

# Planning Committee

10 November 2023

Agenda item number 11

## Local Plan- Preferred Options- Bitesize pieces

Report by Planning Policy Officer

---

### Summary

This report introduces some new or amended policies that are proposed to form part of the Preferred Options version of the Local Plan. The policies are relating to green infrastructure, navigation, planning obligations, retail development, soils, sources of heating, tourism, The Coast, Acle and an allocation on Whitlingham Lane. There is also a Topic Paper on Quay heading.

### Recommendation

Members' comments on the policies are requested.

---

## 1. Introduction

- 1.1. The first stage of the production of the Local Plan is the preparation of the Issues and Options. These were presented to Members in 'bite size pieces' over a number of months, rather than as a complete document of Issues and Options. The production stages of the Issues and Options are now complete and work has begun on the Preferred Options version, which will contain proposed policies. This will also be presented in "bitesize pieces".
- 1.2. This report introduces some amended or new policies for Members to consider for inclusion in the Preferred Options version of the Local Plan.
- 1.3. It is important to note that until such time as the Local Plan is adopted, our current policies are still in place and will be used to guide and determine planning applications.
- 1.4. Members' comments are requested on the policies and amendments. The policies are relating to green infrastructure, navigation, planning obligations, retail development, soils, source of heating, tourism, The Coast, Acle and an allocation on Whitlingham Lane. There is also a Topic Paper on Quay heading.

Author: Natalie Beal

Date of report: 20 October 2023

Appendix 1 – Green Infrastructure

Appendix 2 – Navigation section

Appendix 3 – Planning Obligations

Appendix 4 – Retail Development

Appendix 5 – Soils

Appendix 6 – Source of Heating

Appendix 7 – Tourism

Appendix 8 – The Coast

Appendix 9 – Land at Whitlingham Lane

Appendix 10 – Acle

Appendix 11 – Replacement Quay Heading/Piling topic paper



**Local Plan for the Broads - Review  
Preferred Options bitesize pieces  
November 2023**

**Green Infrastructure**

This is a proposed draft section/policy for the Preferred Options Local Plan. Member's comments and thoughts are requested. This policy is already in the local plan, but some amendments are proposed.

Amendments to improve the policy are shown as follows: ~~text to be removed~~ and added text.

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal, but is included here to show how the policy and options are rated.

The currently adopted policy remains in place – these are proposed amendments and this section will form part of the Preferred Options version of the Local Plan.

**Policy PODM8: Green infrastructure**

1. Green infrastructure should be central to the design of schemes, ensuring the site for wildlife and people and creating a multi-functional network of spaces and uses.

**Existing Green Infrastructure**

2. There is an expectation that new ~~needs~~ development proposals will enhance, and integrate with, the local green infrastructure network.
3. Through its layout and design, new development shall respond to the existing local green infrastructure network and help connect areas of green infrastructure.

**Development proposals and Green Infrastructure**

4. Development shall contribute to the delivery and management of green infrastructure that meets the needs of communities and biodiversity, both within and beyond the proposal's boundaries, including establishment of new and enhancement of existing green infrastructure.
5. Where it is considered that the development will have a detrimental effect on, or cause loss or harm to the quantity, quality or function of existing green infrastructure, then the development will not be permitted unless it can be demonstrated that an assessment has been made and that the need for and benefits of the proposed development demonstrably outweigh any adverse impacts and suitable mitigation measures are proposed. Any mitigation measures

should be of equal or greater value than that which is to be compromised or lost through development.

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

#### **New Green Infrastructure**

7. Green infrastructure proposals shall:
  - a) Protect and enhance existing natural and historic environments;
  - b) Strengthen connectivity and resilience of ecological networks;
  - c) Be locally distinctive through reflecting and enhancing landscape character;
  - d) Maximise opportunities to mitigate and adapt to climate change and be resilient to climate change;
  - e) Improve quality of life through provision of benefits for health and wellbeing, including opportunities to access open space and enjoyment of the Broads and its special qualities;
  - f) Incorporate a range of types and sizes of green spaces, green routes and environmental features that are appropriate to the development and the wider green infrastructure network to maximise the delivery of multi-functionality;
  - g) Deliver biodiversity net gain;
  - h) Support ecosystem services; and
  - i) Ensure long-term beneficial maintenance and management of green infrastructure.
8. Further to i) above, the development shall make provision for long-term post development management and maintenance for all green infrastructure, including provision for community representation and management.

#### **Public Rights of Way and Access**

9. Public Rights of Way and access will be protected, enhanced and promoted. New development should create convenient and attractive links within development and to the surrounding area, assist with creation of a network of accessible greenspace and provide links to public transport and walking and cycling networks.

