

**Broads Local Plan**  
**Pre-Submission Consultation**  
**Responses - sorted by policy**  
**February 2018**

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### 1) Introduction

The Pre-Submission Local Plan consultation ran from November to January 2018. This document includes all the comments received and the Authority's response. There is reference to proposed changes and these are set out in the 'Schedule of Proposed Changes' document. Some comments consider the Local Plan not sound and give reasons. The initials used in this document mean the following:

#### **PP - Positively Prepared**

- The Plan should seek to meet objectively assessed development and infrastructure requirements and be consistent with achieving sustainable development.

#### **J - Justified**

- The Plan should be founded on a robust and credible evidence base involving: evidence of participation of the local community and others having an interest in the area; and evidence that the choices made in the Plan are backed up by facts.
- The Plan should provide the most appropriate strategy when considered against reasonable alternatives.
- The Plan should show how its policies and proposals help to ensure that the social, environmental, economic and resource objectives of sustainability will be achieved.

#### **E - Effective**

- The Plan should be deliverable, embracing sound infrastructure delivery planning; having no regulatory or national planning barriers to delivery; delivery partners who are signed up to it; and coherence with the strategies of neighbouring authorities.
- The Plan should be flexible and able to be monitored, and indicate who is to be responsible for making sure that the policies and proposals happen and when.
- The Plan should be flexible to deal with changing circumstances, such as changes in economic circumstances. It should also make clear that major changes may require a formal review of the Plan in the future.

#### **CP - Consistent with national policy**

- The Plan should promote sustainable development in accordance national policy.

## 2) Additional sites

### Broad, D

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	231	-	-	-

#### Full response:

Nomination for up to 6 residential moorings at Ropes Hill, Horning.

#### Summary of response:

Nomination for up to 6 residential moorings at Ropes Hill, Horning.

#### Broads Authority response:

Nomination supported. Will propose to the Inspector that this site is allocated. See separate assessment for detail. See Proposed Change 1.

### Evolution Town Planning

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	225	-	-	-

#### Full response:

Supportive of policies relevant to Somerleyton Marina.

Nomination for up to 10 residential moorings at Somerleyton Marina.

#### Summary of response:

1: Supportive of policies relevant to Somerleyton Marina.

2: Nomination for up to 10 residential moorings at Somerleyton Marina.

#### Broads Authority response:

1: Support noted.

2: Nomination supported. Will propose to the Inspector that this site is allocated. See separate assessment document for more detail. See Proposed Change 2.

### O A Chapman & Son

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	250	-	-	-

#### Full response:

Old Station Yard, Geldeston Road, Ellingham: Objection to development of this site for residential purposes seems entirely at odds with stated Government policy.

As you will be aware the site has been identified by South Norfolk Council as suitable for residential redevelopment but that in discussions with your goodselves you have previously stated that residential development would be entirely unacceptable as the site overlooks the Waveney Valley.

However we draw attention to the fact that the site is presently used for purposes which detract from views into and from Waveney Valley and that residential development particularly if sympathetically landscaped, would greatly enhance the aspects in the immediate and general locality.

Furthermore development of this brownfield site would be entirely in keeping with Government Planning Policy and would also help to alleviate the critical shortage of housing that the nation faces. Development of this site for residential purposes would also have the additional benefit of reducing heavy goods vehicle movements within the immediate locality and surrounding villages and we would also comment that property is virtually within touching distance of other development. There are also good local bus services and the property is readily accessible to the A143 and the A146 providing access to the regional road network.

Accordingly we would trust that you would agree that this site would be well suited to residential development subject to appropriate safeguards in terms of landscaping and the environment and trust that the new Broads Authority Local Plan will allocate it accordingly.

#### Summary of response:

Puts forward an additional site for consideration: Old Station Yard, Geldeston Road, Ellingham

#### Broads Authority response:

For the avoidance of doubt, this site had not been put forward for consideration through the Local Plan at any point of the process. Further conversations were had with OA Chapman and Son. It transpires that they

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are not employed by the landowner and at the time of the consultation did not have the landowner's permission to make this representation. They were going to liaise with the landowner. It was also not clear where this nomination was and a map was requested. OA Chapman were called on a number of occasions and also informed of the extended deadline for representations. No map or further communications were made. Of relevance, the Authority has met its need for housing in the Central Norfolk Housing Market Area in which South Norfolk is located so there is no need to allocate any further sites for housing as part of this plan period. No change to Local Plan.

### St Olaves Marina Ltd

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	230	-	-	-

#### Full response:

Nomination for up to 12 residential moorings at St Olaves Marina, St Olaves.

#### Summary of response:

Nomination for up to 12 residential moorings at St Olaves Marina, St Olaves.

#### Broads Authority response:

Nomination not supported. Please see separate assessment for detail.

### 3) Comments on entire Local Plan

#### Beccles Society

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	224	-	-	-

#### Full response:

We also considered all your Policy statements and as most of these had not shown significant changes since last time, we were again in full agreement with them. So, this is a long way round of saying No Comments.

#### Summary of response:

Supports Local Plan

#### Broads Authority response:

Support noted.

#### Beccles Town Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	033	yes	yes	-

#### Full response:

I am writing on behalf of Beccles Town Council to inform you that we fully endorse the Local Plan for the Broads. Whilst reviewing the consultation document, the Planning Committee felt it was a well-considered and comprehensive document and had no objections or amendments to any of the proposals therein.

#### Summary of response:

Supports the Local Plan.

#### Broads Authority response:

Support noted.

#### Chedgrave Parish Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	001	-	-	-

#### Full response:

Thank you for the consultation information which was discussed at our parish council meeting of 7th December. It was agreed that the parish council does not feel equipped to respond on the basis of legal/compliance matters. The document was reviewed and in general the content was fine with the main item of interest being the 'live aboard' licences being granted to Greenway Marine which was not considered controversial as long as live-aboards are able to be properly managed e.g. to ensure upkeep, tidiness etc.

#### Summary of response:

Do not feel equipped to respond relating to soundness. Greenway Marine allocation of interest. Not controversial but needs to be properly managed once delivered.

**Broads Authority response:**

The Parish Council were subsequently asked if they wish to make any comments at all regardless of reference to soundness.

Support noted.

Regarding the draft allocation at Greenway Marine, to be clear, it is a draft allocation rather than licence and the site owner would need to apply for planning permission and such issues as the number, scale and size of boats using the moorings will be a consideration and potentially a condition on any permission granted. It will be for the landlord of the moorings to manage them.

No change to the Local Plan proposed.

**Eason, B**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	069	-	-	-

**Full response:**

Unfortunately my love affair with the broads has sadly finished. The broads have in my opinion been overwhelmed with money from London. Having owned four boats on the broads and managed them on a budget, I have finally been priced off the water and sold my last boat. The facilities have deteriorated. Shops and moorings vanished. Public toilets disappeared, rubbish disposal facilities lost and amenities such as helpful boatyards and attractions like entertainment all but gone. The boating community has lost its make and mend attitude and the comradeship which accompanied it. Health and safety prevents owners having facilities to work on their own boats. Professional repair costs rip off owners. The hire fleets price themselves above foreign holidays. Private marinas closely follow where boats rarely leave private moorings but are charged navigation fees designed to exploit a few square metres in the water. So I leave the broads to the exclusive few. They haven't a clue what they have missed. A future I fear of inactivity as a national park cared for by the great and the good. Carefully preserved in a box. God forbid that the sound of children laughing whilst they enjoy the water should interfere with investments and the pursuits of the wealthy. Yes the broads have changed for the worse in my opinion. I don't like the atmosphere or the unfriendly people it attracts. An expensive boat park where little enjoyment is tolerated unless handsomely charged for. Unless things are done to improve affordable recreation on the water, the broads will become exclusive real estate with moorings at the bottom of the garden. A far cry from the enterprising boat yards and cottage industries which our heritage gave us. Still there will always be the web so no worries

**Summary of response:**

The facilities have deteriorated. Shops and moorings vanished. Public toilets disappeared, rubbish disposal facilities lost and amenities such as helpful boatyards and attractions like entertainment all but gone. The boating community has lost its make and mend attitude and the comradeship which accompanied it. The hire fleets price themselves above foreign holidays. Private marinas closely follow where boats rarely leave private moorings but are charged navigation fees designed to exploit a few square metres in the water. An expensive boat park where little enjoyment is tolerated unless handsomely charged for.

**Broads Authority response:**

The respondent is clearly saddened by how the Broads has changed over the years and this is disappointing to hear.

- Some issues raised are not something that the Local Plan or indeed the Broads Authority can address however. Below are some responses to the comments although no change to the Local Plan is proposed. The comments have been passed on to senior managers so they are aware of Mr Eason's concerns.
- Visitors to the area: One of the statutory purposes of the Broads Authority is to promote visitors to the area and the Local Plan has policies on tourism that support visitors to the area. The Broads Authority has an adopted Tourism Strategy that relates to marketing and visiting the Broads.
- Moorings - the Authority works with landowners to provide 24 hour visitor moorings as well as other short stay moorings like de-masting or tidal moorings. There is an Integrated Access Strategy that includes a Mooring Strategy published by the Authority. The Local Plan has policies that help determine applications for moorings. One of the policies seeks the provision of moorings if a commercial marina or basin expands (DM32). Currently the Authority provides 7426m of visitor and demasting moorings over

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67 sites throughout the navigation area. All of these sites require ongoing maintenance and also many of them require major repiling works as the piling used for mooring against reaches the end of its life. Additionally, as we lease many of these sites from private landowners, we have to go through a regular process of renegotiating leases as they come to an end. We have just taken on a further moorings in 2017 at Acle Bridge, Rockland and the Berney Arms to increase the availability of free 24hr Moorings available to boaters

- Toilets: The Local Authorities are responsible for the provision of toilet facilities although Broads Authority do provide toilet and shower facilities at both Norwich and Great Yarmouth yacht stations
- Rubbish disposal facilities: The removal of waste collection facilities in the Broads by the local authorities has been of considerable concern to Broads Authority Members. The Authority continues to work hard on the issue of rubbish although it is not in the remit of the Broads Authority but of the local authorities. We also meet with the operational group of the Norfolk Waste Partnership (all local authority officers and Norfolk County Council) on a regular basis to ensure provision of facilities is improved and have helped to support the reinstatement of bins in Ludham and Horning since their withdrawal. In the meantime we continue to talk to local MPs who have concerns about the impact of the threatened withdrawal of further facilities.
- Tolls: As of 1st April 2017 the Broads Authority changed the structure for its navigation charges to make them simpler and fairer. This meant that 44% of all boats, the smaller ones, saw a reduction in their toll while the larger boats saw an above average increase. In the case of Mr Eason’s boat the charge rose. This put the charge in line with those levied by the Environment Agency in the Anglian Region but still well below that on the Thames where the equivalent charge is around 30% greater than the tolls on the Broads. Since the changes have been implemented the number of small private motor boats has increased by over 10%.

### East Anglian Marine Leisure (via agent Boyer)

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	048	-	-	-

#### Full response:

##### Conclusions:

East Anglian Marine Leisure generally supports the Broads Authority Local Plan – Publication Version and its policies, with the exception of Policy PUBGTY1 and an objection to Inset Map 9.

Policy PUBGTY1 must be amended in line with the suggested text at paragraph 1.21 to ensure the proposed development can be delivered for the benefit of both local residents and visitors. Inset Map 9 should also be amended to allow for land north of the current boundary and slightly further south, following River Walk. This reflects existing moorings to be provided for the use of visitors and residents and would contribute to the vibrancy and enjoyment of the Broads for all users.

It is considered these modifications will benefit the site and the surrounding area as well as supporting the local tourism economy which benefits the Authority as a whole.

Overall, East Anglian Marine Leisure suggests amendments and object to the areas mentioned above and support the remainder of the Local Plan Publication Version.

#### Suggested change:

See GTY1 and Inset Map 9 specific representations.

#### Summary of response:

General conclusion to their representation, with general support with 2 exceptions. See GTY1 and Inset Map 9 specific representations.

#### Broads Authority response:

See GTY1 and Inset Map 9 specific representations later in document.

### East Anglian Marine Leisure (via agent Boyer)

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	034	-	-	-

#### Full response:

The Broads Authority Publication Version Local Plan will be important to set out the long-term vision and partnership actions to the benefit of the local environment, communities and visitors. This will greatly

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benefit the area and all of its users. The Plan combines strategies, programmes and policies that are relevant to the Broads which are reviewed regularly.

This Local Plan is concerned with planning and planning applications in the area as well as the issues the Local Authority faces, a vision of what the Broads area will look like in 2036 and the strategic policies and site allocations to move towards this. The Broads Plan has a focus on the strategic management of the Broads for the enjoyment of others both local and visitors.

The Broads Authority has several purposes including; conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads; promoting opportunities for the Broads understanding and protecting the interests of navigation. It is identified there needs to be a balance with that which affords opportunity and has regard to the needs of agriculture, forestry and the economic and social interests of those who are connected to the Broads.

These representations relate to land owned by East Anglian Marine Leisure at Marina Quays, Great Yarmouth (see site location plan at Appendix 1). These representations are made in response to the Broads Authority new Publication Version Local Plan (2017) and presented on behalf of East Anglian Marine Leisure. Also supporting these representations are a series of documents consisting of; a Landscape Summary Statement, Engineering Visual Inspection and Report, Flood Response Evacuation Plan, Flood Risk Assessment and Transport Statement, which are submitted alongside these representations to the Local Plan. These documents consisting of assessments and reports demonstrate that the land at Marina Quays is capable of supporting development in terms of landscape, structural engineering, flood risk and transport. Development here would greatly benefit the surrounding area as well as helping to support the economy through tourism and increased visitors to the area. Regeneration will also be a significant benefit to this underused, regularly vandalised and partly derelict site.

These representations have considered the draft policies relevant to the site and the general theme of regeneration.

We propose a revised policy for the Marina Quays area where redevelopment will ensure a continuation of water-based facilities and the provision of holiday accommodation as well as small scale residential development.

We support several of the publication version policies as these ensure that several types of development are allowed alongside the protection of the waterways and land in the Broads area.

### Summary of response:

General introduction.

### Broads Authority response:

Noted.

### Flack, J (MEP Eastern Region)

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	210	-	-	-

### Full response:

Thank you for sending me the details of your emerging local Plan. I do not feel the need to comment on anything specifically, but appreciate being included in the wide consultation.

### Summary of response:

I do not feel the need to comment on anything specifically, but appreciate being included in the wide consultation.

### Broads Authority response:

Noted.

### Fritton with St Olaves Parish Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	032	-	-	-

### Full response:

We would like to inform you that after discussion Fritton with St Olaves Parish Council have no concerns or comments.

### Summary of response:

No concerns with Local Plan.



**Broads Authority response:**

Support noted.

**Great Yarmouth Borough Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	226	-	-	-

**Full response:**

Great Yarmouth Borough Council commends the Broads Authority on the generality of its proposed Local Plan.

**Summary of response:**

Great Yarmouth Borough Council commends the Broads Authority on the generality of its proposed Local Plan.

**Broads Authority response:**

Noted.

**Great Yarmouth Cycle Forum**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	188	yes	yes	-

**Full response:**

Unfortunately, the Great Yarmouth Cycle Forum was not consulted at the earlier stages of the Broads Local Plan and, therefore, it has never been formally discussed at meetings. Rather than comment on the legal compliance and soundness of the Plan, I would like to pass on the views of members received following an email advising them of the current consultation. The Great Yarmouth Cycle Forum supports the Broads Local Plan.

**Summary of response:**

- 1: Were not consulted previously.
- 2: Supports Local Plan.

**Broads Authority response:**

- 1: Noted. The Authority was only recently made aware of the Group and added them to the consultation list as soon as we were made aware.
- 2: Support noted.

**Historic England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	167	yes	yes	-

**Full response:**

Summary:

Please note that absence of a comment on an allocation or document in this letter does not mean that Historic England is content that the allocation or document forms part of a positive strategy for the conservation and enjoyment of the historic environment or is devoid of historic environment issues. Where there are various options proposed for a settlement, identification of heritage issues for a particular allocation does not automatically correspond to the support for inclusion of the alternative sites, given we have not been able to assess all of the sites.

Finally, we should like to stress that this opinion is based on the information provided by the Council in its consultation. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals which may subsequently arise where we consider that these would have an adverse effect upon the historic environment.

**Summary of response:**

General introduction.

**Broads Authority response:**

Noted.

**Historic England**

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Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	166	yes	yes	-

**Full response:**

Glossary: Glossaries should include consistent definitions for all heritage assets mentioned in the local plan. We recommend that the Plan includes a glossary which defines: Listed Buildings; Scheduled Monuments; Conservation Areas; Registered Parks and Gardens; Registered Battlefields; Protected Wrecks; Non-designated heritage assets / Local Heritage Assets / Locally Listed Heritage Assets / Locally Listed Buildings.

**Suggested change:**

We recommend that the Plan includes a glossary

**Summary of response:**

We recommend that the Plan includes a glossary

**Broads Authority response:**

Ample explanation of heritage asset related terms is given in each reasoned justification under relevant Policies. Other definitions given in the NPPF. It seems unnecessary to copy over the glossary from the NPPF. No change to Local Plan.

### Historic England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	131	yes	yes	-

**Full response:**

A positive strategy for the historic environment: Paragraph 126 of the NPPF requires Local Plans to set out a positive and clear strategy for the conservation, enjoyment and enhancement of the historic environment. Ideally the strategy should offer a strategic overview including overarching heritage policies to deliver the conservation and enhancement of the environment. A good strategy will offer a positive holistic approach throughout the whole plan whereby the historic environment is considered not just as a stand-alone topic but as an integral part of every aspect of the plan, being interwoven within the entire document. So policies for housing, retail, and transport for example may need to be tailored to achieve the positive improvements that paragraph 8 of the NPPF demands. Site allocations may need to refer to the historic environment, identifying opportunities to conserve and enhance the historic environment, avoid harming heritage assets and their settings and may also be able to positively address heritage assets at risk. The plan may need to include areas identified as being inappropriate for certain types of development due to the impact they would have on the historic environment. A good strategy will also be spatially specific, unique to the area, describing the local characteristics of the borough and responding accordingly with policies that address the local situation. We would expect references to the historic environment in the local plan vision, the inclusion of a policy/ies for the historic environment and character of the landscape and built environment, and various other references to the historic environment through the plan relating to the unique characteristics of the area.

The draft Plan successfully outlines the unique attributes which contribute to the high quality historic environment of the Broads and outlines well the relationship between local cultural heritage, local economy, the built environment and landscapes.

**Summary of response:**

The draft Plan successfully outlines the unique attributes which contribute to the high quality historic environment of the Broads and outlines well the relationship between local cultural heritage, local economy, the built environment and landscapes.

**Broads Authority response:**

Support noted.

### Home Builders Federation

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	219	yes	no	-

**Full response:**

Conclusions:

For the Local Plan for the Broads to be found sound it must pass the four tests set out in paragraph 182 of the NPPF. At present we consider the Publication Local Plan to be unsound due to:

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- The affordable housing policy is not justified by the evidence base and is inconsistent with national policy;
- Lack of evidence to support adoption of optional accessibility standards;
- Planning obligation policy is unjustified and ineffective.

### Summary of response:

General conclusions to their representation.

### Broads Authority response:

See specific comments at relevant policies.

### Home Builders Federation

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	211	-	-	-

### Full response:

Thank you for consulting the Home Builders Federation (HBF) on the Local Plan for the Broads. The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders. Our members account for over 80% of all new housing built in England and Wales in any one year.

We recognise that as a National Park there are significant policy constraints that will limit the level of development. However, in recognising these constraints it is still important that the plan being proposed is supported by an appropriate evidence base, is an effective plan that is deliverable over its period and is consistent with national policy. Whilst we are pleased to see changes to the plan addressing some of our concerns there are still elements of the Plan that we do not consider to be sound. Set out below are the areas of the Plan that we consider to be unsound against the tests outlined in paragraph 178 of the National Planning Policy Framework.

### Summary of response:

General introduction.

### Broads Authority response:

Noted.

### Loddon and District Business Association

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	060	-	-	-

### Full response:

The Loddon and District Business Association exist to promote and protect business and commercial activity in the town of Loddon, the village of Chedgrave and surrounding areas. It is particularly concerned with tourism as this is seen as a means to enhance retail and service provision in its area of referral. As most of the business communities of Loddon and Chedgrave lie outside the scope of activity of the Broads authority, there is little comment for us to make. However, the existence and significance of the Broads as a national park does have a material impact upon business in the area as does the level of tourism. The Association is pleased to note the provisions for protecting and enhancing the tourism industry in its area. It is important to realise that many tourists reaching Loddon/Chedgrave arrive by boat along the rivet Chet and whatever can be done to protect and enhance this channel and the facilities available at its head will be of benefit to the wider community.

### Summary of response:

The Association is pleased to note the provisions for protecting and enhancing the tourism industry in its area. It is important to realise that many tourists reaching Loddon/Chedgrave arrive by boat along the rivet Chet and whatever can be done to protect and enhance this channel and the facilities available at its head will be of benefit to the wider community.

### Broads Authority response:

Support noted.

### Mautby and Runham Parish Council

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Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	068	-	-	-

**Full response:**

Mautby Parish Council had no comments.

**Summary of response:**

Mautby Parish Council had no comments.

**Broads Authority response:**

Noted.

**Natural England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	049	yes	yes	-

**Full response:**

Natural England welcomes the inclusion of the majority of our comments made previously at the Preferred Options stage (in our letters of response dated 3 February 2017 (our ref: 203094) and 14 July 2017 (our ref: 219615) respectively).

**Summary of response:**

Welcomes the inclusion of the majority of our comments made previously

**Broads Authority response:**

Support noted.

**NFU East Anglia**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	206	yes	no	J, CP

**Full response:**

The NFU represents around 47,000 farm businesses in England and Wales. In addition we have 40,000 countryside members with an interest in farming and the countryside. The NFU represents over 900 farm businesses in the wider Broadland catchment areas of Norfolk and Suffolk. We are pleased to have this opportunity to comment on the final draft of the Broads Authority Local Plan.

The draft Local Plan taken in the round appears to adhere to the underlying philosophy of the presumption in favour of sustainable development contained in the National Planning Policy Framework. This is well articulated in the Plan's first policy, specifically on sustainable development. However the experience of our members in dealing with the currently existing Local Plan is that the cumulative effect of the interpretation of individual policies within the plan can lead to recommendations for refusal of permissions. When looked at in isolation each individual policy would seem sound in relation to a presumption in favour of development, but when taken together act to restrict development that might indeed be viewed as sustainable development.

In looking at the draft Plan there are three individual policies that we wish to comment on in this regard (PUBDM9, PUBDM14 and PUBDM21).

**Suggested change:**

Set out under individual policies.

**Summary of response:**

The draft Local Plan taken in the round appears to adhere to the underlying philosophy of the presumption in favour of sustainable development contained in the National Planning Policy Framework. This is well articulated in the Plan's first policy, specifically on sustainable development. However the experience of our members in dealing with the currently existing Local Plan is that the cumulative effect of the interpretation of individual policies within the plan can lead to recommendations for refusal of permissions. When looked at in isolation each individual policy would seem sound in relation to a presumption in favour of development, but when taken together act to restrict development that might indeed be viewed as sustainable development. In looking at the draft Plan there are three individual policies that we wish to comment on in this regard (PUBDM9, PUBDM14 and PUBDM21).

**Broads Authority response:**

Noted.

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**Nice, S and S**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	229	-	-	-

**Full response:**

No further comments from us.

**Summary of response:**

No comment.

**Broads Authority response:**

Noted.

**Norfolk Constabulary**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	234	-	-	-

**Full response:**

There are no Architectural Liaison comments from us at this time.

**Summary of response:**

No further comments to make.

**Broads Authority response:**

Noted.

**Norfolk County Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	070	-	-	-

**Full response:**

The schedule of comments and accompanying Representation Forms have been agreed with the Chair and Vice Chair of the County Council’s Environment, Development and Transport Committee. The County Council welcomes the opportunity to comment on the above Local Plan and supports all those amendments to the Plan, which overcome the County Council’s previous concerns/objections raised at the Regulation 18 Stage in respect of the:

- The environmental issues; an
- Developer contribution

There remains Transport issues specifically relating to the Acle Straight which are set out below in relation to the County Council’s position in support of the dualling of the A47. The remainder of this schedule sets out further comments the County Council wishes to make on the emerging Local Plan:

**Summary of response:**

General introduction.

**Broads Authority response:**

Noted.

**Norfolk Geodiversity Partnership**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	169	yes	no	CP

**Full response:**

We are disappointed that our earlier comments (June 2016) do not seem to have taken on board the geodiversity issue in the progressive way that we had hoped.

**Summary of response:**

Disappointed that earlier comments not taken on board.

**Broads Authority response:**

No comments were received from Norfolk Geodiversity Partnership to the Issues and Options consultation that ended April 2016 nor to the Preferred Options consultation that ended 3 February 2017. If comments had been received, the changes could have been made. Most representations from the Partnership will be recommended to the Inspector to be incorporated. See individual comments for detail.

**Norwich City Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	089	-	-	-

**Full response:**

The city council is generally very supportive of the policies and proposals in the Broads Local Plan.

**Summary of response:**

General support for Local Plan.

**Broads Authority response:**

Support noted.

**Pacific Cruisers (Loddon) Ltd**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	236	-	-	-

**Full response:**

I feel it would be more helpful and kinder if each Parish Council was sent an outline of which policies will affect their area with an explanation in layman's terms of what this would mean in the future for them and their residents. I am very concerned that there are other policies being put forward in this document that residents should be made aware of. However, it seems impossible to decipher the impact on residents due to the technical speak used. Unfortunately, most people that these policies affect do not have a degree in planning.

**Summary of response:**

Concerns about how information presented and understanding.

**Broads Authority response:**

Summary leaflet was produced to accompany the consultation. Contact details of the Authority were provided in case anyone wanted to ask questions. Drop in sessions were organised whereby people could come and ask questions and speak to staff in person. Letters sent to neighbours of residential moorings allocations to ask for their comments in light of this suggestion. Consultation was completed in a way that exceeds regulations for producing a Local Plan and meets the adopted Statement of Community Involvement. No change to Local Plan.

**River Waveney Trust**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	023	-	-	-

**Full response:**

The Trust would like to record its support for the overall approach and priorities of the Broads Local Plan.

**Summary of response:**

Support for the overall approach and priorities of the Broads Local Plan.

**Broads Authority response:**

Support noted.

**RSPB**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	101	-	-	-

**Full response:**

The RSPB is supportive many of the policies within the Local Plan and considers they provide strong protection the Broads' habitats and wildlife. The Local Plan has developed a much stronger approach to protecting and enhancing the important habitats and wildlife of the Broads and the RSPB is pleased to note that many of our recommendations at the preferred option stage have been included in the submission document. Some small amendments are required to strengthen a few policies and ensure that the information of protected areas, notably the Outer Thames Estuary SPA, reflects recent updates to features and boundaries. The RSPB is pleased to see a strong peat policy included within the plan which we consider both important and a useful precedent to engage with other Local Authorities that have significant amounts of peat soils. We look forward to hearing more about how you plan to work with ourselves and other

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partners around the monitoring of the plan. The RSPB currently reserves its opportunity to attend any examination sessions that will cover biodiversity, water quality, climate change, brownfield sites, A47 and HRA.

### Summary of response:

General support to Local Plan.

### Broads Authority response:

Support noted.

### Somerton Parish Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	251	-	-	-

### Full response:

LATE RESPONSE: Somerton Parish Council met on the 9th January and decided not to make any formal response to the Broads Local Plan consultation.

### Summary of response:

No formal response.

### Broads Authority response:

Noted.

### Walker, L

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	020	yes	yes	-

### Full response:

I am happy with the proposals.

### Summary of response:

Support the Local Plan.

### Broads Authority response:

Support noted.

### Whitlingham Charitable Trust

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	012	yes	yes	-

### Full response:

Having perused the pre-submission Broads Local Plan (and having commented on earlier drafts) I have no comments to make on the latest version on behalf of Whitlingham Charitable Trust. In my view the Plan meets the various Tests of Soundness.

### Summary of response:

Support Local Plan.

### Broads Authority response:

Support noted.

### Wroxham Parish Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	086	no	?	-

### Full response:

General comment - Whilst the Parish Council applauds the depth and detail of the report it finds it impenetrable for the layperson and as such a challenging consultation document. In particular the approach of asking respondents to complete a separate form for each representation is both onerous and unnecessary. The process places all the onus on the public to challenge the Authority and not vice versa. For example, asking if the documents meet "the tests of soundness". The Council challenges the accessibility of this document to the public.

### Suggested change:

The consultation should be compliant with Cabinet Office Consultation Principles 2016 - particularly sections A and G

**Summary of response:**

Use clear English and make it less onerous to respond.

**Broads Authority response:**

A summary leaflet was produced to accompany the Local Plan and this summarised policies in one sentence using plain English. Drop in sessions were held around the Broads so people could come and talk to us in person to discuss policies and seek clarification. Contact details of the Planning Policy Officer were available in case anyone wanted to ask questions. The Local Plan has to be technical in some places, but is accessible in others - that is the nature of Local Plans. With regards to the Forms, this consultation stage requires consideration of the tests of soundness hence the form asking the specific questions it does. The answers to these questions will help the Inspector as they examine the Local Plan. The point of consultation is to see what people think of the local plan so the onus is on stakeholders and the public to say what they think. It is important to note that a Local Plan only needs to undertake one consultation stage before pre-submission whereas there have been two other stages of consultation on the Local Plan to date, so three in total. With regard to the Cabinet Office Consultation Principles 2016, the Local Plan is a formal, statutory document with prescribed content and the Broads Authority has sought to make the consultation as proportionate and user-friendly as possible within the constraints of the statutory requirements.

**4) Duty to cooperate**

**Great Yarmouth Borough Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
6	19	228	-	-	-

**Full response:**

Great Yarmouth Borough Council values the cooperation it has with the Broads Authority, both formal and informal, and over a variety of geographies. The Borough Council is satisfied that, from its perspective, the Broads Authority has met the 'duty to cooperate'.

**Summary of response:**

The Borough Council is satisfied that, from its perspective, the Broads Authority has met the 'duty to cooperate'.

**Broads Authority response:**

Support noted.

**North Norfolk District Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
6	19	249	-	-	-

**Full response:**

The Broads Authority (BA) area lies within the administrative area of North Norfolk District Council and as such there is a need to work closely together in order to ensure that cross boundary matters are coordinated. It is considered that the Local Plan for the Broads has been produced in accordance with the Duty to Cooperate and that this is demonstrated in part by the undertaking of the Norfolk Strategic Framework (NSF). At the time of the start of this consultation the NSF was in draft form but is now approaching Local Planning Authority (LPA) endorsement stage by LPA's, though the intention is that the document remains iterative. The NSF contains a number of agreements as to how cross boundary matters will be dealt with and the BA are a signatory to this Duty to Cooperate. Outside of the strategic issues there are a number of localised issues that North Norfolk has worked with the BA on to agree a combined approach e.g. to joint areas of retail planning.

**Summary of response:**

It is considered that the Local Plan for the Broads has been produced in accordance with the Duty to Cooperate and that this is demonstrated in part by the undertaking of the Norfolk Strategic Framework (NSF) (Now known as the Norfolk Strategic Planning Framework (NSPF)).

**Broads Authority response:**

Support noted.



## 5) Habitats Regulation Assessment

### Natural England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	058	yes	yes	-

#### Full response:

We fully support the findings of the exemplary Habitats Regulations Assessment (HRA) of the Local Plan. The report Habitats Regulations Assessment of the Local Plan for the Broads at Publication stage, dated August 2017, and prepared by Footprint Ecology, has assessed the emerging plan at Preferred Options stage and then at Publication stage. It is thorough, clear and evidence base, and Natural England is satisfied that the HRA provides a comprehensive assessment of the likely significant effects of the Local Plan on European sites and meets the requirements of the Conservation (Habitats & Species) Regulations 2017\* ('the Habitats Regulations 2017'). We concur with its conclusions that the Local Plan is unlikely to have a significant effect on European sites and that an Appropriate Assessment is not be required, as all the modifications, identified in the HRA report, have been made to the relevant Local Plan policies.

\* Please note the various legislative amendments that have been made to the Habitats Regulations since 2010 were tidied up and consolidated into new regulations. On 30 November 2017, the current 2010 Regulations were replaced with the Conservation of Habitats and Species Regulations 2017 (or the 'Habitats Regulations 2017'). The 2017 Regulations do not introduce any material changes to the regulations or change how they should be interpreted and applied. However, the Local Plan should reflect this change in the wording by the time it is adopted.

#### Summary of response:

- 1: Natural England is satisfied that the HRA provides a comprehensive assessment of the likely significant effects of the Local Plan on European sites and meets the requirements of the Regulations.
- 2: We concur with its conclusions that the Local Plan is unlikely to have a significant effect on European sites and that an Appropriate Assessment is not be required, as all the modifications, identified in the HRA report, have been made to the relevant Local Plan policies.
- 3: Please note the various legislative amendments that have been made to the Habitats Regulations since 2010 were tidied up and consolidated into new regulations.

#### Broads Authority response:

- 1: Support noted.
- 2: Support noted.
- 3: A HRA is likely to be needed to assess any changes to the Local Plan through the Examination and that HRA can address these comments.

### Norfolk County Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	079	-	-	-

#### Full response:

The HRA refers to the Candidate Marine SAC Haisborough, Hammond and Winterton SAC. The European Commission approved the SAC designation of Haisborough, Hammond and Winterton marine SAC in Sept 2017 see <http://jncc.defra.gov.uk/page-6534>. Paragraph 1.46 of the HRA states that Footprint Ecology undertook visitor surveys from European sites across Norfolk, as part of a joint commission by the Norfolk local planning authorities over 2016/17. The surveys were actually completed in 2015/16. The document referred to is not included in the references.

#### Summary of response:

- 1: The European Commission approved the SAC designation of Haisborough, Hammond and Winterton marine SAC in Sept 2017
- 2: Paragraph 1.46 of the HRA states that Footprint Ecology undertook visitor surveys from European sites across Norfolk, as part of a joint commission by the Norfolk local planning authorities over 2016/17. The surveys were actually completed in 2015/16.
- 3: The document referred to is not included in the references.

#### Broads Authority response:

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1 and 2: Noted. The Publication HRA will not be changed, but a HRA is likely to be needed to assess any changes to the Local Plan through the Examination and that HRA can address these comments.

3: The Visitor Survey work is included at Appendix J of the Local Plan and the footnotes on page 4 will be checked and improved. A change to the Local Plan will be proposed accordingly. If this comment is about including additional HRA's referencing elsewhere, the next HRA will address this comment.

### RSPB

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	102	yes	no	E, CP

#### Full response:

Whilst the RSPB does not disagree with the conclusions of the HRA for most of the protected areas within the Broads it does not accurately reflect the Outer Thames Estuary Special Protection Area. The RSPB has made the previous comments at the Preferred Options stage on ensuring the information on the Outer Thames Estuary SPA is accurate:

“The map of selected SPAs should be updated to include the proposed extended boundary of the Outer Thames Estuary pSPA. This is pertinent to the Broads as the boundary extension covers the lower reaches of the River Bure. The extension is proposed to protect areas used by foraging common tern.”

“Paragraphs 7.30-7.35 and Table 5 need to be updated to reflect the proposed extended Outer Thames Estuary pSPA boundary and features changes. This would see the boundary extended up the lower reaches of the River Bure and foraging little tern and common tern added as features. Red-throated diver remains as a wintering feature. This is necessary for accuracy and to ensure the full effects of any policies have been assessed. This approach reflects the requirements of paragraph 118 of the National Planning Policy Framework, as set out in paragraph 6.6 (p.50) of the HRA of the Local Plan.”

No change has been made. The changes were formally registered in December 2017. Irrespective of this change, the site has been classified as a pSPA since 2015 and should have been identified for consideration in the Local Plan policies and supporting documents.

#### Suggested change:

The RSPB recommends that the HRA text is updated to reflect the revised Outer Thames Estuary SPA boundary and features and the impact of the Local Plan policies are reassessed against this site to ensure no additional mitigation is required.

#### Summary of response:

The RSPB recommends that the HRA text is updated to reflect the revised Outer Thames Estuary SPA boundary and features and the impact of the Local Plan policies are reassessed against this site to ensure no additional mitigation is required.

#### Broads Authority response:

Comments forwarded to Footprint Ecology who undertook the HRA of the Local Plan. They have undertaken an assessment and do not consider the change to affect their assessment of the Local Plan. There will be a need for an additional HRA to assess the changes that come about as a result of the examination and the comments on the Publication version of the HRA will be further addressed in that addendum.

### Suffolk Wildlife Trust

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	011	yes	no	CP

#### Full response:

With regard to the Habitats Regulations Assessment (HRA) Report, it should be noted that amendments have been made to the Outer Thames Estuary Special Protection Area (SPA) area and qualifying species, this includes the addition of breeding Little Tern and Common Tern to the designation. The information and assessment relating to the Outer Thames Estuary SPA should therefore be updated to reflect the amendments.

For future reference it should also be noted that the Conservation of Habitats and Species Regulations (2010) (as amended) were amended to the Conservation of Habitats and Species Regulations (2017) on the 30th November 2017.

#### Suggested change:

Amend HRA to include amended designation of the Outer Thames Estuary SPA. Update references to the Conservation of Habitats and Species Regulations to the 2017 regulations.

**Summary of response:**

Amend HRA to include amended designation of the Outer Thames Estuary SPA. Update references to the Conservation of Habitats and Species Regulations to the 2017 regulations.

**Broads Authority response:**

Comment noted. Any amendments to the Local Plan will need to be checked by the HRA consultants and they could include these changes in that document. So no change to the Publication HRA but these changes will be addressed in the future HRA. Suffolk Wildlife Trust are content with this approach.

