy proposed	MODDIT2
DIT2	Rolled forward with some slight amendments.	MODDIT1
GTY1	Rolled forward with some slight amendments.	MODGTY1
HOR1	Forms part of Development Boundary policy.	MODDM34
HOR2	Rolled forward with some slight amendments.	MODHOR1
HOR3	Rolled forward with some slight amendments.	MODHOR2
HOR4	Rolled forward with some slight amendments.	MODHOR3
HOR5	Rolled forward with some slight amendments.	MODHOR4
HOR6	Rolled forward with some slight amendments.	MODHOR5
HOR7	Rolled forward with some slight amendments.	MODHOR6
HOR8	Rolled forward with some slight amendments.	MODHOR7
HOV1	Forms part of Development Boundary policy.	MODDM34
HOV2	Rolled forward with some slight amendments.	MODHOV1
HOV3	Rolled forward with some slight amendments.	MODHOV2
HOV4	Combined with retail policy.	MODHOV5
NOR1	Rolled forward with some slight amendments.	MODNOR1
NOR2	Rolled forward with some slight amendments.	MODNOR2
ORM1	Rolled forward with some slight amendments.	MODORM1
OUL1	Forms part of Development Boundary policy.	MODDM34
OUL2	Rolled forward with some slight amendments.	MODOUL1
OUL3	Rolled forward with some slight amendments.	MODOUL2

REF	What has happened to policy	Reference Number in Local Plan
POT1	Rolled forward with some slight amendments.	MODPOT1
POT2	Rolled forward with some slight amendments.	MODPOT2
POT3	Rolled forward with some slight amendments.	MODPOT3
SOL1	Rolled forward with some slight amendments.	MODSOL1
SOL2	<del>Rolled forward with some slight amendments.</del> <a href="#">Removed as has permission for housing</a>	<del>MODSOL2</del>
STA1	Rolled forward with some slight amendments.	MODSTA1
TSA1	Rolled forward with some slight amendments.	MODTSA1
TSA3	Rolled forward with some slight amendments.	MODTSA3
TSA4	Rolled forward with some slight amendments.	MODTSA4
TSA5	Forms part of Development Boundary policy.	MODDM34
TSA6	Rolled forward with some slight amendments.	MODTSA5
THU1	Rolled forward with some slight amendments.	MODTHU1
WES1	Discarded. Development built out.	-
WHI1	Rolled forward with some slight amendments.	MODWHI1
XNS1	Rolled forward with some slight amendments.	MODSSTRI
XNS2	Rolled forward with some slight amendments.	MODSSUT
XNS3	Rolled forward with some slight amendments.	MODSSCOAST
XNS4	Rolled forward with some slight amendments.	MODSSROADS
XNS5	Rolled forward with some slight amendments.	MODSSMILLS
XNS6	Rolled forward with some slight amendments.	MODSSPUBS
XNS7	Rolled forward but combined with other 'new' routes.	MODSSTRACKS
XNS8	Rolled forward with some slight amendments.	MODSP1
XNS9	Forms part of Development Boundary policy.	MODDM34
TSA2	Amended to update in light of various court decisions.	MODTSA2

## Appendix J: List of evidence base and other supporting documents

Completed Evidence [www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2](http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2):

Renewable Energy Topic Paper (2016)

- ~~Broads Authority Dark Skies Study (2016)~~
- ~~Broads Plan and Local Plan Comparison (2017)~~
- ~~Central Norfolk Strategic Housing Market Assessment (SHMA) (2017)~~
- ~~Dark Skies – CPRE and Broads Dark Skies Survey Assessment (2016)~~
- ~~Development Boundaries Topic Paper (2016)~~
- ~~Duty to Cooperate Statement (2017)~~
- ~~East Inshore and East Offshore Marine Plans assessment against the Broads Local Plan proposals (2017)~~
- ~~Economy Topic Paper (2017)~~
- ~~Gypsy and Traveller, Travelling Showpeople, Caravan and Houseboat Need (2017)~~
- ~~Housing and Economic Land Availability Assessment (HELAA) (revised 2017)~~
- ~~Housing Topic Paper (revised 2017)~~
- ~~How issues raised in Issues and Options addressed in Preferred Options (2016)~~
- ~~Indices of Multiple Deprivation topic paper (2016)~~
- ~~Land at 21A Church Close, Chedgrave Topic Paper (2016)~~
- ~~Land at Tiedam Site Assessment, Stokesby (2017)~~
- ~~Local Green Space – assessment of nominations (revised 2017)~~
- ~~Local Infrastructure Report (2016)~~
- ~~Local Plan and Adopted Neighbourhood Plans assessment (2017)~~
- ~~Major hazards (2016)~~
- ~~North Norfolk Retail and Main Town Centre Uses Study (2017)~~
- ~~Renewable Energy Topic Paper (2016)~~
- ~~Residential Moorings (2016)~~
- ~~Rural Enterprise Dwellings and PPS7 Topic Paper (2016)~~
- ~~Sequential Test (flood risk) (revised August 2017)~~
- ~~Settlement Fringe Topic Paper (2017)~~
- ~~Settlement Study (2016, some revisions 2017)~~
- ~~Strategic Flood Risk Assessment (2017)~~
- ~~Strategic Flood Risk Assessment Position Statement, Produced by the Broads Authority and the Environment Agency (May 2017)~~
- ~~Thunder Lane Site Assessment, Thorpe St Andrew (2017)~~
- ~~Towards Allocations – the next steps for the sites assessed in the HELAA (2017)~~
- ~~Visitor Surveys at European Protected Sites Across Norfolk during 2015 and 2016 (2017)~~
- ~~Waveney District Council Retail and Leisure Needs Assessment (2016)~~

## Appendix C: Strategic Flood Risk Assessments

### M1: Introduction

The Broads Authority Executive Area is covered by four Strategic Flood Risk Assessments (SFRA)<sup>137</sup>:

- Greater Norwich SFRA (2017)
- Great Yarmouth SFRA (2017)
- North Norfolk SFRA (2017)
- Waveney SFRA (2017<sup>8</sup>)

A Strategic Flood Risk Assessment is a study carried out by one or more local planning authorities to assess the risk to an area from flooding from all sources, now and in the future, taking account of the impacts of climate change, and to assess the impact that land use changes and development in the area will have on flood risk. One of the main outputs of such a study is the identification of the flood risk zones that are needed in planning – 1, 2, 3a and 3b plus climate change.

This particular SFRA does not model flooding itself; but brings together the many flood model outputs that have been competed around Norfolk [and Suffolk](#). SFRAs are high-level strategic documents and, as such, do not go into detail on an individual site-specific basis.

The SFRA identifies flood zones 2, 3a, 3b and Indicative 3b [in Norfolk and 3 and 3b in Waveney](#) as described above. [The modelled 3b layer is in areas with an accurately modelled 1:20 overtopping/undefended outlines. The indicative 3b layer reflects Flood Zone 3a as a precautionary approach in areas which do not have modelled 1:20 overtopping/undefended outlines.](#)

[This is a precautionary approach.](#) To reflect this very issue, a Joint Position Statement has been produced with the Environment Agency and can be found here: [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0011/958286/SFRA-Position-Statement-June-2018.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0011/958286/SFRA-Position-Statement-June-2018.pdf)

Some areas are in flood zone 2, 3a, modelled 3b and indicative 3b [in Norfolk and 3 and 3b in Waveney](#). This reflects that a particular model has been created to look at a particular flooding type (for example tidal) but no other flood types (such as not looking into fluvial flooding). So the modelled 3b area reflects the modelling but the indicative 3b layer [in Norfolk and flood zone 3 in Waveney](#) reflects flood zone 3a as a precautionary approach to reflect the type of flooding not modelled.

### M2: Broadland Flood Alleviation Project Area

A large area of the Broads Authority Executive Area has not been looked at in detail as part of the SFRAs. This area is the Broadland Flood Alleviation Project Area. The model used for this project needs major updates. The Environment Agency say the model will be available for use in summer 2019<sup>21</sup>. As such, this area is considered to be un-modelled for the purposes of this SFRA and a precautionary approach has been taken whereby this area is shown to be indicatively in flood zone 3b. What this means in practice is that any proposed schemes in this area may need to look into flood risk in detail to ascertain the risk that site experiences. To reflect this very issue, a Joint Position Statement has been produced with the Environment Agency and can be found here: <http://www.broads-authority.gov.uk/planning/planning-policies/development/current-documents/supporting-documents-and-evidence>. As and when the model for this area is ready to be used, the SFRA will be updated and there could therefore be adjustments to flood zone 3 as a result

### M3: Flood Zones

The SFRA identifies flood zones 2, 3a, 3b and Indicative 3b as described above.

Some areas are in flood zone 2, 3a, modelled 3b and indicative 3b. This reflects that a particular model has been created to look at a particular flooding type (for example tidal) but no other flood types (such as not looking into

<sup>137</sup> Go here to see the SFRAs: <http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base>

fluvial flooding). So the modelled 3b area reflects the modelling but the indicative 3b layer reflects flood zone 3a as a precautionary approach to reflect the type of flooding not modelled.

#### M4: Climate Change

The NPPF and accompanying Planning Practice Guidance set out how the planning system should help minimise vulnerability and provide resilience to the impacts of climate change. The Environment Agency published updated climate change guidance on 19 February 2016 (further updated on 3 February 2017), which supports the NPPF and must now be considered in all new developments and planning applications. The Environment Agency has also published guidance to LPAs in the application of appropriate climate change allowances when considering climate change effects (updated April 2016 Adapting to Climate Change: Advice for Flood and Coastal Erosion Risk Management Authorities).

The mapping of all potential sources of flooding including climate change is provided in the SFRAs.