#### **Reasoned Justification**

The purpose of this policy is to conserve and enhance existing green infrastructure and ensure the provision of new green infrastructure to improve connectivity and access.

Green infrastructure is a strategic network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities and it offers important opportunities for sport and recreation as well as providing visual amenity.

The NPPF defines green infrastructure (GI) as '*a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities*'. Green infrastructure includes:

- **Parks and Gardens** – urban parks, Country and Regional Parks, formal gardens

- **Amenity Greenspace** – informal recreation spaces, housing green spaces, domestic gardens, village greens, urban commons, other incidental space, green roofs
- **Natural and semi-natural urban and rural greenspaces** - woodland and scrub, grassland (e.g. meadow), heath, wetlands, open and running water, brownfield land and disturbed ground, bare rock habitats (e.g. cliffs and quarries)
- **Green corridors** – rivers and canals including their banks, hedgerows and other natural features, road and rail corridors, cycling routes, pedestrian paths, commons and public rights of way
- **Sustainable Drainage Systems (SuDS)** - see policy DM6
- **Other** - allotments, community gardens, city farms, cemeteries and churchyards

There are ~~three~~ four elements to the policy.

### Existing Green Infrastructure

The first relates to the importance of incorporating existing green infrastructure assets within development proposals and enabling connectivity to other assets nearby (local green infrastructure). This could include reflecting the green infrastructure features on site or nearby – see the Authority’s Biodiversity Enhancements Guide<sup>1</sup>. Ecological network mapping, including the Local Nature Recovery Strategies<sup>2</sup>, may identify important areas of green infrastructure, which need to be considered if any proposals are close to or include these areas.

### Development proposals and Green Infrastructure

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

### New Green Infrastructure

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

- contributes to high quality and accessible landscapes for people and wildlife;
- plays an essential role in delivering, maintaining and enhancing the health of the natural environment and its ability to provide a wealth of ‘ecosystem services’;
- increases ecological connectivity to overcome habitat fragmentation and to increase the ability of the natural environment to adapt to climate change;
- in coastal locations, helps to provide recreational space and to enhance and protect our marine environment;
- creates attractive and accessible places for people to socialise, enjoy direct and regular contact with and learn about the natural environment;
- strengthens links between urban areas and their surrounding countryside, and brings the natural world into every neighbourhood, with benefits for individual and community health and wellbeing;

---

<sup>1</sup> Biodiversity Enhancements Design Guide: [Broads planning guides \(broads-authority.gov.uk\)](https://broads-authority.gov.uk/broads-planning-guides)

<sup>2</sup> Local nature recovery strategies will help to identify suitable locations for nature recovery activities and build support for these from landowners and local people.

- supports the efficient management of water resources. A network of green spaces reduces the likelihood of flooding by allowing water to permeate through the ground;
- can also contribute to delivery of sustainable land management;
- can also create a range of social and economic benefits, both directly (through employment in capital projects and future management) and indirectly (increased visitors and visitor spend);
- supports functioning ecosystems and robust natural systems for the management of basic resources such as water, clean air, soil, and the maintenance of biodiversity;
- makes a direct contribution to reducing the effects of climate change; and
- enhances the self sufficiency of communities through providing local food production and recreational areas.

### **Public Rights of Way and Access**

The fourth element highlights the importance of the Public Right of Way Network and Access.

### **Maintenance**

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

### **Other policies of relevance**

The previous policy, PODM7 relates to open space and play and may be of relevance to proposals. So too will the <<policy that includes reference to RAMS and BNG>>.

### **Water open space/blue infrastructure**

The water open space of the Broads is enjoyed in many ways such as boating, sailing, canoeing and water-skiing (where permitted), and by being by the water and in the water (where open water swimming events are permitted and organised). 'Blue' infrastructure is also important in the Broads. Many policies in this Local Plan relate to water open space and blue infrastructure, such as water quality, moorings and navigation elements of policies, and the policy on staithe (SSSTAITHE).

### **Resources**

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

It is recommended that, where appropriate and relevant, the Building with Nature Standards Framework be used. The document highlights the qualities that define good green infrastructure. The Core Standards being:

- Standard 1 Optimises Multifunctionality and Connectivity
- Standard 2 Positively Responds to the Climate Emergency
- Standard 3 Maximises Environmental Net Gains
- Standard 4 Champions a Context Driven Approach
- Standard 5 Creates Distinctive Places Standard 6 Secures Effective Place-keeping.