## **6) Sustainability Appraisal**

### **Natural England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	059	yes	yes	-

**Full response:**

In respect to Natural England’s interests, we consider the Local Plan to meet the legal and procedural requirements and to be sound, and in particular the following specific policies and supporting documents: Policies: PUBSP4: Soils; PUBDM9: Peat Soils; PUBDM12: Natural Environment; PUBSSA47: Changes to the Acle Straight (A47T); PUBSP15: Residential development; PUBNOR1: Utilities Site; PUBOUL2: Oulton Broad - Former Pegasus/Hamptons Site; and PUBTHU1: Tourism development at Hedera House, Thurne; Habitats Regulations Assessment; Sustainability Appraisal.

**Summary of response:**

Consider the Local Plan to meet the legal and procedural requirements and to be sound

**Broads Authority response:**

Support noted.

## **7) About the Broads - spatial portrait**

### **Historic England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
4.1-4.9	9	168	yes	yes	-

**Full response:**

The supporting text in paragraphs 4.1 – 4.9 describe in helpful detail, the unique nature of the Broads as a result of human activity and makes clear that the landscape forms a defining element of the historic environment in the area.

The Spatial Portrait is locally specific to the Broads and describes the pattern settlements and changing local vernacular. Paragraph 4.8 in particular outlines the numbers of different types of designated heritage assets within the Broads as well as addressing non-designated heritage assets. Reference to the presence of waterlogged heritage is particularly welcome and including this in the Spatial Portrait helps outline its importance as a heritage asset. We particularly welcome acknowledge of heritage assets being a finite resource.

**Summary of response:**

Supports section.

**Broads Authority response:**

Support noted.

### **Norfolk County Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
4	9	071	-	-	-

**Full response:**

Public Health welcome the positive impact on health and well-being of the natural environment for residents and visitors alike and the recognition this is particularly important to those within deprived communities (both residents and visitors).

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**Norfolk Geodiversity Partnership**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
4	9	170	yes	no	CP

**Full response:**

Section 4 does not include mention of the geodiversity dimension of the Broads area. If it has not been adequately characterised then development proposals affecting its character cannot properly be judged, as per NPPF sections 113 and 117.

**Suggested change:**

Geodiversity should have been scoped as part of the area's spatial portrait and given a separate subsection after section 4.7 Biodiversity.

Suggested text:

The geodiversity of the Broads is an understated aspect of its natural heritage. 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. Ongoing issues for the area's geodiversity include drying out of wetland and oxidation of peat, leading to loss of finite environmental and archaeological archives as well as release of stored carbon, and coastal protection work, which alters the dynamics of marine erosion and sediment transport. It is important to improve public awareness of environmental history and Earth-shaping processes as they hamper efforts to tackle the ongoing impacts of sea-level rise and climate change.

**Summary of response:**

<The geodiversity of the Broads is an understated aspect of its natural heritage. 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. Ongoing issues for the area's geodiversity include drying out of wetland and oxidation of peat, leading to loss of finite environmental and archaeological archives as well as release of stored carbon, and coastal protection work, which alters the dynamics of marine erosion and sediment transport. It is important to improve public awareness of environmental history and Earth-shaping processes as they hamper efforts to tackle the ongoing impacts of sea-level rise and climate change.>

**Broads Authority response:**

Agreed. Will propose to the Inspector to amend 4.7 to refer to the natural environment of the Broads and then include this: 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. See Proposed Change 12. Then amend section 7, Challenges and Opportunities under threats to include reference to the drying out of peat and the proposed wording relating to coastal protection work. See Proposed Change 16.

**8) Policy context**

**Historic England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
5	16	132	yes	yes	-

**Full response:**

This section describes the links between the draft Local Plan and the other relevant policy documents such as the East Inshore and Offshore Marine Plans (2014) and the Broads National Park Broads Plan (2017).

**Summary of response:**

Policy context: This section describes the links between the draft Local Plan and the other relevant policy documents such as the East Inshore and Offshore Marine Plans (2014) and the Broads National Park Broads Plan (2017).

**Broads Authority response:**

Noted.

## 9) Broads Local Plan Objectives (2015-2036)

### Norfolk Geodiversity Partnership

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
8.2	23	172	yes	no	CP

**Full response:**

Section 8.2 (Objectives 2015-2036) does not recognise that protecting and enhancing geological features is a worthwhile objective in the Broads. See NPPF sections 113 and 117.

**Suggested change:**

Add geodiversity to the Objectives.

**Summary of response:**

Add geodiversity to the Objectives.

**Broads Authority response:**

Agreed. Will propose to the Inspector that objective 4 uses the term ‘natural environment’. See Proposed Change 17.

### Suffolk Wildlife Trust

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
8.2	23	004	yes	yes	-

**Full response:**

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

**Suggested change:**

None

**Summary of response:**

We support the objectives.

**Broads Authority response:**

Support noted.

### NHS Great Yarmouth and Waveney Clinical Commissioning Group

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
8.2	24	201	-	-	-

**Full response:**

The CGG welcomes the early reference to Health on the Local Plan fundamental objectives (OB11).

**Summary of response:**

Supports objectives.

**Broads Authority response:**

Support noted.

### Obj 4

#### River Waveney Trust

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
8.2	23	027	-	-	-

**Full response:**

The Trust supports the principle reflected in Objective 4, PUBDM7 and PUBSP6 that development should bring positive benefits in terms of green infrastructure, habitat, wildlife and diversity, and it also welcomes the provisions of PUBSP9 and 12, relating to recreation and tourism.

**Summary of response:**

Welcomes GI, wildlife, recreation and tourism policies.

**Broads Authority response:**

Support noted.

**Obj 6**

**River Waveney Trust**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
8.2	23	024	-	-	-

**Full response:**

Improving water quality and maintaining biodiversity are high on the Trust's agenda and it therefore applauds the emphasis given in the Plan's Vision (Chapter 8) to recognition of 'clear, fresh water as a fundamental resource.' Likewise, it welcomes Objective 6 (water quality), and the principles of Development Management policies PUBDM1-5 and Strategic policy SUBSP2.

**Summary of response:**

Supports water quality and biodiversity sections.

**Broads Authority response:**

Support noted.

**10) Vision, objectives and existing policies**

**Norfolk Geodiversity Partnership**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
8.1	23	171	yes	no	CP

**Full response:**

Section 8.1 (Vision) does not recognise the contribution of geodiversity (the natural, physical aspects of the environment) to the Broads. Landscape includes physical as well as cultural and biological features, and this must be reflected in the area's Vision Statement. See NPPF section 117.

**Suggested change:**

Geodiversity should have been scoped as part of the area's spatial portrait and then characterised in the Vision Statement.

**Suggested text to include:**

The Earth heritage features of the Broads are recognised and protected, and people understand the contribution of geodiversity to landscape and the dynamic role of natural processes in shaping it.

**Summary of response:**

Geodiversity should have been scoped as part of the area's spatial portrait and then characterised in the Vision Statement.

**Suggested text to include:**

<The Earth heritage features of the Broads are recognised and protected, and people understand the contribution of geodiversity to landscape and the dynamic role of natural processes in shaping it.

**Broads Authority response:**

Noted. The vision is copied verbatim from the Broads Plan vision as the Authority consider it important that these two important plans for the Broads are aligned as much as possible. No such comments were made in response to the consultation on the Broads Plan by the Norfolk Geodiversity Partnership. The vision can be seen as referencing geodiversity in general through such phrases as 'natural environment', 'asset is protected, maintained and enhanced', 'Land and water are managed in an integrated way'. No change to Local Plan.

**Historic England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
8	23	133	yes	yes	-

**Full response:**

We welcome reference to more intangible but equally important aspects of cultural heritage within the Vision. We also welcome reference to the distinctive local character and historic significance of the Broads. Objective 8 specifically addresses address the need to protect, maintain and enhance the historic environment, and is very much welcomed. This strong objective will help positively shape the Plan's strategic policies. Overall the objectives demonstrate an integrated approach to the conservation of the historic environment which sees the interrelationship between conservation and other spatial planning goals recognised within several different policies rather than in isolation. For example objectives 3 and 14 embody

a wider understanding of the historic environment has helped inform these objectives which will also help deliver the conservation and enhancement of the historic environment.

We welcome the inclusion of paragraph 8.4 which clearly outlines the special qualities of the Broads and the different aspect of cultural heritage that make an integral contribution.

**Summary of response:**

Supports this section.

**Broads Authority response:**

Support noted.

## 11) Special qualities of the Broads

### Norfolk Geodiversity Partnership

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
8.4	24	173	yes	no	CP

**Full response:**

Section 8.4 (Special qualities). We note with approval the inclusion of ‘geo-heritage’ among the special qualities, but suggest ‘Earth heritage’ or ‘geodiversity’ would be better terms to use. We wonder why the word is given a capital ‘G’, and also why it is placed under a ‘History’ heading here.

Geodiversity is covered under ‘Natural Environment’ in the NPPF (section 11) and not under ‘Historic Environment’. This is surely a logical inconsistency that needs rectifying before submission. In support of our contention we note that geodiversity has later been dealt with under section 16 (Biodiversity).

**Suggested change:**

Delete mention of geodiversity from section 8.4(j) and give it a separate lettered heading.

Suggested Text: Either 'Earth heritage' or 'Geodiversity'.

**Summary of response:**

Delete mention of geodiversity from section 8.4(j) and give it a separate lettered heading.

Suggested Text: Either 'Earth heritage' or 'Geodiversity'.

**Broads Authority response:**

Agreed. Will propose to the Inspector that this change is made:

Change section 8.4 (j) to say ‘Earth heritage’. See Proposed Change 18a.

## 12) PUBSP1: DCLG/PINS Model Policy

### Historic England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
9	26	134	yes	yes	-

**Full response:**

We welcome the direct reference to the NPPF in this policy and support the wording of the policy. It is recommended that the supporting text could be strengthened to elaborate the policy and refer to the three strands of sustainable development outlined within paragraph 7 of the NPPF which includes the conservation and enhancement of the historic environment.

**Suggested change:**

It is recommended that the supporting text could be strengthened to elaborate the policy and refer to the three strands of sustainable development outlined within paragraph 7 of the NPPF which includes the conservation and enhancement of the historic environment.

**Summary of response:**

It is recommended that the supporting text could be strengthened to elaborate the policy and refer to the three strands of sustainable development outlined within paragraph 7 of the NPPF which includes the conservation and enhancement of the historic environment.

**Broads Authority response:**

Agreed. Will propose to the inspector to reference the NPPF and sustainable development. See Proposed Change 19.

## 13) Water and flood section

### Norfolk County Council (Castle, M - Cllr Yarmouth North and Central)



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Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	085	-	-	-

**Full response:**

Any new Broads Plan should embrace the improved river defences being delivered over the coming period on Yare and Bure (via Environment Agency capital works) such that new developments on the edge of Yarmouth built-up area will become more sustainable - and recognition that such developments may lever in additional resources to assist with the funding of such defences.

Yare Barrier - the current initiative by Broads Authority to build a consensus about what will follow the current Broads Flood Alleviation bank strengthening programme. A refreshed Yare Barrier scheme - fashioned to increase flood protection for Yarmouth residents along the Yare riversides alongside the original aspiration to protect the Broads system form inundation - should be reflected positively in the Broads Plan for the next quarter century.

**Summary of response:**

1: Any new Broads Plan should embrace the improved river defences being delivered over the coming period on Yare and Bure (via Environment Agency capital works) such that new developments on the edge of Yarmouth built-up area will become more sustainable

2: A refreshed Yare Barrier scheme - fashioned to increase flood protection for Yarmouth residents along the Yare riversides alongside the original aspiration to protect the Broads system form inundation - should be reflected positively in the Broads Plan for the next quarter century.

**Broads Authority response:**

The current work in Great Yarmouth is to restore the quay walls so that the flood defence structures on them can be heightened and strengthened. This is a long term project which GYBC are deeply involved in. Whether a barrier is a suitable technical and economic answer will be something that the Broadland Futures Initiative will be exploring over the next 5 years or so. It seems that Cllr Castle is putting the view that, where we have the opportunity, we should be putting the case for retaining flood protection for residents and businesses and retaining the option for a barrier while it is still a possibility. This is noted but if planning applications were to come forward to the Broads Authority, the general policies in the Local Plan will be used to determine them. Overall, there does not seem to be any specific changes to the Local Plan requested. No change to the Local Plan.

**14) PUBDM1: Water quality and foul drainage**

**Anglian Water Services Ltd**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
10	27	179	yes	no	J, E

**Full response:**

Anglian Water is generally supportive of Policy PUBDM1 as drafted particularly the requirement that planning permission will only be granted where it can be demonstrated that foul water treatment or disposal already exists or can be provided in time to serve the development. However it is noted that the final sentence of PUBDM1 states that applicants will have to demonstrate that capacity is available both within the foul sewerage network and at the Horning Knackers Wood Water Recycling Centre. As stated in the Local Plan Horning Knackers Wood Water Recycling Centre (WRC) does not currently have capacity for additional foul flows due to surface water ingress as outlined in the relevant Position Statement. However as emphasised in the Local Plan there is expected to be further progress on this issue following the publication of this statement.

Anglian Water is intending to undertake further technical work on this issue to investigate further the cause of the excess surface water flows and the impact of this on both the foul sewerage network and the capacity of Horning Knackers WRC. As part of which we will work with partner organisations with a responsibility for flood risk to undertake further action subject to the outcome of this work.

**Suggested change:**

We would therefore suggest that Policy PUBDM1 of the Local Plan should be amended as follows to allow for a change in circumstances:

‘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



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permitted, until it is confirmed that capacity \*can be\* made available within the foul sewerage network and at the Water Recycling Centre to serve the proposed development'

### Summary of response:

Change wording so says 'can be' rather than 'is':

'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 \*can be\* made available within the foul sewerage network and at the Water Recycling Centre to serve the proposed development'

### Broads Authority response:

Following discussions with the EA and on reflection of the Joint Position Statement, the Authority does not consider this change to be appropriate. Discussions were ongoing with AWS at the time of submission to agree a way forward.

### Environment Agency

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
10	27	122	yes	yes	-

### Full response:

We support the inclusion of this policy. It recognises the requirement for development to connect to the main foul sewer, and that if a main foul sewer connection is unfeasible then alternative arrangements will only be permitted where there would be no adverse impact on the environment. However, we recommend that the fourth paragraph should be amended to clarify that waste water from septic tanks must not enter waterbodies. We welcome the inclusion of the requirement for further capacity to be provided at Knackers Wood Water Recycling Centre before any development will be permitted in Horning.

### Suggested change:

We recommend that the fourth paragraph should be amended to clarify that waste water from septic tanks must not enter waterbodies.

### Summary of response:

The fourth paragraph should be amended to clarify that waste water from septic tanks must not enter waterbodies.

### Broads Authority response:

Agreed. Will propose to the Inspector that reference to septic tank is removed from this part of the policy. See Proposed Change 20.

### Environment Agency

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.14	153	111	yes	yes	-

### Full response:

We welcome the inclusion of this paragraph stating that any development that could increase the flows to the Water Recycling Centre needs to be avoided, and the link to our Joint Position Statement.

### Summary of response:

Supports policy.

### Broads Authority response:

Support noted.

## 15) PUBDM1-5: Water and flooding

### River Waveney Trust

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
10	27	025	-	-	-

### Full response:

Improving water quality and maintaining biodiversity are high on the Trust's agenda and it therefore applauds the emphasis given in the Plan's Vision (Chapter 8) to recognition of 'clear, fresh water as a fundamental resource.' Likewise, it welcomes Objective 6 (water quality), and the principles of Development Management policies PUBDM1-5 and Strategic policy SUBSP2.

**Summary of response:**

Supports water quality and biodiversity sections.

**Broads Authority response:**

Support noted.

**16) PUBDM2: Boat wash-down facilities**

**Environment Agency**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
10	29	124	yes	yes	-

**Full response:**

We support this policy with regards to preventing the spread of invasive species and the damage they could inflict on native ecosystems and species. The policy also recognises the potential for pollution of the water environment from wash-down activities.

**Suggested change:**

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**RSPB**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
Final para supporting text	30	104	yes	no	E

**Full response:**

The RSPB is supportive of this policy and the principles that it sets out. However, it is unclear from the final sentence in the concluding paragraph of the supporting text if situations could arise that would be deemed acceptable for contaminated water to enter watercourses should a boat yard provide evidence that the implementation of an appropriate filtration system was not viable:

“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.”

This appears to undermine the policy and the RSPB recommends that this needs to be clarified to ensure it is consistent with both Water Framework Directive targets and the Habitats Regulations. The policy needs to set out how it will address such a situation should it arise to ensure that a consistent approach is taken to all applicants and that the aims of the policy, namely to limit contaminants entering watercourses, is not undermined. If no alternatives are available for recommending within the policy, then it would seem appropriate that such applications are refused and this should be stated in the policy or supporting text in order to manage expectations.

**Suggested change:**

There are two options that could be used to address the concern:

1. The policy is amended to state that applications that do not provide wash down facilities will be refused to ensure compliance with limiting contaminated water inputs to watercourses.
2. The Broads Authority identify a suite of options that would need to be put in place to ensure contaminated water is not able to enter watercourses.

**Summary of response:**

There are two options that could be used to address the concern:

1. The policy is amended to state that applications that do not provide wash down facilities will be refused to ensure compliance with limiting contaminated water inputs to watercourses.
2. The Broads Authority identify a suite of options that would need to be put in place to ensure contaminated water is not able to enter watercourses.

**Broads Authority response:**

Noted. The situation is as number 2 - there are a range of options that can benefit the situation ranging from awareness raising to full wash down and capture systems. As such, it will be proposed to the Inspector that the text is changed to reflect this. See Proposed Change 21.

## 17) PUBDM3: Water efficiency

### Anglian Water Services Ltd

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
10	30	180	yes	yes	-

#### Full response:

We understand that the Environment Agency considers that the Anglian Water company area is located in an area of serious water stress as defined in the Environment Agency's map (Water Stressed Areas – final classification). Therefore we would fully support the optional water efficiency standard being applied within the Broads Authority Local Plan area.

#### Summary of response:

Supports policy.

#### Broads Authority response:

Support noted.

### Environment Agency

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
10	30	121	yes	yes	-

#### Full response:

We support this policy to design dwellings to have a water demand equivalent to 110 litres per head per day. The Reasoned Justification correctly states that the area is under serious water stress.

#### Summary of response:

Supports policy.

#### Broads Authority response:

Support noted.

### North Norfolk District Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
10	30	266	-	-	-

#### Full response:

We also welcome the proposed policies relating to water efficiency as Norfolk is recognised as an area of water stress that will benefit from a coordinated approach.

#### Summary of response:

Supports policy.

#### Broads Authority response:

Support noted.

## 18) PUBDM4: Development and Flood Risk

### RSPB

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
Supporting text	33	105	yes	yes	-

#### Full response:

The RSPB recommends that the supporting text be strengthened to highlight that inappropriate flooding can harm the important habitats and species for which the Broads are important. For example, extreme winter flooding can effect drier habitats and prolonged standing water can affect vegetation growth and impact species that do not tolerate inundation, flooding during the spring and summer can affect breeding success, and inputs of saline water can have serious consequences for freshwater habitats. Water quality and quantity on the best sites for wildlife must be carefully managed to within appropriate targets defined within

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management plans to ensure overall condition of protected sites do not deteriorate. Increased flood risk from new development must therefore consider impacts often at significant distance to ensure that it will not adversely affect the integrity of protected areas.

### Suggested change:

An additional sentence could be added at the end of the third paragraph of the supporting text (p.33; after “Risks relate not just to property...”), for example:

“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.”

### Summary of response:

An additional sentence could be added at the end of the third paragraph of the supporting text (p.33; after “Risks relate not just to property...”), for example:

“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.”

### Broads Authority response:

Agreed. Will propose to the inspector to make the change as stated in the representation. See Proposed Change 22.

### Suffolk County Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	094	-	-	-

### Full response:

The Broads Local plan acknowledges water, flooding and surface run-off as a major consideration for development throughout the plan and is sound in this regard. The County Council would like to suggest a minor amendment to the explanatory text in this section to add some missing details.

Surface Water Management and Flooding: The Plan provides some detail on other relevant consenting procedures related to watercourses. 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 attain consent from the drainage board concerned. For Suffolk this will either be the LLFA, Suffolk County Council, or the Waveney, Lower Yare Lothingland Internal Drainage Board. Given the detail set out in respect of Environmental Permits, it may be helpful to refer to the Land Drainage Act within explanatory text on page 35 or paragraph 32.3. However, this is not a soundness issue.

Further clarification sought: What is meant here is in addition to the Environmental Permitting Regulations 2010 section at the bottom of page 34/page 35 it might be helpful to add the information about applicants having to gain consent from the appropriate drainage board, if they wish to change the flow of an ordinary water course, as per the Land Drainage Act 1991.

### Summary of response:

Add: 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 attain consent from the drainage board concerned

### Broads Authority response:

Agreed. Will propose to the Inspector to make this amendment as a new paragraph after the Environmental Permitting Regulations 2010. See proposed change 24.

### East Anglian Marine Leisure (via agent Boyer)

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
10	31	037	yes	yes	-

### Full response:

We support Policy PUBDM4 that accepts development within flood risk zones when they show they are compatible with national and local policy. This however must not be too restrictive on development coming forward and that which does not meet all the criteria listed in this policy. Regard must be given to sites that are on previously developed land, currently not contributing to the local area and would be enhanced

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through development. We would like it to be noted that we are supporting policy PUBDM4 as stated in our reps.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**Environment Agency**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
10	31	125	yes	yes	-

**Full response:**

We support this policy; it thoroughly addresses the necessary requirements to ensure development reduces the overall level of flood risk. We welcome the inclusion of part q), which requires a Flood Response Plan as part of a Flood Risk Assessment. For clarity, the following points should be addressed. On page 33, the Flood Map for Planning (Rivers and Sea) has a 27 in it; this appears to be an error. Page 33 also states that 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. This should be clarified because while standing advice does provide guidance on what is to be included when considering flood risk for certain types of development, it is incorrect to suggest that an FRA is not required.

**Suggested change:**

On page 33, the Flood Map for Planning (Rivers and Sea) has a 27 in it; this appears to be an error. Page 33 also states that 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. This should be clarified because while standing advice does provide guidance on what is to be included when considering flood risk for certain types of development, it is incorrect to suggest that an FRA is not required.

**Summary of response:**

- 1: On page 33, the Flood Map for Planning (Rivers and Sea) has a 27 in it; this appears to be an error.
- 2: Page 33 should be clarified because while standing advice does provide guidance on what is to be included when considering flood risk for certain types of development, it is incorrect to suggest that an FRA is not required.

**Broads Authority response:**

- 1: Noted. This is a footnote and will be formatted correctly.
- 2: Agreed. Will propose to the Inspector that the wording is amended to remove reference to Flood Risk Standing Advice. See Proposed Change 23.

**Norfolk County Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
10	31	072	-	-	-

**Full response:**

The LLFA have requested previously that policy PUBDM4 specifically include reference to all sources of flooding, however as the Broads Authority area is mostly at risk of fluvial and tidal flooding, the policy indicates when an flood risk assessment (FRA) is to be done based on these risks. We note that the justification text (paragraph 5) indicates that an FRA when undertaken should consider all sources of flooding and include SuDS (sustainable drainage). We also note that developers are signposted to review the appropriate Strategic Flood Risk Assessment (SFRA).

**Further comment:**

- a) We have requested previously that policy PUBDM4 be amended. Our comments are intended to read that we note that our request has not been actioned, but we note that ‘all sources of flooding’ are referred to elsewhere.
- b) Our approach to brownfield development is evolving and our comments reflect this.

**Summary of response:**

- a) We have requested previously that policy PUBDM4 be amended. Our comments are intended to read that we note that our request has not been actioned, but we note that ‘all sources of flooding’ are referred to elsewhere.

b) Our approach to brownfield development is evolving and our comments reflect this.

**Broads Authority response:**

The LLFA do not appear to be requesting changes. Comments therefore noted. No change to Local Plan.

**19) PUBSP2: Strategic flood risk policy**

**Anglian Water Services Ltd**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
10	31	182	yes	yes	-

**Full response:**

Anglian Water is supportive of the requirement to incorporate Sustainable Drainage Systems as part of new developments which will help to address sewer flooding and surface water flooding.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**Broads Reed and Sedge Cutters Association**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
10	31	183	no	no	PP, E, CP

**Full response:**

The reasoned justification of Policy PUBSP2 includes reference to "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 policy includes a reference to "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" and that "Development proposals which would have an adverse impact on flood risk management will be refused"

On page 10 of 51 in the Broads Authority Flood Risk Supplementary Planning Document - Adopted March 2017, part 3.8. Functional Flood Plain it states "The NPPG describes the Functional Flood Plain as 'where water has to flow or be stored in times of flood' and, furthermore, "The identification of functional floodplain should take account of local circumstances and not be defined solely on rigid probability parameters". The same paragraph includes the statement ..."should provide a starting point for consideration and discussions to IDENTIFY THE FUNCTIONAL FLOODPLAIN"

On page 5 of 51 of the same document, under Zone 3b it mentions "This zone comprises land where water has to flow or be stored in times of flood. Local planning authorities should identify in their Strategic Flood Risk Assessments, areas of functional floodplain and its boundaries accordingly with the Environment Agency.

This objection is based on the fact that the Broads Authority have not clearly identified the true areas of functional floodplain and its boundaries in The Broads. It is fact that the Broads Authority have, in the past, been responsible for reducing the area of functional floodplain by sealing of sites i.e. preventing the natural flow of water on and off land surrounding rivers and broads. This has interfered with the natural functioning process of the floodplains. It is therefore impossible to make a true assessment of flood risk without knowing the real areas of functional floodplain. Page 24 of the Ramsar handbook for the wise use of wetlands, 4th edition, 'Land use change, biodiversity and wetlands' clearly states "Decision making should, wherever possible, give priority to safeguarding naturally functioning wetlands etc. etc. ". This demonstrates that the Broads Authority has an International obligation when it comes to decisions which impact upon Ramsar designated sites.

Our Association is currently working with the Environment Agency to establish the real areas of floodplain by undertaking a voluntary mapping exercise with our Members to clearly identify those sites in the Broads which have been removed from the functional floodplain. It is only when this exercise is completed will we have a clear picture of how the floodplains are functioning which in turn will assist in preparing a more accurate strategic flood risk policy.

This demonstrates that Policy PUBSP2 has not been positively prepared, cannot be effective until the true functional floodplain areas are established . The NPPG description of Functional Flood Plain also states

"Generally, development should be directed away from these areas using the Environment Agency's catchment flood management plans, shoreline management plans and local flood risk management strategies produced by lead local flood authorities"

Without knowing the true picture of functioning floodplains in the Broads, we cannot rely on any existing flood management plan or flood risk strategy.

We suggest that Policy PUBSP2 is put on hold until the true functional floodplain areas are established in The Broads.

We would not have made this response if we thought for a minute that the situation was being addressed.

To date, I can inform you that we are concentrating on the Ant valley and our members have already identified significant areas which the Broads Authority have previously restricted water flow by sealing off sites. We are still awaiting water level data from EA for Barton Broad. Sadly, no one at the Authority has done anything about our concerns and repeated requests for action at the Broads Forum have been met with silence. By working with the Environment Agency direct, we feel we will clearly demonstrate that the natural functioning floodplains in the Broads have been reduced and done so against the advice of National and indeed International bodies (Ramsar). This can all change of course if the Broads Authority agreed to meet with ourselves, Natural England and the Environment Agency to talk about the situation. In the meantime, I think it best to stick with the response agreed by our membership.

**Suggested change:**

To make the plan sound, the areas of functioning floodplain have first to be established and agreed by the Environment Agency. This will then provide a stronger base to form a more accurate catchment flood management plan and local flood risk management strategies.

The policy and it's wording could stay in place but only if an additional reference was included which reflected the reality of the current situation. This could be;

'Subject to establishing the actual areas of functioning floodplain in the Broads and updating the Environment Agency's Catchment Flood Management Plan and Local Flood Risk Management Strategies.'

**Summary of response:**

To make the plan sound, the areas of functioning floodplain have first to be established and agreed by the Environment Agency. This will then provide a stronger base to form a more accurate catchment flood management plan and local flood risk management strategies.

The policy and it's wording could stay in place but only if an additional reference was included which reflected the reality of the current situation. This could be;

SUBJECT TO ESTABLISHING THE ACTUAL AREAS OF FUNCTIONING FLOODPLAIN IN THE BROADS AND UPDATING THE ENVIRONMENT AGENCY'S CATCHMENT FLOOD MANAGEMENT PLAN AND LOCAL FLOOD RISK MANAGEMENT STRATEGIES.

**Broads Authority response:**

The Authority has an up to date Strategic Flood Risk Assessment. For part of the Broads, this defines flood zone 3b using a modelled approach. Where no modelling has taken place, in particular the area covered by the Broadland Flood Alleviation Scheme, there is a Joint Position Statement in place agreed with the EA. Local Plans are required to be based on up to date SFRAs and this Local Plan is. It is then for site specific flood risk assessments to look at detailed flood risk on sites being put forward for applications (where there is a need for these assessments). So the Local Plan is based on strategic flood risk evidence as it is required to be.

The wider issues about connectivity of floodplains have been noted, and outside of the Local Plan, discussions have started with the Broadland Rivers Catchment Partnership and the Broads Biodiversity Partnership. The Broads Authority will be meeting with BRASCA to discuss site connectivity and how that impacts on cutting.

**Environment Agency**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
10	31	119	yes	yes	-

**Full response:**

We welcome this policy, it highlights the significance of flood risk in the Broads.

**Summary of response:**

Supports policy.



**Broads Authority response:**

Support noted.

**River Waveney Trust**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
10	31	026	-	-	-

**Full response:**

Improving water quality and maintaining biodiversity are high on the Trust's agenda and it therefore applauds the emphasis given in the Plan's Vision (Chapter 8) to recognition of 'clear, fresh water as a fundamental resource.' Likewise, it welcomes Objective 6 (water quality), and the principles of Development Management policies PUBDM1-5 and Strategic policy PUBSP2.

**Summary of response:**

Supports water quality and biodiversity sections.

**Broads Authority response:**

Support noted.

**20) PUBDM5: Surface water run-off**

**Anglian Water Services Ltd**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
10	35	181	yes	no	J, CP

**Full response:**

Anglian Water is generally supportive of Policy PUBDM5 as drafted and the overall objectives of the policy which will help to reduce the risk of surface water and sewer flooding. However we have some detailed comments relating to the wording which appears in the first and second paragraphs of this policy.

First paragraph, Point h): it is suggested that deep infiltration or borehole soakways should be considered at the same time as a combined sewer based upon advice provided by LLFA. However this appear to be inconsistent with Part H of Building Regulations and the National Planning Practice Guidance which specify that public sewers as the method of last resort for surface water disposal.

Second paragraph: In relation to the discharge of surface water we require a greenfield run off rate from the site including on brownfield sites where it is proposed to discharge surface water to the public sewerage network in accordance with Anglian Water's Surface Water Drainage Policy

([http://www.anglianwater.co.uk/\\_assets/media/Surface-Water-Drainage\\_-Policy-November\\_2017.pdf](http://www.anglianwater.co.uk/_assets/media/Surface-Water-Drainage_-Policy-November_2017.pdf)).

Reference is made to surface water run-off rates being no more than prior to development taking place. This is not consistent with Anglian Water's Surface Water Management Policy and the objective for the discharge of surface water from brownfield sites as outlined in Norfolk LLFA Statutory Consultee Guidance Document (page 13 of the document).

**Suggested change:**

We would therefore suggest that Policy PUBDM5 of the Local Plan should be amended as follows circumstances:

- a) Continue natural discharge processes;
- b) Store water for later use;
- c) Adopt shallow infiltration techniques in areas of suitable porosity;
- d) Discharge direct to deep infiltration or borehole soakaways;
- de) Store water in open water features for gradual release to a watercourse;
- ef) Store water in sealed water features for gradual release to a watercourse;
- fg) Discharge direct to a watercourse;
- gh) 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 '

**Summary of response:**

Move 'discharge to deep infiltration or borehole soakaways' up the hierarchy.

**Broads Authority response:**



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Following this representation, discussions were had with AWS, EA and Norfolk County Council as LLFA for most of the Broads. All parties agreed to keep the wording as it is to reflect that deep infiltration is not regarded as a routinely appropriate disposal option for surface water due to the potential pollution risk to groundwater. In addition the LLFA does not consider deep infiltration or borehole soakaways as infiltration systems that meet the requirements for the first level of drainage hierarchy. AWS therefore withdrew this comment.

### Environment Agency

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
10	35	120	yes	yes	-

#### Full response:

We support this policy, and suggest that part i) could be strengthened by including the requirement for a 1.2m clearance between the base of infiltration SuDS and the peak seasonal groundwater levels in the body of the policy, although it is already included in the Reasoned Justification.

#### Suggested change:

Part i) could be strengthened by including the requirement for a 1.2m clearance between the base of infiltration SuDS and the peak seasonal groundwater levels in the body of the policy, although it is already included in the Reasoned Justification.

#### Summary of response:

Part i) could be strengthened by including the requirement for a 1.2m clearance between the base of infiltration SuDS and the peak seasonal groundwater levels in the body of the policy.

#### Broads Authority response:

Agreed. Will propose to this Inspector that this amendment is made to the policy. See Proposed Change 25.

### Norfolk County Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
10	35	073	-	-	-

#### Full response:

We would still request an amendment to the second paragraph of Policy PUBDM5 with regard to surface water runoff. This has changed since the previous consultation in June. This paragraph currently reads as: "The surface water run-off rates that will occur as a consequence of the development are required to be no more than the greenfield rate for the equivalent event for greenfield sites or, if the site is brownfield, then no more than the rates prior to development. However, applicants are encouraged to seek betterment in surface water run off as part of their proposals".

The Flood and Water Management team has discussed the allocated sites with Broads Authority and the Environment Agency but are unsure if a formal consultation has begun.

#### Suggested change:

The LLFA would request the second paragraph of Policy PUBDM5 is changed to;

The surface water runoff rates that will occur as a consequence of the development are required to be no more than the pre development greenfield runoff rates. Brownfield sites should reduce runoff to as close as greenfield rates as possible but should be no more than the rates prior to development. Applicants are encouraged to seek betterment in surface water runoff as part of their proposals.

This change is requested to reflect the national standards

([https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/415773/sustainable-drainage-technical-standards.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/415773/sustainable-drainage-technical-standards.pdf)), the LLFA 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>) and current Anglian

Water policy ([http://www.anglianwater.co.uk/\\_assets/media/Surface-Water-Drainage\\_-Policy-November\\_2017.pdf](http://www.anglianwater.co.uk/_assets/media/Surface-Water-Drainage_-Policy-November_2017.pdf)).

#### Summary of response:

The LLFA would request this is changed to;

The surface water runoff rates that will occur as a consequence of the development are required to be no more than the pre development greenfield runoff rates. Brownfield sites should reduce runoff to as close as

greenfield rates as possible but should be no more than the rates prior to development. Applicants are encouraged to seek betterment in surface water runoff as part of their proposals.

This change is requested to reflect the national standards

([https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/415773/sustainable-drainage-technical-standards.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/415773/sustainable-drainage-technical-standards.pdf)), the LLFA 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>) and current Anglian Water policy ([http://www.anglianwater.co.uk/\\_assets/media/Surface-Water-Drainage\\_Policy-November\\_2017.pdf](http://www.anglianwater.co.uk/_assets/media/Surface-Water-Drainage_Policy-November_2017.pdf)).

**Broads Authority response:**

In response to this comment and comments from EA and Anglian Water, discussions were held between the three organisations and wording change that reflects this comment will be proposed to the Inspector. See Proposed Change 26.

**21) PUBDM6: Open space on land, play, sports fields and allotments**

**Environment Agency**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
11	39	115	yes	yes	-

**Full response:**

We support this policy that ensures there will be no overall loss in the quality or quantity of open space. The Reasoned Justification correctly states the wider benefits to the community's mental and physical health that accessible open space provides. The policy and Reasoned Justification also recognise the requirement for new cemeteries to demonstrate that there will be no adverse impact on ground or surface water. We advise that this should be demonstrated within a risk assessment submitted at the planning application stage. This policy could be strengthened by linking to Policy PUBDM7: Green Infrastructure.

**Suggested change:**

We advise that this should be demonstrated within a risk assessment submitted at the planning application stage. This policy could be strengthened by linking to Policy PUBDM7: Green Infrastructure.

**Summary of response:**

- 1: Link to DM7.
- 2: Refer to risk assessment relating to impact on water quality from any cemetery.

**Broads Authority response:**

- 1: Agreed. Will propose to the Inspector that there is reference to DM7. See Proposed Change 30.
- 2: Agreed. Will propose to the Inspector to include similar wording in the policy as used in policy ACL1. See Proposed Change 31.

**NHS Great Yarmouth and Waveney Clinical Commissioning Group**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
11	39	202	-	-	-

**Full response:**

The CCG supports the rationale set out in Section 11 and the provision of open space, play and allotments and the benefit this provides for generic health and mental well-being.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**Norfolk County Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
11	39	074	-	-	-

**Full response:**

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

**Summary of response:**

Generally supports approach.

**Broads Authority response:**

Support noted.

**Sport England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
11	39	084	yes	yes	-

**Full response:**

Sport England is fully supportive of this policy as it has been widened to include protecting existing sports facilities from inappropriate development, as well as making provision for new facilities. It is therefore considered to be compliant with Sport England’s planning policies and objectives, as well as the NPPF.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**22) PUBDM7: Green infrastructure**

**Environment Agency**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
12	41	129	yes	yes	-

**Full response:**

We support this policy as it recognises the many benefits that a network of connected areas of green infrastructure can provide. This policy could be strengthened by linking to Policy PUBDM6: Open space on land, play, sports fields and allotments.