By making an allowance for climate change, it will help reduce the vulnerability of the development and provide resilience to flooding in the future. The 2016 climate change guidance includes climate change predictions of anticipated change for peak river flow and peak rainfall intensity. The guidance also covers sea level rise and wave height. These allowances are based on climate change projections and different scenarios of carbon dioxide emissions to the atmosphere. Due to the complexity of projecting climate change, there are uncertainties attributed to the magnitude of the climate change allowances. As a result, the guidance presents a range of possibilities to reflect the level of uncertainty in the predicted climate change impacts over three periods (epochs).

Climate change is expected to increase the frequency, extent and impact of flooding, reflected in peak river flows. Wetter winters and more intense rainfall may increase fluvial flooding and surface water runoff and there may be increased storm intensity in summer. Rising river levels may also increase flood risk.

The Broads falls within the Anglian River Basin District. The allowances for the Anglian River Basin District are provided in the following table. The climate change allowances used in the hydraulic modelling undertaken as part of the 2017 SFRA are detailed in Section 5 of the SFRA.

<b>Allowance Category</b>	<b>Total potential change anticipated for the '2020s' (2015 to 2039)</b>	<b>Total potential change anticipated for the '2050s' (2040 to 2069)</b>	<b>Total potential change anticipated for the '2080s' (2070 to 2115)</b>
Upper end	25%	35%	65%
Higher central	15%	20%	35%
Central	10%	15%	25%

Please note that the flood risk displayed on the policies maps shows flood zones without climate change. The effect of climate change can be seen on the interactive pdfs available on this webpage<sup>138</sup>.

<sup>138</sup> The SFRAs can be found here: <http://www.broads-authority.gov.uk/planning/planning-policies/sfra/sfra>

## **Appendix D: Open Space standards in place at the time of adoption of this Local Plan.**

The following table provides information on the approach to open space standards and thresholds of our districts. They may change over time as our Districts progress their Local Plans or related documents. Please contact the Broads Authority Planning Team for advice in the first instance.

<b><u>Council</u></b>	<b><u>Policy</u></b>	<b><u>Document and link</u></b>
<b><u>Broadland District Council</u></b>	<u>Policy EN3 Green Infrastructure and Policy RL1 Provision of formal recreational space.</u>	<u>Broadland District Council Development Management DPD 2015:</u> <a href="http://www.broadland.gov.uk/downloads/download/161/development_management_dpd">www.broadland.gov.uk/downloads/download/161/development_management_dpd</a>
<b><u>Great Yarmouth Borough Council</u></b>	<u>HOU7</u>	<u>Saved Borough-Wide Local Plan (2001)</u>
	<u>CS14 and CS15</u>	<u>Core Strategy (2015).</u> <a href="http://www.great-yarmouth.gov.uk/article/2489/Current-Local-Plan">www.great-yarmouth.gov.uk/article/2489/Current-Local-Plan</a>
<b><u>North Norfolk District Council</u></b>	<u>Policy CT 2- Developer Contributions.</u> <u>Appendix A in the Core Strategy sets Open Space Standards.</u>	<u>North Norfolk Local Development Framework, Core Strategy, (September 2008).</u> <a href="http://www.north-norfolk.gov.uk/tasks/planning-policy/core-strategy/">www.north-norfolk.gov.uk/tasks/planning-policy/core-strategy/</a> <u>Interim Practice Guide to Core Strategy Open Space Standards (September 2008), which provides advice on the implementation of Policy CT2.</u> <a href="http://www.north-norfolk.gov.uk/media/1359/open_space_standards_practice_guide_2008.pdf">www.north-norfolk.gov.uk/media/1359/open_space_standards_practice_guide_2008.pdf</a>
<b><u>Norwich City Council</u></b>	<u>Policy DM8 Planning effectively for open space and recreation</u>	<u>Norwich's Development Management Policies Plan (2014):</u> <a href="http://www.norwich.gov.uk/info/20199/adopted_local_plan/1457/development_management_policies/8">www.norwich.gov.uk/info/20199/adopted_local_plan/1457/development_management_policies/8</a>
<b><u>South Norfolk Council</u></b>	<u>Policy DM3.15 'Outdoor Play Facilities &amp; Recreational Space'.</u>	<u>South Norfolk Development Management Policies Document.</u> <a href="http://www.south-norfolk.gov.uk/sites/default/files/Development_Management_Policies_Document_0.pdf">www.south-norfolk.gov.uk/sites/default/files/Development_Management_Policies_Document_0.pdf</a> <u>Policy DM3.15 is expanded through the GUIDELINES FOR RECREATION PROVISION IN NEW RESIDENTIAL DEVELOPMENTS Supplementary Planning Document (SPD).</u> <a href="https://www.south-norfolk.gov.uk/residents/planning-and-building/planning-policy/supplementary-planning-documents-and-advice-notes">https://www.south-norfolk.gov.uk/residents/planning-and-building/planning-policy/supplementary-planning-documents-and-advice-notes</a>
<b><u>Waveney Council</u></b>	<u>Policy DM25 Existing and Proposed Open Space</u>	<u>Development Management Policies.</u> <a href="http://www.eastsuffolk.gov.uk/assets/Planning/Waveney-Local-Plan/Adopted-Development-Management-Policies/Adopted-Development-Plan-Document.pdf">www.eastsuffolk.gov.uk/assets/Planning/Waveney-Local-Plan/Adopted-Development-Management-Policies/Adopted-Development-Plan-Document.pdf</a>

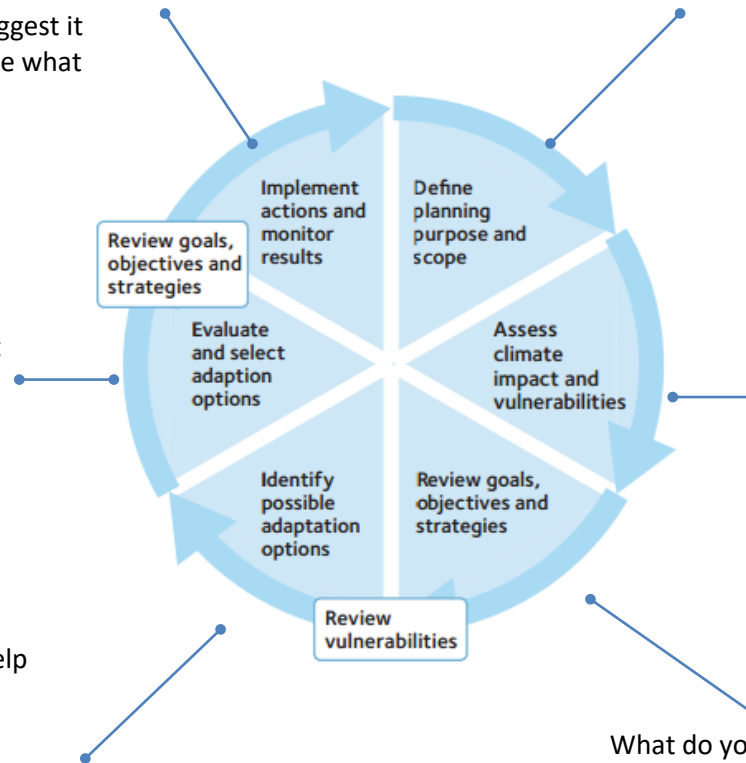
## Appendix E: Climate-smart planning cycle

It may be sensible to keep an accurate record of your options and decisions, so you can go back to the assumptions made if the adaptation choice is not working. The changes in the weather and climate can be recorded to give an accurate picture of any changes. Keep informed of changing predictions for climate change and monitor what happens to your development over the years. Different results to what was expected may suggest it would be sensible to go through the steps again to see what needs to, or could, be modified.

Climate change predictions are based on what *could* happen, rather than knowing precisely what *will* happen. As such, do you want to consider the most likely changes, or be prepared for the most extreme conditions just in case? You probably need to understand the lifetime of your development and how things could change over that timescale.

Make the choice about which option to follow. This may be immediate action, or you can identify 'triggers' as to when you are going to act (e.g. you are willing to live with the driveway being flooded a few times a year at very high tides, but when it's happening monthly it will be time to act).

Are there actions you can implement now that would help you cope with a new climate regime? Can you alter construction or management choices that minimise any risks? Can what you construct be altered easily in the future if predictions and/or on site experience is worse than you planned for? Are there different technologies that could be applied to lessen risks? If no options seem possible, you may wish to go back through the steps and modify your goals or objectives.



Taking the preferred projections (See the Met Office/UKCIP09 projections website for details) consider what the climate differences are likely to be and how they may impact on the proposed development. List, and possibly rank, the likely things that could create an adverse impact, as well as any opportunities a changing climate might offer for your development and how it is used.

What do you want to achieve? What will you have at the end of the timescale being considered? For example, how often will you use the development and at what time of year? Perhaps the flood impacts will be negligible or not manifesting themselves in the short-term. Be clear about what you would prefer to have in the future – for example, a development that never floods or one that floods a few times a year.

## Appendix F: Climate-smart checklist

### How to complete the checklist

Consider the development as a whole and in terms of its constituent parts including groundworks, construction (low and high level), height of items, water flow on and off the site, and proximity to external risk factors (including sea, rivers, streams, ditches, trees, other construction).

We suggest you initially consider your development against current average weather conditions. Then consider recent weather extremes, and what those impacts might do to your development. For example, could it cope with sudden, very intense rain showers? Would a week of mid 30°C temperatures melt anything?

You should then consider future climate projections (relevant to how long you think your development will last). As these are only projections, first consider how likely things are to happen, and at what rate (for example, if you think greenhouse gas emissions will decline quickly, the chances of the highest level projections being reached are slim, and vice versa).

You should also consider what level of risk you could live with (for example, if you think that tolerating significant fluctuations in temperature is an unacceptable risk, you may choose to incorporate certain adaptive features in your development). You may also want to think about potential future occupiers and how attractive 'climate-smart' features would be to them.

Looking to the future will help you consider whether your development needs to be more resilient or adapted to cope more effectively with climate impacts (for example, moving to a different part of the site where there will be more shade for the house, or tree planting to provide shade).

