



**This letter is sent by email only**

Planning Policy Team  
Broads Authority  
Yare House  
62-64 Thorpe Road  
Norwich  
NR1 1RY

24/09/25

Dear Planning Policy Team

I am writing on behalf of the RSPB to provide our formal response to the Local Plan for the Broads review at this final stage in the consultation. We welcome the opportunity to comment and are supportive of the plan's overarching commitment to protect the unique biodiversity of the Broads. We do not object to any of the policies in the plan or the outcome of the Habitat Regulations Assessment, but we would like to offer the following observations and recommendations to help strengthen the ecological robustness of the Plan.

**Habitat Regulations and protected sites**

We note that the term "likely significant adverse effects" is used in a number of places within the draft Broads Plan. This appears to combine the two tests of the Habitat Regulations i.e. is there a pathway by which a likely significant effect can occur and, if so, adverse effects on the integrity of protected sites then need to be avoided. We recommend that the text within the plan be amended to simply state "adverse effects" in line with the Habitats Regulations tests.

**Section 41 species and biodiversity**

We welcome the commitment to protect those species listed in Section 41 of the NERC Act from harmful impacts, as described in policy PUBSP5: Biodiversity. This is particularly true for breeding Lapwing and Redshank and the wet grassland habitats which support them. We support the recommendation that the ecological requirements of Section 41 species should be factored into Biodiversity Net Gain schemes where

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possible; the LNRS and other strategic plans for nature recovery in the Broads will help to identify those Section 41 species for which conservation is a local priority.

Irreplaceable habitats of the Broads, such as lowland fen, should also be recognised for their very high importance and afforded a level of protection commensurate with this if they fall outside of existing protected areas.

### **Nutrient enrichment**

We support the requirement for residential houseboat developments to demonstrate wastewater management that is protective of water quality. We note that nutrient neutrality policies do not apply to all allocations, despite the interconnected nature of the Broads wetland system. It will be important for the Broads Authority to consider how to oversee policing of this policy to ensure that wastewater is not simply discharged to waterbodies. Water quality targets are not being met in many areas and, whilst discharges from sources such as water recycling centres will have a bigger impact, any discharges to add to the nutrient burden of the Broads' waterbodies needs to be effectively managed.

We accept that high level regulatory frameworks exist to combat the problem of nutrient enrichment, as indicated in the HRA, but the Broads Authority will need to be clear about the mechanism by which this issue will be addressed and the monitoring requirements to demonstrate policy effectiveness.

### **Recreational disturbance**

Careful consideration should be given to the potential for access improvements and residential/tourism-based developments to increase harmful disturbance of species within protected sites. Harmful disturbance pathways should be avoided in the first instance. This is recognised in the plan.

Proposals which include additional launch sites for light craft such as paddle boards should be examined with some caution because there is potential for users of such craft to access water courses and habitats that have historically experienced much lower levels of disturbance. Codes of conduct alone may not be sufficient to control this. We recognise the need to balance this consideration against the requirement for improved access, low impact tourism and equal opportunities for people to enjoy the countryside, but this must be in keeping with the sensitivities of the Broads' habitats and species.

In the "risks and constraints" analysis for Policy PUBBRU4: Brundall Marina, the nearby Yare Broads and Marshes SSSI is listed as a constraint, but no reference is made to the Broadland SPA.

In addition, Policy PUBTHU1: Tourism (development at Hedera House, Thurne) states that "proposals must ensure no adverse effects on the conservation objectives and qualifying features of the nearby SSSI". Again, there is no mention of the Broadland SPA, despite the reference to adverse effects.

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We recommend that the wording is changed to something like the following:

“Proposals must ensure no adverse effects on the conservation objectives and qualifying features of the nearby Broadland SPA and associated SSSI.”