**Suggested change:**

Link to Policy PUBDM6.

**Summary of response:**

Support. Link to Policy PUBDM6

**Broads Authority response:**

Agreed. Will propose to the Inspector to link to DM6 in supporting text. See Proposed Change 33.

**Historic England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
12	41	135	yes	yes	-

**Full response:**

Landscape, parks and open space often have heritage interest, and it would be helpful to highlight this. It is important not to consider ‘multi-functional’ spaces only in terms of the natural environment, health and recreation. It may be helpful to make reference in the text to the role GI can have to play in enhancing and conserving the historic environment. It can be used to improve the setting of heritage assets and to improve access to it, likewise heritage assets can help contribute to the quality of green spaces by helping to create a sense of place and a tangible link with local history. Opportunities can be taken to link GI networks into already existing green spaces in town or existing historic spaces such as church yards to improve the setting of historic buildings or historic townscape. Maintenance of GI networks and spaces should also be considered so that they continue to serve as high quality places which remain beneficial in the long term. We are pleased to see the inclusion of points a) and c) in this policy, these will ensure that GI networks will consider the impact upon the historic environment. This policy should be a benefit to the historic environment.

**Summary of response:**

1: General support for policy.

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2: It may be helpful to make reference in the text to the role GI can have to play in enhancing and conserving the historic environment.

3: Maintenance of GI networks and spaces should also be considered so that they continue to serve as high quality places which remain beneficial in the long term.

### Broads Authority response:

1: Support noted.

2: Part A of the policy refers to 'enhancing existing natural and historic environments' so this is addressed. No change to the Local Plan.

3: The first paragraph of the policy refers to management of GI. No change to Local Plan.

Comment discussed with stakeholder. Stakeholder wishes comment to remain but does not consider that the issue affects soundness. Accepts no change to Local Plan

### River Waveney Trust

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
12	41	028	-	-	-

#### Full response:

The Trust supports the principle reflected in Objective 4, PUBDM7 and PUBSP6 that development should bring positive benefits in terms of green infrastructure, habitat, wildlife and diversity, and it also welcomes the provisions of PUBSP9 and 12, relating to recreation and tourism.

#### Summary of response:

Welcomes GI, wildlife, recreation and tourism policies.

#### Broads Authority response:

Support noted.

### Suffolk Wildlife Trust

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
12	41	005	yes	yes	-

#### Full response:

We note these amendments made to this chapter following the Preferred Options consultation draft. We consider that these address the comments we made at the Preferred Options stage and we therefore support Policy PUBDM7 (Green Infrastructure), in particular criterion (a) and the reference to protecting and enhancing natural environments.

#### Summary of response:

Support policy.

#### Broads Authority response:

Support noted.

## 23) PUBSP3: Climate change

### Historic England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
13	43	136	yes	yes	-

#### Full response:

We welcome the inclusion of point iv) within this strategic policy.

#### Summary of response:

Supports policy.

#### Broads Authority response:

Support noted.

## 24) PUBSP4: Soils

### Natural England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
14	46	050	yes	yes	-

#### Full response:

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In respect to Natural England’s interests, we consider the Local Plan to meet the legal and procedural requirements and to be sound, and in particular the following specific policies and supporting documents: Policies: PUBSP4: Soils; PUBDM9: Peat Soils; PUBDM12: Natural Environment; PUBSSA47: Changes to the Acle Straight (A47T); PUBSP15: Residential development; PUBNOR1: Utilities Site; PUBOUL2: Oulton Broad - Former Pegasus/Hamptons Site; and PUBTHU1: Tourism development at Hedera House, Thurne; Habitats Regulations Assessment; Sustainability Appraisal.

### Summary of response:

Consider the Local Plan to meet the legal and procedural requirements and to be sound

### Broads Authority response:

Support noted.

### Suffolk Wildlife Trust

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
14	46	006	yes	yes	-

### Full response:

We support both the inclusion of a Soils policy (PUBSP4) and the amendments made to the Peat Soils policy (PUBDM9) following the Preferred Options consultation.

### Summary of response:

Support soils section.

### Broads Authority response:

Support noted.

## 25) PUBDM9: Peat soils

### Historic England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
14	47	137	yes	yes	-

### Full response:

We welcome the wording of this policy, particularly the requirement for evaluation to be carried out to assess the impact of proposals upon paeloenvironments and archaeology. We also welcome the need to make provision for the recording and interpretation of peat environments before the commencement of development. The supporting text strengthens the justification for these policy provisions, particularly the reference to waterlogged heritage and archaeology on page 48. We are also very pleased to see reference to Historic England’s Wetland and Waterlogged Heritage Survey NHPP Activity 3A5 listed in the evidence list. This again demonstrates the importance of this important heritage asset and points prospective applicants and decision makers directly to the on-going research.

### Summary of response:

Supports policy.

### Broads Authority response:

Support noted.

### Natural England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
14	47	051	yes	yes	-

### Full response:

In respect to Natural England’s interests, we consider the Local Plan to meet the legal and procedural requirements and to be sound, and in particular the following specific policies and supporting documents: Policies: PUBSP4: Soils; PUBDM9: Peat Soils; PUBDM12: Natural Environment; PUBSSA47: Changes to the Acle Straight (A47T); PUBSP15: Residential development; PUBNOR1: Utilities Site; PUBOUL2: Oulton Broad - Former Pegasus/Hamptons Site; and PUBTHU1: Tourism development at Hedera House, Thurne; Habitats Regulations Assessment; Sustainability Appraisal.

### Summary of response:

Consider the Local Plan to meet the legal and procedural requirements and to be sound

### Broads Authority response:

Support noted.

**NFU East Anglia**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
14	47	207	yes	no	J, CP

**Full response:**

We accept the presumption in favour of preserving peat soils, but feel the policy wording that development can only occur where it is demonstrated that “enhancement of biodiversity outweighs the carbon loss” is an absolute measure that is unsound in plan making terms. There is no absolute way to measure this objectively, and even if there were, it would be inappropriate to set such an absolute criteria.

**Suggested change:**

We believe that the draft policy be amended to take account of biodiversity enhancement but not attempt to place a definitive yardstick against it.

**Summary of response:**

We believe that the draft policy be amended to take account of biodiversity enhancement but not attempt to place a definitive yardstick against it.

**Broads Authority response:**

Noted. Will propose to the Inspector that iv) is removed from the list and the following text is added as separately but after the list: 'Development that seeks to enhance biodiversity but may result in some peat removal will still need to demonstrate the criteria i to iv (\*excluding the current iv\*) and that the biodiversity benefit will outweigh carbon loss'. See Proposed Change 34.

**Suffolk Wildlife Trust**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
14	47	007	-	-	-

**Full response:**

We support both the inclusion of a Soils policy (PUBSP4) and the amendments made to the Peat Soils policy (PUBDM9) following the Preferred Options consultation.

**Summary of response:**

Support soils section.

**Broads Authority response:**

Support noted.

**26) [Heritage and historic assets section 15](#)**

**Suffolk County Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
-	-	092	-	-	-

**Full response:**

Archaeology: Aspirations to protect and enhance heritage feature in the plan and the site specific policies are fit for purpose, triggering consultation at the appropriate times.

**Summary of response:**

Supports approach.

**Broads Authority response:**

Support noted.

**Norfolk County Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
15	50	075	-	-	-

**Full response:**

The Historic Environment Service are really pleased to see the historic environment considered throughout this document. The inclusion of the historic environment in the spatial portrait (section 4.8), challenges and opportunities (section 7), objectives (OBJ8), special qualities (section 8.4) and policies (PUBSP5, PUBDM9 and PUBDM10) is really welcome. Earlier in the year (July-August 2017) the Broads Authority asked us to

comment on a selection of the site allocations and it is good to see many of our comments on archaeological issues included.

**Summary of response:**

Generally supports approach.

**Broads Authority response:**

Support noted.

**Norfolk Geodiversity Partnership**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
15	50	174	yes	no	CP

**Full response:**

Section 15 (Heritage and Historic Assets). As per our foregoing comments, 'geo-heritage' is not included here despite being categorised with these assets in section 8.4.

**Summary of response:**

Section 15 (Heritage and Historic Assets). As per our foregoing comments, 'geo-heritage' is not included here despite being categorised with these assets in section 8.4.

**Broads Authority response:**

Following discussions with the Partnership it transpires that there is no need to mention geo-heritage in this section and that the other changes proposed in other parts of the Local Plan will address the majority of their concerns. Please note however that it is not proposed to change the vision – see comment on vision.

**Norfolk County Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
15	56	077			

**Full response:**

Page 56, sources. The Norfolk and Suffolk Historic Environment Records are available online through county specific websites, both of which could be mentioned here (in addition to the Heritage Gateway): [www.norfolk.heritage.gov.uk](http://www.norfolk.heritage.gov.uk) and <https://heritage.suffolk.gov.uk/> (although it should be noted that neither of these websites is suitable for use in the preparation of planning applications).

**Suggested change:**

Include [www.norfolk.heritage.gov.uk](http://www.norfolk.heritage.gov.uk) and <https://heritage.suffolk.gov.uk/> in the relevant documents section.

**Summary of response:**

Include [www.norfolk.heritage.gov.uk](http://www.norfolk.heritage.gov.uk) and <https://heritage.suffolk.gov.uk/> in the relevant documents section.

**Broads Authority response:**

Agreed. Will propose to the Inspector that these links are referenced. See Proposed Change 38.

**27) PUBSP5: Historic Environment**

**Historic England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
15	50	138	yes	yes	-

**Full response:**

We very much welcome a strategic level policy which seeks to protect and enhance the historic environment. We are pleased to see reference within the policy itself to setting, archaeology, waterlogged heritage, and heritage at risk. We are also pleased to see that the term historic environment being used. The historic environment is considered the most appropriate term to use as a topic heading as it encompasses all aspects of heritage, for example the tangible heritage assets and less tangible cultural heritage, and both designated and non-designated heritage assets. It would be helpful if the supporting text outlined the Conservation Areas at Risk on the National Register.

**Suggested change:**

It would be helpful if the supporting text outlined the Conservation Areas at Risk on the National Register.

**Summary of response:**

General support. It would be helpful if the supporting text outlined the Conservation Areas at Risk on the National Register.



**Broads Authority response:**

Agreed. Will propose to the Inspector to reference this at end of the paragraph of supporting text that starts 'Heritage at Risk is...'. See Proposed Change 35.

**28) PUBDM10: Heritage Assets**

**Historic England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
15	51	139	yes	yes	-

**Full response:**

We welcome this policy which seeks to protect, preserve or enhance the significance and setting of the heritage assets and that of the wider historic environment. We are pleased to see reference within the policy, to non-designated heritage assets, archaeology and undiscovered heritage assets. The supporting text provides good justification for the policy provisions and explains the reasoning clearly which should help direct decision makers and prospective applicants.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**Norfolk County Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
15	51	076	-	-	-

**Full response:**

PUBDM10, point viii. It would be really useful if point viii could include dissemination and archiving, as well as evaluation, excavation, recording and interpretation of the remains. This would help ensure it is in accordance with paragraph 141 of the National Planning Policy Framework.

**Suggested change:**

PUBDM10, point viii. It would be really useful if point viii could include dissemination and archiving, as well as evaluation, excavation, recording and interpretation of the remains.

**Summary of response:**

PUBDM10, point viii. It would be really useful if point viii could include dissemination and archiving, as well as evaluation, excavation, recording and interpretation of the remains.

**Broads Authority response:**

Agreed. Will propose to the Inspector that this is added to point viii. See Proposed Change 36.

**Suffolk County Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
15	51	093	-	-	-

**Full response:**

Policy PUBDM10 sets out an approach to preservation by record of heritage assets.

**Suggested change:**

**Summary of response:**

Policy PUBDM10 sets out an approach to preservation by record of heritage assets.

**Broads Authority response:**

Noted.

**29) PUBDM11: Re-use of Historic Buildings**

**Flowerdew, P**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
15	54	035	n/k	no	PP, J, E, CP

**Full response:**

This part of the Plan gives a preference to tourism over residential use which can be detrimental to small communities. Some of these buildings lie within a small group of dwellings which have evolved into specific



close knit communities, if this policy is adopted and an owner wants to convert a building, tourists would be forced upon the group upsetting the rhythm of the community and adding very little to it. In fact their presence is more likely to be an upsetting influence whereas a residential conversion would likely add to it.

**Suggested change:**

Having talked to the Broads Authority I understand it would be difficult to write a policy that takes into account the specific wishes of small groups of people therefore I suggest removing the wording on page 54 Policy PUBDM11: ‘conversion to residential uses, where the building would be used as a second home or for the main residence of the occupiers, will only be permitted where employment, recreation or tourism uses of the building are proved to be unviable’. This would leave adequate control by the Broads Authority and still give local people a say in their community growth. There is no such wording in the current plan and I see no benefit it adding it to the new plan.

**Summary of response:**

Objects to policy as it allows tourism use rather than residential use and this can disrupt close knit communities.

**Broads Authority response:**

The policies seek to promote the re-use of historic buildings as this is the best way to protect them, however where the location does not meet the criteria for permanent residential use, alternatives uses which are appropriate need to be found, which may be employment, recreation or tourism. The criteria in the Plan overall seek to protect existing residential properties from adverse impacts which includes inappropriate land uses, however holiday accommodation is not considered to be such a use. It is also noted that existing dwellings can usually be used as holiday accommodation without planning permission.

**Historic England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
15	54	140	yes	yes	-

**Full response:**

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

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**30) Biodiversity section 16**

**Norfolk Geodiversity Partnership**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
16	57	178	yes	no	CP

**Full response:**

Geodiversity is not a subset of biodiversity, so the title of Section 16 should be 'Biodiversity and Geodiversity' or 'Natural Environment', as per NPPF section 11.

**Suggested change:**

Alter the title of section 16 to:

Either 'Biodiversity and Geodiversity' Or 'Natural Environment'.

**Summary of response:**

Alter the title of section 16 to: Either 'Biodiversity and Geodiversity' Or 'Natural Environment'.

**Broads Authority response:**

Agreed. Will propose to the Inspector to call it 'the Natural Environment'. See Proposed Change 40.

**31) PUBDM12: Natural Environment**

**Environment Agency**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
16	57	113	yes	yes	-

**Full response:**

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We support this policy, and particularly welcome the requirement to maximise opportunities for restoration and enhancement of natural habitats, and the link to green infrastructure.

### Summary of response:

Supports policy.

### Broads Authority response:

Support noted.

### Natural England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
16	57	052	yes	yes	-

### Full response:

In respect to Natural England's interests, we consider the Local Plan to meet the legal and procedural requirements and to be sound, and in particular the following specific policies and supporting documents: Policies: PUBSP4: Soils; PUBDM9: Peat Soils; PUBDM12: Natural Environment; PUBSSA47: Changes to the Acle Straight (A47T); PUBSP15: Residential development; PUBNOR1: Utilities Site; PUBOUL2: Oulton Broad - Former Pegasus/Hamptons Site; and PUBTHU1: Tourism development at Hedera House, Thurne; Habitats Regulations Assessment; Sustainability Appraisal.

### Summary of response:

Consider the Local Plan to meet the legal and procedural requirements and to be sound

### Broads Authority response:

Support noted.

### Norfolk Geodiversity Partnership

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
16	57	175	yes	no	CP

### Full response:

Planning conditions: There is a need to mention geodiversity here for reasons of logical policy consistency. The omission in this section implies that 'appropriate mitigation and enhancement measures' would not be implemented for geoconservation interests. The omission needs rectifying, to make in congruent with NPPF section 109.

### Suggested change:

Suggested replacement text:

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 PUBDM46.

### Summary of response:

Suggested replacement text.

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 PUBDM46.

### Broads Authority response:

Agreed. Will propose to the Inspector that this amendment is made. See Proposed Change 43.

### Suffolk Wildlife Trust

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
16	57	009	yes	yes	-

### Full response:

We support policies PUBSP6 (Biodiversity) and PUBDM12 (Natural Environment).

### Summary of response:

Support biodiversity section.

### Broads Authority response:

Support noted.

### Norfolk Geodiversity Partnership

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Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
16	60	176	yes	no	CP

**Full response:**

Reasoned Justification - Geodiversity:

This geodiversity subsection is inaccurate, as the BA area boundary includes part of Winterton and; Horsey Dunes SSSI whose designation document specifies geodiversity features (dune systems; ness landform).

Also, since 2010 the term 'RIGS' has been replaced with 'County Geodiversity Site' in Norfolk and 'County Geosite' in Suffolk.

Also, there is no reference to significant exposures of early and middle Pleistocene marine and glacial sediments. These should be included as part of this portrait of the area's geodiversity. This is because Bramerton Pits is a geological SSSI of this type.

**Suggested change:**

Suggested replacement text:

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 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 Thurn. There are also significant exposures of early and middle Pleistocene marine and glacial sediments'.<sup>53</sup> New development has the potential to result in the loss of local geodiversity, including the valuable biodiversity and carbon stores supported by peat soils (see Policy PUBDM 9), 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.

53. National Parks and NNRs. Norfolk Geodiversity Partnership, online

<https://sites.google.com/site/norfolkgeodiversity/action-ngap/3-protecting/protected/parks-nnrs/> [accessed December 2017]

**Summary of response:**

Suggested replacement text:

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 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 Thurn. There are also significant exposures of early and middle Pleistocene marine and glacial sediments'.<sup>53</sup> New development has the potential to result in the loss of local geodiversity, including the valuable biodiversity and carbon stores supported by peat soils (see Policy PUBDM 9), 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.

53. National Parks and NNRs. Norfolk Geodiversity Partnership, online

<https://sites.google.com/site/norfolkgeodiversity/action-ngap/3-protecting/protected/parks-nnrs/> [accessed December 2017]

**Broads Authority response:**

Agreed. Will propose to the Inspector that these changes are made. See Proposed Change 42.

**RSPB**

Para	Page	Rep	Legally/Procedurally	Sound?	Element of soundness:
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		<b>Number:</b>	<b>compliant?</b>		
Brownfield sites	60	106	yes	no	CP

**Full response:**

The RSPB is supportive of this policy and the principles that it sets out. However, a very broad definition of brownfield sites is used (“...any piece of land that has been altered by human intervention”). Much of the Broads has been altered by human activity from peat digging to agriculture. Based on this loose definition nearly the entire Broads executive area could be considered 'brownfield', which clearly is not the case. The NPPF definition highlights that this is land that has previously been developed and is either still functioning or has become disused. Annex 2 of the NPPF 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 has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private 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 in the process of time."

The RSPB recommends that if a definition is to be retained that this is amended to:

“Brownfield sites – defined as land which has previously been developed...”

**Suggested change:**

The RSPB recommends that if a definition is to be retained that this is amended to:

“Brownfield sites – defined as land which has previously been developed...”

**Summary of response:**

Improve definition of brownfield land.

**Broads Authority response:**

Agreed. Will propose to the Inspector to reference the NPPF definition. See Proposed Change 41.

## 32) PUBSP6: Biodiversity

### Environment Agency

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
16	57	123	yes	yes	-

**Full response:**

We welcome this policy, it highlights the benefits for biodiversity that can be brought through development of any scale.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

### River Waveney Trust

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
16	57	029	-	-	-

**Full response:**

The Trust supports the principle reflected in Objective 4, PUBDM7 and PUBSP6 that development should bring positive benefits in terms of green infrastructure, habitat, wildlife and diversity, and it also welcomes the provisions of PUBSP9 and 12, relating to recreation and tourism.

**Summary of response:**

Welcomes GI, wildlife, recreation and tourism policies.

**Broads Authority response:**

Support noted.

### Suffolk Wildlife Trust

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
16	57	008	yes	yes	-

**Full response:**

We support policies PUBSP6 (Biodiversity) and PUBDM12 (Natural Environment).

**Summary of response:**

Support biodiversity section.

**Broads Authority response:**

Support noted.

### 33) PUBDM13: Energy demand and performance

#### Historic England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
17	62	141	yes	yes	-

**Full response:**

We welcome reference to heritage assets within this policy and the need for developments to comply with points d) – g) as well as other relevant legislation. A sustainable approach should secure a balance between the benefits that such development delivers and the environmental costs it incurs. The policy should seek to limit and mitigate any such cost to the historic environment.

Listed buildings, buildings in conservation areas and scheduled monuments are exempted from the need to comply with energy efficiency requirements of the Building Regulations where compliance would unacceptably alter their character and appearance. Special considerations under Part L are also given to locally listed buildings, buildings of architectural and historic interest within registered parks and gardens and the curtilages of scheduled monuments, and buildings of traditional construction with permeable fabric that both absorbs and readily allows the evaporation of moisture.

In developing policy covering this area you may find the 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/> to be helpful in understanding these special considerations.

**Suggested change:**

Reference: 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/> to be helpful in understanding these special considerations.

**Summary of response:**

General support of the policy. Reference: 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/> to be helpful in understanding these special considerations.

**Broads Authority response:**

Agreed. Will propose to the Inspector to reference this guide. See Proposed Change 44.

#### Home Builders Federation

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
17	62	213	yes	no	E

**Full response:**

The HBF does not generally object to local plans encouraging developers to include renewable energy as part of a scheme and to minimising resource use in general it is important that this is not interpreted as a mandatory requirement. This would be contrary to the Government’s intentions, as set out in ministerial statement of March 2015, the Treasury’s 2015 report ‘Fixing the Foundations’ and the Housing Standards Review, which specifically identified energy requirements for new housing development to be a matter solely for Building Regulations with no optional standards. The Deregulation Act 2015 was the legislative tool used to put in place the changes of the Housing Standards Review. This included an amendment to the Planning and Energy Act 2008 to remove the ability of local authorities to require higher than Building

Regulations energy efficiency standards for new homes. Transitional arrangements were set out in a Written Ministerial Statement in March 2015.

**Suggested change:**

As written the policy could be considered to require applicants to comply with an energy efficiency standard that exceeds that required by Building Regulations. We would suggest that the policy be amended to encourage the adoption of energy efficiency measures and the use of renewable and low carbon energy sources. This would more accurately reflect the intention of Government is to improve energy efficiency through Building Regulations not through planning policy. It is also unclear as to how the Authority intend to monitor and enforce the delivery of this policy.

**Summary of response:**

We would suggest that the policy be amended to encourage the adoption of energy efficiency measures and the use of renewable and low carbon energy sources. This would more accurately reflect the intention of Government, which is to improve energy efficiency through Building Regulations not through planning policy. It is also unclear as to how the Authority intend to monitor and enforce the delivery of this policy.

**Broads Authority response:**

The Deregulation Act 2015 says:

“(1A) Subsection (1)(c) does not apply to development in England that consists of the construction or adaptation of buildings to provide dwellings or the carrying out of any work on dwellings.

The energy and planning action 2008 says:

(1) A local planning authority in England may in their development plan documents, and a local planning authority in Wales may in their local development plan, include policies imposing reasonable requirements for—

- (a) a proportion of energy used in development in their area to be energy from renewable sources in the locality of the development;
- (b) a proportion of energy used in development in their area to be low carbon energy from sources in the locality of the development;
- (c) development in their area to comply with energy efficiency standards that exceed the energy requirements of building regulations.

So (c) does not apply but (a) and (b) still do apply and the policy relates to (a) and (b).

This approach also came to light through negotiations with developers of two large sites in the Broads who considered this approach to be effective. It has been used in the Broads. The Monitoring and Implementation Framework shows the Monitoring Indicators for this policy.

No change to the Local Plan.

This response was shared with the HBF but they still wish for their comment to remain.

**34) PUBDM14: Renewable Energy**

NFU East Anglia

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
17	63	208	yes	no	J, CP

**Full response:**

We believe that the policy’s reasoned justification statement needs to make it more explicit that certain wind turbines will potentially be permitted, especially smaller ones for the purpose of generating electricity for own - residential or business - consumption.

**Suggested change:**

We believe that the policy’s reasoned justification statement needs to make it more explicit that certain wind turbines will potentially be permitted, especially smaller ones for the purpose of generating electricity for own - residential or business - consumption.

**Summary of response:**

We believe that the policy’s reasoned justification statement needs to make it more explicit that certain wind turbines will potentially be permitted, especially smaller ones for the purpose of generating electricity for own - residential or business - consumption.

**Broads Authority response:**

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The policy is clear that renewable energy proposals shall be of a scale and design appropriate to the locality. So the policy is about impact of a scheme and does not specify what scale will be allowed. No change to the Local Plan.

Comment discussed with stakeholder. Stakeholder wishes comment and response to remain for clarity but does not consider issue affects soundness. Accepts no change to Local Plan.

### Norwich City Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
17	63	260	-	-	-

#### Full response:

I am pleased to note that a reference to water source heat pumps has been added into the reasoned justification for PUBDM14 (Renewable Energy) in line with the city council's previous comments on the Preferred Options plan last year.

#### Summary of response:

Supports policy.

#### Broads Authority response:

Support noted.

### 35) PUBSP7: Landscape character

#### Historic England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
18	65	142	yes	yes	-

#### Full response:

We welcome the inclusion of this strategic level policy. The policy recognises that historic features and overall perception of landscape character form a part of the historic environment typifying the Broads.

#### Summary of response:

Supports policy.

#### Broads Authority response:

Support noted.

### 36) PUBDM16: Land raising

#### Environment Agency

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
18	66	112	yes	yes	-

#### Full response:

We agree that proposals for land raising should consider the impacts on flood risk on the site and elsewhere, and should not be permitted if they have adverse effects which cannot be satisfactorily mitigated. To avoid any confusion, it is important to note that land raising does constitute development in itself, and as such it does require a Flood Risk Assessment. Linking to Policy PUBDM4: Development and flood risk would strengthen this policy. Land raising would not be permitted within Flood Zone 3b Functional Floodplain unless it was to reinstate previously sunken land, as otherwise it would prevent the floodplain from functioning.

#### Suggested change:

To avoid any confusion, it is important to note that land raising does constitute development in itself, and as such it does require a Flood Risk Assessment. Linking to Policy PUBDM4: Development and flood risk would strengthen this policy. Land raising would not be permitted within Flood Zone 3b Functional Floodplain unless it was to reinstate previously sunken land, as otherwise it would prevent the floodplain from functioning.

#### Summary of response:

1: To avoid any confusion, it is important to note that land raising does constitute development in itself, and as such it does require a Flood Risk Assessment.

2: Linking to Policy PUBDM4: Development and flood risk would strengthen this policy.



3: Land raising would not be permitted within Flood Zone 3b Functional Floodplain unless it was to reinstate previously sunken land, as otherwise it would prevent the floodplain from functioning.

**Broads Authority response:**

1, 2 and 3: Agreed. Will propose to the Inspector that this wording is included within the reasoned justification. See Proposed Change 47.

**Historic England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
18	66	143	yes	yes	-

**Full response:**

We welcome the inclusion of point e) which requires proposals to consider archaeology and the significance of heritage assets and their settings.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**37) PUBDM17: Excavated material**

**Environment Agency**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
18	67	128	yes	yes	-

**Full response:**

We support this policy, but for clarity please note that 'Environment Agency licencing requirements' ought to say 'Environment Agency permitting requirements'.

**Suggested change:**

For clarity please note that 'Environment Agency licencing requirements' ought to say 'Environment Agency permitting requirements'.

**Summary of response:**

'Environment Agency licencing requirements' ought to say 'Environment Agency permitting requirements'.

**Broads Authority response:**

Agreed. Will propose to the Inspector to change 'licencing' to 'permitting'. See Proposed Change 48.

**38) PUBDM18: Utilities infrastructure development**

**Historic England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
18	68	144	yes	yes	-

**Full response:**

Where point c) requires infrastructure development to have regard to character of the locality, landscape and amenity we request that the additional point of character and significance of the historic environment is also included.

We are encouraged that the authority has included a specific policy that relates to this form of development which can be well integrated into the landscape where it fully considered good design.

**Telecommunications**

Advanced, high quality telecommunications infrastructure is essential for sustainable growth. The development of high speed broadband technology and other communications networks also play a vital role in enhancing provision of local community facilities and services. However, the siting and location of telecommunications equipment can affect the appearance of the public realm, street scene, the historic environment and wider landscapes. The consideration of their positioning is therefore important, particularly in conservation areas and sensitive landscapes. We suggest that you refer to the following guidance which you may find helpful:

Cabinet Siting and Pole Siting Code of Practice:

[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)



We welcome the policy provision which requires redundant equipment to be removed.

**Suggested change:**

- 1: c) to include character and significance of the historic environment.
- 2: Refer to the Cabinet Siting and Pole Siting Code of Practice:

[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)

**Summary of response:**

- 1: c) to include character and significance of the historic environment.
- 2: Refer to the Cabinet Siting and Pole Siting Code of Practice:

[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)

**Broads Authority response:**

- 1: Agreed. Will propose to the Inspector to add this to the policy. See Proposed Change 49.
- 2: Noted. Will propose to the Inspector to make this reference, however we are aware that there is an update to this but it is not easily accessible on the website. Suggest we add the link but also say 'or successor document'. See Proposed Change 50.

### 39) PUBDM19: Protection and enhancement of settlement fringe landscape character

**Historic England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
18	69	145	yes	yes	-

**Full response:**

We are pleased to see that this well-written and important policy has been included in the regulation 19 draft of the Plan.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

### 40) PUBDM21: Light pollution and dark skies

**NFU East Anglia**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
20	72	209	-	-	J, CP

**Full response:**

We believe that the first part of this policy - “a) There is no permanent external lighting within Dark Sky Zone category 1 as identified on the policies maps” - is unsound. It is clearly possible to design external lighting systems that have a minimal impact on the night sky, so it is unsound to have an absolute ban on introducing any new external lighting into any given zone. Existing policies have already placed severe restrictions on our members who have, inter alia, vital animal welfare reasons for needing at times to use external lights. The new policy must recognise these needs in all areas.

**Suggested change:**

Existing policies have already placed severe restrictions on our members who have, inter alia, vital animal welfare reasons for needing at times to use external lights. The new policy must recognise these needs in all areas.

**Summary of response:**

Existing policies have already placed severe restrictions on our members who have, inter alia, vital animal welfare reasons for needing at times to use external lights. The new policy must recognise these needs in all areas.

**Broads Authority response:**

The representation states that members may need to use external lighting \*at times\*. The policy seeks to prevent \*permanent\* external lighting. So well designed lighting that is on \*at times\* could be acceptable. No change to Local Plan.

Comment discussed with stakeholder. Stakeholder wishes comment and response to remain for clarity but does not consider issue affects soundness. Accepts no change to Local Plan.

**Pacific Cruisers (Loddon) Ltd**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
20	72	239	-	-	-

**Full response:**

I have been advised that Policy PUBDM21: Light pollution and dark skies could have an effect at our location. However, I am unable to understand what this would mean.

**Summary of response:**

Queries the effect of DM21.

**Broads Authority response:**

Comment noted. Loddon/Chedgrave is in the area of category 2 dark skies and therefore external lighting will be strictly controlled. Lighting schemes will therefore need to address the questions raised in the reasoned justification and ultimately seek lighting only when it is needed, of the correct amount angled correctly to reduce light pollution. It is important to note that addressing light pollution is not about turning lights off, just using them well. No change to Local Plan although noted that guides would be helpful to support this policy.

**41) PUBSP8: Getting to and around the Broads**

**Great Yarmouth Cycle Forum**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
21	74	184	yes	yes	-

**Full response:**

We are pleased to see that sustainable transport, including cycling, is mentioned in the transport related and site specific polices. Cycle Forum members suggested that once provided, any cycling facilities should be maintained to a high standard.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**Historic England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
21	74	146	yes	yes	-

**Full response:**

We welcome the inclusion of point ii) of the policy which promotes access to the built, historic and natural landscape. We recommend that the policy is amended to ensure that improvements to transportation and access arrangements have regard to the conservation and enhancement of the historic environment.

**Suggested change:**

We recommend that the policy is amended to ensure that improvements to transportation and access arrangements have regard to the conservation and enhancement of the historic environment.

**Summary of response:**

We recommend that the policy is amended to ensure that improvements to transportation and access arrangements have regard to the conservation and enhancement of the historic environment.

**Broads Authority response:**

This is a strategic policy that already says 'compatible with the sustainability objectives and special qualities of the Broads'. No other particular topic is included (like water quality or wildlife). The Historic Environment is covered under the wording quoted. No change to Local Plan.

Comment discussed with stakeholder. Stakeholder wishes comment to remain but does not consider issue affects soundness. Accepts no change to Local Plan

## 42) PUBDM22: Transport, highways and access

### Great Yarmouth Cycle Forum

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
21	75	186	yes	yes	-

**Full response:**

We are pleased to see that sustainable transport, including cycling, is mentioned in the transport related and site specific policies.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

### Highways England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
21	75	196	yes	yes	-

**Full response:**

Transport, highways and access sets out the criteria to be adopted for assessing development proposals that need to be accessed by land. This requires that they should:

- Be assessed in terms of their impact upon the highway network in respect of traffic capacity, highway safety and the environmental impact of generated traffic;
- Where appropriate, mitigation will be required, including off-site works;
- Incorporate access by sustainable modes of travel; and
- Where appropriate, a Travel Plan will be required.

The supporting text states that: ‘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 (i.e. Circular 02/2013). This statement is to be welcomed, however Highways England would ask that this text should be included in the wording of the actual Policy itself and not just in the supporting text.

**Suggested change:**

The supporting text states that: ‘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 (i.e. Circular 02/2013)’. This statement is to be welcomed, however Highways England would ask that this text should be included in the wording of the actual Policy itself and not just in the supporting text.

**Summary of response:**

Include ‘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 (i.e. Circular 02/2013)’ in the wording of the actual Policy itself and not just in the supporting text.

**Broads Authority response:**

Agreed. This will be proposed to the Inspector as an addition to the policy. See Proposed Change 51.

### Suffolk County Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
21	75	096	-	-	-

**Full response:**

The plan acknowledges the challenges of delivering sustainable transport in an area of a rural and remote nature, but takes positive steps to encourage sustainable and active transport amongst residents and visitors.

Policy PUBDM22 part c requires development to “Provide parking in accordance with the relevant adopted standards.” In Suffolk these standards are Suffolk Guidance for Parking (2015) and the County Council welcomes the weight the Plan gives to these standards. The requirements to protect and enhance the Public Rights of Way network are welcomed.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

#### 43) PUBSP9: Recreational access around the Broads

##### Great Yarmouth Cycle Forum

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
21	75	185	yes	yes	-

##### Full response:

We are pleased to see that sustainable transport, including cycling, is mentioned in the transport related and site specific policies. Cycle Forum members suggested that once provided, any cycling facilities should be maintained to a high standard.

##### Summary of response:

Supports policy.

##### Broads Authority response:

Support noted.

##### River Waveney Trust

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
21	75	030	-	-	-

##### Full response:

The Trust supports the principle reflected in Objective 4, PUBDM7 and PUBSP6 that development should bring positive benefits in terms of green infrastructure, habitat, wildlife and diversity, and it also welcomes the provisions of PUBSP9 and 12, relating to recreation and tourism.

##### Summary of response:

Welcomes GI, wildlife, recreation and tourism policies.

##### Broads Authority response:

Support noted.

#### 44) PUBDM23: Recreation facilities parking areas

##### Great Yarmouth Cycle Forum

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
21	77	187	yes	yes	-

##### Full response:

The Great Yarmouth Cycle Forum supports the Broads Local Plan. We are pleased to see that sustainable transport, including cycling, is mentioned in the transport related and site specific policies.

##### Summary of response:

Supports policy.

##### Broads Authority response:

Support noted.

#### 45) Transport section 21

##### Suffolk County Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
21	78	095	-	-	-

##### Full response:

Transport: Evidence

The Plan does not appear to be underpinned by a specific study examining the cumulative impacts of development on the highway network. Whilst paragraph 162 of the National Planning Policy Framework sets out the need for local planning authorities to assess the quality and capacity of infrastructure for transport, paragraph 182 (the soundness tests) also states that evidence should be proportionate. The scale of growth coming forward in this plan is such that it would be disproportionate to require a new assessment (at local plan level) of cumulative transport impacts in order to ensure soundness as it will be assessed at the planning application stage. Suffolk County Council highways officers have carried out a high level assessment of the sites allocated in Suffolk and believe the sites to be deliverable subject to mitigation, the need for

which would be determined through transport assessments or statements considered during the planning application process, in accordance with Policy PUBDM22 and the NPPF.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**46) PUBSP10: A prosperous local economy**

**Loddon and District Business Association**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
22	79	062	-	-	-

**Full response:**

The Association is pleased to note the proposed policies set out in Chapter 22, particularly with regard to recreational access. It is hoped that these policies will further enhance the progression of plans to improve the bank of the river Chet allowing the re-opening of the Wherryman’s Way. The closure of part of this footpath has made a material difference to the aspirations of longer distance walkers as well as occasional walkers, and their use of the commercial facilities in Loddon/Chedgrave.

**Summary of response:**

Hoped that these policies will further enhance the progression of plans to improve the bank of the river Chet allowing the re-opening of the Wherryman’s Way. The closure of part of this footpath has made a material difference to the aspirations of longer distance walkers as well as occasional walkers, and their use of the commercial facilities in Loddon/Chedgrave.

**Broads Authority response:**

Support for policy noted. The Broads Authority, along with partner agencies are continuing to investigate lower cost alternatives to restoring the affected bank between Chedgrave Common and Hardley Hall. One alternative identified is the potential use of dredging to restore the bank integrity. Such a scheme would be a long-term project but could only be undertaken in combination with a path closure. Such works are dependent upon the outcome of hydrological modelling, confirmation that sufficient dredged material can be obtained within a reasonable timescale and further investigations into the feasibility of such a scheme.