There is also the [Natural England Green Infrastructure Framework](#). The Green Infrastructure Framework comprises:

- [Green Infrastructure Principles](#): the why, what and how of good green infrastructure.
- [Green Infrastructure Standards](#): guidance on national standards for green infrastructure quantity and quality.
- [Green Infrastructure Maps](#): mapped environmental, socio-economic datasets to support the standards.
- [Green Infrastructure Planning and Design Guide](#): practical, evidence-based advice on how to design good quality green infrastructure.
- [Green Infrastructure Process Journeys](#): guides on how to apply all the products in the Green Infrastructure Framework.

### Reasonable alternative options

- a) Original policy
- b) No policy

### Sustainability appraisal summary

The options of the amended policy, original policy and no policy have been assessed. The following is a summary.

A: Keep original policy	8 positives. 0 negatives. 0 ? Overall, positive.
B: Amended policy	8 positives. 0 negatives. 0 ? Overall, positive.
C: No policy	0 positives. 0 negatives. 8 ?

### How has the existing policy been used since adoption in May 2019?

According to recent Annual Monitoring Reports, the policy has been used and applications have been determined in accordance with the policy.

### Why has the alternative option been discounted?

An alternative option is to not have a policy. But given the importance of GI to the area, a policy that seeks its protection and enhancement is preferred. The changes firm up the policy as well as bring in reference to the Public Rights of Way network and are favoured.

### UN Sustainable Development Goals check

This policy meets these [UN SD Goals](#):

**3** GOOD HEALTH  
AND WELL-BEING



**11** SUSTAINABLE CITIES  
AND COMMUNITIES



#

**13** CLIMATE  
ACTION



**15** LIFE  
ON LAND



## Sustainability Appraisal

### SA objectives:

- ENV1: To reduce the adverse effects of traffic (on roads and water).
- ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to use water efficiently.
- ENV3: To protect and enhance biodiversity and geodiversity.
- ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and towns/villages.
- ENV5: To adapt, become resilient and mitigate against the impacts of climate change
- ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and coastal change.
- ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- ENV8: To minimise the production and impacts of waste through reducing what is wasted, and re-using and recycling what is left.
- ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and their settings
- ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable and reflects local distinctiveness.
- ENV11: To improve air quality and minimise noise, vibration and light pollution.
- ENV12: To increase the proportion of energy generated through renewable/low carbon processes without unacceptable adverse impacts to/on the Broads landscape
- SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- SOC2: To reduce poverty, inequality and social exclusion.
- SOC3: To improve education and skills including those related to local traditional industries.
- SOC4: To enable suitable stock of housing meeting local needs including affordability.
- SOC5: To maximise opportunities for new/ additional employment
- SOC6: To improve the quality, range and accessibility of community services and facilities and to ensure new development is sustainability located with good access by means other than a private car to a range of community services and facilities.
- SOC7: To build community identity, improve social welfare and reduce crime and anti-social activity.
- ECO1: To support a flourishing and sustainable economy and improve economic performance in rural areas.
- ECO2: To ensure the economy actively contributes to social and environmental well-being.
- ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy, society and the environment.



## Assessment of policy

	A: Keep original policy		B: Amended policy		B: No policy	
ENV1	+	One of the elements of GI is movement routes.	+	One of the elements of GI is movement routes. Policy refers to public rights of ways.	?	Not having a policy does not mean that the benefits of having a policy will not be realised. A policy adds certainty.
ENV2						
ENV3	+	Refers to ecological networks.	+	Refers to ecological networks. Refers to biodiversity net gain and ecological services.	?	
ENV4	+	GI in the area is integral to the landscape of the area.	+	GI in the area is integral to the landscape of the area.	?	
ENV5	+	Policy refers to GI's role in adaptation and mitigation.	+	Policy refers to GI's role in adaptation and mitigation as well as resilience.	?	
ENV6						
ENV7						
ENV8						
ENV9	+	GI in the area is integral to the area.	+	GI in the area is integral to the area.	?	
ENV10	+	Policy refers to design of GI as well as GI adding to the design of a scheme.	+	Policy refers to design of GI as well as GI adding to the design of a scheme.	?	
ENV11						
ENV12						
SOC1	+	GI can benefit mental and physical health and wellbeing.	+	GI can benefit mental and physical health and wellbeing.	?	
SOC2						
SOC3						
SOC4						
SOC5						
SOC6						
SOC7						
ECO1						
ECO2						
ECO3	+	GI can be a reason why people come to the area.	+	GI can be a reason why people come to the area.	?	



**Local Plan for the Broads - Review**  
**Preferred Options bitesize pieces**  
**November 2023**

**Navigation section**

This is a proposed draft section/policy for the Preferred Options Local Plan. Member's comments and thoughts are requested. This policy is already in the local plan, but some amendments are proposed.