It is particularly important to consider the potential changes in extreme weather conditions. Projections are that such extremes may become more frequent, as well as reaching new highs or lows, such as more intense bursts of rainfall due to increased thunderstorms.

### Additional information and advice

To support this checklist, the Broads Authority has a range of additional guidance on getting the best from your development proposals:

- a) **Sustainable Development Guide**<sup>139</sup>. This gives comprehensive advice, across a range of development types, on incorporating a sustainable approach. The Guide will be reviewed every three years.
- b) **Broads' Community advice**<sup>140</sup>: Produced by the Broads Climate Partnership, this gives more detailed suggestions for farmers, businesses and local communities on adapting to climate change.
- c) **Broads Climate Adaptation Plan**<sup>141</sup>: Produced in 2015, the Plan introduces current thinking about climate adaptation for the Broads, and sets out the 'climate-smart' approach.

### Explanatory notes

Remember that, just as now, there will be chances of extremes at both ends of the weather spectrum (such as heavy snow fall, winter 'heatwaves', freak hailstorms, flash flooding and extreme heat), for which you should be making allowances according to your assessment of risk.

**Sea level rise:** Current projections for sea level rise range from 37cm to over 1m by the end of the 21<sup>st</sup> century. A rising sea increases the threat of over-topping defences or stopping heavy rainfall from running out to sea. It is also likely to mean salty water is pushed further up the rivers (altering wildlife distribution and perhaps increasing

<sup>139</sup> Sustainability Guide: [www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0015/410307/SustainabilityGuide.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0015/410307/SustainabilityGuide.pdf)

<sup>140</sup> Broads' Community: [www.broads-authority.gov.uk/looking-after/projects/broads-community](http://www.broads-authority.gov.uk/looking-after/projects/broads-community)

<sup>141</sup> Climate Change Adaptation Plan: [www.broads-authority.gov.uk/looking-after/climate-change](http://www.broads-authority.gov.uk/looking-after/climate-change)

corrosion) and could mean air draft under bridges at high tide is likely to be reduced. Higher initial levels could also worsen impacts when surge conditions (strong winds and depressions) combine to push water inland.

**Surface water flooding:** With more impermeable surfaces due to development, heavy rainfall can overwhelm drains and ditches and give rise to a higher threat of surface water flooding. By keeping land permeable to rainfall, having overflow areas that can hold excess water, or incorporating flood barriers into the building, the risk can be lowered.

**Increased water temperature in watercourses:** Increased temperatures alongside high nutrients may increase the probability of blue-green algal blooms, which can be toxic, or excessive aquatic vegetation growth. The increased river/lake temperature may also affect the overall distribution of species, with knock on effects such as on recreation interests.

**Heatwaves:** Periods of high temperature caused by trapping energy in the atmosphere, along with more cloud free days, could see the prolonged periods of sunshine melting certain materials or causing human health issues. Developing ways to shade living and working spaces (such as window shutters or tree planting) may provide improved tolerance.

**Drought:** Longer periods of no rainfall could put stress on water levels. This may affect the environment and wildlife (such as low flow in rivers or ponds drying out), and could also decrease the amount available for people to use.

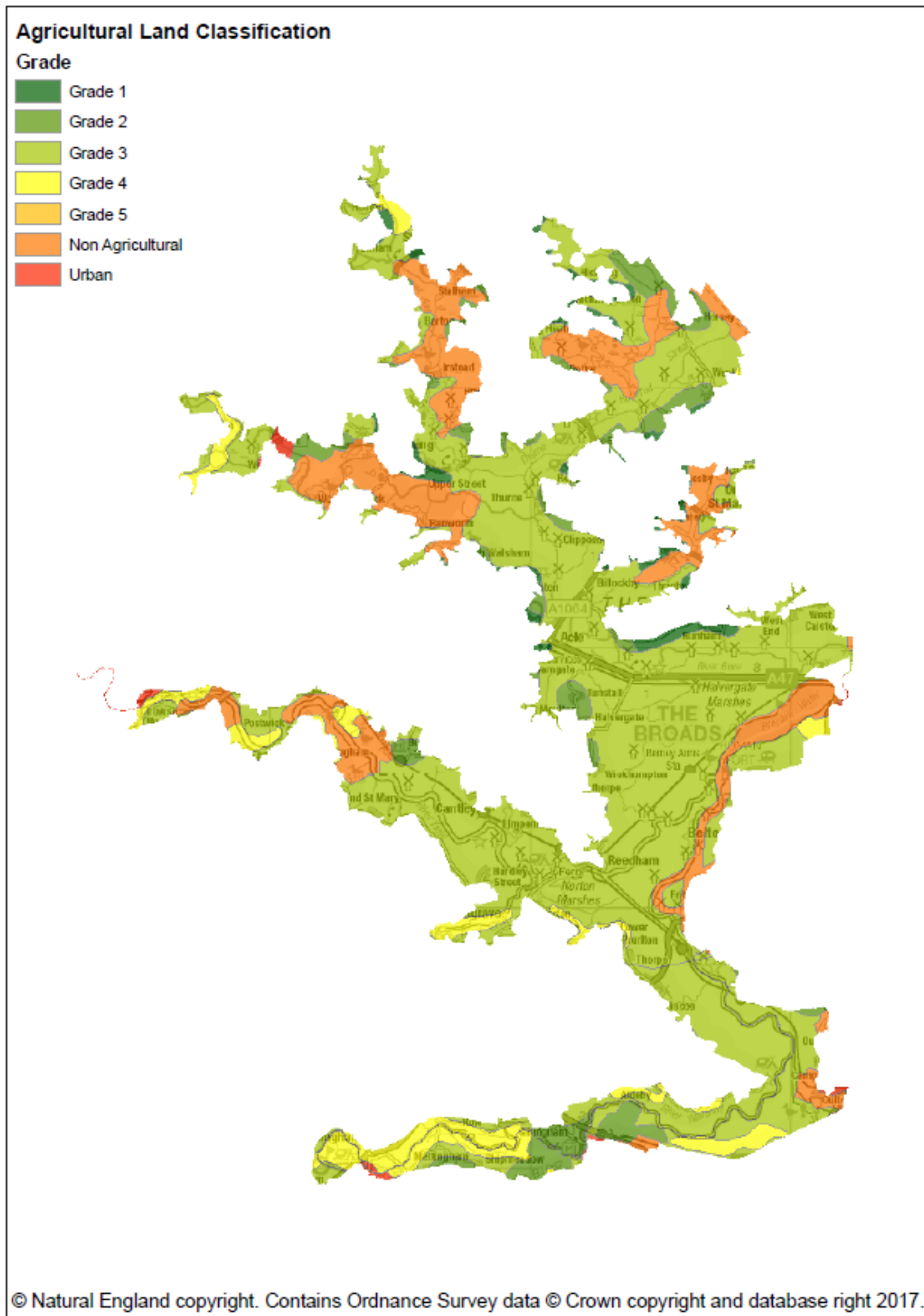
What will happen to the development and/or the users or occupiers if there is...?

		Impact level. Put an x to indicate impact.					Why do you think this? What can you do to reduce this impact level? How have you designed the development to address this?
		Nil	Small	Medium	Significant	Extreme	
Higher summer temperatures (average and maximum)							
Longer periods of drought during the summer							
Longer periods of cloud free days							
Water (river, stream and lake) temperatures increased through year especially the summer							
Rainfall coming in more intense bursts	Greater potential for surface water flooding						
	More potential for higher ditch, stream and river levels						
Fewer frosty days							
More frequent storms – the effect of rain and wind							
More extreme / intense storms – the effect of rain and wind							
Rise in sea level							
Increase in salinity in the rivers							
Surge conditions in the North Sea							