**47) PUBSP11: Waterside sites**

**Broads Angling Strategy Group (Allen, K - BA Member)**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
22	79	220	yes	no	E

**Full response:**

LATE RESPONSE:

I and my fellow directors believe that the UK’s largest inland fishery should have some form of protection in statute and this local planning policy seems the appropriate document. The policy on waterside access would be a sound policy to reflect any demands for development with possible implications to angling access and the social economics surrounding this.

I’m responding in both my capacity as a BA member and director of the Broads Angling Services Group. We have discussed this at length and feel given this sets planning policy for many years, angling and in some respects other recreational activities need to be recognised in the local plan. Having read through the Broads Local Plan, it is apparent that with the exception of Navigation individual stake holders are specifically referenced, but we believe that angling should be identified in the plan as having unique importance for the following reasons:

Angling has a value of between £0.5 and £0.8 million per km of tidal river. The socio economical value of angling in the Broads area has equal or greater value to the entire Salmon and Sea Trout Fishery in Scotland. 18% of Broads visitors went fishing during their visit.

39% of Broads boat owners go fishing.

Anglers have specific requirements that whilst overlap with many other stakeholders, the duration and requirements of the activity mean their requirements are often quite different. At many times of the year, fish populations are focused into very small geographic locations, rather than being “spread like currents in a

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cake” around the broads system. This should be taken in to account when decisions on creation of angling facilities are being made. Anglers generally like to take advantage of quite early mornings and evenings to reduce the effect of boat traffic, however the restrictions that are placed on the use of some slipways is contra to this.

At most 24 hour moorings angling is permitted, but anglers are expected to pack up and move if a boat wishes to moor, even for a few minutes. In many cases these moorings offer the only access to the broads for many miles and no alternative is offered, to anglers this suggests they are seen as 2nd class stakeholders and can lead to conflict between boaters and anglers. Acknowledgement should be given to the need for angler only provision to access.

**Suggested change:**

Within policy PUBSP11

Item v) Recreational facilities; and

Is amended to read

Item v) Recreational facilities; and the retention and provision of angling access

Reasoned Justification:

The addition of the following paragraph:

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.

**Summary of response:**

Within policy PUBSP11

Item v) Recreational facilities; and

Is amended to read

Item v) Recreational facilities; and the retention and provision of angling access

Reasoned Justification:

The addition of the following paragraph:

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.

**Broads Authority response:**

Agree to some extent. The popularity and importance of angling is recognised, and the value noted, however as angling does not generally require ‘development’ it is difficult to cater for it specifically within a document seeking to manage development. On discussion with Mr Allen it is proposed to change SP11 to say: v) Recreational facilities (such as moorings and access for anglers). Add some supporting text to SP11 that says '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'. Also to change DM27 to say d) There is no loss of local or visitor facilities, such as moorings, access for angling and access to the waterside.

These changed will be proposed to the Inspector. See Proposed Changes 53, 54 and 57.

**East Anglian Marine Leisure (via agent Boyer)**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
22	79	038	yes	yes	-

**Full response:**

We support the Policy PUBSP11 that encourages the maintenance of waterside sites providing provision of visitor facilities and access to the water. The site at Marina Quays will provide visitor accommodation as well as improved access to the waterside at this site.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**Loddon and District Business Association**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
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22	79	063	-	-	-
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**Full response:**

The Association is pleased to note the proposed policies set out in Chapter 22, particularly with regard to recreational access. It is hoped that these policies will further enhance the progression of plans to improve the bank of the river Chet allowing the re-opening of the Wherryman’s Way. The closure of part of this footpath has made a material difference to the aspirations of longer distance walkers as well as occasional walkers, and their use of the commercial facilities in Loddon/Chedgrave.

**Summary of response:**

Hoped that these policies will further enhance the progression of plans to improve the bank of the river Chet allowing the re-opening of the Wherryman’s Way. The closure of part of this footpath has made a material difference to the aspirations of longer distance walkers as well as occasional walkers, and their use of the commercial facilities in Loddon/Chedgrave.

**Broads Authority response:**

Support for policy noted. The Broads Authority, along with partner agencies are continuing to investigate lower cost alternatives to restoring the affected bank between Chedgrave Common and Hardley Hall. One alternative identified is the potential use of dredging to restore the bank integrity. Such a scheme would be a long-term project but could only be undertaken in combination with a path closure. Such works are dependent upon the outcome of hydrological modelling, confirmation that sufficient dredged material can be obtained within a reasonable timescale and further investigations into the feasibility of such a scheme.

**48) PUBDM24: New employment development**

**Loddon and District Business Association**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
22	80	064	-	-	-

**Full response:**

The Association is pleased to note the proposed policies set out in Chapter 22, particularly with regard to recreational access. It is hoped that these policies will further enhance the progression of plans to improve the bank of the river Chet allowing the re-opening of the Wherryman’s Way. The closure of part of this footpath has made a material difference to the aspirations of longer distance walkers as well as occasional walkers, and their use of the commercial facilities in Loddon/Chedgrave.

**Summary of response:**

Hoped that these policies will further enhance the progression of plans to improve the bank of the river Chet allowing the re-opening of the Wherryman’s Way. The closure of part of this footpath has made a material difference to the aspirations of longer distance walkers as well as occasional walkers, and their use of the commercial facilities in Loddon/Chedgrave.

**Broads Authority response:**

Support for policy noted. The Broads Authority, along with partner agencies are continuing to investigate lower cost alternatives to restoring the affected bank between Chedgrave Common and Hardley Hall. One alternative identified is the potential use of dredging to restore the bank integrity. Such a scheme would be a long-term project but could only be undertaken in combination with a path closure. Such works are dependent upon the outcome of hydrological modelling, confirmation that sufficient dredged material can be obtained within a reasonable timescale and further investigations into the feasibility of such a scheme.

**RSPB**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
Policy text	80	107	yes	no	E

**Full response:**

New employment development has the potential to impact on wildlife and the wider Broads environment. New development of all forms could adversely affect protected sites through direct and indirect effects (e.g. land take, disturbance, water quality). This policy needs to ensure that all factors that new employment development will need to consider are captured within this policy. In order to ensure all potential impacts

are considered we recommend that bullet point (ii) has designated habitats and protected species added to it. This would be consistent with wording in other policies:

“ii) Proposals do not have an adverse impact on landscape character, protected areas, biodiversity and the wider environment;”

**Suggested change:**

In order to ensure all potential impacts are considered we recommend that bullet point (ii) has designated habitats and protected species added to it. This would be consistent with wording in other policies:

“ii) Proposals do not have an adverse impact on landscape character, protected areas, biodiversity and the wider environment;”

**Summary of response:**

Add: “ii) Proposals do not have an adverse impact on landscape character, protected areas, biodiversity and the wider environment;”

**Broads Authority response:**

Agreed. Will propose to the Inspector to make this amendment to ii). See Proposed Change 55.

**49) PUBDM25: Protecting general employment**

**Loddon and District Business Association**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
22	81	065	-	-	-

**Full response:**

The Association is pleased to note the proposed policies set out in Chapter 22, particularly with regard to recreational access. It is hoped that these policies will further enhance the progression of plans to improve the bank of the river Chet allowing the re-opening of the Wherryman’s Way. The closure of part of this footpath has made a material difference to the aspirations of longer distance walkers as well as occasional walkers, and their use of the commercial facilities in Loddon/Chedgrave.

**Summary of response:**

Hoped that these policies will further enhance the progression of plans to improve the bank of the river Chet allowing the re-opening of the Wherryman’s Way. The closure of part of this footpath has made a material difference to the aspirations of longer distance walkers as well as occasional walkers, and their use of the commercial facilities in Loddon/Chedgrave.

**Broads Authority response:**

Support for policy noted. The Broads Authority, along with partner agencies are continuing to investigate lower cost alternatives to restoring the affected bank between Chedgrave Common and Hardley Hall. One alternative identified is the potential use of dredging to restore the bank integrity. Such a scheme would be a long-term project but could only be undertaken in combination with a path closure. Such works are dependent upon the outcome of hydrological modelling, confirmation that sufficient dredged material can be obtained within a reasonable timescale and further investigations into the feasibility of such a scheme.

**50) PUBDM26: Business and farm diversification**

**Loddon and District Business Association**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
22	83	066	-	-	-

**Full response:**

The Association is pleased to note the proposed policies set out in Chapter 22, particularly with regard to recreational access. It is hoped that these policies will further enhance the progression of plans to improve the bank of the river Chet allowing the re-opening of the Wherryman’s Way. The closure of part of this footpath has made a material difference to the aspirations of longer distance walkers as well as occasional walkers, and their use of the commercial facilities in Loddon/Chedgrave.

**Suggested change:**

**Summary of response:**

Hoped that these policies will further enhance the progression of plans to improve the bank of the river Chet allowing the re-opening of the Wherryman’s Way. The closure of part of this footpath has made a material



difference to the aspirations of longer distance walkers as well as occasional walkers, and their use of the commercial facilities in Loddon/Chedgrave.

**Broads Authority response:**

Support for policy noted. The Broads Authority, along with partner agencies are continuing to investigate lower cost alternatives to restoring the affected bank between Chedgrave Common and Hardley Hall. One alternative identified is the potential use of dredging to restore the bank integrity. Such a scheme would be a long-term project but could only be undertaken in combination with a path closure. Such works are dependent upon the outcome of hydrological modelling, confirmation that sufficient dredged material can be obtained within a reasonable timescale and further investigations into the feasibility of such a scheme.

**51) PUBDM27: Development on waterside sites in employment or commercial use, including boatyards**

**Environment Agency**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
22	84	126	yes	yes	-

**Full response:**

We support this policy, as the Reasoned Justification makes a clear link to the requirements of PUBDM4: Development and flood risk. 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 on page 136.

**Suggested change:**

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 on page 136.

**Summary of response:**

Supports policy. Suggested change: 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 on page 136.

**Broads Authority response:**

Agreed. Will propose to the Inspector that this amendment is made. See Proposed Change 58.

**Loddon and District Business Association**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
22	84	067	-	-	-

**Full response:**

The Association is pleased to note the proposed policies set out in Chapter 22, particularly with regard to recreational access. It is hoped that these policies will further enhance the progression of plans to improve the bank of the river Chet allowing the re-opening of the Wherryman's Way. The closure of part of this footpath has made a material difference to the aspirations of longer distance walkers as well as occasional walkers, and their use of the commercial facilities in Loddon/Chedgrave.

**Summary of response:**

Hoped that these policies will further enhance the progression of plans to improve the bank of the river Chet allowing the re-opening of the Wherryman's Way. The closure of part of this footpath has made a material difference to the aspirations of longer distance walkers as well as occasional walkers, and their use of the commercial facilities in Loddon/Chedgrave.

**Broads Authority response:**

Support for policy noted. The Broads Authority, along with partner agencies are continuing to investigate lower cost alternatives to restoring the affected bank between Chedgrave Common and Hardley Hall. One alternative identified is the potential use of dredging to restore the bank integrity. Such a scheme would be a long-term project but could only be undertaken in combination with a path closure. Such works are dependent upon the outcome of hydrological modelling, confirmation that sufficient dredged material can be obtained within a reasonable timescale and further investigations into the feasibility of such a scheme.

**52) PUBSP12: Sustainable tourism**

**East Anglian Marine Leisure (via agent Boyer)**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
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23	86	039	yes	yes	-
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**Full response:**

We support Policies PUBSP12 and PUBDM28 which details sustainable tourism due to the fact tourist attractions and tourism infrastructure will be supported. Particular emphasis is placed on improving the quality of visitor accommodation as well as broadening the range of accommodation provided. The proposed development at Marina Quays will provide additional visitor accommodation for the area and therefore conforms to proposed Policies PUBSP12 and PUBDM28. These policies are supported.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**Great Yarmouth Cycle Forum**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
23	86	189	yes	yes	-

**Full response:**

We note that the importance of cycle tourism in the Broads is recognised and we welcome the policies that promote sustainable tourism.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**Historic England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
23	86	147	yes	yes	-

**Full response:**

This policy would be strengthened by referencing the role that the historic environment has to play to in sustainable tourism at the strategic level. We welcome the inclusion of point v) of the policy which addresses heritage assets. However, the policy and text could better recognise that the historic environment provides direct opportunities for tourism and the local economy as part of the attraction and character of the Broads landscape. There is an opportunity within this policy to emphasise and promote heritage assets and the wider historic landscape as a positive contribution to sustainable tourism.

**Suggested change:**

- 1: This policy would be strengthened by referencing the role that the historic environment has to play to in sustainable tourism at the strategic level.
- 2: the policy and text could better recognise that the historic environment provides direct opportunities for tourism and the local economy as part of the attraction and character of the Broads landscape

**Summary of response:**

- 1: This policy would be strengthened by referencing the role that the historic environment has to play to in sustainable tourism at the strategic level.
- 2: the policy and text could better recognise that the historic environment provides direct opportunities for tourism and the local economy as part of the attraction and character of the Broads landscape

**Broads Authority response:**

1 and 2: The policy refers to protecting and enhancing the special qualities of the Broads and then in particular references heritage assets. In the second paragraph of the reasoned justification there is reference to the heritage of the area being one of the reasons people come. Further paragraphs consider culture and history. Reference seems adequate therefore. No change to the Local Plan.  
 Comment discussed with stakeholder. Stakeholder wishes comment to remain but does not consider issue affects soundness. Accepts no change to Local Plan

**River Waveney Trust**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
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23	86	031	-	-	-
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**Full response:**

The Trust supports the principle reflected in Objective 4, PUBDM7 and PUBSP6 that development should bring positive benefits in terms of green infrastructure, habitat, wildlife and diversity, and it also welcomes the provisions of PUBSP9 and 12, relating to recreation and tourism.

**Summary of response:**

Welcomes GI, wildlife, recreation and tourism policies.

**Broads Authority response:**

Support noted.

**Waveney District Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
23	86	015	yes	yes	-

**Full response:**

Tourism is of significant importance to the Waveney economy and the Council support this policy which promotes sustainable tourism growth of the Broads area. Lowestoft and Beccles provide sustainable access points to the Broads, with good public transport links including regional bus links and train lines. It is considered that these locations could usefully be identified in the supporting text, along with others such as Great Yarmouth and Wroxham/Hoveton where sustainable access to the Broads can be achieved.

**Suggested change:**

Waveney District Council supports the policies of the Broads Local Plan but suggests changes to help improve the effectiveness and clarity of the Plan. It is not considered that these suggested changes are fundamental to the soundness of the plan.

**Summary of response:**

Beccles and Lowestoft could usefully be identified in the supporting text, along with others such as Great Yarmouth and Wroxham/Hoveton where sustainable access to the Broads can be achieved.

**Broads Authority response:**

Noted although this is a strategic policy and is about tourism in general and how it relates to the entire area. It is not clear why there is a need to reference some locations in this policy or supporting text. Many towns and villages provide sustainable access to the Broads - more than the five or so listed. No change to Local Plan.

This response was shared with WDC but they still wish for their comment to remain.

### 53) PUBDM28: Sustainable tourism and recreation development

**East Anglian Marine Leisure (via agent Boyer)**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
23	87	040	yes	yes	-

**Full response:**

We support Policies PUBSP12 and PUBDM28 which details sustainable tourism due to the fact tourist attractions and tourism infrastructure will be supported. Particular emphasis is placed on improving the quality of visitor accommodation as well as broadening the range of accommodation provided. The proposed development at Marina Quays will provide additional visitor accommodation for the area and therefore conforms to proposed Policies PUBSP12 and PUBDM28. These policies are supported.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**Great Yarmouth Cycle Forum**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
23	87	190	yes	yes	-

**Full response:**

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We note that the importance of cycle tourism in the Broads is recognised and we welcome the policies that promote sustainable tourism.

**Summary of response:**

Support policy.

**Broads Authority response:**

Support noted.

### Historic England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
23	87	148	yes	yes	-

**Full response:**

We welcome the reference to the historic environment in part a vi) and part b x) of this policy.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

## 54) PUBDM29: Holiday accommodation - new provision and retention

### East Anglian Marine Leisure (via agent Boyer)

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
23	89	041	yes	yes	-

**Full response:**

We support Policy PUBDM29 which deals with holiday accommodation. We agree with points A to D within the policy and the supporting text that accompanies it. The proposed development at Marina Quays will be in line with this policy in the Publication Version Local Plan.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

### Historic England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
23	89	149	yes	yes	-

**Full response:**

We welcome the need for development to have regard to the Landscape Character Assessment in point f) and to consider the visual implication in point g). This will benefit the wider historic environment and landscape character of the Broads.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

## 55) PUBSP13: Navigable water space

### Norwich City Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
14	91	090	yes	yes	-

**Full response:**

General support for the policy however it would be helpful to provide a cross-reference to the published Broads Authority Navigation Advice Note prepared as part of the work to develop the River Wensum Strategy. This could be referred to in paragraphs 2 or 3 of the reasoned justification and would assist implementation of the policy by providing a better understanding of issues around navigation.

**Summary of response:**

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Cross-reference to the published Broads Authority Navigation Advice Note prepared as part of the work to develop the River Wensum Strategy. This could be referred to in paragraphs 2 or 3 of the reasoned justification and would assist implementation of the policy by providing a better understanding of issues around navigation.

### Broads Authority response:

The Note produced is a bespoke one, relevant to the River Wensum Strategy and for Norwich City Council. So to refer to that would not be appropriate. The Authority does have some guides in place and the new Local Plan may prompt future guides to be produced such as along the lines of this representation. No change to the Local Plan, but will consider a guide along these lines, on adoption of the Local Plan. Norwich City Council are content with this response.

### Suffolk Wildlife Trust

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
24	91	010	yes	yes	-

### Full response:

We support the requirement in Policy PUBSP13 (Navigable Water Space) for the beneficial use of dredgings where they will help deliver ecological gain, as identified in the Reasoned Justification.

### Summary of response:

Support policy.

### Broads Authority response:

Support noted.

## 56) PUBDM31: Riverbank stabilisation

### Environment Agency

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
24	93	117	yes	yes	-

### Full response:

We support this policy, and advise that these works would require an environmental permit if within 16m of the main river. This information is provided on page 136, but could also be referenced here for clarity.

### Suggested change:

Reference page 136 wording regarding environmental permit.

### Summary of response:

Reference page 136 wording regarding environmental permit.

### Broads Authority response:

Agreed. Will propose to the Inspector that this is referenced in supporting text. See Proposed Change 60.

## 57) PUBSP14: Mooring provision

### East Anglian Marine Leisure (via agent Boyer)

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
24	94	042	yes	yes	-

### Full response:

Proposed Policy PUBSP14 has regard to mooring provision. We support this policy as it encourages visitor moorings where they contribute to the management of a safe and attractive waterway. Also supported is the encouragement of the Authority to provide residential moorings.

### Summary of response:

Supports policy.

### Broads Authority response:

Support noted.

## 58) Housing section 25

### NHS Great Yarmouth and Waveney Clinical Commissioning Group

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	98	203	-	-	-

**Full response:**

In Section 25 of the document the CCG has an expectation that CIL contributions for the housing development proposals set out in the section will be forthcoming and considered to enable corresponding health infrastructure development to be planned and implemented; particularly around the Gt Yarmouth and Waveney areas.

The CCG would welcome acknowledgement of the need for a discussion regarding the LPA plans for delivering further older people’s accommodation; to ensure there is corresponding commissioning of relevant primary care services, and that this matches the forecast 13% increase in the number of over 75s by 2036.

**Summary of response:**

So whilst no changes to the local plan are needed from our perspective we are simply making the case for inclusion of health alongside, education, police, highways etc. for consideration of S106.

**Broads Authority response:**

See comment relating to planning obligations later in this document (DM46). It is worth noting that the Health Protocol that was produced to consider health implications of housing numbers in Norfolk considered the housing numbers of districts as a whole and has come up with infrastructure requirements to reflect those numbers. The Broads Authority's housing numbers are a proportion of that amount and not additional and therefore have been considered.

Similarly in Waveney, the housing numbers of the Broads is part of the housing numbers of the entire district, which Waveney have reflected in various pieces of evidence base.

**59) PUBSP15: Residential development**

**East Anglian Marine Leisure (via agent Boyer)**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	98	043	yes	yes	-

**Full response:**

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

**Summary of response:**

- 1: Policy supported.
- 2: Housing at Marina Quays meets the requirements of this policy as it is sustainable development and accessible to local facilities.

**Broads Authority response:**

- 1: Support noted.
- 2: Comment noted.

**Highways England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	98	197	yes	yes	-

**Full response:**

There appears to be a discrepancy in the numbers of dwellings referred to in different places within the documentation, with a lack of clarity as to how the precise numbers of dwellings to be allocated have been derived. Highways England requests that this should be clarified.

Policy PUBSP15 (Residential Development) describes the way in which the Broads Authority will seek to meet its objectively assessed housing need throughout the plan period. The Policy identifies the need to allocate 146 new dwellings within the Local Plan area, plus a further 39 to be accommodated by Great Yarmouth Borough Council on that part of the Local Plan area that lies within Great Yarmouth borough. There appears to be a discrepancy in the numbers of dwellings referred to in different places within the documentation. The summary leaflet refers to a target of 320 dwellings; the supporting text to the Policy refers to 286. The difference between these two figures being 34. The footnote on page 98 of the Local Plan provides further information. It appears that there have been 156 permissions or completions since April

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2015, which together with the 146 to be allocated brings the total to 302. Although these figures are all within the same order of magnitude, there is still a lack of clarity as to how the precise numbers of dwellings to be allocated have been derived.

Notwithstanding this apparent discrepancy, the numbers are very small and pose very little risk of a severe impact on the SRN unless the allocation sites themselves are in close proximity to the SRN. The Spatial Strategy (item (d) in the Policy) indicates a preference for locations with local facilities, high levels of accessibility and previously developed land; and lists a number of specific brownfield sites in Oulton Broad, Norwich, Hoveton, Thurne and Stokesby. None of these sites are in close proximity to the SRN and, in any case, transport assessments would be required under Policies PUBDM22 and PUBSSROADS if development were proposed on a scale such as would be likely to give rise to a severe impact at the SRN. There does not appear to be anything in this policy that Highways England need to object to.

### Summary of response:

Some discrepancy in the housing numbers.

### Broads Authority response:

The Authority has over provided in two of its Housing Market Areas but under provided in one. Overall across the Broads, there is an overprovision. That is why the numbers are more than the need of 286. This is all set out in the Housing Topic Paper. No change to the Local Plan.

### Home Builders Federation

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	98	214	-	-	-

### Full response:

Unlike other national parks the boundary of the Broads Authority is very tightly drawn to the valleys and rivers within the area and we appreciate the difficulties in assessing needs within the national park. Given the relatively small population we would not disagree with the housing needs assessment for the national park of 286. As the Broads Authority have stated they intend to meet this level of need they should set out in text of the policy as the housing requirement for the national park. It would also be helpful if this was broken down by HMA to allow for monitoring against specific requirements, in particular the requirement in relation to the Great Yarmouth HMA. At present the policy does not establish the Authority's requirement and this should be rectified to ensure clarity as to the objective of this policy.

### Suggested change:

It would also be helpful if this was broken down by HMA to allow for monitoring against specific requirements, in particular the requirement in relation to the Great Yarmouth HMA. At present the policy does not establish the Authority's requirement and this should be rectified to ensure clarity as to the objective of this policy.

### Summary of response:

It would also be helpful if this was broken down by HMA to allow for monitoring against specific requirements, in particular the requirement in relation to the Great Yarmouth HMA. At present the policy does not establish the Authority's requirement and this should be rectified to ensure clarity as to the objective of this policy.

### Broads Authority response:

Noted, although the OAN for each district is included in a table and there is another table that sets out which districts are in which HMA on the same page. We will propose to the inspector to add some wording about the needs in the Broads part of the three HMAs. See Proposed Change 63.

### Home Builders Federation

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	98	212	-	-	-

### Full response:

Duty to Co-operate: Whilst the Broads National Park is highly constrained and will play a limited role in meeting the needs of the Housing Market Area (HMA) within which they are located it is still essential that the Broads Authority establishes that needs across the HMA are being met. We are pleased to see that the Norfolk LPAs along with the County Council have all agreed to meet their own housing needs and signed up to the Norfolk Strategic Framework. This should provide a reasonable basis for co-operation moving forward

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and clearly identifies housing as a key cross border issue. Our one concern regarding the duty is the reliance on Great Yarmouth to meet a proportion of the Broads housing needs. The duty to co-operate statement outlines on page 23 that delivery in the Great Yarmouth HMA is 69% less than current requirements. In the first three years of their current plan period Great Yarmouth have failed to meet their housing requirement and have a delivery shortfall of 343 homes. This is a significant shortfall and whilst there may be a Memorandum of Understanding outlining that Great Yarmouth will accommodate these homes it may be prudent to identify further sites to meet these needs.

### Summary of response:

In the first three years of their current plan period Great Yarmouth have failed to meet their housing requirement and have a delivery shortfall of 343 homes. This is a significant shortfall and whilst there may be a Memorandum of Understanding outlining that Great Yarmouth will accommodate these homes it may be prudent to identify further sites to meet these needs.

### Broads Authority response:

Observation noted. Great Yarmouth Borough Council are producing a Site Allocations document which will seek to identify sites to meet the need of the entire Borough and our sites will contribute to meeting that need.

### Natural England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	98	054	yes	yes	-

### Full response:

In respect to Natural England's interests, we consider the Local Plan to meet the legal and procedural requirements and to be sound, and in particular the following specific policies and supporting documents: Policies: PUBSP4: Soils; PUBDM9: Peat Soils; PUBDM12: Natural Environment; PUBSSA47: Changes to the Acle Straight (A47T); PUBSP15: Residential development; PUBNOR1: Utilities Site; PUBOUL2: Oulton Broad - Former Pegasus/Hamptons Site; and PUBTHU1: Tourism development at Hedera House, Thurne; Habitats Regulations Assessment; Sustainability Appraisal.

### Summary of response:

Consider the Local Plan to meet the legal and procedural requirements and to be sound

### Broads Authority response:

Support noted.

### Thorpe St Andrew Town Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	98	245	-	-	-

### Full response:

Comment be made that the Broads Authority should be exempt from this policy relating to residential development. Most land was at risk of flooding and there was little real likelihood of meeting the requirements for new dwellings or affordable housing. The Broads Authority is specifically exempt from housing targets.

### Summary of response:

Comment be made that the Broads Authority should be exempt from this policy relating to residential development.

### Broads Authority response:

Noted, although the current planning system sets out what we are required to do. As such, the Local Plan seeks to meet the requirements of the planning system; assessing and then meeting the housing need is one of those requirements. No change to Local Plan.

### Waveney District Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	98	013	yes	yes	-

### Full response:

Waveney District Council supports the policy approach and the approach to housing numbers. The Council supports the position that the Broads sits within three housing market areas of which one is Waveney.



The Council considers that the Waveney element of the Broad’s Objectively Assessed Need also forms part of Waveney’s Housing Market Area objectively assessed need. The Council considers that housing completions in the Broads Authority area count towards Waveney District Council’s objectively assessed need as agreed in the Memorandum of Understanding from 2012. This matter could be made more explicit in the supporting text. With respect to the Memorandum of Understanding (MoU) from 2012, it may be worthwhile considering whether to update this with a revised Statement of Common Ground, as the MoU was drafted before the Broads Authority had an identified objectively assessed need. If so further changes to the supporting text would need to be made to reflect this.

**Suggested change:**

Waveney District Council supports the policies of the Broads Local Plan but suggests changes to help improve the effectiveness and clarity of the Plan. It is not considered that these suggested changes are fundamental to the soundness of the plan.

**Summary of response:**

- 1: May need a Statement of Common Ground with WDC.
- 2: Improve supporting text so it is clear that the housing need of the Broads is part of the housing need of each constituent district.

**Broads Authority response:**

- 1: Agreed and this will be prepared in liaison with WDC and submitted with Local Plan.
- 2: Agreed. Will propose to the Inspector to make this amendment. See Proposed Change 63.

**60) PUBDM33: Affordable housing**

**Home Builders Federation**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	102	215	yes	no	CP

**Full response:**

It is essential that policies in Local Plan provide a clear statement on the intentions of the Authority with regard to what it is expecting from applicants. The need for such clarity is established in paragraphs 17 and 154 of the NPPF. In particular paragraph 154 states:

“Only policies that provide a clear indication as to how a decision maker should react to a development proposal should be included in the plan.”

This policy fails to achieve the necessary level of clarity with regard to the requirement that developments of between 6 and 10 units will contribute a commuted sum to support affordable housing delivery. There is no detail as to how much a developer will be expected to contribute and will lead to uncertainty in bringing sites forward.

**Suggested change:**

Policies need to be clear and unambiguous in order to allow policy compliant schemes to come forward and for decisions on those schemes to be considered efficiently, and most importantly, predictably. At present this policy lacks the necessary detail to all for efficient and predictable decision making – one of the core planning principles set out in paragraph 17 of the NPPF.

**Summary of response:**

In relation to the 6-10 clause, at present this policy lacks the necessary detail to all for efficient and predictable decision making – one of the core planning principles set out in paragraph 17 of the NPPF.

**Broads Authority response:**

Noted and agreed and thanks to the HBF for pointing this out.

We propose to amend the policy to say: Developments of 6 to 10 dwellings will be required to contribute a commuted sum towards the provision of affordable housing, in accordance with the affordable housing requirement of 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 level (%) 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). See Proposed Change 64.

This response was shared with the HBF who think this makes things clearer but still want their comment to remain.

**Norfolk County Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	102	081	-	-	-

**Full response:**

Availability of affordable and good quality housing is a key determinant of health so there is some concern, as noted, that small scale development on small plots may preclude the need for provision of affordable homes, even though taken in totality across the area there would usually be a requirement to provide this. However proposals in PUBDM33 and commuted sums for 6 to 10 new dwellings may go some way to mitigating this risk and is welcomed.

**Summary of response:**

Support policy.

**Broads Authority response:**

Support noted.

**61) PUBDM34: Residential development within defined Development Boundaries**

**Waveney District Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	102	016	yes	yes	-

**Full response:**

The Council supports this approach and the proposed development boundary for Oulton Broad. The Council also supports not having development boundaries in the Broads part of Beccles and Bungay for the reasons relating to character and flood risk as set out in the Broads Authority Development Boundary Topic Paper. It should be noted that the Waveney First Draft Local Plan includes a Settlement Boundary for Somerleyton. The draft Settlement boundary extends all the way to the Broad's boundary.

**Suggested change:**

Waveney District Council supports the policies of the Broads Local Plan but suggests changes to help improve the effectiveness and clarity of the Plan. It is not considered that these suggested changes are fundamental to the soundness of the plan.

**Summary of response:**

Supports development boundary approach in Waveney settlements. Highlights likely future development boundary at Somerleyton.

**Broads Authority response:**

Support and extra information noted.

**East Anglian Marine Leisure (via agent Boyer)**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	105	044	yes	no	J, CP

**Full response:**

We object to Policy PUBDM34 that only permits development within the development boundaries, of which there are only four within the Borough. This constrains development and does not take into account sites that are outside or adjacent to development boundaries, that although have good access to services and facilities, as they are near to the development boundary, are not seen as appropriate for development. It must be recognised that sites that are adjacent to development boundaries often benefit from the same level of services and appropriate positioning and therefore should be considered for development.

**Summary of response:**

Objects to development boundary policy. This constrains development. Sites next to development boundaries can benefit from the services and facilities.

**Broads Authority response:**

It seems there is an objection in principle to development boundaries.

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 by directing development to areas with suitable services and facilities used by communities.

The Broads Authority Executive Area is drawn tightly to flood plains and the part of parishes or settlements within the Broads Authority Executive Area tend to be the more rural/less built up parts of a parish and areas where there could be particular landscape constraints and impacts if development was to occur in some of these locations. Other areas are on the rural/urban transition or settlement fringe (see policy DM19) and this landscape type is at particular threat to inappropriate development. Again the Development Boundaries direct development to suitable locations where this is less of an issue.

Some sites outside of development boundaries do come forward for development. The Local Plan allows for conversion and replacement of buildings as well as rural enterprise dwellings. The NPPF also allows for rural exceptions sites for affordable housing and a small amount of market housing if needed to cross subsidise. Furthermore, in the Broads, development boundaries (that of the Broads' Local Plan or our constituent districts' Local Plans) are of relevance to residential moorings. That policy allows for residential moorings in principle within or adjacent to a development boundary, taking on board the very argument that these areas next to a development boundary will benefit from the services and facilities provided therein. The policy does however specify that these residential moorings need to be within marinas and basins and these are areas where moorings are already established and any impact of boats is accepted. Please note that the river or water part of parishes tends to be on the fringe of parishes (so see comments relating to settlement fringe above).

No change to local plan.

**Thorpe St Andrew Town Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	105	246	-	-	-

**Full response:**

Query the necessity of including Thorpe St Andrew, given the statement than only a small area of the Town falls within the Broads Authority Planning Area. Given the likelihood of flooding and the conservation area, the Town Council feels it is an un-necessary addition as any construction within the Broads Authority area will have a larger negative impact on the town.

**Summary of response:**

Remove development boundary from Thorpe St Andrew.

**Broads Authority response:**

Agreed. Will propose to the Inspector that the development boundary is removed from the Local Plan. This is for the reasons quoted as well as the pattern of building in the three areas that have development boundaries means that it will be difficult to accommodate new built development without having an adverse impact on the layout and form of the existing buildings (including the listed Thorpe Hall and other properties off Yarmouth Road that are listed or the operation of existing commercial facilities -in particular the pubs). See Proposed Change 66.

**62) PUBDM35: Gypsy, Traveller and Travelling Show People**

**Environment Agency**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	108	130	yes	yes	-

**Full response:**

We support this policy, as it recognises that caravans and mobile homes are vulnerable to flooding. We recommend linking to Policy PUBDM4: Development and flood risk 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. Any development that would be classified as 'highly vulnerable' would be inappropriate within Flood Zone 3.

**Suggested change:**

We recommend linking to Policy PUBDM4.

**Summary of response:**

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Supports policy. Recommend linking to Policy PUBDM4

**Broads Authority response:**

Agreed. Will propose to the Inspector to cross reference in supporting text to DM4. See Proposed Change 71.

**Thorpe St Andrew Town Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	108	247	-	-	-

**Full response:**

Support.

**Summary of response:**

Support policy.

**Broads Authority response:**

Support noted.

### 63) PUBDM36: New residential moorings

**East Anglian Marine Leisure (via agent Boyer)**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	110	045	yes	yes	-

**Full response:**

This policy is supported as it ensures applications for permanent residential moorings will be permitted. Points A - I are also agreed with as they ensure that the new moorings will not be at the cost of other visitor moorings and will ensure the protection of the banks, waterways and the rest of the Broads area. This policy supporting residential moorings should be encouraged in the Broads area as it helps to preserve the waterways as well as adding to the diverse nature of the Broads.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**Environment Agency**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	110	114	yes	yes	-

**Full response:**

We support this policy, and the Reasoned Justification provides guidance on how moored boats can be shown to be safe with a Flood Risk Assessment.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**Grahame, L (Thorpe Hamlet Councillor)**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	110	110	See note	See note	J, E

**Full response:**

I would like to flag up the need for residential moorings, which appear to be missing. I feel that this lack is missed opportunity. An inhabited urban river bank is potentially safer, more vibrant and more attractive than an empty one. Nurturing a river-based community could bring social and economic benefits to the area. Boat residents could support local businesses, take care of the banks and (very slightly) reduce housing need. Apologies if I've missed something, but I didn't see any residential mooring provision in or close to the city. Parts of the river bank are quite isolated and attract anti-social behaviour, drug dealing etc. These areas might feel safer if inhabited, for example close to Carrow Bridge, Bishop Bridge Road. Moorings off King Street may also benefit from being formalised

**Suggested change:**

J: The absence of residential moorings within the City does not meet the aspirations of local people.  
 E: There is scope for further conflict between the Broads Authority and residential boat dwellers.  
 Transparent, flexible and fair policies would help avoid this.

**Summary of response:**

Supports residential moorings in Norwich City.

**Broads Authority response:**

Norwich City Council also submitted a similar representation to this Local Plan. Sites for residential moorings are allocated around the Broads. These sites came forward for consideration as part of producing the Local Plan. No specific sites came forward on the river in Norwich during the production of the Local Plan so we were not able to assess their suitability for inclusion within the Local Plan. The plan has a criteria based policy relating to residential moorings to determine planning applications that may come forward outside of allocations in the Local Plan (through windfall) and one of the criterion states that residential moorings need to be within boatyards or marinas rather than on main river channels. This is to ensure no navigation impact, to reflect that marinas and boatyards have facilities such as electricity and freshwater in place already and that the more intensive use of the moorings and any potential amenity issues arising from residential moorings could be less obvious if within a marina with other boats already in place. The river in the most part of Norwich does not have marinas or boatyards and is the main navigation channel

The Authority is aware that through the River Wensum Strategy there is some desire to have residential moorings, but due to the timings of that work and this Local Plan, no specific sites in Norwich were put forward for consideration. The current locational requirement (of being located within a boatyard and in or adjacent to a development boundary) provides a strong direction and is logical, but there could be some particular sites on main rivers that, if they meet the other criteria, could be acceptable. These would come forward through applications and treated as departures from policy and other material reasons would come into play and this would be on a case by case basis.

No change to Local Plan.

**Knight, J (Broads Authority Navigation Committee Appointed Member)**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	110	193	yes	no	PP, J, E

**Full response:**

Strand a) of the policy requires development for residential moorings to be within or adjacent to a development boundary. But development boundaries within the Broads executive area do not encompass areas adjacent to the water, so it has become necessary to build a series of exceptions and site specific policies into the Local Plan to work around the fact that there is no site anywhere in the Broads which could comply with the policy as worded.

None of the sites identified in the local plan as being suitable for residential moorings comply with the policy, as none lie within or adjacent to a development boundary. Furthermore, the allocated sites as proposed are not within easy commuting distance of major employment areas such as Great Yarmouth or Norwich.