Amendments to improve the policy are shown as follows: ~~text to be removed~~ and added text.

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal, but is included here to show how the policy and options are rated.

The currently adopted policy remains in place – these are proposed amendments and this section will form part of the Preferred Options version of the Local Plan.

**Policy POSP13: Navigable water space**

- 1) The water space will be managed in a strategic, integrated way and navigation and conservation interests will be maintained and enhanced.
- 2) Opportunities for the extension or creation of navigable/recreational water space will be promoted, subject to compliance with other policies in this plan.
- 3) Navigable water space will be protected and enhanced through:
  - i) The careful design of flood alleviation/protection projects; and
  - ii) Avoiding development and changes in land management which are detrimental to its use.
- 4) Adequate water depths will be maintained for safe navigation, and the disposal of dredged and cut material will be carried out in ways that avoid adverse impacts on the environment with appropriate mitigation measures implemented as required. Beneficial re-use of dredged materials will be expected where practicable. Opportunities for the disposal of dredged materials to enable the management of the navigation will be sought and promoted. Measures to control sediment input from surrounding land, highways and ~~river~~ banks will be considered in development proposals.

**Reasoned Justification**

The waterways as a whole are a core resource of the Broads. Promoting the enjoyment of the Broads and protecting the interests of navigation are two of the Authority's statutory purposes, and

19 the water is one of the key attractions for local people and visitors. The waterways will be  
20 maintained and protected, and development that would have an adverse impact on the enjoyment  
21 of navigable water space will not be permitted.

22 This policy applies to the entire Broads area, not just the navigation area as defined under the  
23 Broads Act.

24 There is considerable pressure in certain areas on the use of water space for navigation, recreation,  
25 and nature conservation purposes. Its management therefore requires an integrated approach,  
26 based on levels of use and importance (for example heads of navigation and ~~Very~~ important sailing  
27 areas), and suitability and potential for different uses (such as water-skiing zones). The Authority  
28 works with partner organisations and local communities, taking an integrated approach to  
29 waterways management, to achieve improvements for people and wildlife.

30 Development proposals close to the navigation will be assessed against their impact on the use and  
31 enjoyment of the navigation - for example, avoiding a reduction in the wind required for sailing,  
32 and provision for lowering of masts.

33 Parts of the rivers and broads are subject to periodic dredging to keep the waterways open to  
34 navigation, not only by the Authority but also by owners of private water space who may require  
35 planning consent for disposal. Historically, the dredged materials have been disposed of on land  
36 when ecological gain and agricultural benefits could be derived however there is also an increasing  
37 awareness that these sediments are organic rich and therefore drying them out has a CO2 impact.  
38 Dredging is guided by local and national legislation. Silt from bank erosion is a recurring issue with a  
39 number of causes, and once these have been addressed action must be taken to restore and  
40 protect banks. The Authority provides advice to landowners on appropriate ~~river~~ bank stabilisation<sup>1</sup>  
41 methods, encouraging the use of natural or 'soft' engineering techniques wherever possible.

42 The principles for sediment management of 'Reduce/Reuse/Recycle' should be adopted by relevant  
43 bodies. Generic principles that should be adopted as a baseline approach are:

- 44 • Reduce – reducing specifications where appropriate or inputs, through varied source control  
45 options.
- 46 • Reuse – direct reuse options include habitat creation, flood protection works, combined  
47 schemes.
- 48 • Recycle – material can be used in wider construction schemes, but would usually require  
49 treatment/reclamation/remediation.
- 50 • Disposal – land fill should only be considered as a last resort, and in any event minimised as  
51 far as is possible.

52 **Of relevance are policies DM18 on excavated material and DM17 on land-raising.**

53 The [Water Management Strategy](#) may be of relevance to your scheme to help ensure protection of  
54 National Site Network Sites. Any work in the waterways will also likely require an HRA given the  
55 potential hydrological links to European sites.

## 56 **Reasonable alternative options**

---

<sup>1</sup> [River bank stabilisation guide \(broads-authority.gov.uk\)](https://broads-authority.gov.uk/river-bank-stabilisation-guide)

57 a) No policy

58 **Sustainability appraisal summary**

59 The options of no policy and having a policy have been assessed in the SA. The following is a  
60 summary.

A: Keep original policy	5 positives. 0 negatives. 0 ? Overall, positive.
B: No policy	0 positives. 0 negatives. 5 ?

61 **How has the existing policy been used since adoption in May 2019?**

62 According to recent Annual Monitoring Reports, the policy has been used and applications have  
63 been determined in accordance with the policy.

64 **Why has the alternative option been discounted?**

65 An alternative option is to not have a policy. Navigation is an important aspect of the Broads and  
66 can be affected by schemes. To have a policy on navigation is therefore favoured.