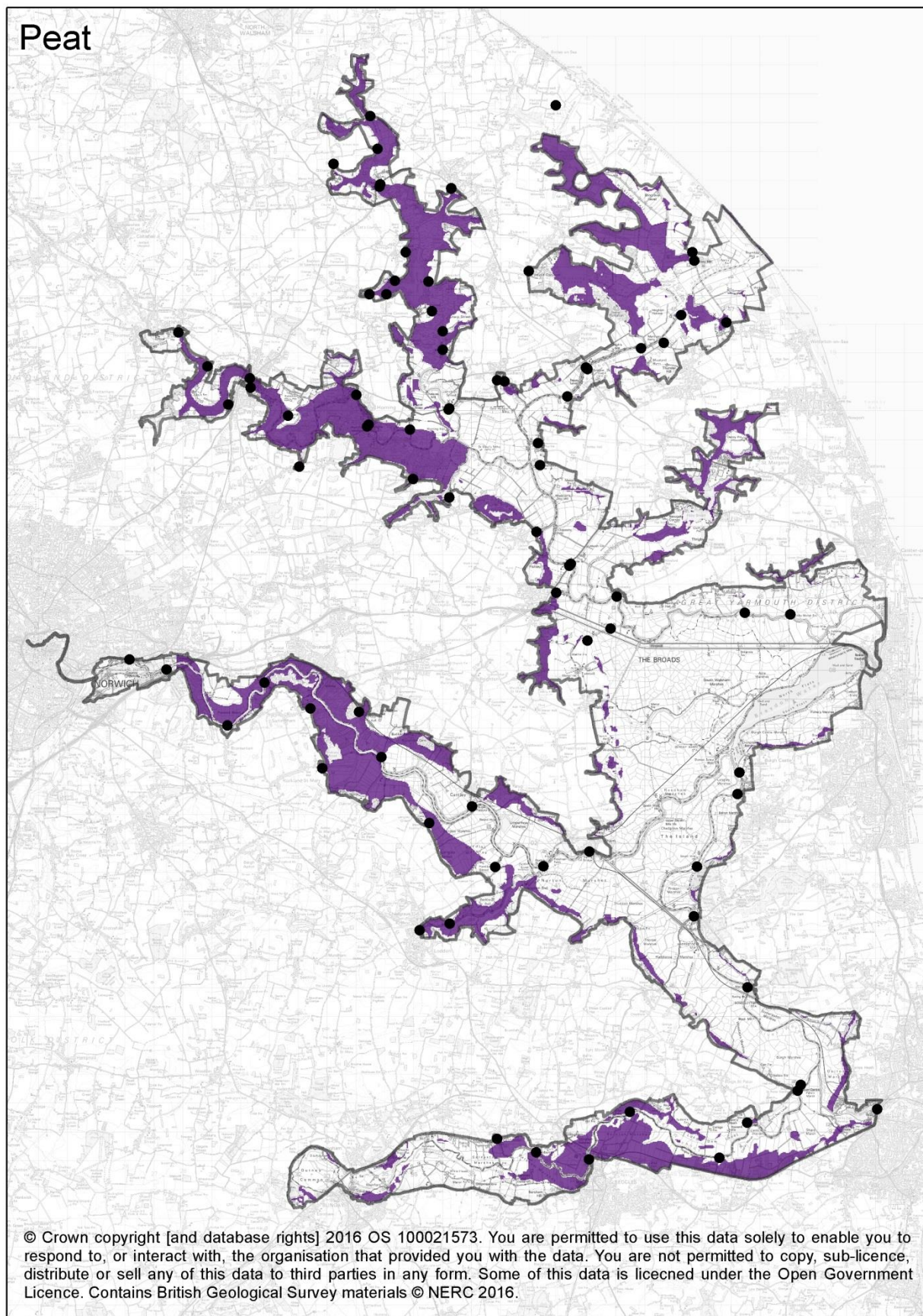
#### Next steps

According to your acceptance of risk, you may wish to make more a detailed exploration and assessment when your self-assessment reaches a certain impact level (e.g. for all 'significant' and above impacts).

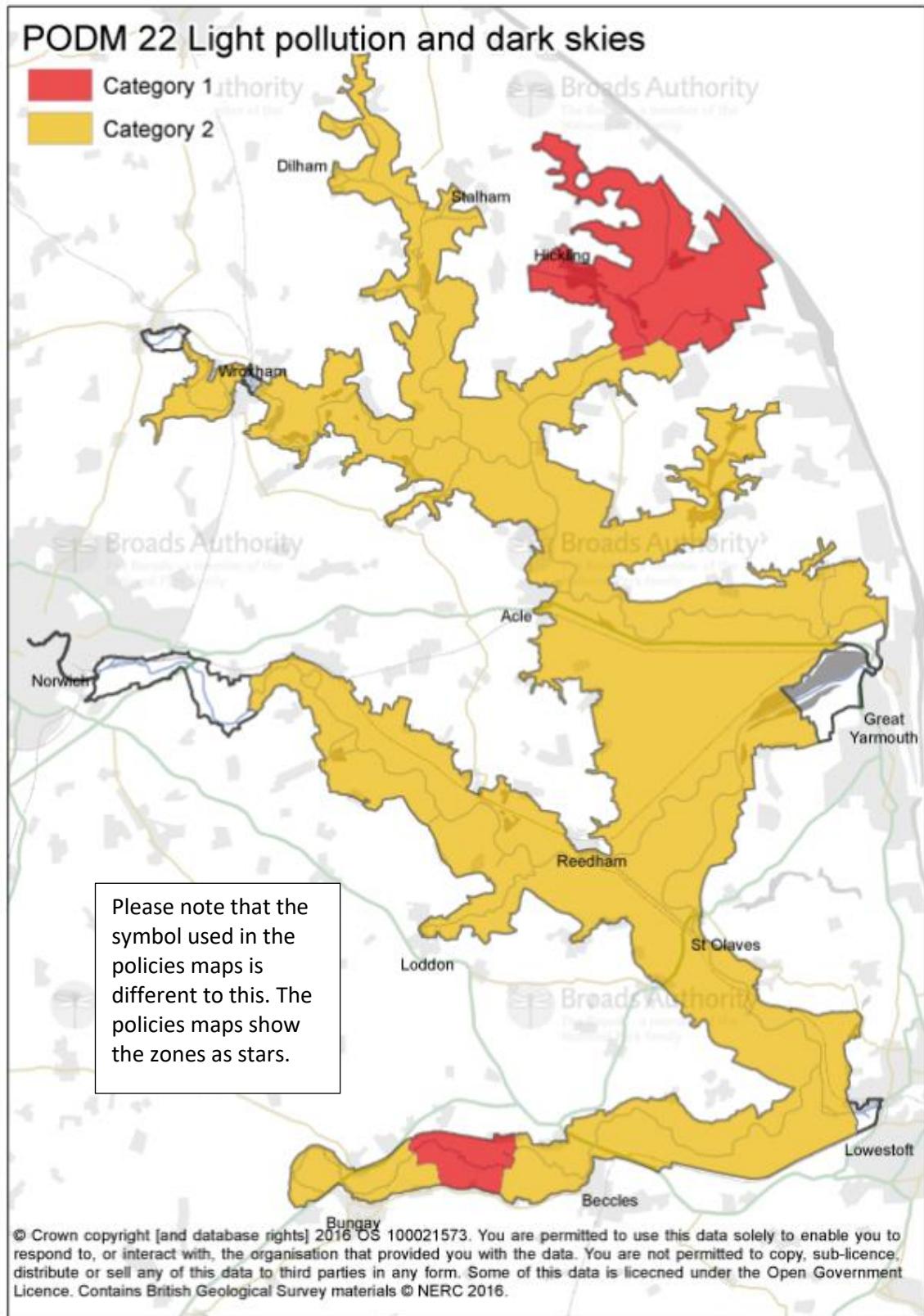
## Appendix G: Agricultural Land Classification map



## Appendix H: Location of peat



## Appendix I: Light pollution and dark skies – map of zones



## **Appendix J: Parking Standards in place at the time of adoption of this Local Plan.**

These standards were correct as at September 2018. They may change over time. Please contact the Broads Authority Planning Team for advice.

**Broadland District Council** have a policy on parking guidelines; TS4 of the Development Management DPD [https://www.broadland.gov.uk/download/downloads/id/1118/development\\_management\\_dpd\\_adopted.pdf](https://www.broadland.gov.uk/download/downloads/id/1118/development_management_dpd_adopted.pdf). This effectively advocates a case by case basis.

**Great Yarmouth Borough Council and South Norfolk District Council** use the published Norfolk County Council standards: go to the bottom of this webpage: <https://www.norfolk.gov.uk/rubbish-recycling-and-planning/planning-applications/highway-guidance-for-development/publications>

**North Norfolk District Council** currently has their standards set out in the Core Strategy at policy CT6 and Appendix C: [https://www.north-norfolk.gov.uk/media/1370/3-core\\_strategy-incorporating\\_development\\_control\\_policies-adopted\\_2008-updated\\_2012.pdf](https://www.north-norfolk.gov.uk/media/1370/3-core_strategy-incorporating_development_control_policies-adopted_2008-updated_2012.pdf)

**Norwich City Council** provides detail relating to the design and has standards for different uses: [https://www.norwich.gov.uk/info/20221/development\\_management\\_policies/1649/standards\\_for\\_transportation\\_requirements\\_within\\_new\\_developments](https://www.norwich.gov.uk/info/20221/development_management_policies/1649/standards_for_transportation_requirements_within_new_developments)

**Waveney District Council** has adopted Suffolk County council's standards. Please go here for details: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/parking-guidance/>

## Appendix K: Broads Local Plan housing and residential mooring trajectory

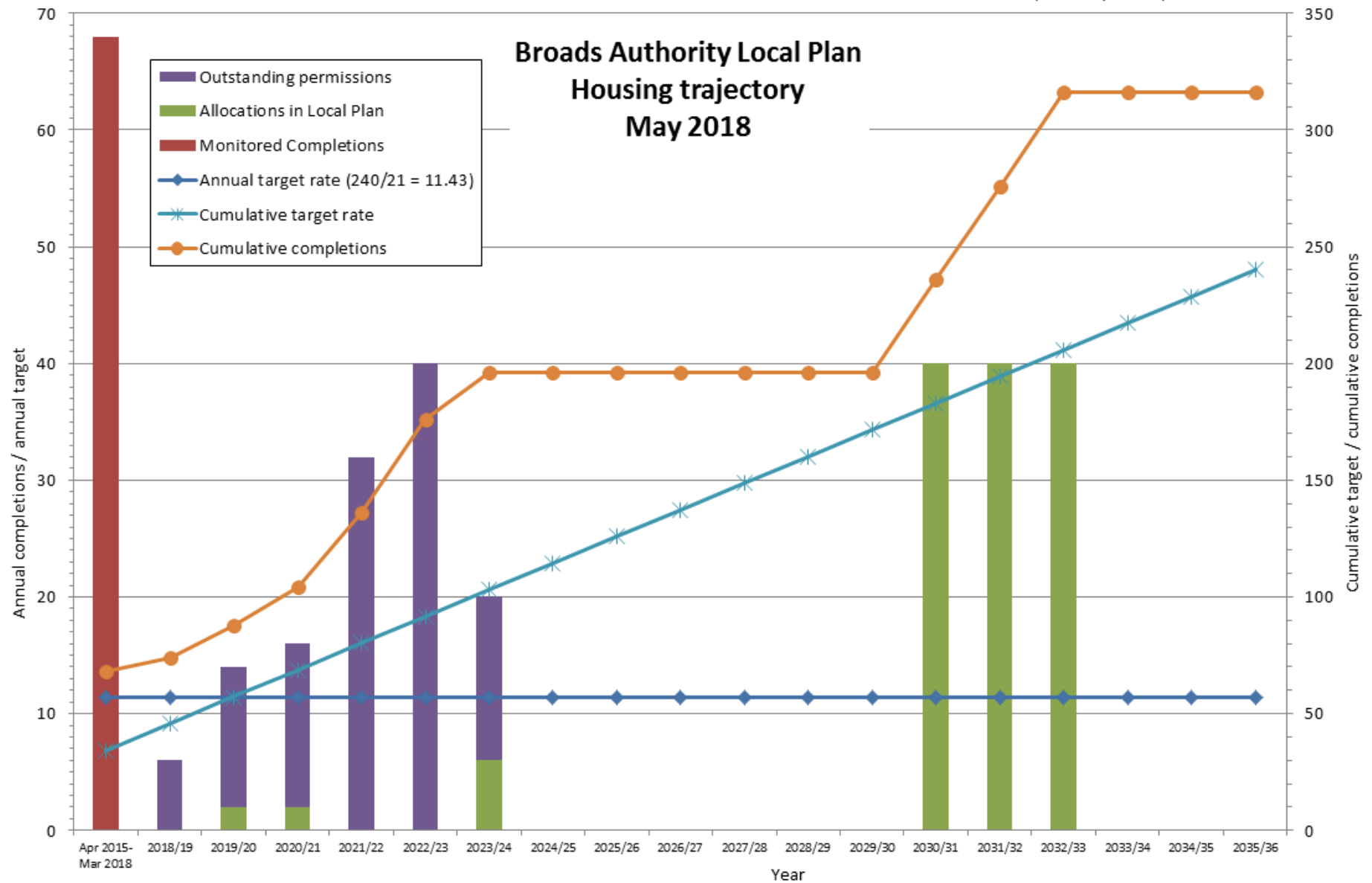
The Central Norfolk SHMA identified housing need from 2015 to 2036 and that is why the trajectory starts at 2015.