Given that no mooring site exists which is within or adjacent to a development boundary, and that all identified and permitted sites are outside development boundaries, it is illogical for development boundaries to form part of the policy and their inclusion creates an unnecessary obstacle to appropriate development. This policy restriction limits residential mooring to those sites expressly designated elsewhere in the Local Plan, rendering its inclusion pointless. This is disappointing, having regard to the substantial unfulfilled demand for residential moorings which has been identified by the Authority.

The Accommodation Needs Assessment for houseboats identifies an objectively assessed need for 63 residential moorings over the plan period and at the date of the report there was just one actual residential mooring. The Local Plan proposes 25 residential moorings across 4 locations, all of which fall outside development boundaries and therefore do not comply with the policy. 10 residential moorings have recently been approved at appeal, leaving a shortfall of 28 even if there was a successfully implemented planning application at every one of the proposed locations.

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It is also worth pointing out that the Broads Authority's own research suggests that there are as many as 100 households already living on boats, so a much more ambitious and aspirational policy is needed to fulfil this demand.

If the policy is allowed to stand as is, then the Authority is leaving itself open to speculative applications on better served sites which will automatically end up being arbitrated by PINS, as they may fulfil all the objectives of the policy but still be non-compliant.

In summary:

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

### **Suggested change:**

Removal of the requirement for residential mooring site to be within or adjacent to a development boundary.

### **Summary of response:**

Removal of the requirement for residential mooring site to be within or adjacent to a development boundary.

### **Broads Authority response:**

All of the development boundaries allocated in the Local Plan encompass water or have parts which are adjacent to water. Please see policies maps and the Development Boundary map bundle.

Please note that the development boundary does not have to be about the Broads Authority Executive Area; it can be one of our constituent district's. Waveney DC for example are intending to introduce a development boundary at Somerleyton which will be adjacent to Somerleyton Marina. Great Yarmouth Borough Council has a development boundary adjacent to water in the town of Great Yarmouth.

The sites are allocated as they were put forward for consideration as part of the call for sites. They were assessed against various criteria including access to services and facilities which is the main reason for designating development boundaries. It is correct that the identified residential mooring sites are not within or adjacent to development boundaries but they have been found suitable for development following the assessment process undertaken. As such they have been allocated.

This is a criteria based policy that will be used to assess applications for windfall applications that come forward. The Authority has allocated sites in order to contribute to meeting the need. Taking into account the nominations for residential moorings that have come forward through the publication stage that have been assessed as suitable for allocation, the Authority has allocated sites for 41 residential moorings and with the 10 permitted, that amounts to 52 - leaving 12 remaining (please note that the allocation at Loddon may reduce to 5 leaving 17 remaining). With 18 years left in the plan period and with further work going on outside the Local Plan which involves meeting suitably located marinas and boatyards to talk to them about formalising any residential moorings they have or applying for permission for residential moorings, the Authority is content that it is being pro-active in seeking residential moorings around the system.

Regarding proximity to major employment areas, the sites at Loddon and Chedgrave are near to a good bus service to Norwich, the site at Brundall Gardens is near a train station to access Great Yarmouth or Norwich and Beccles residents can easily commute using public transport to Lowestoft. The Horning residents can use public transport to reach a higher order settlement of Hoveton. Somerleyton residents can get the train to Lowestoft or Norwich.

The sites allocated have access to services or facilities as assessed in the Topic Papers. They also have general support from the Highways Authority on sustainability grounds.

No change to Local Plan.

### **Norwich City Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	110	091	yes	no	PP

**Full response:**

The plan promotes the provision of residential moorings in mooring basins, marinas or boatyards, which effectively excludes any such provision in Norwich (or on sections of other Main Rivers within / adjacent to development boundaries, without basins, marinas and boatyards). The emerging River Wensum Strategy (anticipated to be adopted in 2018) seeks to encourage residential moorings where appropriate on the Wensum. Provision of permanent houseboat sites with proper on-site facilities could have a number of benefits by contributing to housing need, providing affordable housing in a pleasant environment, and supporting the local economy.

**Suggested change:**

Policy PUBDM36 should be revised by amending criterion (a) to state “Is in a mooring basin, marina or boatyard, or in the case of a Main River where the impact on navigation is considered acceptable, within or adjacent to a defined development boundary...”. This could also be reflected in the explanatory text.

**Summary of response:**

Policy PUBDM36 should be revised by amending criterion (a) to state “Is in a mooring basin, marina or boatyard, or in the case of a Main River where the impact on navigation is considered acceptable, within or adjacent to a defined development boundary...”. This could also be reflected in the explanatory text.

**Broads Authority response:**

Noted. Following internal discussion on this issue, the Authority considers it prudent to continue to have the requirement relating to residential moorings being located in marinas and basins as part of the policy. This is because at these locations there is definitely no impact on navigation. Marinas and boatyards tend to have (or can more easily provide, through conversion of existing buildings for example) toilets, showers, storage, waste storage and pump out facilities. Any more intensive use of the moorings through residential use brings less risks of amenity issues in a marina or basin than on a main river channel in an urban area.

The Authority is aware that through the River Wensum Strategy there is some desire to have residential moorings, but due to the timings of that work and this Local Plan, no specific sites in Norwich were put forward for consideration.

The current locational requirement (of being located within a boatyard and in or adjacent to a development boundary) provides a strong direction and is logical, but there could be some particular sites on main rivers that, if they meet the other criteria, could be acceptable. These would come forward through applications and treated as departures from policy and other material reasons would come into play and would be judged on a case by case basis.

No change to Local Plan.

This response was shared with Norwich City Council who wish for their comment to remain.

**Thorpe St Andrew Town Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	110	248	-	-	-

**Full response:**

Welcome the policy on new moorings noting that the moorings on the Island do not appear to comply with this policy.

**Summary of response:**

New residential moorings: Welcome the policy on new moorings noting that the moorings on the Island do not appear to comply with this policy.

**Broads Authority response:**

Support noted.

**Waveney District Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	110	017	yes	yes	-

**Full response:**

The Council support this policy approach. However, linked to the above, Somerleyton, which has a range of services and facilities, with rail access to Lowestoft and Norwich, should be considered as a suitable area for a modest number residential moorings subject to the other criteria of the Policy.

**Suggested change:**



Waveney District Council supports the policies of the Broads Local Plan but suggests changes to help improve the effectiveness and clarity of the Plan. It is not considered that these suggested changes are fundamental to the soundness of the plan.

**Summary of response:**

Somerleyton should be considered a suitable area for some residential moorings.

**Broads Authority response:**

Noted. Given that Somerleyton will have a development boundary adjacent to the marina at Somerleyton, the Estate could apply for residential moorings in line with this policy. Note that a nomination for residential moorings has been received for this Marina and will be assessed in the usual way for such nominations.

**64) PUBDM37: Permanent and temporary dwellings for rural enterprise workers**

**Environment Agency**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
25	112	116	yes	yes	-

**Full response:**

We support this policy, and particularly welcome the requirement for no temporary caravans or mobile homes in Flood Zone 3.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**65) PUBDM42: Design**

**Home Builders Federation**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
26	120	216	yes	no	J

**Full response:**

Part (K) of policy PUBDM24 requires 5% of all dwellings over 20 units to be built to part M4(2). The Council are required by paragraph 56-007 of PPG to justify the imposition of the higher standard having regard to needs, the accessibility and adaptability of existing stock and the overall impact on viability. Whilst the Council have established that in general the Broads has an ageing population there is no evidence in relation to the existing stock, the type of tenure where needs are most likely to occur or the impact on viability. Without this evidence it is not possible for the Council to justify the inclusion of adoption of the optional technical standard.

**Suggested change:**

Part (k) of the policy should therefore be deleted as it is unjustified.

**Summary of response:**

Part (k) of the policy should therefore be deleted as it is unjustified.

**Broads Authority response:**

Objection noted. We consider the policy is still important and wish for it to remain in the Local Plan. We have noted an error in the policy and intend to provide further justification for this part of the design policy. We will liaise with the HBF, Suffolk County Council and Waveney District Council on their comments to seek an agreed way forward with this requirement.

**Suffolk County Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
26	120	099	yes	no	E, CP

**Full response:**

Accessible and Adaptable Housing: The plan makes several references to the “Lifetime Homes” as part of addressing the areas aging population and the potential of changing family circumstances. Improving independent life for older people and disabled people is one of the four outcomes of the Joint Health and Wellbeing Strategy for Suffolk so the County Council welcomes the provision of adaptable homes within the

plan. However, the Lifetime Homes standards have been absorbed by optional requirement M4(2) of The Building Regulations.

**Suggested change:**

Mentions of Lifetime Homes in PUBDM42h not consistent with national policy. The references to Lifetime Homes should be deleted in order to ensure clarity. Furthermore, it is not clear how the Authority has determined that 5% of new homes should meet the M4(2) standard. The County Council would be pleased to work with the Broads Authority to better understand how this requirement has been set, and to consider requiring that a greater proportion of homes meet the standard.

**Summary of response:**

- 1: The references to Lifetime Homes should be deleted in order to ensure clarity.
- 2: It is not clear how the Authority has determined that 5% of new homes should meet the M4(2) standard.

**Broads Authority response:**

- 1: Agreed. Will amend the policy accordingly. See Proposed Change 73.
- 2: We consider the policy is still important and wish for it to remain in the Local Plan. We have noted an error in the policy and intend to provide further justification for this part of the design policy. We will liaise with the HBF, Suffolk County Council and Waveney District Council on their comments to seek an agreed way forward with this requirement.

**Waveney District Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
26	120	018	yes	yes	-

**Full response:**

The part of the Policy with respect to accessibility which requires 5% of new homes on sites above 20 dwellings to meet M4(2) standards is consistent with Policy WLP8.1 of the First Draft Waveney Local Plan. In response to concerns raised by Suffolk County Council, the Council is considering whether to adjust this requirement upwards (subject to viability). It is not currently clear from the supporting text as to why 5% is an appropriate requirement. The Council would encourage the Broads Authority to liaise with Suffolk County Council in determining whether this is an appropriate requirement. The Policy also seems to confuse the M4(2) standard with the Lifetime Homes standard. The Lifetime Homes standards have been absorbed by optional requirement M4(2).

**Suggested change:**

Waveney District Council supports the policies of the Broads Local Plan but suggests changes to help improve the effectiveness and clarity of the Plan. It is not considered that these suggested changes are fundamental to the soundness of the plan.

**Summary of response:**

The Lifetime Homes standards have been absorbed by optional requirement M4(2). It is not currently clear from the supporting text as to why 5% is an appropriate requirement. The Council would encourage the Broads Authority to liaise with Suffolk County Council in determining whether this is an appropriate requirement.

**Broads Authority response:**

Noted. We consider the policy is still important and wish for it to remain in the Local Plan. We have noted an error and intend to provide further justification for this part of the design policy. We will liaise with the HBF, Suffolk County Council and Waveney District Council on their comments to seek an agreed way forward with this requirement.

**66) PUBDM43: Visitor and community facilities and services**

**Highways England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
27	124	199	-	-	-

**Full response:**

Highways England has noted and welcomes the following policies: PUBSP16 and PUBDM43 (Community Facilities) and PUBDM46 (Planning Obligations and Developer Contributions). Highways England has no comments to make on any other policies contained in the Broadlands Local Plan.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**67) PUBPS16: New community facilities**

**Highways England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
27	124	198	-	-	-

**Full response:**

Highways England has noted and welcomes the following policies: PUBSP16 and PUBDM43 (Community Facilities) and PUBDM46 (Planning Obligations and Developer Contributions). Highways England has no comments to make on any other policies contained in the Broadlands Local Plan.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**68) PUBDM44: Designing places for healthy lives**

**Home Builders Federation**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
28	127	217	yes	no	E

**Full response:**

We recognise the importance of ensuring new development supports the wider aims of local authorities and their partners to improve the health and well-being of their residents and workforce. However, the requirement for all new development to explain how their development facilitates Health and well-being is unnecessary and an additional burden on applicants. Planning Practice Guidance (PPG) sets out that HIAs “may be a useful tool to use where there is expected to be significant impacts” but it also outlines the importance of the local plan in considering the wider health issues in an area and ensuring policies respond to these. As such Local Plans should already have considered the impact of development on the health and well-being of their communities and set out policies to address any concerns.

**Suggested change:**

Where a development is in line with policies in the local plan it should not be necessary to provide additional information on health and well-being. Only where there is a departure from relevant policies in the plan should the Broads Authority consider requiring an assessment as to the contribution a development makes towards health and well-being.

**Summary of response:**

Where a development is in line with policies in the local plan it should not be necessary to provide additional information on health and well-being. Only where there is a departure from relevant policies in the plan should the Broads Authority consider requiring an assessment as to the contribution a development makes towards health and well-being.

**Broads Authority response:**

This policy specifically seeks to address health as it is not comprehensively covered in the other policies. Compliance with all policies does not necessarily equate to something that has positive health benefits. The NPPF also states in various places how important it is to consider and address health needs:

- ‘reflect the community’s needs and support its health, social and cultural well-being’
- ‘take account of and support local strategies to improve health, social and cultural wellbeing for all’
- ‘The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.’
- ‘Local planning authorities should work with public health leads and health organisations to understand and take account of the health status and needs of the local population (such as for sports, recreation and places of worship), including expected future changes, and any information about relevant barriers to improving health and well-being’

This response was shared with the HBF who wish for their comment to remain.

**NHS Great Yarmouth and Waveney Clinical Commissioning Group**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
28	127	204	-	-	-

**Full response:**

The CCG supports the rationale set out in Section 28 and would further wish to explore with the LPA how health and well-being infrastructure development will be a core part of their future planning and decision making.

**Summary of response:**

Support policy. Would further wish to explore with the LPA how health and well-being infrastructure development will be a core part of their future planning and decision making.

**Broads Authority response:**

Support noted. Also see other comment relating to planning obligations at DM46.

**Sport England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
28	127	083	yes	yes	-

**Full response:**

Sport England supports this policy because it requires new development to plan for active lifestyles and physical activity. In this way it is compliant with Sport England’s strategy to reduce inactivity and increase levels of physical activity, as well as being compliant with the NPPF, which seeks to increase opportunities for people to take part in sport and physical activity. We also support the promotion of Sport England’s ‘Active Design’ guidance as a tool to help achieve this.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**69) PUBDM46: Planning obligations and developer contributions**

**Highways England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
30	130	200	yes	yes	-

**Full response:**

Highways England has noted and welcomes the following policies: PUBSP16 and PUBDM43 (Community Facilities) and PUBDM46 (Planning Obligations and Developer Contributions). Highways England has no

**Summary of response:**

Supports policy

**Broads Authority response:**

Support noted.

**Home Builders Federation**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
30	130	218	yes	no	J, E

**Full response:**

The Council’s evidence on infrastructure is limited and fails to set out the type of infrastructure required in the Broads and the cost of that infrastructure. There is no evidence to show what the impact of the new housing being proposed for the area will have on the local infrastructure and its capacity to absorb any increase in its use. Given the level of housing development being proposed the impact on infrastructure is likely to be minimal over the course of the plan period. The Authority’s own evidence sets out that for many of the infrastructure items listed in this policy that there is no additional impact. For example, on both education and police services the Local Infrastructure Study establishes that there are no additional needs,

and there is no evidence presented with regard to waste and recycling facilities. Yet these are all included within the policy even though there is no need identified from the levels of development being proposed. We would also suggest that the inclusion of administrative fees as part of a planning obligation is also inappropriate and unlawful. The case of *Oxfordshire v Secretary of State for Communities and Local Government* [2015] EWHC 186 established that Local Planning Authorities have no right to demand an administrative payment in relation to S106 contributions as they fall outside of the scope of Regulation 122 of the CIL regulations and paragraph 204 of the NPPF. This paragraph sets out the that planning obligations should only be sought where they meet all of the following tests:

- They are necessary to make the development acceptable in planning terms
- Directly related to the development
- Fairly and reasonable related in scale and kind to the development

We do not consider that the Authority has sufficient evidence to include all of the items listed in PUBDM24 as being required to make development acceptable in planning terms. There may well be a desire to make improvements to certain public facilities and to raise funds from development to support these. However, if there is no evidence to support the need for such contributions then the Council should not include these within the policy. It is also unlikely that the Authority would be able to pool contributions to infrastructure outside of the Broads National Park due to pooling restrictions on financial contributions. This will further limit the effectiveness of the approach to developer contributions set out in this policy and in particular the support of infrastructure beyond the boundaries or control of the Authority.

Given that there is no evidence on either the likely scale of contributions there are real concerns as to the deliverability of this policy. Without a more detailed assessment of infrastructure needs this policy cannot be considered to be effective or justified.

**Suggested change:**

None specified although it seems that the specifics scheme types being listed is not supported.

**Summary of response:**

Does not support specific scheme types being listed.

**Broads Authority response:**

Noted. In order to address the comments made, we will propose amendments to the policy that involve removing the list of types of obligations from the policy and making the policy a bit more general. See Proposed Change 74.

**NHS Great Yarmouth and Waveney Clinical Commissioning Group**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
30	130	205	yes	no	PP, E

**Full response:**

The CCG notes that the development of Health infrastructure is not specifically recognised in the LPA's Planning Policy PUBDM46 as an integral part of the planning obligations and developer contributions. The CCG will be seeking an early discussion about how this issue can be rectified.

**Suggested change:**

The CCG would be keen to engage with formal discussions as to how the plan will acknowledge the need to developing health infrastructure and older peoples' accommodation to support anticipated growth. Our colleague Martin Royal who initially provided the feedback on the plans agrees that adding health infrastructure to the list is a simple solution.

**Summary of response:**

Adding health infrastructure to the list is a simple solution.

**Broads Authority response:**

Noted. In order to address different comments made, we will propose amendments to the policy that involve removing the list of types of obligations from the policy and making the policy a bit more general. See Proposed Change 74.

**Suffolk County Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
30	130	100	yes	no	E, CP

**Full response:**

Policy PUBDM46 underpins efforts to secure planning obligations and developer contributions. However, in order to be effective (and, as such, sound), the policy should identify that the list of infrastructure types is not prescriptive, i.e. ‘Contributions may be sought towards, or commitments to provide, infrastructure types including,’ Furthermore, the County Council welcomes the reference to following the approach set out in County Council guidance on infrastructure contributions on page 131. However, the list of infrastructure types in that sentence are not wholly consistent with those in the policy.

Concerned that PUBDM46 is not effective: For the sake of clarity, the Broads Authority should either delete the types of infrastructure required or expand the list to match the policy. It should also be noted that it is not standard practice for the planning authority to hold all contributions. The County Council is usually a party to Section 106 agreements insofar as is relevant to County Council functions. This supporting text on page 131 should also be amended to be consistent with practice.

**Suggested change:**

The policy should identify that the list of infrastructure types is not prescriptive, i.e. ‘Contributions may be sought towards, or commitments to provide, infrastructure types including,’.

For the sake of clarity, the Broads Authority should either delete the types of infrastructure required or expand the list to match the policy. It should also be noted that it is not standard practice for the planning authority to hold all contributions. The County Council is usually a party to Section 106 agreements insofar as is relevant to County Council functions. This supporting text on page 131 should also be amended to be consistent with practice.

**Summary of response:**

1: The policy should identify that the list of infrastructure types is not prescriptive, i.e. ‘Contributions may be sought towards, or commitments to provide, infrastructure types including,’.

2: Either delete the types of infrastructure required in reasons justification or expand the list to match the policy.

3: It should also be noted that it is not standard practice for the planning authority to hold all contributions. The County Council is usually a party to Section 106 agreements insofar as is relevant to County Council functions. This supporting text on page 131 should also be amended to be consistent with practice.

**Broads Authority response:**

Noted. In order to address different comments made, we will propose amendments to the policy that involve removing the list of types of obligations from the policy and making the policy a bit more general. See Proposed Change 74. Suffolk County Council are content with these changes.

**70) PUBDM47: Conversion of buildings**

Flowerdew, P

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
31	132	036	n/k	no	PP, J, E, CP

**Full response:**

This part of the Plan gives a preference to tourism over residential use which can be detrimental to small communities. Some of these buildings lie within a small group of dwellings which have evolved into specific close knit communities, if this policy is adopted and an owner wants to convert a building, tourists would be forced upon the group upsetting the rhythm of the community and adding very little to it. In fact their presence is more likely to be an upsetting influence whereas a residential conversion would likely add to it.

**Suggested change:**

Having talked to the Broads Authority I understand it would be difficult to write a policy that takes into account the specific wishes of small groups of people therefore I suggest removing the wording on page 132 Policy PUBDM47: ‘... and when it is clearly demonstrated’ to ‘...would be unviable’. This would leave adequate control by the BA and still give local people a say in their community growth. There is no such wording in the current plan and I see no benefit it adding it to the new plan.

**Summary of response:**

1: objects to policy as it allows tourism use rather than residential use and this can disrupt close knit communities.

2: considers the consultation was not very well advertised.

**Broads Authority response:**



1: The policies seek to allow development to support the local economy and communities in areas where permanent residential development would be unsustainable and could not be supported. The criteria in the Plan overall seek to protect existing residential dwellings from adverse impacts, but holiday accommodation in existing residential areas is not considered to represent an unacceptable land use.

2: The consultation was advertised by emailing and writing to those on the consultation database, two press releases, a press advert, placing the consultation on our website, asking parish councils to advertise and place posters around as well as using social media. The consultation approach was above and beyond the requirements set out in the Local Plan Regulations 2012 (Local Planning ) (as amended). The consultation was completed in accordance with the adopted Statement of Community Involvement.

## 71) Specific policies introductory section

### Historic England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32	136	150	yes	yes	-

#### Full response:

We are very pleased to see that the site specific policies accurately identify and describe the presence of both designated and non-designated heritage assets, and includes specific provision for the conservation of and enhancement of the Broads locally distinctive historic environment.

Only some minor amendments have been suggested (see below) and if these are incorporated it will strengthen the plan, and the conservation of the historic environment that it proposes.

#### Summary of response:

General support to section.

#### Broads Authority response:

Support noted.

### Environment Agency

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.2	136	127	yes	yes	-

#### Full response:

We support this paragraph. It could also be added that anyone carrying out these activities without a permit where one is required is breaking the law.

#### Suggested change:

Add: 'anyone carrying out these activities without a permit where one is required is breaking the law'.

#### Summary of response:

Supports paragraph. Add: 'anyone carrying out these activities without a permit where one is required is breaking the law'.

#### Broads Authority response:

Agreed. Will propose to the Inspector that this amendment is made. See Proposed Change 76.

## 72) PUBACL1: Acle Cemetery extension

### Historic England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.5	136	151	yes	yes	-

#### Full response:

Policy PUBACL1: Acle Cemetery and Extension and; Policy PUBACL2: Acle Playing Field Extension:

There are no known designated heritage assets within the boundaries of these sites or within their immediate vicinity. We welcome the policy requirement (point a) for a prior archaeological assessment to be carried out. The reasoned justification supports this policy provision and outlines the nature of the site's archaeological interest.

#### Summary of response:

Supports policy.

#### Broads Authority response:

Support noted.



### 73) PUBACL2: Acle Playing Field Extension

#### Historic England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.5	138	259	yes	yes	-

#### Full response:

Policy PUBACL1: Acle Cemetery and Extension and; Policy PUBACL2: Acle Playing Field Extension: There are no known designated heritage assets within the boundaries of these sites or within their immediate vicinity. We welcome the policy requirement (point a) for a prior archaeological assessment to be carried out. The reasoned justification supports this policy provision and outlines the nature of the site's archaeological interest.

#### Summary of response:

Supports policy.

#### Broads Authority response:

Support noted.

### 74) PUBBEC1: Former Loaves and Fishes, Beccles

#### Beccles Society

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.6	139	221	-	-	-

#### Full response:

We discussed the details of your proposals again at our meeting on 13th December. Your detailed options for Beccles at a) the former Loaves and Fishes, b) H.E.Hippersons boatyard and c) the land surrounding Beccles Rowing Club, off Puddingmoor are all totally acceptable.

#### Summary of response:

Supports policy.

#### Broads Authority response:

Support noted.

#### Historic England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.6	139	152	yes	yes	-

#### Full response:

This site is located within the Beccles Conservation Area. The policy to resume the use of the Public House is welcome as it should ensure the continued vitality and vibrancy of this part of the conservation area in terms of use and character. We welcome the policy provision at point (ii) which seeks proposals which will enhance the appearance of the area. It may be helpful to make reference to character as well.

#### Suggested change:

Point ii) It may be helpful to make reference to character as well.

#### Summary of response:

Point ii) It may be helpful to make reference to character as well.

#### Broads Authority response:

Noted. Will propose to the Inspector that 'character' is added to the policy. See Proposed Change 78.

### 75) PUBBEC2: Beccles residential moorings (H. E. Hipperson's Boatyard)

#### Beccles Society

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.6	139	222	-	-	-

#### Full response:

We discussed the details of your proposals again at our meeting on 13th December. Your detailed options for Beccles at a) the former Loaves and Fishes, b) H.E.Hippersons boatyard and c) the land surrounding Beccles Rowing Club, off Puddingmoor are all totally acceptable.

#### Summary of response:

Supports policy.

**Broads Authority response:**

Support noted.

**Historic England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.6	139	153	yes	yes	-

**Full response:**

We welcome reference to the Beccles Conservation Area across the river and the text which requires proposals to take the conservation area into consideration. This policy could be strengthened by making explicit reference to the need to have regard for the setting of the conservation area.

**Suggested change:**

This policy could be strengthened by making explicit reference to the need to have regard for the setting of the conservation area.

**Summary of response:**

This policy could be strengthened by making explicit reference to the need to have regard for the setting of the conservation area.

**Broads Authority response:**

Agreed. Will propose to the Inspector to add reference to setting of the Conservation Area to the final sentence. See Proposed Change 79.

**76) PUBCAN1: Cantley Sugar Factory**

**Historic England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.8	145	154	yes	yes	-

**Full response:**

We welcome the reference to the nearby Langley Conservation Area, and the two Grade II\* Churches of St Botolph at Limpenhoe and St Margaret at Cantley. We would recommend that the policy is strengthened to make explicit reference to the need for development to have regard for the setting of these designated heritage assets. Due to the open landscape around the factory, development should be particularly careful to respond to these assets and the historic environment more generally.

**Suggested change:**

We would recommend that the policy is strengthened to make explicit reference to the need for development to have regard for the setting of these designated heritage assets.

**Summary of response:**

We would recommend that the policy is strengthened to make explicit reference to the need for development to have regard for the setting of these designated heritage assets

**Broads Authority response:**

Agreed. Will propose to the Inspector to amend criterion D to include reference to setting of nearby designated heritage assets. See Proposed Change 83.

**Norfolk County Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.8	145	078	-	-	-

**Full response:**

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. We recommend including the potential for this site to have archaeological interest in the constraints and features section. This site allocation was not included in those the Broads Authority consulted us on earlier in the year (presumably as it is rolling forward from the Site Specific Policies Local Plan and the level/nature of past and existing development on the site).

**Suggested change:**

We recommend including the potential for this site to have archaeological interest in the constraints and features section.

**Summary of response:**

We recommend including the potential for this site to have archaeological interest in the constraints and features section.

**Broads Authority response:**

Agreed. Will propose to the Inspector that this extra information is included. See Proposed Change 82.

**77) PUBCHE1: Greenway Marine residential moorings**

**Arnott, D**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.9	147	273	-	-	-

**Full response:**

I would be against the proposed residential moorings because of the increased amount of traffic turning on to Bridge Road, at peak times this can be difficult with the 2 adjacent roads trying to turn out at the same time and difficulties have already been encountered when the traffic from Wherry Close wishes to turn right and the traffic from the marina wishes to turn left.

**Suggested change:**

**Summary of response:**

Objects to residential moorings on account of traffic impact on Wherry Close

**Broads Authority response:**

Objection noted. The Highways Authority were asked for their opinion on this allocation and say: Proposal to introduce 5 residential moorings will increase vehicle movements. Likely to generate 3-4 vehicle movements per unit per day. Note there is access to local services suitable for day to day living but that a motor vehicle is still likely to be a primary mode of transport. There would appear to be ample room to provide dedicated parking associated with any residential moorings.

It should be noted however, that the access with the highway, is restricted and that the Highway Authority have recently recommend refusal of a proposal for three residential properties accessed of the track leading to the boatyard due to restricted visibility. Accordingly unless visibility improvements can be secured, which given they cross third party land may be difficult and improvements are made to the access itself in terms of width and surface, Highways Authority may object in terms of highway safety.

No change to Local Plan.

**Barber, G**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.9	147	259	-	-	-

**Full response:**

Thank you for your letter re draft local plan. Living virtually opposite and nearby both proposed sites my wife and I find ourselves alarmed by your proposals. We have resided in Wherry Close for eleven years and we have experience of the boats likely to take advantage of your scheme and in particular we have experience of the owners of such craft.

The allocations suggested are capable of accommodating over time a considerable number of such boats (including floating hen houses and other unsightly constructions) and feel it is grossly unfair to saddle the Loddon and Chedgrave communities in this way particularly when applications for residential berths in other areas of the Broads have been rejected by your authority.

In the past we have experienced inappropriate behaviour caused by alcohol and substance abuse with townfolk and visitors feeling threatened and intimidated.

We appreciate the problem you face but we ask you please to seek a more equitable solution.

**Summary of response:**

Feel it is grossly unfair to saddle the Loddon and Chedgrave communities in this way particularly when applications for residential berths in other areas of the Broads have been rejected by your authority. In the past we have experienced inappropriate behaviour caused by alcohol and substance abuse with townfolk and visitors feeling threatened and intimidated.

**Broads Authority response:**

Other areas of the Broads are allocated for residential moorings - Brundall and Beccles. Two other sites have been nominated through this consultation stage and are supported in principle by the Authority and these are located at Horning and Somerleyton.

It is important to note that recently, work was undertaken that looked into anti-social behaviour on the Broads and concluded that no one particular user type of the Broads is responsible for the majority of complaints or issues. The Head Ranger reviewed all the incidents (which we were aware of/reported to us) of antisocial behaviour relating to boats and the water. The outcome of this review was that antisocial behaviour levels are low. There is not one group that causes a particular problem on the Broads. The only area which showed a higher percentage of problems was the Norwich Yacht Station related to people returning from a night out (shouting/singing, kebabs thrown at boats, etc.) but this was still only 5 reports in total. We have no evidence to suggest the residential boaters cause a problem above other boat users. The police would be the main contact dealing with such instances, but the Broads Authority still record instances where known .

Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent (or purchase price) and this could give impetus to landowners to drive up standards.

Regarding the design and up keep of boats, that is not something that can be controlled by planning. Many boatyards have mooring agreements for those who use the moorings which specify what is acceptable and not acceptable at the site. The Authority can encourage or suggest such an agreement but cannot enforce this. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines in specific sections (allocations for residential moorings and criteria based policy (DM36)) is a proposed change to the Local Plan.

The boat safety scheme is a nationally accepted standard by which the safety of a boat can be measured and the Authority has adopted that approach. All boats above a certain threshold (meeting certain criteria) on the Broads need to have this certificate otherwise they can be fined. We hold a central database and boats are checked by Rangers for compliance.

On review of the many comments received, the Authority will propose to the Inspector that the number allocated at Loddon Marina is reduced to 5 residential moorings. See Proposed Change 105.

**Fiddy, I**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.9	147	255	-	-	-

**Full response:**

With regard to the above I live practically opposite and beside the proposed residential moorings and unfortunately, I am concerned, as in the past there has been problems especially with unsocial behaviour and the police being involved on several occasions. I'm sure this would not be a problem with everyone but it only takes one bad apple to spoil life for all.

**Summary of response:**

Concern about anti-social behaviour of future occupiers.

**Broads Authority response:**

Other areas of the Broads are allocated for residential moorings - Brundall and Beccles. Two other sites have been nominated through this consultation stage and are supported in principle by the Authority and these are located at Horning and Somerleyton.

It is important to note that recently, work was undertaken that looked into anti-social behaviour on the Broads and concluded that no one particular user type of the Broads is responsible for the majority of complaints or issues. The Head Ranger reviewed all the incidents (which we were aware of/reported to us) of antisocial behaviour relating to boats and the water. The outcome of this review was that antisocial behaviour levels are low. There is not one group that causes a particular problem on the Broads. The only area which showed a higher percentage of problems was the Norwich Yacht Station related to people returning from a night out (shouting/singing, kebabs thrown at boats, etc.) but this was still only 5 reports in total. We have no evidence to suggest the residential boaters cause a problem above other boat users. The

police would be the main contact dealing with such instances, but the Broads Authority still record instances where known .

Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent (or purchase price) and this could give impetus to landowners to drive up standards.

Regarding the design and up keep of boats, that is not something that can be controlled by planning. Many boatyards have mooring agreements for those who use the moorings which specify what is acceptable and not acceptable at the site. The Authority can encourage or suggest such an agreement but cannot enforce this. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines in specific sections (allocations for residential moorings and criteria based policy (DM36)) is a proposed change to the Local Plan.

The boat safety scheme is a nationally accepted standard by which the safety of a boat can be measured and the Authority has adopted that approach. All boats above a certain threshold (meeting certain criteria) on the Broads need to have this certificate otherwise they can be fined. We hold a central database and boats are checked by Rangers for compliance.

On review of the many comments received, the Authority will propose to the Inspector that the number allocated at Loddon Marina is reduced to 5 residential moorings. See Proposed Change 105.

**Gowing, S**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.9	147	257	-	-	-

**Full response:**

As a resident adjacent to and opposite the proposed sites I would like to make the following comments and concerns re the draft plan:

There are already a few boats at Loddon Marina that are being used as permanent dwellings. During the summer we experienced a number of problems from the owners of these boats with holiday makers being harassed and intimidated by anti-social behaviour, mainly caused by alcohol and often loud music was played into the early hours! Not only was this a nuisance to our visitors but also to the local people living around the marina.

More pollution could be added into the river if no additional facilities are planned or are inadequate for laundry, toilets, showers, pump out etc.

Where would additional parking facilities be sited?

Would the residents pay council tax?

Will there be site rules issued re condition of boats, storage, pets, noise, washing lines, fires etc.?

**Summary of response:**

During the summer we experienced a number of problems from the owners of these boats with holiday makers being harassed and intimidated by anti-social behaviour, mainly caused by alcohol and often loud music was played into the early hours.

More pollution could be added into the river if no additional facilities are planned or are inadequate for laundry, toilets, showers, pump out etc.

Where would additional parking facilities be sited?

Would the residents pay council tax?

Will there be site rules issued re condition of boats, storage, pets, noise, washing lines, fires etc.?

**Broads Authority response:**

Other areas of the Broads are allocated for residential moorings - Brundall and Beccles. Two other sites have been nominated through this consultation stage and are supported in principle by the Authority and these are located at Horning and Somerleyton.

It is important to note that recently, work was undertaken that looked into anti-social behaviour on the Broads and concluded that no one particular user type of the Broads is responsible for the majority of complaints or issues. The Head Ranger reviewed all the incidents (which we were aware of/reported to us) of antisocial behaviour relating to boats and the water. The outcome of this review was that antisocial behaviour levels are low. There is not one group that causes a particular problem on the Broads. The only area which showed a higher percentage of problems was the Norwich Yacht Station related to people

returning from a night out (shouting/singing, kebabs thrown at boats, etc.) but this was still only 5 reports in total. We have no evidence to suggest the residential boaters cause a problem above other boat users. The police would be the main contact dealing with such instances, but the Broads Authority still record instances where known .

Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent (or purchase price) and this could give impetus to landowners to drive up standards.

Regarding the design and up keep of boats, that is not something that can be controlled by planning. Many boatyards have mooring agreements for those who use the moorings which specify what is acceptable and not acceptable at the site. The Authority can encourage or suggest such an agreement but cannot enforce this. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines in specific sections (allocations for residential moorings and criteria based policy (DM36)) is a proposed change to the Local Plan.

The boat safety scheme is a nationally accepted standard by which the safety of a boat can be measured and the Authority has adopted that approach. All boats above a certain threshold (meeting certain criteria) on the Broads need to have this certificate otherwise they can be fined. We hold a central database and boats are checked by Rangers for compliance.

On review of the many comments received, the Authority will propose to the Inspector that the number allocated at Loddon Marina is reduced to 5 residential moorings. See Proposed Change 105.

The requirements of pump out facilities is referenced in the policy.

**Harrison, H**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.9	147	267	-	-	-

**Full response:**

I would like to express my strong disapproval of the proposed residential moorings. We, in Wherry Close have first-hand experience of people living in boats at the proposed sights. There appear to be no restrictions or monitoring regarding the type of boat, noise levels or antisocial behaviour of people residing there. There has been intimidation and abuse to both visitors and residents. Making things more permanent and increasing the numbers can only make the situation worse. Is it envisaged that there will be facilities provided - showers, toilets, washing, waste disposal and rubbish collection? Will there be adequate road access, at present there is just a dirt track, and parking space?

**Summary of response:**

- 1: Objects on grounds of antisocial behaviour
- 2: Is it envisaged that there will be facilities provided - showers, toilets, washing, waste disposal and rubbish collection?
- 3: Will there be adequate road access, at present there is just a dirt track, and parking space?

**Broads Authority response:**

1: Other areas of the Broads are allocated for residential moorings - Brundall and Beccles. Two other sites have been nominated through this consultation stage and are supported in principle by the Authority and these are located at Horning and Somerleyton.

It is important to note that recently, work was undertaken that looked into anti-social behaviour on the Broads and concluded that no one particular user type of the Broads is responsible for the majority of complaints or issues. The Head Ranger reviewed all the incidents (which we were aware of/reported to us) of antisocial behaviour relating to boats and the water. The outcome of this review was that antisocial behaviour levels are low. There is not one group that causes a particular problem on the Broads. The only area which showed a higher percentage of problems was the Norwich Yacht Station related to people returning from a night out (shouting/singing, kebabs thrown at boats, etc.) but this was still only 5 reports in total. We have no evidence to suggest the residential boaters cause a problem above other boat users. The police would be the main contact dealing with such instances, but the Broads Authority still record instances where known .