67 **UN Sustainable Development Goals check**

68 This policy meets these [UN SD Goals](#):



**Policy PODM31: Access to the water**

- 1) Developments that support and encourage the use of waterways, including the provision of supporting infrastructure for navigation such as the construction of moorings, jetties and walkways and the provision of electric hook up/charging points, will be permitted (subject to other policies in this Local Plan) provided that they:
  - a) Would not adversely impact navigation;
  - b) Would not result in hazardous boat movements;
  - c) Would not compromise opportunities for access to, and along, the waterside, access to and use of staithes, or for waterway restoration;
  - d) Are consistent with the objectives of protecting and conserving the Broads' landscape and ecology, including the objectives of the ~~Water Framework Directive~~ Water Environment (Water Framework Directive) (England and Wales) Regulations 2017;
  - e) Are consistent with the light pollution policy; and
  - f) Would not prejudice the current or future use of adjoining land or buildings.
- 2) Proposals incorporating staithes or slipways will be permitted (subject to other policies in this Local Plan) where:
  - a) The use of the slipway and any associated uses or facilities, including car parking, would not have an adverse effect on either the waterway or the adjacent riverside, including ecological, biodiversity or flood risk effects and significance and character of the historic environment; and
  - b) Access and other highway requirements for cars and trailers would be adequately provided for (in line with transport policies).
- 3) Development proposals for new freight wharves and for the provision of freight interchange on brownfield sites adjacent to the navigation will be permitted where these are in accordance with the other policies of the Local Plan.

**Reasoned Justification**

The Broads is one of the most extensive and varied inland waterway systems in the UK. The Government has stated that it expects the Authority to continue to encourage a greater range of people to take up sailing, canoeing and fishing and other water related activities<sup>2</sup>.

Accordingly, development proposals that support and encourage the use of waterways will be permitted where they would not have a detrimental impact on public safety on land or water or an unacceptable impact on other people's enjoyment of the Broads. Proposals should also be consistent with the objectives of the ~~Water Framework Directive~~ Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and with protecting and conserving the Broads' landscape and wildlife. In particular, if a proposal is considered likely to have an effect on internationally designated sites, it will need to be considered in accordance with the Conservation of Habitats and Species Regulations 2017 (The Habitats Directive) and a project level Appropriate Assessment undertaken. **Development that could affect the integrity of a European site would not be in accordance with Policy PODM13 of the Local Plan.**

The waterways of the Broads have the potential to provide a sustainable and efficient mode of transporting freight. However, it is important that the use of waterways for this purpose does not affect the special qualities of the Broads. Consequently, proposals for infrastructure to support the

---

<sup>2</sup> [English national parks and the broads: UK government vision and circular 2010 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/english-national-parks-and-the-broads)

110 greater use of the waterways by freight will be permitted provided that they do not have an  
111 adverse impact on landscape character, biodiversity, [dark skies](#), tranquillity or other people's  
112 enjoyment of the Broads.

113 [The Water Management Strategy](#) may be of relevance to your scheme to help ensure protection of  
114 [National Site Network Sites](#). Any work in the waterways will also likely require an HRA given the  
115 [potential hydrological links to European sites](#).

#### 116 **Reasonable alternative options**

117 a) No policy

#### 118 **Sustainability appraisal summary**

119 The options of no policy and having a policy have been assessed in the SA. The following is a  
120 summary.

A: Keep original policy	11 positives. 0 negatives. 0 ? Overall, positive.
B: No policy	0 positives. 0 negatives. 11 ?

#### 121 **How has the existing policy been used since adoption in May 2019?**

122 According to recent Annual Monitoring Reports, the policy has been used and applications have  
123 been determined in accordance with the policy.

#### 124 **Why has the alternative option been discounted?**

125 An alternative option is to not have a policy. Navigation is an important aspect of the Broads and  
126 can be affected by schemes. To have a policy on access to the water is therefore favoured.