The following table shows the delivery of the sites allocated in the Local Plan (indicated in green in the graph on the next page) which amount to 130 dwellings. The allocations at Oulton Broad and Thurne are not included in this table; as they have planning permission they are included in the permissions table below.

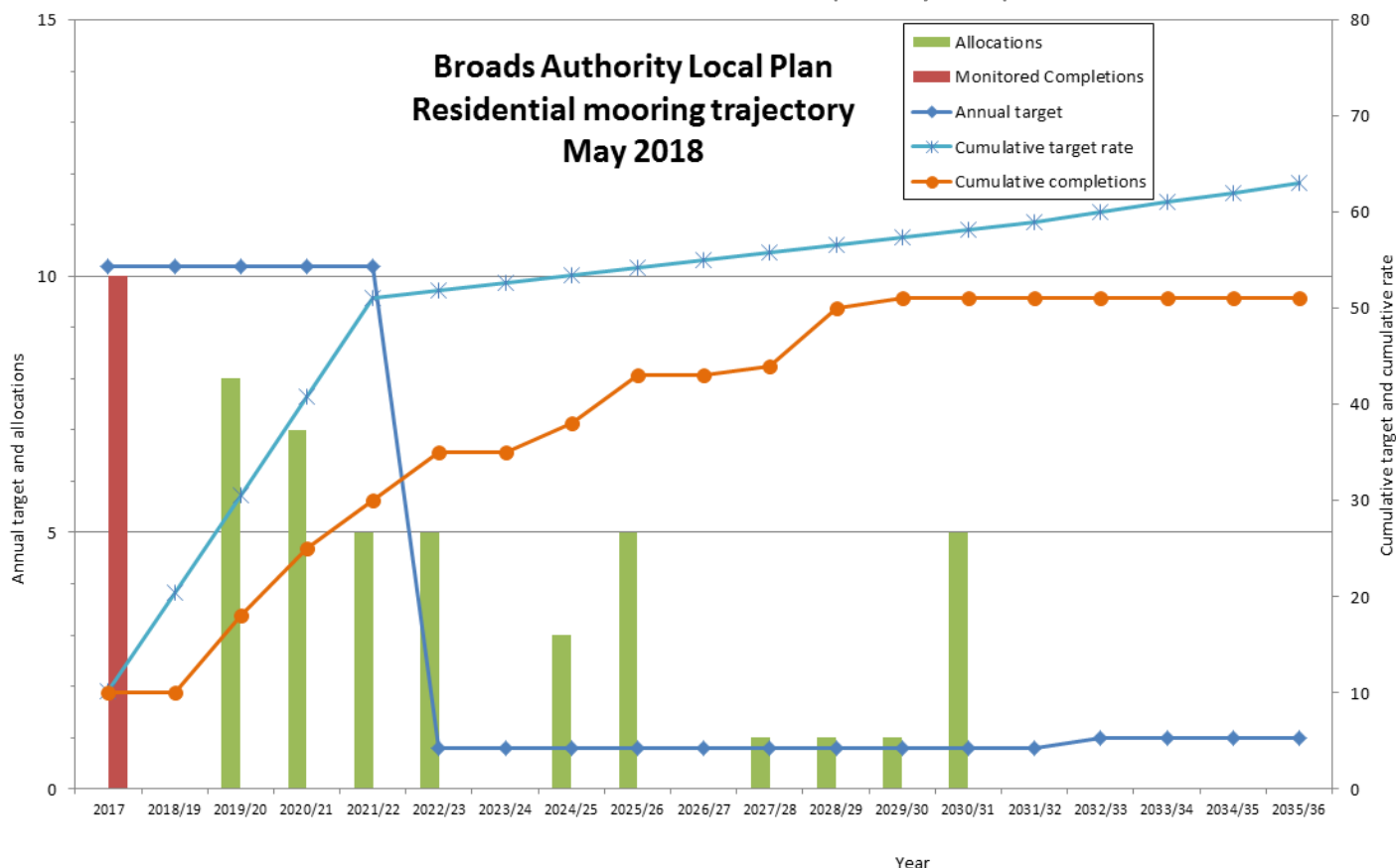
Site	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	Total
<a href="#">MODHOV3</a>						6													6
<a href="#">MODNOR1</a>													40	40	40				120
<a href="#">MODSTO1</a>		2	2																4
<b>Total</b>		2	2			6							40	40	40				130

The following table shows the delivery of the sites with extant planning permission (indicated in purple in the graph on the next page) which amounts to 118 dwellings. Please note that this table includes the allocations at Thurne and Pegasus which have planning permission.

Site	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	Total
<a href="#">MODOUL2</a> <a href="#">BA/2012/0271/FUL</a> <a href="#">BA/2016/0151/COND</a> <a href="#">BA/2017/0037/NONMAT</a>	-	-	10	30	30	6	-	-	-	-	-	-	-	-	-	-	-	-	76
<a href="#">MODTHU1</a> <a href="#">BA/2017/0103/OUT</a>	-	-	-	-	8	8	-	-	-	-	-	-	-	-	-	-	-	-	16
<a href="#">BA/2017/0383/FUL</a>	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
<a href="#">BA/2015/0426/FUL</a>	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4
<a href="#">BA/2005/1567/HISTAP</a> <a href="#">BA/2013/0242/COND</a> <a href="#">BA/2015/0256/COND</a> <a href="#">BA/2017/0498/COND</a>	-	2	2	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	8
<a href="#">BA/2013/0381/CU</a> <a href="#">BA/2012/0382/LBC</a>	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
<a href="#">BA/2015/0246/FUL</a>	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2
<a href="#">BA/2017/0151/FUL</a>	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
<a href="#">BA/2017/0191/FUL</a>	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
<a href="#">BA/2017/0208/FUL</a>	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
<a href="#">BA/2017/0457/FUL</a>	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
<a href="#">BA/2017/0474/FUL</a>	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2
<a href="#">BA/2017/0311/FUL</a>	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
<a href="#">BA/2016/0444/FUL</a>	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
<a href="#">BA/2008/0172</a>	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2
<b>Total</b>	6	12	14	32	40	14	0	0	0	0	0	0	0	0	0	0	0	0	118



Outstanding permissions: 118 dwellings. Allocations in Local Plan: 130 dwellings. Monitored completions: 78 dwellings.



Allocations: 41 residential moorings. Monitored completions: 10 residential moorings.

The following table provides the detail for the allocation part of the trajectory (indicated in green in the graph above) which amounts to 41 residential moorings. Please note that this table includes allocations at Horning and Somerleyton which are proposed changes to the submitted Local Plan.

Site	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	Total
<a href="#">MODBEC2</a>								2		1	1	1							5
<a href="#">MODBRU6</a>													5						5
<a href="#">MODCHE1</a>		3	2																5
<a href="#">MODLOD1</a>		5	5																10
<a href="#">MODHOR8</a>							3	3											6
<a href="#">MODSOM1</a>				5	5														10
<b>Total</b>		8	7	5	5		3	5		1	1	1	5						41

## Appendix L: Adopted constituent district policies relating to affordable housing (as at August 2017)

District	Document	Policy
Great Yarmouth	Core Strategy (2015)	Sub area 1: 20% on sites of 5 or more. Sub area 2: 10% on sites of 5 or more Sub area 3: 10% on sites of 15 or more
North Norfolk	Core Strategy (2008)	10 or more dwellings or sites of more than 0.33 hectares in Principal and Secondary Settlements, not less than 45%. 2 or more units or on sites larger than 0.1 hectares in Service Villages and Coastal Service Villages, not less than 50%
Broadland	Joint Core Strategy (2011 and 2014)	The proportion of affordable housing, and mix of tenure sought will be based on the most up to date needs assessment for the plan area. At the adoption of this strategy the target proportion to meet the demonstrated housing need is: on sites for 5-9 dwellings (or 0.2 – 0.4 ha), 20% with tenure to be agreed on a site by site basis (numbers rounded, upwards from 0.5) on sites for 10-15 dwellings (or 0.4 – 0.6 ha), 30% with tenure to be agreed on a site by site basis (numbers rounded, upwards from 0.5) on sites for 16 dwellings or more (or over 0.6 ha) 33% with approximate 85% social rented and 15% intermediate tenures (numbers rounded, upwards from 0.5)
Norwich		
South Norfolk		
Waveney	Development Management Policies (2011)	From the start of 2015 planning applications for 5 to 14 dwellings inclusive shall provide 35% affordable housing on-site or provide an equivalent off-site financial contribution for affordable housing elsewhere. Outside the Area Action Plan area of Lake Lothing planning applications for proposals of 15 or more dwellings shall provide a minimum of 35% on-site affordable housing.