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Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent (or purchase price) and this could give impetus to landowners to drive up standards.

Regarding the design and up keep of boats, that is not something that can be controlled by planning. Many boatyards have mooring agreements for those who use the moorings which specify what is acceptable and not acceptable at the site. The Authority can encourage or suggest such an agreement but cannot enforce this. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines in specific sections (allocations for residential moorings and criteria based policy (DM36)) is a proposed change to the Local Plan.

The boat safety scheme is a nationally accepted standard by which the safety of a boat can be measured and the Authority has adopted that approach. All boats above a certain threshold (meeting certain criteria) on the Broads need to have this certificate otherwise they can be fined. We hold a central database and boats are checked by Rangers for compliance.

On review of the many comments received, the Authority will propose to the Inspector that the number allocated at Loddon Marina is reduced to 5 residential moorings. See Proposed Change 105.

2: The proposals would involve provision of such facilities at the established boatshed.

3: Highways Authority require some mitigation, but do not object.

### Loddon and District Business Association

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.9	147	062	-	no	PP, J, E

#### Full response:

We are concerned about Policies PUBL0D1 and PUBCHE1 which propose to reduce the number of recreational moorings in boatyards by replacing these with residential moorings. It is interesting to note that the total of residential moorings proposed equates to a significant proportion of the total number of permanent moorings in Loddon and Chedgrave and of further interest is the fact that only a very limited number of boatyards on the Broads network have applied for this facility. Our experience of residential moorings which have illegally sprung up in the vicinity in the last few years is not a happy one. It has led to anti-social behaviour and has discouraged some in the boating fraternity to come to this location and use the boat hire facilities on offer. There is also a level of discouragement amongst those who visit Loddon/Chedgrave and stay on a short term mooring overnight. It is noted from the document that several comments have been made concerning the displacement of occasional use boats and what will happen to these. To my knowledge, there is a high demand for moorings which far outweighs their availability. One has only to ask any boatyard to discover that there are long waiting lists for moorings. We might suggest from this fact that as the purpose of the Broads area is to provide recreational facilities, it should not be used as a provider of permanent floating housing sites.

Our concern is about the likely effect of having these residential moorings in what are small communities on the local economy. On the one hand, one might say that additional people will add to the purchasing power of the locality. On the other hand, our existing experience of having liveaboards in the locality leads us to believe that this drives away visitors. There seems to be little control that the authorities can bring to bear on those who misuse the system. In answer to your question therefore, the LDBA would not support any residential moorings in Loddon/Chedgrave. You say that you need to provide 63 moorings around the system but it seems that Loddon/Chedgrave has been singled out for allocation. There is nothing in the draft to suggest how the balance is to be provided. As I understand from the draft, the precise need is anecdotal rather than precise although the figure seems to suggest some degree of accuracy.

#### Summary of response:

Do not support policies:

1: Proposal will reduce the number of recreational moorings in boatyards by replacing these with residential moorings.

2: the total of residential moorings proposed equates to a significant proportion of the total number of permanent moorings in Loddon and Chedgrave.



3: limited number of boatyards on the Broads network have applied for this facility. You say that you need to provide 63 moorings around the system but it seems that Loddon/Chedgrave has been singled out for allocation. There is nothing in the draft to suggest how the balance is to be provided.

4: Our experience of residential moorings which have illegally sprung up in the vicinity in the last few years is not a happy one. It has led to anti-social behaviour and has discouraged some in the boating fraternity to come to this location and use the boat hire facilities on offer. There is also a level of discouragement amongst those who visit Loddon/Chedgrave and stay on a short term mooring overnight.

5: there is a high demand for moorings which far outweighs their availability.

6: the purpose of the Broads area is to provide recreational facilities, it should not be used as a provider of permanent floating housing sites.

7: There seems to be little control that the authorities can bring to bear on those who misuse the system.

8: The precise need is anecdotal rather than precise although the figure seems to suggest some degree of accuracy.

**Broads Authority response:**

1: The residential moorings will be in place of private rented moorings.

2: At Loddon Marina the draft allocation allows for up to 10 out of around 50 moorings to be residential moorings. At Greenway Marine the draft allocation is for up to 5 out of around 20 moorings.

3: Loddon and Chedgrave have not been singled out and have only been draft allocated following submissions from the two site owners. Following two calls for sites, sites were put forward at Beccles, Loddon, Chedgrave (all supported) and Berney Arms and Beauchamps Arms (discounted due to rural isolation) and 10 were permitted on appeal at Waveney River Centre. There is an existing allocation, rolled forward to this Local Plan at Brundall Gardens. As part of this consultation, sites have been put forward for consideration at Somerleyton, St Olaves and Horning. Please see associated assessment of these sites. The allocated and permitted sites amount to 35 leaving 28 left to be found. The sites at Somerleyton, St Olaves and Horning could amount to around 25 more residential moorings leaving a balance of three to find. It could be that windfall schemes could come forward to meet the remaining need. The Authority is also contacting individual marinas and boatyards about their aspirations for residential moorings.

4: Other areas of the Broads are allocated for residential moorings - Brundall and Beccles. Two other sites have been nominated through this consultation stage and are supported in principle by the Authority and these are located at Horning and Somerleyton.

It is important to note that recently, work was undertaken that looked into anti-social behaviour on the Broads and concluded that no one particular user type of the Broads is responsible for the majority of complaints or issues. The Head Ranger reviewed all the incidents (which we were aware of/reported to us) of antisocial behaviour relating to boats and the water. The outcome of this review was that antisocial behaviour levels are low. There is not one group that causes a particular problem on the Broads. The only area which showed a higher percentage of problems was the Norwich Yacht Station related to people returning from a night out (shouting/singing, kebabs thrown at boats, etc.) but this was still only 5 reports in total. We have no evidence to suggest the residential boaters cause a problem above other boat users. The police would be the main contact dealing with such instances, but the Broads Authority still record instances where known.

Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent (or purchase price) and this could give impetus to landowners to drive up standards.

Regarding the design and up keep of boats, that is not something that can be controlled by planning. Many boatyards have mooring agreements for those who use the moorings which specify what is acceptable and not acceptable at the site. The Authority can encourage or suggest such an agreement but cannot enforce this. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines in specific sections (allocations for residential moorings and criteria based policy (DM36)) is a proposed change to the Local Plan.

The boat safety scheme is a nationally accepted standard by which the safety of a boat can be measured and the Authority has adopted that approach. All boats above a certain threshold (meeting certain criteria) on the Broads need to have this certificate otherwise they can be fined. We hold a central database and boats are checked by Rangers for compliance.

On review of the many comments received, the Authority will propose to the Inspector that the number allocated at Loddon Marina is reduced to 5 residential moorings. See Proposed Change 105.

5: Noted. The policy against which residential moorings applications are assessed states that short stay/visitor moorings should not be replaced by residential moorings. The moorings to be replaced are private moorings. The Authority is working hard to maintain its moorings and as well as seeking opportunities to increase mooring provision in accordance with the principles of the Mooring Strategy and Integrated Access Strategy.

6: Please note that we are not proposing floating buildings at this site, rather boats can be lived on at these sites. Floating buildings are a totally different proposal and not addressed in this Local Plan. The Authority is required, by the Housing and Planning Act 2016, to address and meet the need of houseboats (those living on boats). The Authority would not meet the requirements of law if it did not assess and seek to provide for that need.

7: Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent or purchase price and this could give impetus to landowners to drive up standards.

8: Agreed. It is based on anecdotal evidence as there is no formal way to monitor those living on boats. This is something the Authority is looking into for the future. Given this context, the consultants have used their experience to come up with what they consider a robust and reasonable methodology. The study is probably the first of its type in the country. The Authority is content with the study and its findings. It is not aware of any other evidence out there regarding the need for those living on boats.

**Loddon Quay Ltd**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.9	147	253	-	-	-

**Full response:**

As residents of Loddon Quay, adjacent to and opposite the proposed sites we feel we must strongly object to the draft plan.

As some boats at Loddon Marina are already being used as permanent dwellings we have some experience of the problems this is causing local residents. the town and the Broads Authority. An increase in the number of residential boats can only increase the problem.

Some of these boats are unsightly eg. rough wooden sheds built on top of boats and extra paraphernalia on the quay headings.

More pollution of the river must also be of concern.

There have been many occasions when there has been excessive anti-social behaviour with alcohol, possible substance abuse and loud noise. Visitors have been intimidated and even threatened. Consequently the town of Loddon is suffering from a bad reputation.

We wondered if the residential moorings would be subject to Council Tax by the owner or the user? Are the current owners up to date with their obligations?

We were also concerned about extra traffic coming out from the boatyards on to Bridge road which is already difficult. Is their proposed to be parking provision for all the extra possibly 30+ vehicles?

**Summary of response:**

Concerned about extra traffic, unsightly nature of boats, water pollution and anti-social behaviour.

**Broads Authority response:**

Other areas of the Broads are allocated for residential moorings - Brundall and Beccles. Two other sites have been nominated through this consultation stage and are supported in principle by the Authority and these are located at Horning and Somerleyton.

It is important to note that recently, work was undertaken that looked into anti-social behaviour on the Broads and concluded that no one particular user type of the Broads is responsible for the majority of complaints or issues. The Head Ranger reviewed all the incidents (which we were aware of/reported to us) of antisocial behaviour relating to boats and the water. The outcome of this review was that antisocial behaviour levels are low. There is not one group that causes a particular problem on the Broads. The only area which showed a higher percentage of problems was the Norwich Yacht Station related to people returning from a night out (shouting/singing, kebabs thrown at boats, etc.) but this was still only 5 reports in total. We have no evidence to suggest the residential boaters cause a problem above other boat users. The

police would be the main contact dealing with such instances, but the Broads Authority still record instances where known .

Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent (or purchase price) and this could give impetus to landowners to drive up standards.

Regarding the design and up keep of boats, that is not something that can be controlled by planning. Many boatyards have mooring agreements for those who use the moorings which specify what is acceptable and not acceptable at the site. The Authority can encourage or suggest such an agreement but cannot enforce this. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines in specific sections (allocations for residential moorings and criteria based policy (DM36)) is a proposed change to the Local Plan.

The boat safety scheme is a nationally accepted standard by which the safety of a boat can be measured and the Authority has adopted that approach. All boats above a certain threshold (meeting certain criteria) on the Broads need to have this certificate otherwise they can be fined. We hold a central database and boats are checked by Rangers for compliance.

On review of the many comments received, the Authority will propose to the Inspector that the number allocated at Loddon Marina is reduced to 5 residential moorings. See Proposed Change 105.

Pumpout facilities is referenced in the policy and so too are potential highway impacts.

**Pacific Cruisers (Loddon) Ltd**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.9	147	160	-	-	-

**Full response:**

The policy regarding additional residential moorings is and should be a huge concern for the areas involved. Residents will not be aware of these proposed additions and it will certainly have a big impact on local communities whereby permission is given for residential moorings located in a village. Parish Council should have had the opportunity to alert their residents to this policy. There has not been enough time for this proposed policy to be reviewed since designated locations were only just added to this document and were not mentioned in draft consultation.

Obviously, there is great concern regarding residential moorings sadly due to the fact that “liveaboards” often do not keep a tidy ship and it has recently been found that there has been an increase in crime and drugs when “liveaboards” are present. It seems that local authorities are providing boat accommodation for otherwise unfit skippers as this is a cheaper option than housing. Therefore, it is imperative that conditions are added to each individual person and their boat as well as the management offering the residential mooring. If the Broads Authority are recommending these sights, they must be responsible for managing the visual impact and; the suitability of the person using the residential mooring.

**Summary of response:**

- 1: Neighbours not had the chance to comment.
- 2: These allocations were not in the Preferred Options.
- 3: Some anti-social behaviour experienced in the past from some boat dwellers. Boats are not kept tidy.
- 4: It seems that local authorities are providing boat accommodation for otherwise unfit skippers as this is a cheaper option than housing.
- 5: Therefore, it is imperative that conditions are added to each individual person & their boat as well as the management offering the residential mooring. If the Broads Authority are recommending these sights, they must be responsible for managing the visual impact & the suitability of the person using the residential mooring.

**Broads Authority response:**

- 1: Neighbours of the draft allocations for residential moorings have been written to and their thoughts requested. We did this as a result of this recommendation from Pacific Cruisers.
- 2: These extra sites were not part of the Preferred Options as they only came forward for consideration through the Preferred Options consultation.

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3: Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings, this could give impetus to landowners to drive up standards.

4: The LPA has an identified need for 63 residential moorings and must seek to provide these, however it does not have any influence over who occupies any permitted moorings.

5: The identity of occupiers, their behaviour and standards of maintenance are not a planning consideration. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines to the allocations for residential moorings as well as the criteria based policy (DM36) is a proposed change to the Local Plan.

### Scales, I

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.9	147	269	-	-	-

#### Full response:

I would like to reject the proposal on the following grounds.

1. The existing marinas are kept in squalid conditions and I cannot imagine the residential permission will improve it. At least one of the illegal permanently lived on boats has had its owner arrested for stealing from genuine boat users.
2. Loddon/Chedgrave is an ideal boating destination for tourists, which provide an extra income for the local shops. The anti-social behaviour, poorly maintained boats and threatening attitude from many of the residential boats is putting visitors off coming to the area. This will have a detrimental effect of local businesses.
3. Additionally Residential Moorings come with more air pollution from boats burning non-smokeless type materials. Air pollution from antiquated diesel generators. Noise pollution from antiquated diesel generators. Additional issue of domestic waste and ecological impact to river and surrounded bio system.
4. Permanent moorings will also remove space for people who stay casual period of time.

#### Summary of response:

Objects:

- 1: The existing marinas are kept in squalid conditions.
- 2: Anti-social behaviour and poorly maintained boats and negative impact on tourism
- 3: Air pollution
- 4: Removes mooring space for casual moorers

#### Broads Authority response:

1 and 2: Other areas of the Broads are allocated for residential moorings - Brundall and Beccles. Two other sites have been nominated through this consultation stage and are supported in principle by the Authority and these are located at Horning and Somerleyton.

It is important to note that recently, work was undertaken that looked into anti-social behaviour on the Broads and concluded that no one particular user type of the Broads is responsible for the majority of complaints or issues. The Head Ranger reviewed all the incidents (which we were aware of/reported to us) of antisocial behaviour relating to boats and the water. The outcome of this review was that antisocial behaviour levels are low. There is not one group that causes a particular problem on the Broads. The only area which showed a higher percentage of problems was the Norwich Yacht Station related to people returning from a night out (shouting/singing, kebabs thrown at boats, etc.) but this was still only 5 reports in total. We have no evidence to suggest the residential boaters cause a problem above other boat users. The police would be the main contact dealing with such instances, but the Broads Authority still record instances where known .

Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent (or purchase price) and this could give impetus to landowners to drive up standards.

Regarding the design and up keep of boats, that is not something that can be controlled by planning. Many boatyards have mooring agreements for those who use the moorings which specify what is acceptable and not acceptable at the site. The Authority can encourage or suggest such an agreement but cannot enforce this. The Authority can however limit, by use of planning conditions, the size and scale of boats and the

number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines in specific sections (allocations for residential moorings and criteria based policy (DM36)) is a proposed change to the Local Plan.

The boat safety scheme is a nationally accepted standard by which the safety of a boat can be measured and the Authority has adopted that approach. All boats above a certain threshold (meeting certain criteria) on the Broads need to have this certificate otherwise they can be fined. We hold a central database and boats are checked by Rangers for compliance.

On review of the many comments received, the Authority will propose to the Inspector that the number allocated at Loddon Marina is reduced to 5 residential moorings. See Proposed Change 105.

3: Residential moorings tend to be provided with electric hook up to reduce the need to run engines whilst moored.

4: The residential moorings will be in place of private rented moorings.

No change to Local Plan.

### **Scales, S**

<b>Para</b>	<b>Page</b>	<b>Rep Number:</b>	<b>Legally/Procedurally compliant?</b>	<b>Sound?</b>	<b>Element of soundness:</b>
32.9	147	263	-	-	-

#### **Full response:**

I would like to register my strong objection to the proposal on the following grounds.

- 1, The existing marinas are kept in very poor good condition and I am sure that with the addition of residential moorings this would get worse.
  - 2, We have, as the Broads Authority is aware, had many problems over several seasons with people living on the staithe illegally. This is very disturbing to proper users who must put up with considerable anti-social behaviour.
  - 3, At least one of the illegal permanently lived on boats has had its owner arrested for stealing from genuine boat users.
  - 4, The standard of repair of the residential boats that have been on the staithe has been exceptionally poor, many are no more than floating sheds, this in turn is putting off visitors to the town and reducing tourism.
  - 5, The illegal residential boats are often the cause of anti-social behaviour with drinking and loud music.
- Overall the staithe is an ideal boating destination for tourists and genuine boaters. The anti-social behaviour, poorly maintained boats and threatening attitude from many of the residential boats is putting visitors off coming to the area. This will have a detrimental effect of local businesses.

#### **Summary of response:**

Concerned about the state and upkeep of the marinas and boatyards and potential for anti-social behaviour.

#### **Broads Authority response:**

Other areas of the Broads are allocated for residential moorings - Brundall and Beccles. Two other sites have been nominated through this consultation stage and are supported in principle by the Authority and these are located at Horning and Somerleyton.

It is important to note that recently, work was undertaken that looked into anti-social behaviour on the Broads and concluded that no one particular user type of the Broads is responsible for the majority of complaints or issues. The Head Ranger reviewed all the incidents (which we were aware of/reported to us) of antisocial behaviour relating to boats and the water. The outcome of this review was that antisocial behaviour levels are low. There is not one group that causes a particular problem on the Broads. The only area which showed a higher percentage of problems was the Norwich Yacht Station related to people returning from a night out (shouting/singing, kebabs thrown at boats, etc.) but this was still only 5 reports in total. We have no evidence to suggest the residential boaters cause a problem above other boat users. The police would be the main contact dealing with such instances, but the Broads Authority still record instances where known .

Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent (or purchase price) and this could give impetus to landowners to drive up standards.

Regarding the design and up keep of boats, that is not something that can be controlled by planning. Many boatyards have mooring agreements for those who use the moorings which specify what is acceptable and not acceptable at the site. The Authority can encourage or suggest such an agreement but cannot enforce

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this. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines in specific sections (allocations for residential moorings and criteria based policy (DM36)) is a proposed change to the Local Plan.

The boat safety scheme is a nationally accepted standard by which the safety of a boat can be measured and the Authority has adopted that approach. All boats above a certain threshold (meeting certain criteria) on the Broads need to have this certificate otherwise they can be fined. We hold a central database and boats are checked by Rangers for compliance.

On review of the many comments received, the Authority will propose to the Inspector that the number allocated at Loddon Marina is reduced to 5 residential moorings. See Proposed Change 105.

### Tomkinson, T

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.9	147	264	-	-	-

#### Full response:

Greenway's:

I understand that the proposal would be for about 50% of the moorings, currently at the yard, to be available for residential use. Are these proposals subject to Planning Permission and approval by the Broads and District Council Authorities, or just The Broads? Should they be accepted, then we should expect additional road vehicular transport to and from the boatyard, currently there is no metalled road. Access from the Norwich Rd, Chedgrave would have to be improved because the house next to the current drive creates a blind spot which is very dangerous. On the other side is a private road with a large tree obstructing any improvement in the visual splay. Secondly, I understand that there is no suitable washing or toilet facilities at the boatyard.

#### Summary of response:

- 1: Are these proposals subject to Planning Permission and approval by the Broads and District Council Authorities, or just The Broads?
- 2: Additional road vehicular transport to and from the boatyard, currently there is no metalled road and access improved. Concerns about visibility splay.
- 3: there is no suitable washing or toilet facilities at the boatyard.

#### Broads Authority response:

- 1: The Broads Authority only.
- 2: Noted and this is referenced in the policy.
- 3: Noted and this is referenced in the policy.

### Yallop, L

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.9	147	233	-	-	-

#### Full response:

I would generally support the application for residential moorings because I feel it is a sustainable and low impact way to live. There were some problems last year with anti-social behaviour from un-official live-aboards so obviously it would be a concern if the application was connected to those individuals.

#### Summary of response:

General support on residential moorings. Concern if users result in anti-social behaviour.

#### Broads Authority response:

Support noted.

Other areas of the Broads are allocated for residential moorings - Brundall and Beccles. Two other sites have been nominated through this consultation stage and are supported in principle by the Authority and these are located at Horning and Somerleyton.

It is important to note that recently, work was undertaken that looked into anti-social behaviour on the Broads and concluded that no one particular user type of the Broads is responsible for the majority of complaints or issues. The Head Ranger reviewed all the incidents (which we were aware of/reported to us) of antisocial behaviour relating to boats and the water. The outcome of this review was that antisocial behaviour levels are low. There is not one group that causes a particular problem on the Broads. The only

area which showed a higher percentage of problems was the Norwich Yacht Station related to people returning from a night out (shouting/singing, kebabs thrown at boats, etc.) but this was still only 5 reports in total. We have no evidence to suggest the residential boaters cause a problem above other boat users. The police would be the main contact dealing with such instances, but the Broads Authority still record instances where known .

Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent (or purchase price) and this could give impetus to landowners to drive up standards.

Regarding the design and up keep of boats, that is not something that can be controlled by planning. Many boatyards have mooring agreements for those who use the moorings which specify what is acceptable and not acceptable at the site. The Authority can encourage or suggest such an agreement but cannot enforce this. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines in specific sections (allocations for residential moorings and criteria based policy (DM36)) is a proposed change to the Local Plan.

The boat safety scheme is a nationally accepted standard by which the safety of a boat can be measured and the Authority has adopted that approach. All boats above a certain threshold (meeting certain criteria) on the Broads need to have this certificate otherwise they can be fined. We hold a central database and boats are checked by Rangers for compliance.

On review of the many comments received, the Authority will propose to the Inspector that the number allocated at Loddon Marina is reduced to 5 residential moorings. See Proposed Change 105.

## **78) PUBGTY1: Marina Quays (Port of Yarmouth Marina)**

**East Anglian Marine Leisure (via agent Boyer)**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.13	152	046	yes	no	J

### **Full response:**

Although we support the general intent of Policy PUBGTY1 it is our submission that the policy be amended in line with a focussed policy with more relevance to the issues and condition of the site and future viable and deliverable development. [A number of supporting documents also submitted].

### **Suggested change:**

The following wording is proposed for this policy:

‘Marina Quays (as shown on Inset Map 9) is identified as a regeneration area where redevelopment will ensure a continuation of water based facilities and provide holiday accommodation and small scale residential development.

Proposals for redevelopment shall be guided by a comprehensive Landscape Masterplan for the site and shall include:

- Retention of moorings (to include residential houseboats); and
- Mix of holiday and residential accommodation.

Development shall be phased to ensure the provision of moorings and holiday accommodation prior to the occupation of any permanent residential dwellings.’

This policy wording will help to ensure the area is regenerated in line with the abilities and scope of site owners to ensure a successful, sustainable and enjoyable place for both local people and visitors to the area. This specific wording for this policy will help to ensure the appropriate development will happen on this site as well as the knowledge that the development in the policy will be delivered to that exact detail.

The supporting documents that accompany these representations show that development is appropriate on this site and will not cause any adverse effects on highways, landscape, the structural soundness of the river wall and flood risk. These reports indicate that development can be supported on this site and that there will be no negative impacts on the surrounding area and safety. Design features such as stilted buildings will not increase the floorspace on the site and not cause any adverse effect on flood risk.

### **Summary of response:**

Proposes new wording to GTY1.

### **Broads Authority response:**



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Objection to policy and proposed amendments noted. The site is outside of a development boundary and there could be landscape impacts (settlement fringe and urban/rural transition) as well as flood risk issues. The impact on the amenity of existing residents is also a consideration. No amendments to Local Plan proposed although the Authority intends to meet the landowner and representatives and other interested parties as there is potential for a planning application to be submitted.

### East Anglian Marine Leisure (via agent Boyer)

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.13	152	047	yes	no	J

#### Full response:

We object to Inset Map 9 which covers the area of Marina Quays. Objection is raised to the northern boundary as well as the limited size of the policy area. We believe the policy area should extend northwards following the river until further into Bure Park and slightly further southwards along River Walk (see Appendix 1). This extension to the site area will ensure the regeneration of the whole site will be delivered in an efficient and timely manner. These amendments to the policy will be key to the delivery of this site and will ensure best use is made of the land. This site extension reflects the existing established use rights for moorings and as an operational marina.

#### Suggested change:

We believe the policy area should extend northwards following the river until further into Bure Park and slightly further southwards along River Walk (see Appendix 1). This reflects existing moorings to be provided for the use of visitors and residents and would contribute to the vibrancy and enjoyment of the Broads for all users. It is considered these modification will benefit the site and the surrounding area as well as supporting the local tourism economy which benefits the Authority as a whole.

#### Summary of response:

Area to which GTY1 applies should be larger.

#### Broads Authority response:

Objection to policy and proposed amendments noted. The site is outside of a development boundary and there could be landscape impacts (settlement fringe and urban/rural transition) as well as flood risk issues. The impact on the amenity of existing residents is also a consideration. No amendments to Local Plan proposed although the Authority intends to meet the landowner and representatives and other interested parties as there is potential for a planning application to be submitted.

### Historic England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.13	152	155	yes	yes	-

#### Full response:

The supporting text makes reference to the presence of the Halvergate Marshes Conservation Area and identifies two World War Two sites which may have archaeological potential. Whilst these inclusions are welcomed, the policy itself contains no mechanism to ensure that these heritage assets and their settings are considered. As above, we request that the policy requires any redevelopment to make explicit reference to the setting of the Halvergate Marshes Conservation Area across the river and to specify whether or not an application will be expected to be accompanied by an archaeological assessment.

#### Suggested change:

We request that the policy requires any redevelopment to make explicit reference to the setting of the Halvergate Marshes Conservation Area across the river and to specify whether or not an application will be expected to be accompanied by an archaeological assessment.

#### Summary of response:

We request that the policy requires any redevelopment to make explicit reference to the setting of the Halvergate Marshes Conservation Area across the river and to specify whether or not an application will be expected to be accompanied by an archaeological assessment.

#### Broads Authority response:

Agreed. Will propose to the Inspector to add reference to setting of the Conservation Area to paragraph 2 and propose to add a fourth paragraph to refer to the potential for an archaeological assessment. See Proposed Change 88.

## 79) PUBHOR1: Car Parking

### Historic England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.14	153	156	yes	yes	-

#### Full response:

We welcome the reference to the Horning Conservation Area and the policy requirement to improve the character and appearance of the conservation area. It is recommended that the wording is slightly amended to read character or appearance as this better reflects the statutory obligations of the Planning (Listed Building and Conservation Area) Act 1990.

#### Suggested change:

It is recommended that the wording is slightly amended to read character or appearance as this better reflects the statutory obligations of the Planning (Listed Building and Conservation Area) Act 1990.

#### Summary of response:

It is recommended that the wording is slightly amended to read character or appearance as this better reflects the statutory obligations of the Planning (Listed Building and Conservation Area) Act 1990.

#### Broads Authority response:

Agreed. Will propose to the Inspector to replace 'and' with 'or'. See Proposed Change 87.

## 80) PUBHOR6: Horning - Boatyards, etc. at Ferry Road and Ferry View Road

### Historic England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.14	157	157	yes	yes	-

#### Full response:

We welcome the policy require for development of this site to pay particular regard to the setting of the nearby Grade II\* Listed Hobbs Mill and Grade II Listed Horning Ferry Mill.

#### Summary of response:

Supports policy.

#### Broads Authority response:

Support noted.

## 81) PUBHOV1: Green infrastructure

### Wroxham Parish Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.15	159	087	yes	?	E

#### Full response:

The areas included as green infrastructure have been carried over from a previous policy. The Parish council asks that additional areas of the southern part of Bridge Broad and Broads Authority owned site in Bure Close be added. Map attached.

Bridge Broad: Wroxham Parish Council wish to see the solid fencing between the road and Bridge Broad removed and this area opened up more to the public. The Parish Council is in discussions with the new owner as to how this could be implemented to suit both their business needs and yet make this area an attractive community area.

Bure Close: The Parish Council would like to see this Broads Authority owned parcel of land developed and maintained as a quiet seating area to the southern side of the Bure. This would complement the green spaces on the opposite northern bank.

#### Suggested change:

Add in the areas stated above to green infrastructure area.

#### Summary of response:

The Parish council asks that additional areas of the further eastern stretch of Beech Road, Bridge Broad and Broads Authority owned site in Bure Close be added to create a joined-up approach to the Hoveton & Wroxham river frontage.

**Broads Authority response:**

The additional area put forward by the Parish Council is supported by the Authority and we will propose to the Inspector that it is a change to the Local Plan. See Proposed Change 100.

**82) PUBHOV3: Brownfield land off Station Road, Hoveton**

**Historic England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.15	160	158	yes	yes	-

**Full response:**

The supporting text for this policy makes reference to the nearby scheduled monument of Wroxham Bridge. However the policy itself does not mention it. It is recommended that the policy itself be amended to include a criterion which requires development to take account of the monuments' setting.

**Suggested change:**

It is recommended that the policy itself be amended to include a criterion which requires development to take account of the monuments' setting.

**Summary of response:**

It is recommended that the policy itself be amended to include a criterion which requires development to take account of the monuments' setting.

**Broads Authority response:**

Agreed. Will propose to the Inspector to add reference to setting of Wroxham Bridge. See Proposed Change 101.

**83) PUBHOV5: Hoveton Town Centre and areas adjacent to the Town Centre**

**North Norfolk District Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.15	164	265	-	-	-

**Full response:**

We consider that the proposed retail policies largely reflect that agreed approach where the boundaries meet in Hoveton.

**Summary of response:**

Support policy.

**Broads Authority response:**

Support noted.

**Wroxham Parish Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.15	164	088	yes	no	E

**Full response:**

Hoveton Town Centre and areas adjacent to the Town Centre. The Parish Council feels that the "areas adjacent to the town centre" area in Wroxham considers Wroxham only in the context of the boundary of the Broads Authority and perpetrates the dominance of Hoveton town centre. Point v says it will consider proposals that contribute to the "vitality and viability of the Town Centre" – that Town centre being Hoveton not Wroxham. Wroxham becomes a conduit for traffic into Hoveton and a provider of car parking.

**Suggested change:**

This section needs to be reviewed more thoroughly with local residents and appropriate bodies.

**Summary of response:**

1: The Parish Council feels that the "areas adjacent to the town centre" area in Wroxham considers Wroxham only in the context of the boundary of the Broads Authority and perpetrates the dominance of Hoveton town centre.

2: Point v says it will consider proposals that contribute to the "vitality and viability of the Town Centre" – that Town centre being Hoveton not Wroxham.

3: Wroxham becomes a conduit for traffic into Hoveton and a provider of car parking.

4: This section needs to be reviewed more thoroughly with local residents and appropriate bodies.

**Broads Authority response:**

- 1: These are areas remaining from the Sites Specifics Policy 2014 that are not covered by the Town Centre policy. It was felt that these areas are important and as they are on the periphery but not within the town centre, should have an element of the policy relating to them. No change to Local Plan.
- 2: Noted.
- 3: Noted.
- 4: The proposal has been subject to pre-submission consultation.

**84) PUBL0D1: Loddon Marina Residential Moorings**

**Barber, G**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.16	167	258	-	-	-

**Full response:**

Thank you for your letter re draft local plan. Living virtually opposite and nearby both proposed sites my wife and I find ourselves alarmed by your proposals. We have resided in Wherry Close for eleven years and we have experience of the boats likely to take advantage of your scheme and in particular we have experience of the owners of such craft.

The allocations suggested are capable of accommodating over time a considerable number of such boats (including floating hen houses and other unsightly constructions) and feel it is grossly unfair to saddle the Loddon and Chedgrave communities in this way particularly when applications for residential berths in other areas of the Broads have been rejected by your authority.

In the past we have experienced inappropriate behaviour caused by alcohol and substance abuse with townfolk and visitors feeling threatened and intimidated.

We appreciate the problem you face but we ask you please to seek a more equitable solution.

**Summary of response:**

Feel it is grossly unfair to saddle the Loddon and Chedgrave communities in this way particularly when applications for residential berths in other areas of the Broads have been rejected by your authority. In the past we have experienced inappropriate behaviour caused by alcohol and substance abuse with townfolk and visitors feeling threatened and intimidated.

**Broads Authority response:**

Other areas of the Broads are allocated for residential moorings - Brundall and Beccles. Two other sites have been nominated through this consultation stage and are supported in principle by the Authority and these are located at Horning and Somerleyton.

It is important to note that recently, work was undertaken that looked into anti-social behaviour on the Broads and concluded that no one particular user type of the Broads is responsible for the majority of complaints or issues. The Head Ranger reviewed all the incidents (which we were aware of/reported to us) of antisocial behaviour relating to boats and the water. The outcome of this review was that antisocial behaviour levels are low. There is not one group that causes a particular problem on the Broads. The only area which showed a higher percentage of problems was the Norwich Yacht Station related to people returning from a night out (shouting/singing, kebabs thrown at boats, etc.) but this was still only 5 reports in total. We have no evidence to suggest the residential boaters cause a problem above other boat users. The police would be the main contact dealing with such instances, but the Broads Authority still record instances where known .

Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent (or purchase price) and this could give impetus to landowners to drive up standards.

Regarding the design and up keep of boats, that is not something that can be controlled by planning. Many boatyards have mooring agreements for those who use the moorings which specify what is acceptable and not acceptable at the site. The Authority can encourage or suggest such an agreement but cannot enforce this. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines in specific sections (allocations for residential moorings and criteria based policy (DM36)) is a proposed change to the Local Plan.

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The boat safety scheme is a nationally accepted standard by which the safety of a boat can be measured and the Authority has adopted that approach. All boats above a certain threshold (meeting certain criteria) on the Broads need to have this certificate otherwise they can be fined. We hold a central database and boats are checked by Rangers for compliance.

On review of the many comments received, the Authority will propose to the Inspector that the number allocated at Loddon Marina is reduced to 5 residential moorings. See Proposed Change 105.

### Gowing, S

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.16	167	256	-	-	-

#### Full response:

As a resident adjacent to and opposite the proposed sites I would like to make the following comments and concerns re the draft plan:

There are already a few boats at Loddon Marina that are being used as permanent dwellings. During the summer we experienced a number of problems from the owners of these boats with holiday makers being harassed and intimidated by anti-social behaviour, mainly caused by alcohol and often loud music was played into the early hours! Not only was this a nuisance to our visitors but also to the local people living around the marina.

More pollution could be added into the river if no additional facilities are planned or are inadequate for laundry, toilets, showers, pump out etc.

Where would additional parking facilities be sited?

Would the residents pay council tax?

Will there be site rules issued re condition of boats, storage, pets, noise, washing lines, fires etc.?

#### Summary of response:

During the summer we experienced a number of problems from the owners of these boats with holiday makers being harassed and intimidated by anti-social behaviour, mainly caused by alcohol and often loud music was played into the early hours.

More pollution could be added into the river if no additional facilities are planned or are inadequate for laundry, toilets, showers, pump out etc.

Where would additional parking facilities be sited?

Would the residents pay council tax?

Will there be site rules issued re condition of boats, storage, pets, noise, washing lines, fires etc.?

#### Broads Authority response:

Other areas of the Broads are allocated for residential moorings - Brundall and Beccles. Two other sites have been nominated through this consultation stage and are supported in principle by the Authority and these are located at Horning and Somerleyton.

It is important to note that recently, work was undertaken that looked into anti-social behaviour on the Broads and concluded that no one particular user type of the Broads is responsible for the majority of complaints or issues. The Head Ranger reviewed all the incidents (which we were aware of/reported to us) of antisocial behaviour relating to boats and the water. The outcome of this review was that antisocial behaviour levels are low. There is not one group that causes a particular problem on the Broads. The only area which showed a higher percentage of problems was the Norwich Yacht Station related to people returning from a night out (shouting/singing, kebabs thrown at boats, etc.) but this was still only 5 reports in total. We have no evidence to suggest the residential boaters cause a problem above other boat users. The police would be the main contact dealing with such instances, but the Broads Authority still record instances where known.

Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent (or purchase price) and this could give impetus to landowners to drive up standards.

Regarding the design and up keep of boats, that is not something that can be controlled by planning. Many boatyards have mooring agreements for those who use the moorings which specify what is acceptable and not acceptable at the site. The Authority can encourage or suggest such an agreement but cannot enforce this. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these

lines in specific sections (allocations for residential moorings and criteria based policy (DM36)) is a proposed change to the Local Plan.

The boat safety scheme is a nationally accepted standard by which the safety of a boat can be measured and the Authority has adopted that approach. All boats above a certain threshold (meeting certain criteria) on the Broads need to have this certificate otherwise they can be fined. We hold a central database and boats are checked by Rangers for compliance.

On review of the many comments received, the Authority will propose to the Inspector that the number allocated at Loddon Marina is reduced to 5 residential moorings. See Proposed Change 105.

The requirements of pump out facilities is referenced in the policy.

**Harrison, H**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.16	167	268	-	-	-

**Full response:**

I would like to express my strong disapproval of the proposed residential moorings. We, in Wherry Close have first-hand experience of people living in boats at the proposed sights. There appear to be no restrictions or monitoring regarding the type of boat, noise levels or antisocial behaviour of people residing there. There has been intimidation and abuse to both visitors and residents. Making things more permanent and increasing the numbers can only make the situation worse. Is it envisaged that there will be facilities provided - showers, toilets, washing, waste disposal and rubbish collection? Will there be adequate road access, at present there is just a dirt track, and parking space?