#### 127 **UN Sustainable Development Goals check**

128 This policy meets these [UN SD Goals](#):



**Policy PODM32: Riverbank Bank stabilisation**

- 1) Development proposals that include ~~river~~bank stabilisation will only be permitted (subject to other policies in this local plan) where the need can be fully justified and it can be demonstrated, through the submission of the Riverbank Stabilisation Checklist<sup>3</sup> for Design, that the proposal has been designed to take account of:
  - a) The nature of the watercourse;
  - b) The scale of tidal range;
  - c) Safe navigation;
  - d) The character of the location;
  - e) Existing uses in the area;
  - f) Future maintenance of the ~~river~~bank stabilisation method proposed;
  - g) A changing climate;
  - h) Biodiversity; and
  - i) The requirements of the ~~Water Framework Directive~~ Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.
- 2) 'Soft' engineering techniques shall be used as a first preference where appropriate.
- 3) Piling of banks will only be permitted where it takes account of criteria (a) to (i) and:
  - a) There is a proven need to prevent bank erosion by this method; or
  - b) Where piling/quay heading is part of the character of the area; or
  - c) The proposal is for replacement piling for a site that has been piled in the recent past and where soft engineering techniques are unlikely to provide adequate protection; or
  - d) The piling works are required for:
    - i) navigation purposes (including moorings, but see mooring policies that follow);
    - ii) compliance with the ~~Water Framework Directive~~ Water Environment (Water Framework Directive) (England and Wales) Regulations 2017;
    - iii) the prevention of diffuse pollution to the water environment; or
    - iv) flood defence.
- 4) Mooring on banks that have been piled may not necessarily be permitted. Where mooring is permitted, the number of craft allowed, type of mooring (e.g. private, visitor) and whether stern-on or single alongside only mooring, will be specified.

**Reasoned Justification**

By leading to an enhanced rate of soil loss from ~~river~~banks, erosion can have a significant impact on the appearance and ecological value of the waterways in the Broads. Bank erosion can also add to the reduction of water quality and loss of open water, and release nutrients into the waterways of the Broads. Bank erosion is expensive to repair and the sediment that enters watercourses increases the amount and frequency of dredging to maintain adequate water depths for navigation. The careful design of new or replacement bank edging is therefore crucial for protecting the special landscape character and conservation value of Broads' habitats and for maintaining the navigation area to the required standard.

The wide variation in depth, width, boating activity, tidal ranges and bank construction on different river sections in the Broads mean that no one ~~river~~bank stabilisation solution will be suitable for the

---

<sup>3</sup> [Bank Stabilisation Pre application questionnaire \(broads-authority.gov.uk\)](https://broads-authority.gov.uk/bank-stabilisation-pre-application-questionnaire)

170 whole area. The appropriate technique will also depend on the objective behind the bank  
171 protection. To help design proposals for ~~river~~bank stabilisation, the Authority has adopted guidance  
172 and a design checklist. Accordingly, development proposals that include ~~river~~bank stabilisation  
173 need to be accompanied by a completed Riverbank Stabilisation Checklist for Design that provides  
174 justification for the choice of bank protection solution in relation to the issues listed in the policy  
175 and guidance.

176 Some ~~river~~banks in the Broads have been protected using timber or steel piling driven into the  
177 ~~river~~bed at the bank edge. However, this approach can damage ~~river~~bank habitats, adversely affect  
178 protected species, encourage boat mooring in inappropriate locations and create an urban feel in  
179 an otherwise rural area. In many parts of the Broads, particularly those with an open rural location,  
180 natural or less intrusive engineering techniques such as alder poles, faggots, willow spilling,  
181 biodegradable geotextiles and vegetation will represent a more visually and ecologically  
182 appropriate solution and should be used in preference to piling where technically feasible. The  
183 Authority will ensure that the piling of banks only takes place where there is a demonstrable need  
184 to prevent bank erosion by this means, where it is appropriate to the local character of the area or  
185 for the use of the frontage for mooring. If a proposal is considered in the context of this policy to  
186 potentially have an effect on an internationally designated site, then it will need to be considered  
187 against the Habitats Regulations and a project level Appropriate Assessment undertaken.

188 Proposals relating to piling are directed to the Moorings Guide for information on materials and  
189 other considerations.

190 A Works Licence, issued by the Broads Authority, will be necessary for the design and timing of  
191 installation of works which affects areas that are publicly navigable. Full details can be found on the  
192 Authority's website<sup>4</sup>. It is also important to note that works near a main river may require an  
193 environmental permit. Further information is provided in paragraph 31.3. Indeed, other licences  
194 (such as from Natural England or the Marine Management Organisation) may be required and  
195 applicants should contact relevant authorities for more information.

196 The [Water Management Strategy](#) may be of relevance to your scheme to help ensure protection of  
197 National Site Network Sites. Any work in the waterways will also likely require an HRA given the  
198 potential hydrological links to European sites.

## 199 **Reasonable alternative options**

200 a) No policy

## 201 **Sustainability appraisal summary**

202 The options of no policy and having a policy have been assessed in the SA. The following is a  
203 summary.

A: Keep original policy	6 positives. 0 negatives. 0 ? Overall, positive.
B: No policy	0 positives. 0 negatives. 6 ?