## Appendix M: Building for Life 12 – Assessment criteria and checklist

### Integrating into the neighbourhood

- 1. Connections:** Does the scheme integrate into its surroundings by reinforcing existing connections and creating new ones, while also respecting existing buildings and land uses around the development site?
- 2. Facilities and services:** Does the development provide (or is it close to) community facilities, such as shops, schools, workplaces, parks, play areas, pubs or cafes?
- 3. Public transport:** Does the scheme have good access to public transport to help reduce car dependency?
- 4. Meeting local housing requirements:** Does the development have a mix of housing types and tenures that suit local requirements?

### Creating a place

- 5. Character:** Does the scheme create a place with a locally inspired or otherwise distinctive character?
- 6. Working with the site and its context:** Does the scheme take advantage of existing topography, landscape features (including water courses), wildlife habitats, existing buildings, site orientation and microclimates?
- 7. Creating well defined streets and spaces:** Are buildings designed and positioned with landscaping to define and enhance streets and spaces and are buildings designed to turn street corners well?
- 8. Easy to find your way around:** Is the scheme designed to make it easy to find your way around?

### Street and home

- 9. Streets for all:** Are streets designed in a way that encourage low vehicle speeds and allow them to function as social spaces?
- 10. Car parking:** Is resident and visitor parking sufficient and well integrated so that it does not dominate the street?
- 11. Public and private spaces:** Will public and private spaces be clearly defined and designed to be attractive, well managed and safe?
- 12. External storage and amenity space:** Is there adequate external storage space for bins and recycling as well as vehicles and cycles?



## Appendix O: List of policies in the Local Plan including the monitoring and implementation framework

Policy number	Delivery mechanism	Milestones	Organisations involved	Monitoring indicator
MODSP1: DCLG/PINS Model Policy	If appropriate to a scheme, policy used to help determine application. Strategic Policies relevant to Neighbourhood Plans.	None identified/ongoing	Numerous and varied, depending on particular consideration.	No specific monitoring indicator for this policy. Depending on type of development, other policies and their indicators will be of relevance.
<a href="#">MODDM1: Major Development in the Broads</a>	<a href="#">If appropriate to a scheme, policy used to help determine application. Strategic Policies relevant to Neighbourhood Plans.</a>	<a href="#">None identified/ongoing</a>	<a href="#">Numerous and varied, depending on particular consideration.</a>	<a href="#">Planning applications in accordance (or otherwise) with this policy.</a>
MODDM2: Water Quality and Foul Drainage	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	EA	Applications involving sewage treatment works and what type of system used.
MODDM3: Boat wash down facilities	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Sailing clubs, rowing clubs, boat yards.	Boat wash down areas and filtration devices delivered as a result of relevant planning applications.
MODDM4: Water Efficiency	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Anglian Water	Dwellings permitted at 110 l/h/d. B buildings achieving 50% on the BREEAM water calculator.
MODSP2: Strategic Flood Risk Policy	If appropriate to a scheme, policy used to help determine application. Strategic Policies relevant to Neighbourhood Plans.	None identified/ongoing	EA, LLFA	Permissions granted contrary to Environment Agency Flood Risk advice.
MODDM5: Development and Flood Risk	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	EA, LLFA	
MODDM6: Surface water run-off	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	EA, LLFA, Anglian Water	SuDS delivered in line with the hierarchy.
MODDM7: Open Space on land, play, sports fields and allotments	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	District Councils, Parish Councils	Open space lost. Open space delivered in line with the policy.
MODDM8: Green Infrastructure	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	District Councils, County Councils, Parish Councils, Conservation and Access bodies.	Green Infrastructure lost. Green Infrastructure delivered in line with this policy.
MODSP3: Climate Change	If appropriate to a scheme, policy used to help determine application. Strategic Policies relevant to	None identified/ongoing	Scheme promoters.	Planning applications in accordance (or otherwise) with this policy.

Policy number	Delivery mechanism	Milestones	Organisations involved	Monitoring indicator
	Neighbourhood Plans.			
MODDM9: Climate Smart Checklist	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Scheme promoters.	Development proposals that have adequately completed the checklist.
MODSP4: Soils	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	EA, Natural England.	Planning applications in accordance (or otherwise) with this policy. Number of planning approvals leading to permanent loss of 'best and most versatile' (BMV) agricultural land'
MODDM10: Peat soils	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	English Heritage, Archaeological organisations.	Development on areas of peat permitted in line with this policy.
MODSP5: Historic Environment	If appropriate to a scheme, policy used to help determine application. Strategic Policies relevant to Neighbourhood Plans.	None identified/ongoing	English Heritage, Archaeological organisations.	Heritage at risk Archaeological field evaluations 'Unknown' assets identified. Applications with an interpretation element. Heritage assets re-used. Applications granted contrary to Historic Environment Manager advice.
MODDM11: Heritage Assets	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing		
MODDM12: Re-use of Historic Buildings	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing		
MODSP6: Biodiversity	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Natural England, Suffolk and Norfolk Wildlife Trust, RSPB.	Brownfield sites with high environmental value and how incorporated in schemes. Biodiversity and geodiversity features incorporated into schemes. Planning Application Habitat Regulation Assessments completed to an acceptable quality (endorsed by Natural England and/or Broads Authority ecologist. Applications permitted against the advice of Natural England.
MODDM13: Natural Environment	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing		
MODDM14: Energy demand and performance	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Businesses, scheme promoters, EA.	Relevant schemes meeting 10% of predicted energy requirements as per the hierarchy. Schemes meeting BREEAM very good standard
MODDM15: Renewable Energy	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Renewable energy operators	Renewable energy development type and scale
MODSP7: landscape Character	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Businesses, scheme promoters.	Applications permitted contrary to Landscape Architect advice.
MODDM16: Development and Landscape	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Businesses, scheme promoters.	Applications permitted contrary to Landscape Architect advice.
MODDM17: Land Raising	If appropriate to a scheme, policy	None identified/ongoing	Businesses, scheme promoters, EA	Applications permitted contrary to Landscape

Policy number	Delivery mechanism	Milestones	Organisations involved	Monitoring indicator
	used to help determine application.			Architect advice. Applications permitted contrary to Tree Officer advice.
MODDM18: Excavated material	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Businesses, scheme promoters, EA	Planning applications in accordance with the disposal hierarchy.
MODDM19: Utilities Infrastructure Development	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Utility and telecommunications companies. Landowners.	Planning applications in accordance (or otherwise) with this policy.
MODDM20: Protection and enhancement of settlement fringe landscape character	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Businesses, scheme promoters.	Applications permitted contrary to Landscape Architect advice.
MODDM21: Amenity	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Businesses, District Councils, scheme promoters.	Applications refused on amenity grounds.
MODDM22: Light pollution and dark skies	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	CPRE, businesses, District Councils, scheme promoters.	Lighting schemes in accordance with zone the application is located in.
MODSP8: Getting to the Broads	If appropriate to a scheme, policy used to help determine application. Strategic Policies relevant to Neighbourhood Plans.	None identified/ongoing	Highways Authority, Highways England	Parking areas provided as part of relevant applications/schemes. Schemes permitted contrary to Highways Authority advice.
MODSP9: Recreational Access around the Broads	If appropriate to a scheme, policy used to help determine application. Strategic Policies relevant to Neighbourhood Plans.	None identified/ongoing	Highways Authority, Highways England,	Schemes permitted contrary to Highways England advice. Changes to the PROW network. Launch facilities for small craft gained or lost.
MODDM23: Transport, highways and access	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Highways Authority, Highways England	Travel Plans produced.
MODDM24: Recreation Facilities Parking Areas	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Highways Authority, promoters of recreation facilities.	
MODSP10: A prosperous local economy	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	New Anglia LEP, Economic Development Officers, local business groups.	New employment land. Employment land lost to other uses. Planning applications in accordance (or otherwise) with this policy
MODSP11: Waterside sites	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing		
MODDM25: New Employment Development	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing		
MODDM26: Protecting General Employment	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing		
MODDM27: Business and Farm Diversification	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing		
MODDM28: Development on	If appropriate to a scheme, policy	None identified/ongoing		

Policy number	Delivery mechanism	Milestones	Organisations involved	Monitoring indicator
Waterside Sites	used to help determine application.			
MODSP12: Sustainable Tourism	If appropriate to a scheme, policy used to help determine application. Strategic Policies relevant to Neighbourhood Plans.	None identified/ongoing	Tourism operators, businesses.	Tourism development located as set out in policy Tourism land use Provision of new holiday accommodation. Holiday accommodation changed to permanent residential use.
MODDM29: Sustainable Tourism and Recreation Development	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing		
MODDM30: Holiday Accommodation – New Provision and Retention	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing		
MODSP13: Navigable Water Space	If appropriate to a scheme, policy used to help determine application. Strategic Policies relevant to Neighbourhood Plans.	None identified/ongoing	Broads Authority, EA	2/10% moorings delivered on site/off site contributions. Moorings provided – type and in line with guide. Riverbank stabilisation provided – type and in line with guide. Provision for launching of small vessels. Schemes permitted deemed to have significant impact on navigation
MODSP14: Mooring Provision	If appropriate to a scheme, policy used to help determine application. Strategic Policies relevant to Neighbourhood Plans.	None identified/ongoing	Broads Authority, EA	
MODDM31: Access to the Water	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Parish, District and County Councils. Private landowners with routes on their land.	
MODDM32: Riverbank stabilisation	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	EA, landowners.	
MODDM33: Moorings, mooring basins and marinas.	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	EA, businesses, landowners.	
MODSP15: Residential development	See allocations below. If appropriate to a scheme, policy used to help determine application. Strategic Policies relevant to Neighbourhood Plans.	None identified/ongoing. See residential dwellings allocations for specific milestones.	Developers/promoters/agents, Registered Providers, District Councils (Housing Authority role), landowners.	Number of dwellings delivered. Development in line with spatial strategy. <a href="#">Housing delivery against target.</a> <a href="#">Five year land supply against housing trajectory.</a>
MODDM34: Affordable Housing	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing		Affordable housing delivered.
MODDM35: Residential Development within Defined Development Boundaries	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Developers/promoters/agents. Landowners.	Development within development boundaries.
MODDM36: Gypsy, Traveller and Travelling Show People	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Developers/promoters/agents, the Travelling Community,	Gypsy and Traveller and Travelling Show People sites delivered in line with this policy.