**Suggested change:**

**Summary of response:**

- 1: objects on grounds of antisocial behaviour
- 2: Is it envisaged that there will be facilities provided - showers, toilets, washing, waste disposal and rubbish collection?
- 3: Will there be adequate road access, at present there is just a dirt track, and parking space?

**Broads Authority response:**

1: Other areas of the Broads are allocated for residential moorings - Brundall and Beccles. Two other sites have been nominated through this consultation stage and are supported in principle by the Authority and these are located at Horning and Somerleyton.

It is important to note that recently, work was undertaken that looked into anti-social behaviour on the Broads and concluded that no one particular user type of the Broads is responsible for the majority of complaints or issues. The Head Ranger reviewed all the incidents (which we were aware of/reported to us) of antisocial behaviour relating to boats and the water. The outcome of this review was that antisocial behaviour levels are low. There is not one group that causes a particular problem on the Broads. The only area which showed a higher percentage of problems was the Norwich Yacht Station related to people returning from a night out (shouting/singing, kebabs thrown at boats, etc.) but this was still only 5 reports in total. We have no evidence to suggest the residential boaters cause a problem above other boat users. The police would be the main contact dealing with such instances, but the Broads Authority still record instances where known .

Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent (or purchase price) and this could give impetus to landowners to drive up standards.

Regarding the design and up keep of boats, that is not something that can be controlled by planning. Many boatyards have mooring agreements for those who use the moorings which specify what is acceptable and not acceptable at the site. The Authority can encourage or suggest such an agreement but cannot enforce this. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines in specific sections (allocations for residential moorings and criteria based policy (DM36)) is a proposed change to the Local Plan.

The boat safety scheme is a nationally accepted standard by which the safety of a boat can be measured and the Authority has adopted that approach. All boats above a certain threshold (meeting certain criteria) on

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the Broads need to have this certificate otherwise they can be fined. We hold a central database and boats are checked by Rangers for compliance.

On review of the many comments received, the Authority will propose to the Inspector that the number allocated at Loddon Marina is reduced to 5 residential moorings. See Proposed Change 105.

2: The proposals would involve provision of such facilities at the established boatshed. There is already a shower and toilet block.

3: Highways Authority require some mitigation, but do not object.

### Hayes, G

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.16	167	272	-	-	-

#### Full response:

We are property owners at the entrance to both of the above sites and during the construction of our properties on the corner of the access track to Loddon Marina, and many months following we experienced considerable anti-social behaviour, vandalism and theft originating from the casual tenants at Loddon Marina. You can therefore understand our concern at your current proposal for residential moorings at the above sites as we see this as nothing more than a potential travellers site filled with low quality accommodation and attracting transient residents with limited social responsibility. In real terms you will be allowing a person to stay at a river mooring on a boat of potentially low value and of questionable condition with no control or regulation other than that of a landlord who has no serious financial risk. Unless these sites can be regulated and controlled in a proper manner you will be inflicting visual and social degradation to the Town of Loddon. We strongly object to these proposals.

#### Summary of response:

Objects on grounds of anti-social behaviour and crime. Unless these sites can be regulated and controlled in a proper manner you will be inflicting visual and social degradation to the Town of Loddon.

#### Broads Authority response:

Other areas of the Broads are allocated for residential moorings - Brundall and Beccles. Two other sites have been nominated through this consultation stage and are supported in principle by the Authority and these are located at Horning and Somerleyton.

It is important to note that recently, work was undertaken that looked into anti-social behaviour on the Broads and concluded that no one particular user type of the Broads is responsible for the majority of complaints or issues. The Head Ranger reviewed all the incidents (which we were aware of/reported to us) of antisocial behaviour relating to boats and the water. The outcome of this review was that antisocial behaviour levels are low. There is not one group that causes a particular problem on the Broads. The only area which showed a higher percentage of problems was the Norwich Yacht Station related to people returning from a night out (shouting/singing, kebabs thrown at boats, etc.) but this was still only 5 reports in total. We have no evidence to suggest the residential boaters cause a problem above other boat users. The police would be the main contact dealing with such instances, but the Broads Authority still record instances where known.

Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent (or purchase price) and this could give impetus to landowners to drive up standards.

Regarding the design and up keep of boats, that is not something that can be controlled by planning. Many boatyards have mooring agreements for those who use the moorings which specify what is acceptable and not acceptable at the site. The Authority can encourage or suggest such an agreement but cannot enforce this. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines in specific sections (allocations for residential moorings and criteria based policy (DM36)) is a proposed change to the Local Plan.

The boat safety scheme is a nationally accepted standard by which the safety of a boat can be measured and the Authority has adopted that approach. All boats above a certain threshold (meeting certain criteria) on the Broads need to have this certificate otherwise they can be fined. We hold a central database and boats are checked by Rangers for compliance.



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On review of the many comments received, the Authority will propose to the Inspector that the number allocated at Loddon Marina is reduced to 5 residential moorings. See Proposed Change 105.

### Loddon and District Business Association

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.16	167	061	yes	no	PP, J, E

#### Full response:

We are concerned about Policies PUBL0D1 and PUBCHE1 which propose to reduce the number of recreational moorings in boatyards by replacing these with residential moorings. It is interesting to note that the total of residential moorings proposed equates to a significant proportion of the total number of permanent moorings in Loddon and Chedgrave and of further interest is the fact that only a very limited number of boatyards on the Broads network have applied for this facility. Our experience of residential moorings which have illegally sprung up in the vicinity in the last few years is not a happy one. It has led to anti-social behaviour and has discouraged some in the boating fraternity to come to this location and use the boat hire facilities on offer. There is also a level of discouragement amongst those who visit Loddon/Chedgrave and stay on a short term mooring overnight.

It is noted from the document that several comments have been made concerning the displacement of occasional use boats and what will happen to these. To my knowledge, there is a high demand for moorings which far outweighs their availability. One has only to ask any boatyard to discover that there are long waiting lists for moorings. We might suggest from this fact that as the purpose of the Broads area is to provide recreational facilities, it should not be used as a provider of permanent floating housing sites. Our concern is about the likely effect of having these residential moorings in what are small communities on the local economy. On the one hand, one might say that additional people will add to the purchasing power of the locality. On the other hand, our existing experience of having liveaboards in the locality leads us to believe that this drives away visitors. There seems to be little control that the authorities can bring to bear on those who misuse the system. In answer to your question therefore, the LDBA would not support any residential moorings in Loddon/Chedgrave. You say that you need to provide 63 moorings around the system but it seems that Loddon/Chedgrave has been singled out for allocation. There is nothing in the draft to suggest how the balance is to be provided. As I understand from the draft, the precise need is anecdotal rather than precise although the figure seems to suggest some degree of accuracy.

#### Summary of response:

Do not support policies:

- 1: Proposal will reduce the number of recreational moorings in boatyards by replacing these with residential moorings.
- 2: the total of residential moorings proposed equates to a significant proportion of the total number of permanent moorings in Loddon and Chedgrave.
- 3: limited number of boatyards on the Broads network have applied for this facility. You say that you need to provide 63 moorings around the system but it seems that Loddon/Chedgrave has been singled out for allocation. There is nothing in the draft to suggest how the balance is to be provided.
- 4: Our experience of residential moorings which have illegally sprung up in the vicinity in the last few years is not a happy one. It has led to anti-social behaviour and has discouraged some in the boating fraternity to come to this location and use the boat hire facilities on offer. There is also a level of discouragement amongst those who visit Loddon/Chedgrave and stay on a short term mooring overnight.
- 5: there is a high demand for moorings which far outweighs their availability.
- 6: the purpose of the Broads area is to provide recreational facilities, it should not be used as a provider of permanent floating housing sites.
- 7: There seems to be little control that the authorities can bring to bear on those who misuse the system.
- 8: The precise need is anecdotal rather than precise although the figure seems to suggest some degree of accuracy.

#### Broads Authority response:

- 1: The residential moorings will be in place of private rented moorings.
- 2: At Loddon Marina the draft allocation allows for up to 10 out of around 50 moorings to be residential moorings. At Greenway Marine the draft allocation is for up to 5 out of around 20 moorings.

3: Loddon and Chedgrave have not been singled out and have only been draft allocated following submissions from the two site owners. Following two calls for sites, sites were put forward at Beccles, Loddon, Chedgrave (all supported) and Berney Arms and Beauchamps Arms (discounted due to rural isolation) and 10 were permitted on appeal at Waveney River Centre. There is an existing allocation, rolled forward to this Local Plan at Brundall Gardens. As part of this consultation, sites have been put forward for consideration at Somerleyton, St Olaves and Horning. Please see associated assessment of these sites. The allocated and permitted sites amount to 35 leaving 28 left to be found. The sites at Somerleyton, St Olaves and Horning could amount to around 25 more residential moorings leaving a balance of three to find. It could be that windfall schemes could come forward to meet the remaining need. The Authority is also contacting individual marinas and boatyards about their aspirations for residential moorings.

4: Other areas of the Broads are allocated for residential moorings - Brundall and Beccles. Two other sites have been nominated through this consultation stage and are supported in principle by the Authority and these are located at Horning and Somerleyton.

It is important to note that recently, work was undertaken that looked into anti-social behaviour on the Broads and concluded that no one particular user type of the Broads is responsible for the majority of complaints or issues. The Head Ranger reviewed all the incidents (which we were aware of/reported to us) of antisocial behaviour relating to boats and the water. The outcome of this review was that antisocial behaviour levels are low. There is not one group that causes a particular problem on the Broads. The only area which showed a higher percentage of problems was the Norwich Yacht Station related to people returning from a night out (shouting/singing, kebabs thrown at boats, etc.) but this was still only 5 reports in total. We have no evidence to suggest the residential boaters cause a problem above other boat users. The police would be the main contact dealing with such instances, but the Broads Authority still record instances where known .

Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent (or purchase price) and this could give impetus to landowners to drive up standards.

Regarding the design and up keep of boats, that is not something that can be controlled by planning. Many boatyards have mooring agreements for those who use the moorings which specify what is acceptable and not acceptable at the site. The Authority can encourage or suggest such an agreement but cannot enforce this. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines in specific sections (allocations for residential moorings and criteria based policy (DM36)) is a proposed change to the Local Plan.

The boat safety scheme is a nationally accepted standard by which the safety of a boat can be measured and the Authority has adopted that approach. All boats above a certain threshold (meeting certain criteria) on the Broads need to have this certificate otherwise they can be fined. We hold a central database and boats are checked by Rangers for compliance.

On review of the many comments received, the Authority will propose to the Inspector that the number allocated at Loddon Marina is reduced to 5 residential moorings. See Proposed Change 105.

5: Noted. The policy against which residential moorings applications are assessed states that short stay/visitor moorings should not be replaced by residential moorings. The moorings to be replaced are private moorings. The Authority is working hard to maintain its moorings and as well as seeking opportunities to increase mooring provision in accordance with the principles of the Mooring Strategy and Integrated Access Strategy.

6: Please note that we are not proposing floating buildings at this site, rather boats can be lived on at these sites. Floating buildings are a totally different proposal and not addressed in this Local Plan. The Authority is required, by the Housing and Planning Act 2016, to address and meet the need of houseboats (those living on boats). The Authority would not meet the requirements of law if it did not assess and seek to provide for that need.

7: Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent or purchase price and this could give impetus to landowners to drive up standards.

8: Agreed. It is based on anecdotal evidence as there is no formal way to monitor those living on boats. This is something the Authority is looking into for the future. Given this context, the consultants have used their

## Broads Local Plan – Pre-Submission Consultation – responses - sorted by policy – February 2018

experience to come up with what they consider a robust and reasonable methodology. The study is probably the first of its type in the country. The Authority is content with the study and its findings. It is not aware of any other evidence out there regarding the need for those living on boats.

### Scales, I

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.16	167	270	-	-	-

#### Full response:

I would like to reject the proposal on the following grounds.

1. The existing marinas are kept in squalid conditions and I cannot imagine the residential permission will improve it. At least one of the illegal permanently lived on boats has had its owner arrested for stealing from genuine boat users.
2. Loddon/Chedgrave is an ideal boating destination for tourists, which provide an extra income for the local shops. The anti-social behaviour, poorly maintained boats and threatening attitude from many of the residential boats is putting visitors off coming to the area. This will have a detrimental effect of local businesses.
3. Additionally Residential Moorings come with more air pollution from boats burning non-smokeless type materials. Air pollution from antiquated diesel generators. noise pollution from antiquated diesel generators. Additional issue of domestic waste and ecological impact to river and surrounded bio system.
4. Permanent moorings will also remove space for people who stay casual period of time.

#### Summary of response:

Objects:

- 1: The existing marinas are kept in squalid conditions.
- 2: Anti-social behaviour and poorly maintained boats and negative impact on tourism
- 3: Air pollution
- 4: Removes mooring space for casual moorers

#### Broads Authority response:

1 and 2: Other areas of the Broads are allocated for residential moorings - Brundall and Beccles. Two other sites have been nominated through this consultation stage and are supported in principle by the Authority and these are located at Horning and Somerleyton.

It is important to note that recently, work was undertaken that looked into anti-social behaviour on the Broads and concluded that no one particular user type of the Broads is responsible for the majority of complaints or issues. The Head Ranger reviewed all the incidents (which we were aware of/reported to us) of antisocial behaviour relating to boats and the water. The outcome of this review was that antisocial behaviour levels are low. There is not one group that causes a particular problem on the Broads. The only area which showed a higher percentage of problems was the Norwich Yacht Station related to people returning from a night out (shouting/singing, kebabs thrown at boats, etc.) but this was still only 5 reports in total. We have no evidence to suggest the residential boaters cause a problem above other boat users. The police would be the main contact dealing with such instances, but the Broads Authority still record instances where known.

Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent (or purchase price) and this could give impetus to landowners to drive up standards.

Regarding the design and up keep of boats, that is not something that can be controlled by planning. Many boatyards have mooring agreements for those who use the moorings which specify what is acceptable and not acceptable at the site. The Authority can encourage or suggest such an agreement but cannot enforce this. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines in specific sections (allocations for residential moorings and criteria based policy (DM36)) is a proposed change to the Local Plan.

The boat safety scheme is a nationally accepted standard by which the safety of a boat can be measured and the Authority has adopted that approach. All boats above a certain threshold (meeting certain criteria) on the Broads need to have this certificate otherwise they can be fined. We hold a central database and boats are checked by Rangers for compliance.

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On review of the many comments received, the Authority will propose to the Inspector that the number allocated at Loddon Marina is reduced to 5 residential moorings. See Proposed Change 105.

3: Residential moorings tend to be provided with electric hook up to reduce the need to run engines whilst moored.

4: The residential moorings will be in place of private rented moorings.

No change to Local Plan.

### Scales, S

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.16	167	262	-	-	-

#### Full response:

I would like to register my strong objection to the proposal on the following grounds.

- 1, The existing marinas are kept in very poor good condition and I am sure that with the addition of residential moorings this would get worse.
  - 2, We have, as the Broads Authority is aware, had many problems over several seasons with people living on the staithe illegally. This is very disturbing to proper users who must put up with considerable anti-social behaviour.
  - 3, At least one of the illegal permanently lived on boats has had its owner arrested for stealing from genuine boat users.
  - 4, The standard of repair of the residential boats that have been on the staithe has been exceptionally poor, many are no more than floating sheds, this in turn is putting off visitors to the town and reducing tourism.
  - 5, The illegal residential boats are often the cause of anti-social behaviour with drinking and loud music.
- Overall the staithe is an ideal boating destination for tourists and genuine boaters. The anti-social behaviour, poorly maintained boats and threatening attitude from many of the residential boats is putting visitors off coming to the area. This will have a detrimental effect of local businesses.

#### Summary of response:

Concerned about the state and upkeep of the marinas and boatyards and potential for anti-social behaviour.

#### Broads Authority response:

Other areas of the Broads are allocated for residential moorings - Brundall and Beccles. Two other sites have been nominated through this consultation stage and are supported in principle by the Authority and these are located at Horning and Somerleyton.

It is important to note that recently, work was undertaken that looked into anti-social behaviour on the Broads and concluded that no one particular user type of the Broads is responsible for the majority of complaints or issues. The Head Ranger reviewed all the incidents (which we were aware of/reported to us) of antisocial behaviour relating to boats and the water. The outcome of this review was that antisocial behaviour levels are low. There is not one group that causes a particular problem on the Broads. The only area which showed a higher percentage of problems was the Norwich Yacht Station related to people returning from a night out (shouting/singing, kebabs thrown at boats, etc.) but this was still only 5 reports in total. We have no evidence to suggest the residential boaters cause a problem above other boat users. The police would be the main contact dealing with such instances, but the Broads Authority still record instances where known .

Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent (or purchase price) and this could give impetus to landowners to drive up standards.

Regarding the design and up keep of boats, that is not something that can be controlled by planning. Many boatyards have mooring agreements for those who use the moorings which specify what is acceptable and not acceptable at the site. The Authority can encourage or suggest such an agreement but cannot enforce this. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines in specific sections (allocations for residential moorings and criteria based policy (DM36)) is a proposed change to the Local Plan.

The boat safety scheme is a nationally accepted standard by which the safety of a boat can be measured and the Authority has adopted that approach. All boats above a certain threshold (meeting certain criteria) on

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the Broads need to have this certificate otherwise they can be fined. We hold a central database and boats are checked by Rangers for compliance.

On review of the many comments received, the Authority will propose to the Inspector that the number allocated at Loddon Marina is reduced to 5 residential moorings. See Proposed Change 105.

### Tomkinson, T

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.16	167	235	-	-	-

#### Full response:

Thank you for sending out details of your proposals, however, there has been a recent change at Loddon Marina with the addition of an extra pontoon which you do not show. On this pontoon there is a boat which is regularly being used as a residential home. In general we do not have objections, provided the Dark Sky is enforced and there are restrictions regarding noise levels. The moorings at Loddon have been the subject of residential moorings which have been abused in the past, with noise and anti-social behaviour etc. coming from the boats.

Regarding the Loddon Marina, it may be possible to get 10 or more residential moorings; during the last year we have experienced the results of residential moorings, all-be-it unofficial ones; with one resident now being held at Her Majesty's pleasure. We should expect an increase in substance misuse, noise and other similar problems to the ones which resulted in moving boats from the Norwich moorings. There is no road access to the marina, currently vehicular traffic must enter the site from Bridge Street, Loddon via a field/caravan site. The pontoons at the Marina are quite unsuitable and dangerous for regular use (or any use). Washing and toilet facilities would have to be built. It is quite possible if not probable, that the current problems regarding residential moorings on the Yare in Trowse and Norwich would be transferred to Loddon.

#### Summary of response:

- 1: Reports additional pontoon to that shown on map.
- 2: Raised concerns relating to anti-social behaviour, access and quality of moorings.

#### Broads Authority response:

- 1: Noted and information passed on to our Monitoring and Compliance team.
- 2: Other areas of the Broads are allocated for residential moorings - Brundall and Beccles. Two other sites have been nominated through this consultation stage and are supported in principle by the Authority and these are located at Horning and Somerleyton.

It is important to note that recently, work was undertaken that looked into anti-social behaviour on the Broads and concluded that no one particular user type of the Broads is responsible for the majority of complaints or issues. The Head Ranger reviewed all the incidents (which we were aware of/reported to us) of antisocial behaviour relating to boats and the water. The outcome of this review was that antisocial behaviour levels are low. There is not one group that causes a particular problem on the Broads. The only area which showed a higher percentage of problems was the Norwich Yacht Station related to people returning from a night out (shouting/singing, kebabs thrown at boats, etc.) but this was still only 5 reports in total. We have no evidence to suggest the residential boaters cause a problem above other boat users. The police would be the main contact dealing with such instances, but the Broads Authority still record instances where known.

Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent (or purchase price) and this could give impetus to landowners to drive up standards.

Regarding the design and up keep of boats, that is not something that can be controlled by planning. Many boatyards have mooring agreements for those who use the moorings which specify what is acceptable and not acceptable at the site. The Authority can encourage or suggest such an agreement but cannot enforce this. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines in specific sections (allocations for residential moorings and criteria based policy (DM36)) is a proposed change to the Local Plan.

The boat safety scheme is a nationally accepted standard by which the safety of a boat can be measured and the Authority has adopted that approach. All boats above a certain threshold (meeting certain criteria) on

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the Broads need to have this certificate otherwise they can be fined. We hold a central database and boats are checked by Rangers for compliance.

On review of the many comments received, the Authority will propose to the Inspector that the number allocated at Loddon Marina is reduced to 5 residential moorings. See Proposed Change 105.

There is a utilities building already there with toilets and showers. The policy refers to the potential need to improve the quality of the quay heading, and highlight specific access considerations.

### Fiddy, I

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.16	167	254	-	-	-

#### Full response:

With regard to the above I live practically opposite and beside the proposed residential moorings and unfortunately, I am concerned, as in the past there has been problems especially with unsocial behaviour and the police being involved on several occasions. I'm sure this would not be a problem with everyone but it only takes one bad apple to spoil life for all.

#### Summary of response:

Concern about anti-social behaviour of future occupiers.

#### Broads Authority response:

Other areas of the Broads are allocated for residential moorings - Brundall and Beccles. Two other sites have been nominated through this consultation stage and are supported in principle by the Authority and these are located at Horning and Somerleyton.

It is important to note that recently, work was undertaken that looked into anti-social behaviour on the Broads and concluded that no one particular user type of the Broads is responsible for the majority of complaints or issues. The Head Ranger reviewed all the incidents (which we were aware of/reported to us) of antisocial behaviour relating to boats and the water. The outcome of this review was that antisocial behaviour levels are low. There is not one group that causes a particular problem on the Broads. The only area which showed a higher percentage of problems was the Norwich Yacht Station related to people returning from a night out (shouting/singing, kebabs thrown at boats, etc.) but this was still only 5 reports in total. We have no evidence to suggest the residential boaters cause a problem above other boat users. The police would be the main contact dealing with such instances, but the Broads Authority still record instances where known .

Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent (or purchase price) and this could give impetus to landowners to drive up standards.

Regarding the design and up keep of boats, that is not something that can be controlled by planning. Many boatyards have mooring agreements for those who use the moorings which specify what is acceptable and not acceptable at the site. The Authority can encourage or suggest such an agreement but cannot enforce this. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines in specific sections (allocations for residential moorings and criteria based policy (DM36)) is a proposed change to the Local Plan.

The boat safety scheme is a nationally accepted standard by which the safety of a boat can be measured and the Authority has adopted that approach. All boats above a certain threshold (meeting certain criteria) on the Broads need to have this certificate otherwise they can be fined. We hold a central database and boats are checked by Rangers for compliance.

On review of the many comments received, the Authority will propose to the Inspector that the number allocated at Loddon Marina is reduced to 5 residential moorings. See Proposed Change 105.

### Loddon Quay Ltd

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.16	167	252	-	-	-

#### Full response:

As residents of Loddon Quay, adjacent to and opposite the proposed sites we feel we must strongly object to the draft plan.

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As some boats at Loddon Marina are already being used as permanent dwellings we have some experience of the problems this is causing local residents. the town and the Broads Authority. An increase in the number of residential boats can only increase the problem.

Some of these boats are unsightly eg. rough wooden sheds built on top of boats and extra paraphernalia on the quay headings.

More pollution of the river must also be of concern.

There have been many occasions when there has been excessive anti-social behaviour with alcohol, possible substance abuse and loud noise. Visitors have been intimidated and even threatened. Consequently the town of Loddon is suffering from a bad reputation.

We wondered if the residential moorings would be subject to Council Tax by the owner or the user? Are the current owners up to date with their obligations?

We were also concerned about extra traffic coming out from the boatyards on to Bridge road which is already difficult. Is their proposed to be parking provision for all the extra possibly 30+ vehicles?

### Summary of response:

Concerned about extra traffic, unsightly nature of boats, water pollution and anti-social behaviour.

### Broads Authority response:

Other areas of the Broads are allocated for residential moorings - Brundall and Beccles. Two other sites have been nominated through this consultation stage and are supported in principle by the Authority and these are located at Horning and Somerleyton.

It is important to note that recently, work was undertaken that looked into anti-social behaviour on the Broads and concluded that no one particular user type of the Broads is responsible for the majority of complaints or issues. The Head Ranger reviewed all the incidents (which we were aware of/reported to us) of antisocial behaviour relating to boats and the water. The outcome of this review was that antisocial behaviour levels are low. There is not one group that causes a particular problem on the Broads. The only area which showed a higher percentage of problems was the Norwich Yacht Station related to people returning from a night out (shouting/singing, kebabs thrown at boats, etc.) but this was still only 5 reports in total. We have no evidence to suggest the residential boaters cause a problem above other boat users. The police would be the main contact dealing with such instances, but the Broads Authority still record instances where known .

Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent (or purchase price) and this could give impetus to landowners to drive up standards.

Regarding the design and up keep of boats, that is not something that can be controlled by planning. Many boatyards have mooring agreements for those who use the moorings which specify what is acceptable and not acceptable at the site. The Authority can encourage or suggest such an agreement but cannot enforce this. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines in specific sections (allocations for residential moorings and criteria based policy (DM36)) is a proposed change to the Local Plan.

The boat safety scheme is a nationally accepted standard by which the safety of a boat can be measured and the Authority has adopted that approach. All boats above a certain threshold (meeting certain criteria) on the Broads need to have this certificate otherwise they can be fined. We hold a central database and boats are checked by Rangers for compliance.

On review of the many comments received, the Authority will propose to the Inspector that the number allocated at Loddon Marina is reduced to 5 residential moorings. See Proposed Change 105.

Pumpout facilities is referenced in the policy and so too are potential highway impacts.

### Pacific Cruisers (Loddon) Ltd

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.16	167	237	-	-	-

### Full response:

The policy regarding additional residential moorings is and should be a huge concern for the areas involved. Residents will not be aware of these proposed additions and it will certainly have a big impact on local communities whereby permission is given for residential moorings located in a village. Parish Council should

have had the opportunity to alert their residents to this policy. There has not been enough time for this proposed policy to be reviewed since designated locations were only just added to this document and were not mentioned in draft consultation.

Obviously, there is great concern regarding residential moorings sadly due to the fact that “liveaboards” often do not keep a tidy ship and it has recently been found that there has been an increase in crime and drugs when “liveaboards” are present. It seems that local authorities are providing boat accommodation for otherwise unfit skippers as this is a cheaper option than housing. Therefore, it is imperative that conditions are added to each individual person & their boat as well as the management offering the residential mooring. If the Broads Authority are recommending these sights, they must be responsible for managing the visual impact and; the suitability of the person using the residential mooring.

**Summary of response:**

- 1: Neighbours not had the chance to comment.
- 2: These allocations were not in the Preferred Options.
- 3: Some anti-social behaviour experienced in the past from some boat dwellers. Boats are not kept tidy.
- 4: It seems that local authorities are providing boat accommodation for otherwise unfit skippers as this is a cheaper option than housing.
- 5: Therefore, it is imperative that conditions are added to each individual person & their boat as well as the management offering the residential mooring. If the Broads Authority are recommending these sights, they must be responsible for managing the visual impact & the suitability of the person using the residential mooring.

**Broads Authority response:**

- 1: Neighbours of the draft allocations for residential moorings have been written to and their thoughts requested.
- 2: These extra sites were not part of the Preferred Options as they only came forward for consideration through the Preferred Options consultation.
- 3: Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings, this could give impetus to landowners to drive up standards.
- 4: The LPA has an identified need for 63 residential moorings and must seek to provide these, however it does not have any influence over who occupies any permitted moorings.
- 5: The identity of occupiers, their behaviour and standards of maintenance are not a planning consideration. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines to the allocations for residential moorings as well as the criteria based policy (DM36) is a proposed change to the Local Plan.

**Yallop, L**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.16	167	232	-	-	-

**Full response:**

I would generally support the application for residential moorings because I feel it is a sustainable and low impact way to live. There were some problems last year with anti-social behaviour from un-official live-aboards so obviously it would be a concern if the application was connected to those individuals.

**Summary of response:**

General support on residential moorings. Concern if users result in anti-social behaviour.

**Broads Authority response:**

Support noted.

Other areas of the Broads are allocated for residential moorings - Brundall and Beccles. Two other sites have been nominated through this consultation stage and are supported in principle by the Authority and these are located at Horning and Somerleyton.

It is important to note that recently, work was undertaken that looked into anti-social behaviour on the Broads and concluded that no one particular user type of the Broads is responsible for the majority of complaints or issues. The Head Ranger reviewed all the incidents (which we were aware of/reported to us) of antisocial behaviour relating to boats and the water. The outcome of this review was that antisocial



behaviour levels are low. There is not one group that causes a particular problem on the Broads. The only area which showed a higher percentage of problems was the Norwich Yacht Station related to people returning from a night out (shouting/singing, kebabs thrown at boats, etc.) but this was still only 5 reports in total. We have no evidence to suggest the residential boaters cause a problem above other boat users. The police would be the main contact dealing with such instances, but the Broads Authority still record instances where known .

Behaviour and standards of maintenance are not a planning consideration, but neither are these issues unique to residential moorings. Given the demand for such moorings they could attract a premium in terms of rent (or purchase price) and this could give impetus to landowners to drive up standards.

Regarding the design and up keep of boats, that is not something that can be controlled by planning. Many boatyards have mooring agreements for those who use the moorings which specify what is acceptable and not acceptable at the site. The Authority can encourage or suggest such an agreement but cannot enforce this. The Authority can however limit, by use of planning conditions, the size and scale of boats and the number of boats acceptable at moorings (whether residential or not) and the addition of text along these lines in specific sections (allocations for residential moorings and criteria based policy (DM36)) is a proposed change to the Local Plan.

The boat safety scheme is a nationally accepted standard by which the safety of a boat can be measured and the Authority has adopted that approach. All boats above a certain threshold (meeting certain criteria) on the Broads need to have this certificate otherwise they can be fined. We hold a central database and boats are checked by Rangers for compliance.

On review of the many comments received, the Authority will propose to the Inspector that the number allocated at Loddon Marina is reduced to 5 residential moorings. See Proposed Change 105.

## **85) PUBNOR1: Utilities Site**

**Grahame, L (Thorpe Hamlet Councillor)**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.17	169	109	-	-	-

### **Full response:**

Housing on Utilities site - I question the wisdom of building on flood plain unless very high standards of flood resilience and sustainability can be provided . This is an excellent site for renewable energy such as solar, water/ground source heat and any or all of these uses would need to be combined sensitively with existing and possibly improving biodiversity

### **Summary of response:**

Queries wisdom of building on flood plains. Considers this site suitable for renewable energy.

### **Broads Authority response:**

The Strategic Flood Risk Assessment (2017) shows that small parts of this site are in flood zones zone 2, 3a and modelled 3b. When EA climate change allowance of 65% added, most of the site is affected. Therefore the site seems suitable for development in flood risk terms with suitable mitigation (likely through layout and design). The application will require a site specific flood risk assessment to accompany it. Turning to biodiversity, Policy DM12 will be of relevance, in particular as the site is brownfield land and we raise the importance of biodiversity on brownfield land through this Local Plan. No change to Local Plan.

### **Historic England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.17	169	159	yes	yes	-

### **Full response:**

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. The supporting text of the policy also identifies the site as having archaeological potential and therefore there may be un-designated heritage assets within the site. The presence of these heritage assets is not reflected within the policy and it is recommended that point b) refers to the historic environment and setting of heritage assets as well as natural assets.

### **Suggested change:**

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1: Add to constraints and features: 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.

2: Recommended that point b) refers to the historic environment and setting of heritage assets as well as natural assets

### Summary of response:

1: Add to constraints and features: 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.

2: Recommended that point b) refers to the historic environment and setting of heritage assets as well as natural assets

### Broads Authority response:

1: Will propose to the Inspector to add this text to the constraints and features section. See Proposed Change 107.

2: Will propose to the Inspector to make this change to the policy. See Proposed Change 106.

### Natural England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.17	169	055	yes	yes	-

### Full response:

In respect to Natural England's interests, we consider the Local Plan to meet the legal and procedural requirements and to be sound, and in particular the following specific policies and supporting documents: Policies: PUBSP4: Soils; PUBDM9: Peat Soils; PUBDM12: Natural Environment; PUBSSA47: Changes to the Acle Straight (A47T); PUBSP15: Residential development; PUBNOR1: Utilities Site; PUBOUL2: Oulton Broad - Former Pegasus/Hamptons Site; and PUBTHU1: Tourism development at Hedera House, Thurne; Habitats Regulations Assessment; Sustainability Appraisal.

### Summary of response:

Consider the Local Plan to meet the legal and procedural requirements and to be sound

### Broads Authority response:

Support noted.

## 86) PUBOUL1: Boathouse Lane Leisure Plots

### Suffolk County Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.19	172	098	-	-	-

### Full response:

Minerals and Waste:

The plan has noted that Suffolk County Council is the Minerals and Waste planning authority for Suffolk and acknowledged the Minerals Core Strategy and Waste Core Strategy. For consistency, the constraints, and features section beneath policy PUBOUL1 should acknowledge that the 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.

### Suggested change:

The constraints, and features section beneath policy PUBOUL1 should acknowledge that the 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.

### Summary of response:

The constraints, and features section beneath policy PUBOUL1 should acknowledge that the 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.

**Broads Authority response:**

Agreed. Will propose to the Inspector to make this reference. See Proposed Change 109.

**87) PUBOUL2: Oulton Broad - Former Pegasus/Hamptons Site**

**Historic England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.19	173	160	yes	yes	-

**Full response:**

This site is located within the Oulton Broad Conservation Area. We welcome the inclusion of point vii) which requires development of this site consider its location within the conservation area. It would be stronger if this point required development to preserve or enhance the character or appearance of the Oulton Broad Conservation Area. We welcome the need to provide an archaeological assessment in light of the archaeological potential of the site.

**Suggested change:**

Change vii) to 'preserve or enhance the character or appearance of the Oulton Broad Conservation Area'

**Summary of response:**

Change vii) to 'preserve or enhance the character or appearance of the Oulton Broad Conservation Area'

**Broads Authority response:**

Agreed. Will propose to the Inspector that this change is made. See Proposed Change 112.

**Natural England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.19	173	056	yes	yes	-

**Full response:**

In respect to Natural England's interests, we consider the Local Plan to meet the legal and procedural requirements and to be sound, and in particular the following specific policies and supporting documents: Policies: PUBSP4: Soils; PUBDM9: Peat Soils; PUBDM12: Natural Environment; PUBSSA47: Changes to the Acle Straight (A47T); PUBSP15: Residential development; PUBNOR1: Utilities Site; PUBOUL2: Oulton Broad - Former Pegasus/Hamptons Site; and PUBTHU1: Tourism development at Hedera House, Thurne; Habitats Regulations Assessment; Sustainability Appraisal.

**Summary of response:**

Consider the Local Plan to meet the legal and procedural requirements and to be sound

**Broads Authority response:**

Support noted.

**88) PUBOUL3: Oulton Broad District Shopping Centre**

**Waveney District Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.19	174	019	yes	yes	-

**Full response:**

The Policy as drafted is identical to the draft policy for Oulton Broad District Centre in the Waveney First Draft Local Plan. The Council supports this proposed consistent policy approach to the District Centre in Oulton Broad. However, it should be noted that Waveney District Council may need to make changes to the policy in its Publication version of the Local Plan to take into account comments raised during the consultation on the First Draft. The Council will endeavour to keep the Broad's Authority up to date with any proposed changes, and would encourage the Broad's Authority to support minor modifications to this policy post publication to ensure continued consistency.

**Suggested change:**

it should be noted that Waveney District Council may need to make changes to the policy in its Publication version of the Local Plan to take into account comments raised during the consultation on the First Draft. The Council will endeavour to keep the Broad's Authority up to date with any proposed changes, and would encourage the Broad's Authority to support minor modifications to this policy post publication to ensure continued consistency.

**Summary of response:**

Changes proposed are: 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.

**Broads Authority response:**

Agree. Will propose to the Inspector that this be added to the policy as the first paragraph. See Proposed Change 111.

**89) PUBPOT1: Bridge Area**

**Historic England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.20	176	161	yes	yes	-

**Full response:**

We welcome the policy criterion which requires new development to have regard to Potter Heigham Bridge, a scheduled monument and Grade II \* listed building, and its setting.

**Suggested change:**

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**90) PUBTSA1: Cary's Meadow**

**Thorpe St Andrew Town Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.24	182	240	-	-	-

**Full response:**

Support.

**Summary of response:**

Support policy.

**Broads Authority response:**

Support noted.

**91) PUBTSA2: Thorpe Island**

**Broadland District Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.24	183	003		No	PP, J, E, CP

**Full response:**

Part (c) Western end of Thorpe Island (including the basin) of the policy is objected to.

It is not “Positively prepared” – the development and infrastructure requirements for this have not been objectively assessed, nor do they achieve sustainable development; it is not “Justified” – there is no robust and credible evidence base to support the policy; it is not “Effective” – there is no indication as to how the proposal is deliverable, particularly in terms of the infrastructure provision, nor is it actually clear what will be allowed under the policy. In terms of the National Planning Policy Framework, paragraph 14 of the NPPF suggests that there is a presumption in favour of sustainable development, and that local plans should meet objectively assessed needs and that for decision taking development proposals that accord with the development plan should be approved. However, unless it is clear what is actually being proposed it cannot be known whether or not these tests are met. Further, paragraph 16 explains that “all plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally” (my underlining). The policy as currently worded does not meet this.

Firstly, the first paragraph states: “This part of the island will be used for low key uses”. What is meant by this? Does this mean that “low key” residential uses will be permitted, or other types of development,

subject to meeting the other stated criteria of removing the existing structures and making visual and biodiversity improvements? It gives no guide as to the type of development that will be allowed, other than an undefined “low key use”.