## 204 **How has the existing policy been used since adoption in May 2019?**

---

<sup>4</sup> [Works Licences \(broads-authority.gov.uk\)](https://www.broads-authority.gov.uk/works-licences)



205 According to recent Annual Monitoring Reports, the policy has been used and applications have  
206 been determined in accordance with the policy.

207 **Why has the alternative option been discounted?**

208 An alternative option is to not have a policy. Navigation is an important aspect of the Broads and  
209 can be affected by schemes. To have a policy on bank stabilisation is therefore favoured.

210 **UN Sustainable Development Goals check**

211 This policy meets these [UN SD Goals](#):

**14** LIFE  
BELOW WATER



**15** LIFE  
ON LAND



**Policy POSP14: Mooring provision**

- 1) All proposals for new or replacement moorings will be considered against relevant policies in this Local Plan, as well as the Mooring and Riverbank Stabilisation Guides (or successor documents).
- 2) The provision of a range of additional short term visitor moorings will be encouraged to ensure that visitor moorings are available in appropriate locations, and where they are most needed, and where they contribute to the management of a safe and attractive waterway. Existing short term visitor moorings will be protected.
- 3) The Authority will also ~~encourage~~ support the provision of residential moorings in appropriate locations, in line with details policies in this Plan.
- 4) The Authority encourages the provision of electric hook up points/charging points that are appropriately designed and located and address the dark skies policy.

**Reasoned Justification**

The provision of a network of moorings throughout the Broads system is essential for local communities, businesses and visitors to the Broads. A lack of moorings can restrict the use and enjoyment of the water, impede the local economy and, by resulting in the concentration of visitors where mooring is most plentiful, have an adverse effect on tranquillity and the quiet enjoyment of the Broads. The Authority will therefore protect existing moorings and encourage the provision of new moorings across the system.

It is important that mooring basins and marinas are provided only in appropriate locations. New moorings support the local economy by protecting the economic viability of marinas and boatyards, thereby protecting ancillary services and facilities which might otherwise be lost. Riverside mooring can constrict the navigable waterways and lead to congestion and overcrowding on the rivers. New moorings will therefore be permitted only where they would not have a negative impact on navigation, for example in an off-river basin or within a boat yard. The quality of the waterways and surrounding landscape is vitally important to the wellbeing of the tourism industry and, by extension, the economy of the Broads. It is therefore essential that proposals for mooring basins or marinas do not impinge on the natural beauty, ecological value and local distinctiveness of the Broads or other people's enjoyment of it.

The [Water Management Strategy](#) may be of relevance to your scheme to help ensure protection of National Site Network Sites. Any work in the waterways may require an HRA given the potential hydrological links to European sites.

Also of relevance is Policy [PODM37: New residential moorings.](#)

**Reasonable alternative options**

- a) Original policy
- b) No policy

**Sustainability appraisal summary**

250 The options of no policy, the original policy and amended policy have been assessed in the SA. The  
251 following is a summary.

A: Keep original policy	5 positives. 0 negatives. 0 ? Overall, positive.
B: Amended policy	5 positives. 0 negatives. 0 ? Overall, positive.
C: No policy	0 positives. 0 negatives. 5 ?

252 **How has the existing policy been used since adoption in May 2019?**

253 According to recent Annual Monitoring Reports, the policy has been used and applications have  
254 been determined in accordance with the policy.

255 **Why has the alternative option been discounted?**

256 An alternative option is to not have a policy. Navigation is an important aspect of the Broads and  
257 can be affected by schemes. To have a policy on moorings is therefore favoured. The amendment  
258 makes it clear this policy is relevant to all moorings and is favoured.

259 **UN Sustainable Development Goals check**

260 This policy meets these [UN SD Goals](#):



**Policy PODM33: Moorings, mooring basins and marinas**

- 1) In accordance with the Broads Integrated Access Strategy ([or successor document](#)), new moorings will be permitted where they contribute to the network of facilities around the Broads system in terms of their location and quality.
- 2) Proposals for new moorings, mooring basins and marinas, including changes to existing provision, will be permitted where it can be demonstrated, through the submission of a mooring questionnaire,<sup>5</sup> that the proposal has been designed to take account of:
  - a) The nature of the watercourse;
  - b) The scale of tidal range;
  - c) The character of the location (including landscape character, features and the historic environment);
  - d) Existing uses in the area;
  - e) Future maintenance of the mooring method proposed;
  - f) Biodiversity; and
  - g) The requirements of the ~~Water Framework Directive~~ [Water Environment \(Water Framework Directive\) \(England and Wales\) Regulations 2017](#); and that
  - h) They would be located where they or their use would not have an adverse impact on navigation (for example in an off-river basin or within a boat yard);
  - i) There is provision for an adequate and appropriate range of services and ancillary facilities, or adequate access to local facilities in the vicinity;
  - j) The proposed development would not prejudice the current or future use of adjoining land or buildings; and
  - k) The proposed development would not unacceptably impact the amenity of adjoining residents.
- 3) In addition, proposals for development at or within commercial mooring basins or marinas shall:
  - l) Not result in the loss of moorings available for visitor/short stay use;
  - m) Provide, manage, maintain and advertise new short stay moorings (visitor, tidal ([layby](#)), or de-masting moorings as appropriate) at nil cost to the Broads Authority as follows. These moorings shall be provided on-site, but in exceptional circumstances the Authority may consider off-site contributions to any type of mooring.