Policy number	Delivery mechanism	Milestones	Organisations involved	Monitoring indicator
			representative organisations.	
MODDM37: New Residential Moorings	See allocations below. If appropriate to a scheme, policy used to help determine application.	Set number within five, ten and fifteen year time periods.	Developers/promoters/agents, Residential Boat Owners Association	Provision of residential moorings in line with this policy.
MODDM38: Permanent and Temporary Dwellings for Rural Enterprise Workers	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Developers/promoters/agents. Landowners.	Rural enterprise dwellings permitted in accordance (or otherwise) with this policy.
MODDM39: Residential Ancillary Accommodation	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Developers/promoters/agents. Landowners.	Residential ancillary accommodation permitted (integral or not integral) in line with this policy.
MODDM40: Replacement Dwellings	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Developers/promoters/agents. Landowners.	Replacement dwellings permitted in line with this policy
MODDM41: Elderly and Specialist Needs Housing	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Developers/promoters/agents. Landowners.	Elderly and specialist housing delivered in line with this policy.
MODDM42: Custom/self-build	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Individuals/developers/promoters/agents. Landowners.	Permissions for self-build
MODDM43: Design	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Developers/promoters/agents/architects	Schemes permitted contrary to design expert, landscape consultant advice.
MODSP16: New Community Facilities	If appropriate to a scheme, policy used to help determine application. Strategic Policies relevant to Neighbourhood Plans.	None identified/ongoing	Parish Councils.	Visitor and community services and facilities delivered in accordance with this policy.
MODDM44: Visitor and Community Facilities and Services	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing		
MODDM45: Designing Places for Healthy Lives	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Norfolk County Council Healthy Places Team	Planning applications in accordance (or otherwise) with this policy.
MODDM46: Safety by the Water	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Broads Authority. Scheme promoters.	Relevant schemes providing adequate safety features on site.
MODDM47: Planning Obligations and Developer Contributions	If appropriate to a scheme, policy used to help determine application.	As required	Various, depending on consideration. Scheme promoters and County Council.	Developer Contributions monitoring statement – by the Broads Authority as well as Norfolk and Suffolk County Council
MODDM48: Conversion of Buildings	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Owners of building.	Buildings converted and final use.
MODDM49: Advertisements and Signs	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Businesses.	Adverts and signs permitted in accordance with policy
MODDM50: Leisure plots and	If appropriate to a scheme, policy	None identified/ongoing	Plot owners/users and those who	Mooring and leisure plots provided in line with

Policy number	Delivery mechanism	Milestones	Organisations involved	Monitoring indicator
mooring plots	used to help determine application.		moor their boats there.	this policy.
<a href="#">MODDM51 – retail development in the Broads.</a>	<a href="#">If appropriate to a scheme, policy used to help determine application.</a>	<a href="#">None identified/ongoing</a>	<a href="#">District Councils.</a>	<a href="#">Planning applications in accordance (or otherwise) with this policy and the relevant district council's policy.</a> <a href="#">Total amount of retail gaining planning permission.</a> <a href="#">Loss of retail.</a>
MODACL1: Acle Cemetery Extension	Allocation in Local Plan. Water monitoring in line with EA guidance. Planning Application then subsequent delivery on site. Note that site has planning permission.	Delivered within four years of adoption of policy.	Acle Parish Council, EA, land owner.	Cemetery delivered as per policy.
MODACL2: Acle Playing Field Extension	Allocation in Local Plan. Planning Application then subsequent delivery on site. Note that site has planning permission.	None identified/ongoing	Acle Parish Council, landowner.	Sports field delivered as per policy
MODBEC1: Former Loaves and Fishes, Beccles	Allocation in Local Plan. Planning Application then subsequent delivery on site. It is hoped that a positive allocation in the Local Plan will prompt appropriate change on this site by the owner.	Delivered within 15 years of adoption of policy.	Owner of site	Loaves and Fishes brought back into use in line with this policy.
MODBEC2: Beccles Residential Moorings (H. E. Hipperson's Boatyard)	Allocation in Local Plan. Planning Application then subsequent delivery on site.	Delivered within 5 years of adoption of policy.	Those who moor their boats here.	Residential moorings provided as per policy.
MODBRU1: Riverside chalets and mooring plots	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Those who moor their boats here.	Planning applications in accordance (or otherwise) with this policy.
MODBRU2: Riverside Estate Boatyards, etc., including land adjacent to railway line	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Businesses	Planning applications in accordance (or otherwise) with this policy.
MODBRU3: Mooring Plots	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Those who moor their boats here	Planning applications in accordance (or otherwise) with this policy.
MODBRU4: Brundall Marina	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Businesses	Planning applications in accordance (or otherwise) with this policy.
MODBRU5: Land east of the	Protected through the Local Plan.	None identified/ongoing	Owner of site	Open space lost/negatively affected by

Policy number	Delivery mechanism	Milestones	Organisations involved	Monitoring indicator
Yare public house				development.
MODBRU6: Brundall Gardens	Allocation in Local Plan. Planning Application then subsequent delivery on site.	Delivered within 5 years of adoption of policy.	Businesses, those who moor their boats here.	Residential moorings provided as per policy.
MODCAN1: Cantley Sugar Factory	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	British Sugar	Planning applications in accordance (or otherwise) with this policy.
MODCHE1: Greenway Marine Residential Moorings	Allocation in Local Plan. Planning Application then subsequent delivery on site.	Delivered within 5 years of adoption of policy.	Those who moor their boats here.	Residential moorings provided as per policy.
MODDIL1: Dilham Marina (Tyler's Cut Moorings)	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Those who moor their boats here.	Planning applications in accordance (or otherwise) with this policy.
MODDIT1: Maltings Meadow Sports Ground, Ditchingham	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Sports club	Planning applications in accordance (or otherwise) with this policy.
MODDIT2: Ditchingham Maltings Open Space, Habitat Area and Alma Beck	Protected through the Local Plan.	None identified/ongoing	Management Company, residents, IDB	Habitat area/open space/Beck lost/negatively affected by development.
MODFLE1: Broadland Sports Club	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Sports club	Planning applications in accordance (or otherwise) with this policy.
MODGTY1: Marina Quays (Port of Yarmouth Marina)	Allocation in Local Plan. Planning Application then subsequent delivery on site. It is hoped that a positive allocation in the Local Plan will prompt appropriate change on this site by the owner.	Delivered within 10 years of adoption of the Local Plan.	EA, Highways Authority	Planning applications in accordance (or otherwise) with this policy.
MODHOR1: Car Parking	Protected through the Local Plan.	None identified/ongoing	Highways Authority	Car parking lost/negatively affected by development.
MODHOR2: Horning Open Space (public and private)	Protected through the Local Plan.	None identified/ongoing	Parish Council, residents, pub	Open space lost/negatively affected by development.
MODHOR3: Waterside plots	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Plot owners/users	Planning applications in accordance (or otherwise) with this policy. Capacity of Horning Water Recycling Centre.
MODHOR4: Horning Sailing Club	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Sailing Club	Planning applications in accordance (or otherwise) with this policy. Capacity of Horning Water Recycling Centre.

Policy number	Delivery mechanism	Milestones	Organisations involved	Monitoring indicator
MODHOR5: Crabbett's Marsh	Protected through the Local Plan.	None identified/ongoing	Various interested parties.	Marsh lost/negatively affected by development.
MODHOR6: Horning - Boatyards, etc. at Ferry Rd. & Ferry View Rd.	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Businesses. Landowners.	Planning applications in accordance (or otherwise) with this policy. Capacity of Horning Water Recycling Centre.
MODHOR7: Woodbastwick Fen moorings	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Those who moor their boats here.	Planning applications in accordance (or otherwise) with this policy.
MODHOR8: Land on the Corner of Ferry Road, Horning	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Businesses. Landowners.	Planning applications in accordance (or otherwise) with this policy. Capacity of Horning Water Recycling Centre.
<a href="#">Policy MODHOR9: Horning Residential Moorings (Ropes Hill)</a>	<a href="#">Allocation in Local Plan. Planning Application then subsequent delivery on site.</a>	<a href="#">Delivered after 2024</a>	<a href="#">Those who moor their boats here.</a>	<a href="#">Residential moorings provided as per policy.</a>
MODHOV1: Green Infrastructure	Protected through the Local Plan.	None identified/ongoing	Landowners.	Green Infrastructure lost/negatively affected by development.
MODHOV2: Station Road car park	Protected through the Local Plan.	None identified/ongoing	Highways Authority, North Norfolk District Council, landowner.	Car parking lost/negatively affected by development.
MODHOV3: Brownfield land off Station Road, Hoveton	Allocation in Local Plan. Planning Application then subsequent delivery on site. It is hoped that a positive allocation in the Local Plan will prompt appropriate change on this site by the owner.	Delivered within 15 years of adoption of policy.	Businesses, North Norfolk District Council.	Planning applications in accordance (or otherwise) with this policy. Number of houses delivered. Number of units delivered.
MODHOV4: BeWILDerwood Adventure Park	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Park operator.	Planning applications in accordance (or otherwise) with this policy.
MODHOV5: Hoveton Town Centre	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Businesses, landowners, North Norfolk District Council.	Planning applications in accordance (or otherwise) with this policy. <del>Vacant units.</del> <a href="#">Land use of each unit.</a>
MODLOD1: Loddon Marina Residential Moorings.	Allocation in Local Plan. Planning Application then subsequent delivery on site.	Delivered within 5 years of adoption of policy.	Those who moor their boats here.	Residential moorings provided as per policy.
MODNOR1: Utilities Site	Allocation in Local Plan. Planning Application then subsequent delivery on site. It is hoped that a positive allocation in the Local Plan will prompt appropriate change on this	Delivered within 15 years of adoption of policy.	Norwich City Council, landowners, EA.	Planning applications in accordance (or otherwise) with this policy. Number of houses delivered.