Secondly, the second paragraph refers to the provision of 25 private moorings within the basin “subject to the satisfactory provision of well-designed on-site car parking, refuse storage and disposal, sewage disposal and upgrades to the bridge”. There has been no assessment of how this scale of development will be achieved, or what the impacts will be from it.

In particular the current bridge is narrow and private access only, and served through a quiet residential area. It is not appropriate for this to be upgraded to accommodate the vehicular access delivery, construction and waste disposal vehicles for the moorings and other undefined “low key uses” allowed under the policy. Although the supporting text for the policy (under reasoned justification) acknowledges the shortcomings of the bridge access, that the access is “not a suitable route for significant traffic or heavy vehicles”, and parking problems in the area, no assessment has been made of the impacts of the policy, for example in terms of traffic flows, noise, pollution, parking in the nearby area etc.; nor from the actual upgrading of the bridge, which presumably will entail a larger structure with visual impacts.

Thirdly, the second paragraph states that “moorings shall be laid out in an informal configuration to avoid regimentation in appearance”, but the following paragraph states that “moorings will only be allowed within the basin and not along the river frontage”. It is difficult to see how the number of moorings in such a confined space can be anything but regimented in order to operate effectively and safely.

Fourthly, the last paragraph states “no other development shall be permitted on the western end of the island”. Presumably this means in addition to the moorings and “low key uses” referred to in the earlier part of the policy; but it is a bit meaningless if it is not clear what is actually allowed on the island under the term of “low key uses”.

In conclusion, it is clear that this element of the policy is seriously deficient and fails the tests of soundness. It should be deleted or replaced with a policy that has been properly thought out and assessed.

**Suggested change:**

It should be deleted or replaced with a policy that has been properly thought out and assessed.

If deleted this will remove the soundness issue. Similarly, a properly prepared policy should meet the soundness tests.

**Summary of response:**

- 1: Low key needs to be defined.
- 2: Where will parking go on the site?
- 3: What is the solution for waste storage and collection?
- 4: What is the impact of cars associated with the 25 moorings?
- 5: What does not regimented mean?

**Broads Authority response:**

1: Taking on board the thrust of the comment, the start of the part of the policy relating to the western end of the island is proposed to be changed to say 'This part of the island will be retained as open in nature with no built development and used for informal recreational purposes only'.

2 and 3: This originated from the most recent Inspector's Report and is now referred to as a footnote to the policy and also in the supporting text. This change will be proposed to the Inspector. Text is also included that refers to how this part of the island seems to be able to accommodate appropriately screened and surfaced car parking and appropriately screen waste disposal provision near to the moorings and bridge to the west of the basin, subject to detailed proposals as part of an application. This is because there seems to be space on the island to accommodate such uses.

4: Norfolk County Council referred to their response to a withdrawn planning application for a similar quantum of moorings. Generally, subject to the provision of car parking on site (see above), they did not object and their response can be found here: [http://planning.broads-authority.gov.uk/PublicAccessDocs/planningDocs.aspx?doc=/sites/planning/2016/Documents/Development%20Control/BA20160337FUL/Response\\_BA-2016-0337-FUL%2027-1016.pdf](http://planning.broads-authority.gov.uk/PublicAccessDocs/planningDocs.aspx?doc=/sites/planning/2016/Documents/Development%20Control/BA20160337FUL/Response_BA-2016-0337-FUL%2027-1016.pdf).

5: Again this originated from the Inspector's Report and this is referred to in the supporting text.

Broadland Council have been made aware of these proposed changes in response to their comment and are content with the changes. See Proposed Change 115.

**Knight, J (Broads Authority Navigation Committee Appointed Member)**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.24	183	194	no	no	PP, J, E

**Full response:**

This policy was introduced very late in the process, due to planning enforcement issues at the western end of the island, resulting in extremely limited consultation. Information provided to support the proposed policy was materially incorrect and misleading (as summarised below), resulting in a policy which seeks to extinguish historic mooring rights on the river without any objective justification. Planning committee members could reasonably be expected to have arrived at a different conclusion had they been in possession of these material facts and considerations, which are:

1. An assertion that there had never been any mooring on the river at the western end of the island, when, in fact, this stretch of river was intensively used for mooring boats throughout most of the 20th century.
2. The misrepresenting of a planning appeal decision relating to the adjacent mooring basin. It was claimed that the river bank moorings had been “proven” abandoned and that the inspector allegedly raised concerns over river width and the amenity of residents which should preclude any such mooring. In fact, the decision did not relate to the river moorings and, instead, the inspector stated that any reasonable person would expect to see boats moored on this section of river.
3. An assertion that there was no means of accessing the mainland from the island other than by boat, which ignored the existence of a vehicular and pedestrian bridge in the same ownership as the island.
4. A claim that the Broads Authority had no choice but to create a policy in respect of the western end of the island which exactly mirrored an appeal decision. In fact, the Authority should base its planning policies on all material factors, which may include any relevant inspector’s decisions but not to the exclusion of other considerations.
5. It was also stated that there would be no point in making planning policy which conflicts with the wishes of the current landowner - when in fact planning policy should be aspirational and in the public interest, even if that sometimes involves taking a longer term view.

The proposed policy also ignores the clear suitability of the marina at the western end of the island as a location for residential moorings in accordance with the objectives of policy PUBDM36. The Accommodation Needs Assessment for houseboats identifies an objectively assessed need for 63 residential moorings over the plan period. The Local Plan proposes 25 residential moorings across 4 locations, and 10 residential moorings have recently been approved at appeal, leaving a shortfall of 28. Additionally, the Authority’s own research suggests that up to 100 households already live on boats in the Broads executive area. The inclusion of this marina could allow the objectively assessed need to be fulfilled in a sustainable location with excellent facilities and transport links, close to the city of Norwich.

**In summary:**

1. The policy is not positively prepared, because it ignores the objectively assessed development need for residential moorings and the obvious suitability of this location.
2. The policy is not justified because it is not founded on a robust or credible information base - indeed the information base is factually incorrect. In particular, there is no objective basis on which to claim that the amenity of residents would be affected by boats moored on the river.
3. The policy is not effective because it is not sufficiently flexible to deal with changing circumstances - such as a change in land ownership.
4. The policy does not meet the legal or procedural requirements because it did not go through the full consultation process and members of the planning committee (and others) were misled as to the salient facts underpinning the policy.

**Suggested change:**

This policy needs to be comprehensively reviewed in the light of the available evidence.

The policy should accept the marina’s inherent suitability as a site for residential moorings, and should not seek to limit riverside moorings other than those which would create a genuine hazard to navigation.

**Summary of response:**

This policy needs to be comprehensively reviewed in the light of the available evidence.

The policy should accept the marina’s inherent suitability as a site for residential moorings, and should not seek to limit riverside moorings other than those which would create a genuine hazard to navigation.

**Broads Authority response:**

## Broads Local Plan – Pre-Submission Consultation – responses - sorted by policy – February 2018

The respondent's comments and objections, many of which have been previously raised in various fora, are noted. The purpose of the policy is not to 'extinguish historic mooring rights on the river', but to provide a framework for managing land-based development. The promotion of residential moorings by the respondent is noted.

The policy was considered at Planning Committee and Full Authority in September 2017 prior to the Publication of the Local Plan which involved a 9 week pre-submission consultation. According to Local Plan regulations, a Local Plan can go directly from the 'Issues and Options' stage to 'pre-submission' consultation without the need for the Preferred Options stage. Preferred Options is therefore a bonus consultation stage. The policy's journey therefore meets the requirements of the regulations.

### Thorpe St Andrew Town Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.24	183	241	-	-	-

#### Full response:

Paragraph 1) - support

Paragraph 2) – support with the exception of (viii) in so far as it relates to the central part of the island as this will allow for welcome expansion of recreational/club activities; (x) in so far as water pollution was a matter for the environment agency and need not be included.

Eastern End – do not support the statement that “well designed upgrades or renewals to existing buildings is appropriate or should be encouraged” – suggest wording amended to “no amendment to existing buildings other than maintenance of the fabric of existing buildings”. With regard to landscaping - tree maintenance needed to be in line with the tree management plan due to its location in a conservation area. Support be given to the retention of private moorings but avoiding double birth moorings, and support the need to ensure planning permission is sought for any permanent moorings accepting that there are currently no rights for permanent moorings and any such use would require a planning application to be submitted.

Central – support

Western End – noted that this policy had largely been framed by the Planning Inspector Reasoned justification page 184 – clarity needed regarding what is deemed as “occupation”

#### Summary of response:

1: Paragraph 1) - support

2: Paragraph 2) – support with the exception of (viii) in so far as it relates to the central part of the island as this will allow for welcome expansion of recreational/club activities; (x) in so far as water pollution was a matter for the environment agency and need not be included.

3: Eastern End – do not support the statement that “well designed upgrades or renewals to existing buildings is appropriate or should be encouraged” – suggest wording amended to “no amendment to existing buildings other than maintenance of the fabric of existing buildings”. With regard to landscaping - tree maintenance needed to be in line with the tree management plan due to its location in a conservation area. Support be given to the retention of private moorings but avoiding double birth moorings, and support the need to ensure planning permission is sought for any permanent moorings accepting that there are currently no rights for permanent moorings and any such use would require a planning application to be submitted.

4: Central – support

5: Western End – noted that this policy had largely been framed by the Planning Inspector

6: Reasoned justification page 184 – clarity needed regarding what is deemed as “occupation”

#### Broads Authority response:

1: Support noted.

2: Support noted. The Authority is satisfied that criteria around dinghy parking provision will not jeopardise appropriate development/expansion of recreational/club facilities.

3: Eastern End: Will propose to the Inspector to amend policy to make clear that relates only to boatyard use of buildings and site.

4: Support noted.

5: Noted.

6: Reasoned justification: The purpose is to control significant increase in development or activity in area, but use of 'occupation' does not confer lawfulness on any unauthorised uses – will propose to Inspector to remove 'or additional occupation'.



See Proposed Change 115.

This response has been accepted by Thorpe St Andrew Town Council.

**Warren, T**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.24	183	261	yes	yes	-

**Full response:**

The newly published Plan has been studied with particular reference to the Thorpe Conservation Area and has received general support. However, the following comments should be noted.

Although previous policy TSA2 produced in 1997 appears not to be listed as now superseded, the new proposals seem to embrace its spirit as (regrettably) amended by the Planning Inspectors at recent inquiries. Statements that planning applications leading to a “tidying-up” of a given area would be supported are to be welcomed. Is there scope for interpreting the Plan in a more proactive way by actually requiring such visual improvement? This could apply to sites within the Conservation Area as well as adjacent places such as Carey’s Meadow and the river bank opposite Whitlingham Country Park.

**Summary of response:**

A more proactive approach to promoting visual improvement would be welcome

**Broads Authority response:**

Noted, however all sections of the policy seek to improve the visual appearance of the area.

**92) PUBTSA3: Griffin Lane - boatyards and industrial area**

Thorpe St Andrew Town Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.24	185	242	-	-	-

**Full response:**

Policy endorsed but there was a need for a more flexible approach when considering any applications for industrial development on the site – seek to promote existing uses to protect and enhance existing and potential uses associated with broads and maritime functions.

**Summary of response:**

Supports the use of the area for industrial use, which is long established

**Broads Authority response:**

Note support for employment uses, however the site is currently constrained by poor road access which would limit expansion. The BA will review position in future policy development should this situation change.

**93) PUBTSA4: Bungalow Lane - mooring plots and boatyards**

Thorpe St Andrew Town Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.24	186	243	-	-	-

**Full response:**

Support.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**94) PUBTHU1: Tourism development at Hedera House, Thurne**

Historic England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.25	187	162	yes	yes	-

**Full response:**

We are pleased to see the inclusion of point ii) but request that this amended to require specific consideration of the setting and significance of the nearby Grade II\* listed wind pumps: Thurne Dyke



Windpump and St Benets Level Windpump. As they are Grade II\* listed Historic England will a statutory consultee for any subsequent application. We welcome recognition for undiscovered archaeological potential in the supporting text on page 188 but this is not reflected in the policy itself.

**Suggested change:**

**Summary of response:**

Request that point ii) is amended to require specific consideration of the setting and significance of the nearby Grade II\* listed wind pumps: Thurne Dyke Windpump and St Benets Level Windpump.

**Broads Authority response:**

This seems to refer to point iii). Will propose to the Inspector to amend to say '...and take into consideration the setting and significance of nearby listed buildings'. The constraints and features section then provides further detail. See Proposed Change 119.

**Natural England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.25	187	057	yes	yes	-

**Full response:**

In respect to Natural England's interests, we consider the Local Plan to meet the legal and procedural requirements and to be sound, and in particular the following specific policies and supporting documents: Policies: PUBSP4: Soils; PUBDM9: Peat Soils; PUBDM12: Natural Environment; PUBSSA47: Changes to the Acle Straight (A47T); PUBSP15: Residential development; PUBNOR1: Utilities Site; PUBOUL2: Oulton Broad - Former Pegasus/Hamptons Site; and PUBTHU1: Tourism development at Hedera House, Thurne; Habitats Regulations Assessment; Sustainability Appraisal.

**Summary of response:**

Consider the Local Plan to meet the legal and procedural requirements and to be sound

**Broads Authority response:**

Support noted.

**95) PUBTSA5: River Green Open Space**

**Thorpe St Andrew Town Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.24	187	244	-	-	-

**Full response:**

Support.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

**96) PUBSSMILLS: Drainage Mills**

**Historic England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.27	194	163	yes	yes	-

**Full response:**

We are very pleased to see that the plan includes specific provision for the conservation of these characteristic and locally distinctive Broads structures. We welcome specific reference in the policy to their setting and we are pleased to see that the supporting text outlines the intrinsic importance of these mills to the historic landscape and character of the Broads.

**Summary of response:**

Supports policy.

**Broads Authority response:**

Support noted.

## 97) PUBSSTRACKS: Former rail trackways

Great Yarmouth Cycle Forum

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.27	198	191	yes	yes	-

### Full response:

We also welcome the proposal to protect the former railway track beds from development owing to their potential to encourage walking, cycling or horse-riding. The ambition of creating a route from Great Yarmouth to Beccles utilising these track beds is fully supported.

### Summary of response:

Support policy.

### Broads Authority response:

Support noted.

## 98) PUBSSLGS: Local Green Space

Beccles Society

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.27	200	223	-	-	-

### Full response:

We discussed the details of your proposals again at our meeting on 13th December. Your detailed options for Beccles at a) the former Loaves and Fishes, b) H.E.Hippersons boatyard and c) the land surrounding Beccles Rowing Club, off Puddingmoor are all totally acceptable.

### Summary of response:

Supports policy.

### Broads Authority response:

Support noted.

## 99) PUBSSSTAITHES: Staithes

Historic England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.27	200	164	yes	yes	-

### Full response:

We welcome the inclusion of point iv) which seeks to resist development that detrimentally impacts upon the historic character and setting of staithes.

### Summary of response:

Supports policy.

### Broads Authority response:

Support noted.

## 100) PUBSSA47: Changes to the Acle Straight (A47T)

Broadland District Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.27	201	002	-	No	J, E, CP

### Full response:

The A47 is a trunk road of national importance and of international importance as the main road link to the port of Great Yarmouth. Consequently, the consideration of any improvements to the A47 Acle Straight should have full regard to this importance. Conversely, there are elements of the Broads area that are of national and international importance and regard should similarly be had to these. In effect, in terms of a planning application it is a matter of “balance” that the decision maker must weigh-up the benefits and disbenefits and come to a decision.

However, the policy and supporting text focuses on potential disbenefits rather than also addressing / explaining the potential benefits. In particular, in the third paragraph it is stated: “any proposed schemes will

need to: (a) Demonstrate clearly the justification for the changes, and with any benefits significantly outweighing any negative impacts ..... “. Such a policy statement undermines the decision making process. It is for the decision-maker to determine the relative weight to apply, and at what point the balance tips in favour of one way or the other. Often the balance will be a fine one, but if the benefits outweigh the impacts even slightly it would be logical to decide in favour of the proposal. Requiring there to be a “significant” outweighing of the negative impacts is not justified.

Also, the criteria contained within the policy contain a number of requirements that could not be justified as necessary to mitigate the impacts of the development i.e. (vi) walking, cycling and horse-riding routes to be provided to urban areas and public rights of way; (vii) interpretation measures and viewing areas to be provided.

**Suggested change:**

1. At the end of the first paragraph add: “The social, economic and environmental benefits of the improvements will also be important in the consideration of a scheme”.
  2. In the third paragraph, point (a) the word “significantly” should be deleted.
  3. In the fourth paragraph, criteria (vi) and (vii) should be deleted.
- These changes will make the wording justified, effective and in accordance with national policy.

**Summary of response:**

1. At the end of the first paragraph add: “The social, economic and environmental benefits of the improvements will also be important in the consideration of a scheme”.
2. In the third paragraph, point (a) the word “significantly” should be deleted.
3. In the fourth paragraph, criteria (vi) and (vii) should be deleted.

**Broads Authority response:**

1: The policy is not about whether changes will happen or not (the Authority will not design or determine proposals itself). The policy is about guiding the change and highlighting important considerations when designing and implementing the change. The policy aims to address the potential environmental impacts of a scheme, though it does not exclude the social and economic benefits of the improvements that will also be important in the consideration of a scheme, which will be taken into account under criteria (a). No change to Local Plan.

2: This wording reflects the 2010 National Parks Circular wording in relation to road schemes. No change to the Local Plan.

3: On meeting with Broadland Council to discuss their comments, it became apparent that wording would still be possible relating to the impact on footpaths and provision of new non-car modes. The following changes are agreed with Broadland Council and will be proposed to the Inspector: 'vi) Any impacts on any of the existing footpath/Public Right of Way networks be understood and mitigated or compensated for. If feasible, the provision of a strategic walking and cycling route between Acle and Great Yarmouth be provided as part of the scheme'.

See Proposed Change 125.

Broadland District Council agrees that the amendments and response above addresses their comment.

**Great Yarmouth Borough Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.27	201	227	-	-	-

**Full response:**

The Borough Council strongly supports and promotes improvements to the Acle Straight, including dualling of its entire length and various other improvements within the Broads area. This is in the interests of the long term growth of the local and national economy, as well as of road safety and reducing congestion. The Council recognises the generality of the issues raised in the policy and supporting text, and the importance of maintaining the landscape and special qualities of the Broads to the national interest, and to quality of life in Great Yarmouth Borough and the wider local area.

That said, it considers that the issues are presented in an overly negative and defensive way. That there are potential advantages and improvements to Broads interests and special qualities (including delivery of aspects of other policies Plan) is given only very limited recognition and attention.

This Plan could be an opportunity to positively identify such improvements and how they could be achieved, and influence the detailed design and measures associated with the dualling of the road when this is taken forward.

For example, the road and its traffic currently has a significant adverse effect on tranquillity in the Broads over a very extensive area, through road noise and the visibility (day and night) of fast moving traffic. (The line and movement of headlights along the road at night is in some ways more intrusive than the more general light pollution mentioned in the policy.) There may be potential for improvements in these respects if, for instance, dualling also resulted in a low noise road surface and provision of natural screening to the road. (There are now only very limited remnants of the willows which apparently originally lined both sides of the road.)

Similarly, specific ambitions could be identified in terms of access for cyclists (including safe provision along the Straight itself) and walkers. The policy and supporting text refers to these issues only in generalities, and do not identify practical ambitions.

In the Borough Council's view, the Plan's potential for enabling a more sustainable future for the Acle Straight is not fully realised by this policy.

**Suggested change:**

This Plan could be an opportunity to positively identify such improvements and how they could be achieved, and influence the detailed design and measures associated with the dualling of the road when this is taken forward.

For example, the road and its traffic currently has a significant adverse effect on tranquillity in the Broads over a very extensive area, through road noise and the visibility (day and night) of fast moving traffic. (The line and movement of headlights along the road at night is in some ways more intrusive than the more general light pollution mentioned in the policy.) There may be potential for improvements in these respects if, for instance, dualling also resulted in a low noise road surface and provision of natural screening to the road. (There are now only very limited remnants of the willows which apparently originally lined both sides of the road.)

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In the Borough Council's view, the Plan's potential for enabling a more sustainable future for the Acle Straight is not fully realised by this policy.

**Summary of response:**

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For example, the road and its traffic currently has a significant adverse effect on tranquillity in the Broads over a very extensive area, through road noise and the visibility (day and night) of fast moving traffic. (The line and movement of headlights along the road at night is in some ways more intrusive than the more general light pollution mentioned in the policy.) There may be potential for improvements in these respects if, for instance, dualling also resulted in a low noise road surface and provision of natural screening to the road. (There are now only very limited remnants of the willows which apparently originally lined both sides of the road.)

Similarly, specific ambitions could be identified in terms of access for cyclists (including safe provision along the Straight itself) and walkers. The policy and supporting text refers to these issues only in generalities, and do not identify practical ambitions.

In the Borough Council's view, the Plan's potential for enabling a more sustainable future for the Acle Straight is not fully realised by this policy.

**Broads Authority response:**

Comments noted. At the time of submission, discussions with those who commented had been held but no agreement on a way forward has been reached. Between submission and the hearings, further work will be completed with those who commented.

**Great Yarmouth Cycle Forum**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
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32.27	201	192	yes	yes	-
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**Full response:**

We are also pleased that the policy relating to changes to the Acle Straight identifies the need for a walking, cycling and horse-riding route along the length of the road, in line with an aim in the Broads Integrated Access Strategy to provide a new link to enable non-car journeys between Acle and Great Yarmouth.

**Summary of response:**

Support policy.

**Broads Authority response:**

Support noted.

**Highways England**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.27	201	195	yes	yes	-

**Full response:**

The whole of the A47 Acle Straight lies within the area covered by the Local Plan. The Local Plan contains a substantial, detailed policy relating to the Acle Straight. It sets out a number of criteria which will need to be addressed in the development of any improvements or changes to the Acle Straight and sets out a commitment to work proactively with the promoters and designers of any such schemes.

The Local Plan makes it clear that this policy applies to any changes to the Acle Straight, including road safety improvements up to and including possible future dualling schemes. It makes reference to a Defra policy document ‘English National Parks and the Broads – UK Government Vision and Circular 2010’. Paragraph 85 of that document includes the following: ‘there is a strong presumption against any significant road widening or the building of new roads through a Park, unless it can be shown there are compelling reasons for the new or enhanced capacity and with any benefits outweighing the costs very significantly. Any investment in trunk roads should be directed to developing routes for long distance traffic which avoid the Parks’. There is therefore a fundamental conflict between the status of the Broads as a National Park and the needs of the A47 Acle Straight as a key link in the Strategic Road Network (SRN). However, this conflict derives from central government policy on National Parks: the Local Plan merely reflects this. It is commendable, therefore, that the Local Plan does not rule out future improvements to the Acle Straight, up to and including dualling. However, it does reflect the general thrust of central government policy on this issue. There is a concern that this policy could prevent Highways England from bringing forward capacity or safety improvements that may be required on the Acle Straight. If these improvements are not provided then the ability of the road to accommodate strategic traffic could be diminished and could restrict economic growth in areas such as Great Yarmouth that have limited alternative connections to the Strategic Road Network. The Local Plan makes it clear that any improvement schemes for the Acle Straight must:

- be clearly justified, with benefits significantly outweighing negative impacts;
- scope out environmental and conservation related constraints as early as possible in the process;
- clearly demonstrate that there is no realistic alternative that would have avoided or had a lesser impact on the Broads Authority area;
- set out clearly any resultant impacts; and
- demonstrate how any negative impacts would be mitigated.

PUBSSA47 includes a list of criteria to be addressed and a list of constraints which must be acknowledged in the design of any scheme. The criteria include, amongst the expected environmental and conservation related items, the following:

- Surface water run-off and pollution risk from spills to be addressed;
- Lighting to be kept to a minimum, thoroughly justified and carefully designed to avoid light pollution; and
- Walking, cycling and horse-riding routes to be provided.

The supporting text acknowledges that any major improvement (such as dualling) would be a Nationally Significant Infrastructure Project (NSIP) and would therefore not be determined by the Broads Authority. It also acknowledges that improvements to the Acle Straight could deliver benefits in terms of road safety, the management of surface water and pollutants, and the economy of the local area and wider region.

Amongst other more detailed considerations are:

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- Reference to the Broads Integrated Access Strategy, which aims to create a shared-use path for walkers, cyclists and horse riders along the whole of the Acle Straight facilitating non-car journeys between Acle and Great Yarmouth;
- The provision of laybys, to allow users of the A47 to appreciate the iconic landscape of the Broads;
- The fact that the whole route lies within a conservation area and that the Stracey Arms Drainage Mill (adjacent to the A47 approximately 4km east of Acle) is a listed building; and
- An acknowledgement that constraints imposed by the railway, the river, farm accesses and the side road to Halvergate may rule out an ‘on-line’ improvement and that a wider corridor may need to be considered within which to identify a potential route for a future improved A47.

It is clear that the Policy (PUBSSA47) is intended not to rule out any possible future improvements but to ensure that the designers of any such schemes take into account important considerations which would not apply outside of the Broads and therefore to provide the justification to overcome the strong presumption against any such schemes contained in central government policy. The Policy therefore appears to be a practical attempt to balance the competing needs of the A47 as a key link in the SRN with those of the Broads as a National Park status area and is welcomed by Highways England.

Highways England supports PUBSSA47. However, if plans are put forward to modify this policy to give more emphasis to the presumption against road schemes through the Broads and to make it more restrictive to the development of schemes then Highways England would resist any such modifications in order to retain the flexibility that the current policy provides to the development of necessary improvements to the A47.

### Summary of response:

It is clear that the Policy (PUBSSA47) is intended not to rule out any possible future improvements but to ensure that the designers of any such schemes take into account important considerations which would not apply outside of the Broads and therefore to provide the justification to overcome the strong presumption against any such schemes contained in central government policy. The Policy therefore appears to be a practical attempt to balance the competing needs of the A47 as a key link in the SRN with those of the Broads as a National Park status area and is welcomed by Highways England.

Highways England supports PUBSSA47. However, if plans are put forward to modify this policy to give more emphasis to the presumption against road schemes through the Broads and to make it more restrictive to the development of schemes then Highways England would resist any such modifications in order to retain the flexibility that the current policy provides to the development of necessary improvements to the A47.

### Broads Authority response:

Support noted.

### Historic England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.27	201	165	yes	yes	-

### Full response:

We are pleased to see specific policy provision which requires constraint scoping which considers the historic environment and which requires any improvements to consider visual impact and the setting of the Broads. We are pleased to see that point ix) considers both designated and non-designated heritage assets and their settings as well as waterlogged archaeology. We are also pleased so reference to specific heritage assets within the supporting text. Historic England will closely monitor any proposal for development of the Acle Straight that impacts the historic character of this landscape and the setting and significance of listed structures along its route.

### Summary of response:

Supports policy.

### Broads Authority response:

Support noted.

### Natural England

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.27	201	053	yes	yes	-

### Full response:

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In respect to Natural England’s interests, we consider the Local Plan to meet the legal and procedural requirements and to be sound, and in particular the following specific policies and supporting documents: Policies: PUBSP4: Soils; PUBDM9: Peat Soils; PUBDM12: Natural Environment; PUBSSA47: Changes to the Acle Straight (A47T); PUBSP15: Residential development; PUBNOR1: Utilities Site; PUBOUL2: Oulton Broad - Former Pegasus/Hamptons Site; and PUBTHU1: Tourism development at Hedera House, Thurne; Habitats Regulations Assessment; Sustainability Appraisal.

**Summary of response:**

Consider the Local Plan to meet the legal and procedural requirements and to be sound

**Broads Authority response:**

Support noted.

**Norfolk County Council**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.27	201	080	no	no	PP, J, E, CP

**Full response:**

Policy PUBSSA47 sets out a number of aspects that the Broads Authority considers should be assessed in relation to improvements on the Acle Straight. However, the derivation of this set of criteria is not clear to the Highways Authority; it appears to be an arbitrary, non- defined list of selective criteria. Highways England, who will make recommendations about whether to bring forward improvements, state (in their Route Strategies Approach, which details how they will do this) that government’s vision for transforming the strategic road network is described in the Road Investment Strategy post 2020: Planning Ahead. This sets out that evidence will be assessed relating to five broad aims published in the Road Investment Strategy for 2015-2020: economy, network capability, integration, safety and the environment. Detailed assessment and appraisal is described in a number of technical documents and manuals published by the Department for Transport. Decisions about whether to take forward an improvement, and assessment of any impacts arising from any such proposals, will be taken in accordance with these documents. On the whole the criteria listed in the policy are requirements of the design manuals and appraisal guidance. However, these manuals provide a comprehensive list of criteria. Whilst it is recognised that the Broads Authority might have some special considerations they would like taken into account the rationale for the list set out in the policy is not clear.

The Highways Authority note that Policy PUBSSA47 and the supporting information are on the whole focused on the presumption that the much needed road improvements on the Acle straight will have a presumptive negative impact on the local environment. The Highways Authority feel the policy and supporting text should be re written to bring a more balanced view, i.e. to consider the likely and many positive impacts a new high quality road improvement could have on the local environment. We would expect to see the positive benefits included in the policy and supporting text such as the wider socio-economic benefits.

On the point of the snail relocation trial this study is ongoing and no presumption on its success or otherwise can be made at this stage.

The Highways Authority would like clarity on the policy and the planning references stipulating the scheme requirements and criteria that need to be addressed through the design and delivery of the scheme. We also urge the Broads Authority to consult Highways England on the plan and the policies as the A47 is a trunk road.

In summary, whilst environmentally very challenging it is not unexpected given the location. A very thorough environmental assessment and provision for future monitoring should cover all the issues raised and the local plan actually helps scope what is required. If the Broads Authority are not minded to amend Policy PODM24 as suggested above this could mean the plan is found unsound.

The plan has not been positively prepared as it does not meet all the infrastructure requirements in relation to the A47 improvements. It is not effective as it does not sufficiently align with the County Councils policy on dualling the A47. It is not consistent with national policy as set out in the Road Improvement Strategy in terms of the criteria/evidence used to assess such schemes and it is not justified with insufficient evidence provided on why the particular criteria set out in the policy has been used.

The policy as currently worded would undermine the County Council’s aspiration of dualling the A47.

**Suggested change:**

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Policy PUBSSA47 should be reduced to the first two paragraphs and phrased more positively. The remaining policy text should be moved to the supporting text and the words “must be addressed” replaced with “need to consider”.

### Summary of response:

The plan has not been positively prepared as it does not meet all the infrastructure requirements in relation to the A47 improvements. It is not effective as it does not sufficiently align with the County Council’s policy on dualling the A47. It is not consistent with national policy as set out in the Road Improvement Strategy in terms of the criteria/evidence used to assess such schemes and it is not justified with insufficient evidence provided on why the particular criteria set out in the policy has been used. Considers that the policy as currently worded would undermine the County Council’s aspiration of dualling the A47.

### Broads Authority response:

Comments noted. At the time of submission, discussions with Norfolk County Council had been held but no agreement on a way forward has been reached. Between submission and the hearings, further work will be completed with Norfolk County Council.

### Norfolk County Council (Castle, M - Cllr Yarmouth North and Central)

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.27	201	082	-	-	-

### Full response:

Acle Straight - there is now a recognition by the Broads Authority that the A47 between Acle and Yarmouth will indeed be dualled. This should be incorporated in more positive wording in the text - with aspiration for provision of improved vehicular access to the Damgate Marshes SSSI site and Stracey Arms Windmill/ Indian Temple complexes as part of the overall design process near the Halvergate junction and an optimum alignment with the existing dualled roadway at the Acle end.

### Summary of response:

Text should include aspiration for provision of improved vehicular access to the Damgate Marshes SSSI site and Stracey Arms Windmill/ Indian Temple complexes as part of the overall design process near the Halvergate junction and an optimum alignment with the existing dualled roadway at the Acle end.

### Broads Authority response:

Comments noted. At the time of submission, discussions with Norfolk County Council had been held but no agreement on a way forward has been reached. Between submission and the hearings, further work will be completed with Norfolk County Council.

### Waveney District Council

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
32.27	201	014	yes	yes	-

### Full response:

Waveney District Council strongly supports proposals to improve and specifically dual the Acle Straight and believe that there are compelling reasons in the interests of safety and economic growth for improvements to be made to this stretch of the trunk road network. It is considered that the supporting text to the Policy could set a more positive tone with respect to improvements and dualling. Specifically, the second paragraph should emphasise the strategic importance of the road and the fact it connects Lowestoft to Great Yarmouth, Norwich and beyond to the midlands. The paragraph should also reference the strategic importance given to the route by the New Anglia Local Enterprise Partnership’s Economic Strategy. Paragraph 7 of the supporting text could also be expanded to explain in more detail the benefits changes to the route could make, particularly those associated with economic growth of the sub-region of Great Yarmouth and Lowestoft, improvements to recreation such as walking, cycling and horse riding and landscape improvements.

### Suggested change:

Waveney District Council supports the policies of the Broads Local Plan but suggests changes to help improve the effectiveness and clarity of the Plan. It is not considered that these suggested changes are fundamental to the soundness of the plan.

### Summary of response:



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1: Paragraph two should emphasise the strategic importance of the road and the fact it connects Lowestoft to Great Yarmouth, Norwich and beyond to the midlands. The paragraph should also reference the strategic importance given to the route by the New Anglia Local Enterprise Partnership’s Economic Strategy.

2: Paragraph 7 of the supporting text could also be expanded to explain in more detail the benefits changes to the route could make, particularly those associated with economic growth of the sub-region of Great Yarmouth and Lowestoft, improvements to recreation such as walking, cycling and horse riding and landscape improvements.

### Broads Authority response:

1: Agree. Will propose to the Inspector that the supporting text makes reference to this.

2: Agree. Will propose to the Inspector to include reference to economic growth. The other elements are included in that paragraph already.

See Proposed Change 125.

Waveney Council agree that the amendments and response above addresses their comment.

### RSPB

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
Constraints and features	202	108	yes	no	E, CP

### Full response:

The RSPB is supportive of this policy and the principles that it sets out. However, bullet point three of the constraints and features should include the Outer Thames Estuary SPA alongside the Breydon Water designations. The Outer Thames Estuary SPA has been re-classified to include foraging common tern and little tern and extends up the lower reaches of the River Bure. The changes were formally registered in December 2017. Irrespective of this change, the site has been classified as a pSPA since 2015 and should have been identified for consideration in the Local Plan policies.

### Suggested change:

The Outer Thames Estuary SPA must be added as a constraint and included as appropriate within the rest of the policy of supporting text. This policy should then be reassessed in the Habitats Regulations Assessment to confirm that the policy remains appropriate.

### Summary of response:

1: The Outer Thames Estuary SPA must be added as a constraint and included as appropriate within the rest of the policy of supporting text.

2: This policy should then be reassessed in the Habitats Regulations Assessment to confirm that the policy remains appropriate.

### Broads Authority response:

1: Agreed. Will propose to the Inspector to add Outer Thames Estuary SPA as a constraint. See Proposed Change 125.

2: Comments forwarded to Footprint Ecology who undertook the HRA of the Local Plan. They have undertaken an assessment and do not consider the change to affect their assessment of the Local Plan. There will be a need for an additional HRA to assess the changes that come about as a result of the examination and the comments on the Publication version of the HRA will be further addressed in that addendum.

## 101) Monitoring the Local Plan

### RSPB

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
33.3	208	103	yes	no	E

### Full response:

The RSPB is supportive of the approach set out in the Local Plan. However, it is unclear how the annual monitoring review will be reported. Given that there are a range of organisations identified that will have involvement in reporting against monitoring indicators clarity on how the information will be evaluated will

be important to demonstrate transparency in the review process. There are a range of groups supporting the function of the Broads Authority and it would be helpful to understand the role that such groups could play in reviewing the Local Plan progress. We are not aware of any discussion regarding how the RSPB's data might be used to monitor progress of the Local Plan. Any monitoring plan needs to demonstrate buy-in from all partners to demonstrate that it will be effective in achieving the aim to evaluate progress.

**Suggested change:**

There must be agreement reached with the different stakeholders about data they collect and how these data will be used by the authority. The monitoring plan should set out more clearly what stakeholder groups will be used to collate data and monitor progress or what groups will be established to ensure wider partner involvement in the monitoring process. Demonstrating transparency in decision-making and securing strong partnership working will be important, especially where partners' data is required.

**Summary of response:**

There must be agreement reached with the different stakeholders about data they collect and how these data will be used by the authority. The monitoring plan should set out more clearly what stakeholder groups will be used to collate data and monitor progress or what groups will be established to ensure wider partner involvement in the monitoring process. Demonstrating transparency in decision-making and securing strong partnership working will be important, especially where partners' data is required.

**Broads Authority response:**

In discussion with RSPB, who have subsequently agreed the amendments, the following changes are proposed the Inspector:

1: In the Implementation, Monitoring and Review section add reference to how the monitoring of the plan will inform the review.

2: Add an introduction to the Monitoring and Implementation Framework (Appendix F) that clarifies what the column headed 'Organisations Involved' refers to.

3: Add to the supporting text to the Monitoring and Implementation Framework that links back to the 18 month review period of the Local Plan.

See proposed changes 127, 128 and 129.

**102) Appendix M - Flood Zones**

**Environment Agency**

Para	Page	Rep Number:	Legally/Procedurally compliant?	Sound?	Element of soundness:
M3	237	118	yes	yes	-

**Full response:**

We feel the wording of paragraph M3 may be confusing and could be clarified with the following rewording: The SFRA identifies Flood Zones 2, 3a, 3b and indicative 3b 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.

**Suggested change:**

Amend M3: 'The SFRA identifies Flood Zones 2, 3a, 3b and indicative 3b 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.'

**Summary of response:**

Amend M3: The SFRA identifies Flood Zones 2, 3a, 3b and indicative 3b 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.

**Broads Authority response:**

Agreed. Will propose to the Inspector that M3 is amended as suggested. See Proposed Change 132.