### **Trees and habitat management**

We are supportive of the policy around trees but would recommend additional emphasis on a “right tree in the right place” narrative in the reasoned justification. The retention of existing trees and planting of new trees may be appropriate around settlements and beyond the floodplain, but deliberate planting schemes driven by carbon capture and woodland biodiversity initiatives should generally be avoided on fen, wet grassland and reedbed habitats. Management of these habitats often involves the removal of naturally seeded scrub/trees to prevent succession to woodland and discourage drier conditions, to preserve the open, wet conditions favoured by several species closely associated with the Broads. Trees can also provide cover, breeding and roosting opportunities for predators that can have a significant impact on ground nesting birds of open habitats. This will be particularly important adjacent to and within protected areas, for the reasons outlined above.

A more detailed rationalisation of this in the reasoned justification section of Policy PUBDM19 will help to explain exactly why tree planting and the retention of existing trees is not always appropriate from a habitats and species perspective. This concern does not apply to existing protected areas of wet woodland/carr, which are an important component of the wetland mosaic.

### **Peat soils**

We support the preservation of peat soils and the elements of Policy PUBDM12 which will help to protect the integrity of peat and reduce carbon emissions. Projects which seek to re-wet peat and foster peat building conditions are to be commended.

It is important to recognise that much of the nature restoration/enhancement work carried out on fen, reedbed, and wet grassland habitats which involves the removal of some spoil will often have a principal target of increasing surface “wetness”. This includes the creation of scrapes and footdrains, and the lowering of reedbed compartments. Such works may also facilitate the transport of water around a site. As such, there exists a somewhat paradoxical situation where the redistribution of some peat within a site might facilitate an uplift in the condition of neighbouring peat. For such projects, consideration of point 3 in Policy PUBDM12 should be pragmatic and have considerable regard for the overall benefits of the project, from a hydrology (and thus peat) perspective as well as a biodiversity perspective. The degree to which wetlands managed for nature conservation are generally protective of peat might also be considered.

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## **Soils on grazing marsh and nature recovery**

We support the general principals of Policy PUBSP3 but recommend that a distinction is made between typical development and ecological enhancement works that facilitate nature recovery.

Often, nature conservation works on wet grassland/grazing marsh habitats which involve the redistribution of spoil have a principal aim of increasing surface “wetness”. This applies to the creation of scrapes and footdrains. Such enhancements may also facilitate the transport of water around a site. As such, the localised redistribution of some clay soil within a grade 3 site can lead to a very significant uplift in habitat quality, which is of fundamental importance in the recovery of breeding Lapwing and Redshank populations (both Section 41 species which appear in the region’s LNRS). Works of this nature may also be necessary for landowners to meet the requirements of their agri-environment schemes. They may also help to store flood waters and increase resilience to climate change.

## **Biodiversity Net Gain**

We support the 20% BNG target and the emphasis on coherent ecological networks.

With regards off-site delivery, we support the view that BNG should contribute to approved strategies for nature recovery in the Broads, focussing on priority habitats and species and adhering to the Lawton principles.

We would welcome some more clarity on the policy for not using the best and most versatile agricultural land for BNG, especially where such land could significantly enhance habitat connectivity. This part of the policy does not appear to have any accompanying comments in the reasoned justification. Some additional detail on how this relates to nature recovery strategies and some consideration of whether there can be any capacity for departure from this stance (for example where an area of good agricultural land interrupts habitat connectivity and the landowner wishes to repurpose the land for nature conservation) would be welcomed. However, we do note that much of the grade 3 agricultural land shown on page 91 appears to be broadly synonymous with grazing marsh, which already carries high potential for nature restoration when managed in a way that is conducive to that purpose.

## **Biodiversity enhancement**

We support the inclusion of Swift bricks and other wildlife-friendly features in new developments. The Utilities Site presents a significant opportunity to support Swift populations in Norwich, and we encourage the incorporation of best-practice guidance from the RSPB and Swift conservation groups.

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We appreciate the opportunity to contribute to the development of the Local Plan and commend the Broads Authority for its commitment to biodiversity and nature recovery. We hope our comments will be helpful.

Yours faithfully,

Luke Wilkinson

Conservation Officer

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