Policy number	Delivery mechanism	Milestones	Organisations involved	Monitoring indicator
	site by the owner.			
MODNOR2: Riverside walk and cycle path	Promoted through the Local Plan. Main mechanism is through planning application submitted by scheme promoter.	None identified/ongoing	Norwich City Council, Broads Authority, EA, landowners.	Delivery of path in line with policy.
MODORM1: Ormesby waterworks	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Essex & Suffolk Water	Planning applications in accordance (or otherwise) with this policy.
MODOUL1: Boathouse Lane Leisure Plots	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Plot owners/users	Planning applications in accordance (or otherwise) with this policy.
MODOUL2: Oulton Broad - Former Pegasus/Hamptons Site	Promoted through the Local Plan. Main mechanism is through planning application submitted by scheme promoter. Note that site has planning permission.	Delivered within five years of adoption of policy.	Developers/promoters/agents. Landowner.	Planning applications in accordance (or otherwise) with this policy. Number of houses delivered.
MODOUL3 - Oulton Broad District Shopping Centre	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Businesses, Waveney District Council.	Planning applications in accordance (or otherwise) with this policy. <del>Vacant units.</del> <u>Land use of each unit.</u>
MODPOT1: Bridge Area	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Businesses, River Thurne Tenants Association.	Planning applications in accordance (or otherwise) with this policy.
MODPOT2: Waterside plots	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Plot owners/users, River Thurne Tenants Association	Planning applications in accordance (or otherwise) with this policy.
MODPOT3: Green Bank Zones	Protected through the Local Plan.	None identified/ongoing	River Thurne Tenants Association.	Green Banks lost/negatively affected by development.
MODSOL1: Riverside area moorings	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Those who moor their boats here.	Planning applications in accordance (or otherwise) with this policy.
<del>MODSOL2: Land adjacent to A143 Beccles Road and the New Cut (Former Spinnakers restaurant)</del>	<del>Allocation in Local Plan. Planning Application then subsequent delivery on site. It is hoped that a positive allocation in the Local Plan will prompt appropriate change on this site by the owner.</del>	<del>Delivered within 15 years of adoption of policy.</del>	<del>Landowner.</del>	<del>Planning applications in accordance (or otherwise) with this policy.</del>
<u>Policy SOM1: Somerleyton Marina Residential Moorings</u>	<u>Allocation in Local Plan. Planning Application then subsequent delivery</u>	<u>Delivered within five years of Local Plan adoption.</u>	<u>Those who moor their boats here.</u>	<u>Residential moorings provided as per policy.</u>

Policy number	Delivery mechanism	Milestones	Organisations involved	Monitoring indicator
	<a href="#">on site.</a>			
MODSTA1: Land at Stalham Staithe (Richardson's Boatyard)	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Businesses	Planning applications in accordance (or otherwise) with this policy.
MODSTO1 Land adjacent to Tiedam, Stokesby	Promoted through the Local Plan. Main mechanism is through planning application submitted by scheme promoter.	Delivered within five years of Local Plan adoption.	Developers/promoters/agents. Landowner.	Planning applications in accordance (or otherwise) with this policy. Number of houses delivered.
MODTSA1: Cary's Meadow	Protected through the Local Plan.	None identified/ongoing	Broads Authority (landowner)	Meadow lost/negatively affected by development.
MODTSA2: Thorpe Island	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Thorpe St Andrew Town Council, land owners, users of the island, nearby residents.	Planning applications in accordance (or otherwise) with this policy.
MODTSA3: Griffin Lane – boatyards and industrial area	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Businesses. The Broads Authority.	Planning applications in accordance (or otherwise) with this policy.
MODTSA4: Bungalow Lane – mooring plots and boatyards	Changes to come forward as planning applications in line with policy with subsequent delivery on site.	None identified/ongoing	Businesses, those who moor their boats here.	Planning applications in accordance (or otherwise) with this policy.
MODTSA5: River Green Open Space	Protected through the Local Plan.	None identified/ongoing	Thorpe St Andrew Town Council	Open space lost/negatively affected by development.
MODTHU1: Tourism development at Hedera House, Thurne	Promoted through the Local Plan. Main mechanism is through planning application submitted by scheme promoter. Has planning permission.	Delivered within five years of Local Plan adoption.	Developers/promoters/agents. Landowner.	Planning applications in accordance (or otherwise) with this policy. Number of houses delivered.
MODWHI1: Whitlingham Country Park	Protected through the Local Plan. Various organisations deliver activities at the Park.	None identified/ongoing	Businesses, Whitlingham Charitable Estate, Arminghall Settlement Crown Point Estate. The Broads Authority.	Planning applications in accordance (or otherwise) with this policy.
MODSSTRI: Trinity Broads	Protected through the Local Plan. Water quality protected for water abstraction so limited use by motorised vessels.	None identified/ongoing	Norfolk Wildlife Trust, Parish Councils, businesses, sailing clubs, Essex & Suffolk Water, Norfolk Wildlife Trust.	Planning applications in accordance (or otherwise) with this policy.
MODSSUT: Upper Thurne	Protected through the Local Plan. The main mechanism that ensures tranquillity is the limited air draught of the Potter Heigham Bridge which is a Scheduled Monument.	None identified/ongoing	Businesses, Norfolk Wildlife Trust.	Planning applications in accordance (or otherwise) with this policy.

Policy number	Delivery mechanism	Milestones	Organisations involved	Monitoring indicator
MODSSCOAST: The Coast	Protected through the Local Plan.	None identified/ongoing	North Norfolk, District Council, Environment Agency.	Planning applications in accordance (or otherwise) with this policy.
MODSSROADS: Main road network	Protected through the Local Plan. Improvements carried out as needed by or under the guidance of the Highways Authority or Highways England.	None identified/ongoing	Highways Authority, Highways England	Schemes permitted contrary to Highways advice.
MODSSMILLS: Drainage Mills	Protected through the Local Plan. Heritage Lottery Fund bid could deliver some changes. Otherwise changes delivered by landowners.	None identified/ongoing other than the specific timelines for those identified in the HLF funding bid.	English Heritage, EA, owners of Mills.	Mills brought back into use. Changes to mills in line with this policy.
MODSSPUBS: Waterside Pubs Network	Protected through the Local Plan. Improvements carried out as needed by operator/owner.	None identified/ongoing	CAMRA, pub operators	Improvements to pubs in line with policy. Pubs lost from public house land use.
MODSSSTATIONS: Railway stations/halts	Protected through the Local Plan. Improvements carried out as needed by operator/owner.	None identified/ongoing	Network Rail, Rail Operators	Improvements to stations in line with policy. Stations lost to other uses.
MODSSTRACKS: Former rail trackways	Safeguarded through the Local Plan in order to be delivered by another body in future. No scheme worked up at the time of writing.	None identified/ongoing	County Councils	Recreation routes delivered on these schemes. Development that encroaches onto these trackways.
MODSSLGS: Local Green Space	Protected through the Local Plan.	None identified/ongoing	People who nominated sites.	Local Green Spaces lost/negatively affected by development.
MODSSSTAITHES: Staithes	If appropriate to a scheme, policy used to help determine application.	None identified/ongoing	Parish Councils	Staithes lost/negatively affected by development.
MODSSA47: Changes to the Acle Straight (A47T)	If appropriate to a scheme, policy used to help determine application. Note that the Broads Authority is not likely to determine the scheme as it might be classed as an NSIP but this policy will be of relevance.	None identified/ongoing although some safety measures could be in place by 2020.	Highways Authority, Highways England	Changes to A47 in line with this policy.

## Notes

- [The 'organisations involved' column lists organisations that are relevant to the policies. The organisation could for example be responsible for the delivery of the policy, be affected by the policy, have an interest in how the policy is applied and delivered or be called upon to assist in assessing information received as required in the policy.](#)

- Organisations and other stakeholders involved may not necessarily deliver, but may have an interest, role or say in how a scheme progresses.
- It is given that the scheme promoter/applicant/landowner will be involved.
- The Broads Authority as the Local Planning Authority will use the policies when determining planning applications or giving advice.
- In general, the Parish or Town Council will also be involved, although they are specifically identified against some policies.
- Potentially an important part of the delivery mechanism involves promoters using the free pre-application informal advice offered by the Broads Authority, which seeks to highlight relevant issues a planning application needs to address.
- Some schemes could benefit from Permitted Development Rights, although this depends on land use and size, and there are also some rights that do not apply within the Broads.
- On occasion, the delivery of the policy may not be under the direct control of the Broads Authority. Landowners have all been consulted during the production of the Local Plan and their opinions taken into account (see Consultation Statement). Relevant other stakeholders, including statutory organisations like the Environment Agency, have been involved in the development of policies.
- Some policies have measureable outcomes, but for others defining an indicator is difficult. On adoption [of the Local Plan](#), when completing the relevant decision notice, Development Management Officers will complete a questionnaire that states which policies were used to determine the application, and to what level of conformity to those particular policies the application/proposal is. [The levels of conformity are that the policy met the policy requirements, partly met or was contrary to policy requirements. This qualitative assessment will help us understand how each policy was used and to what effect for when the Local Plan is reviewed. As set out in section 33, this review will start around 18 months after adoption of the Local Plan.](#)