<u>Size of scheme – length of moorings proposed (m)</u>	<u>Alongside and double alongside moorings</u>	<u>Stern on moorings</u>
	<u>Length/% provided and managed for short stay visitor moorings</u>	
<u>Less than 20m</u>	<u>none</u>	<u>none</u>
<u>More than 20m, less than 100m</u>	<u>10m permanent mooring</u>	<u>8m permanent mooring</u>
<u>More than 100m, less than 200m</u>	<u>20m permanent moorings</u>	<u>20m permanent moorings</u>
<u>More than 200m, less than 300m</u>	<u>30m permanent moorings</u>	<u>32m permanent moorings</u>
<u>More than 300m</u>	<u>15% of the length permanent moorings, rounded to the nearest whole number</u>	<u>15% of the length permanent moorings, rounded to the nearest factor of 4m – the</u>

<sup>5</sup> [Mooring design guide pre-application questionnaire \(broads-authority.gov.uk\)](#)

<u>Size of scheme – length of moorings proposed (m)</u>	<u>Alongside and double alongside moorings</u>	<u>Stern on moorings</u>
	<u>Length/% provided and managed for short stay visitor moorings</u>	
	(less than 0.5, round down, more than or equal to 0.5, rounded up)	Authority calculates the width of a typical stern on mooring as 4m.

<del>Size of scheme – no. of moorings proposed</del>	<del>Number/% provided and managed for short stay visitor moorings</del>
<del>2-9</del>	<del>1 permanent mooring</del>
<del>10-19</del>	<del>2 permanent moorings</del>
<del>20-29</del>	<del>3 permanent moorings</del>
<del>30 or more</del>	<del>15% permanent moorings, rounded to the nearest whole number (less than 0.5, round down, more than or equal to 0.5, rounded up).</del>

- n) Make adequate provision for car parking, waste and sewage disposal and the prevention of pollution<sup>6</sup>;
- o) Provide for the installation of pump-out facilities (where on mains sewer) unless there are adequate alternative facilities in the vicinity; and
- p) Provide an appropriate range of ancillary facilities on site (for example potable water, wastewater pumpout, and electricity) unless there is access to local facilities within walking distance.

The Authority supports the provision of electric hook up and/or charging points where appropriate, subject to the impacts associated with their construction and operation being acceptable (for example, illumination and impact on dark skies and location of electricity supply).

### Reasoned Justification

This policy applies to private and public moorings.

### Types of moorings

In the Broads, mooring types<sup>7</sup> traditionally fall under the following general categories:

- **Private Moorings:** A mooring that comprises the usual base for a vessel from which it might or might not go cruising. This type of mooring will often be allocated to or occupied by a single, identifiable vessel. There is no 'residential use'. A charge is usually made for the use of a private mooring unless it forms part of a private dwelling/ leisure plot.
- **Visitor/Short Stay Moorings:** A mooring that is specifically designated to enable boats to stop-off or stay for short periods while cruising, usually for a maximum, specified period. This type of mooring is usually occupied by different visiting vessels in succession (not necessarily continuously). A charge may or may not be made for the use of visitor/short stay mooring.

<sup>6</sup> Refer to [Water supply, wastewater and water quality - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/topics/water-supply-and-wastewater) for information on pollution prevention measures.

<sup>7</sup> Note: Residential Moorings are addressed separately under Policy DM37.

- **Casual/Informal Moorings:** A mooring where boats moor on a casual basis, anywhere along a ~~river~~ bank, for a short period of time. These do not generally require the benefit of planning permission.
- **Commercial Moorings:** A mooring (usually in a mooring basin or marina) used by a commercial operator on a commercial basis, where boats may be moored for long or short periods between cruising. The vessels may or may not be in the ownership of the commercial operator.
- **Tidal (layby) moorings:** Used to moor a vessel while waiting for the correct state of tide to proceed with the journey. These could be near to bridges for example. They do not have to have access to the land.
- **De-masting moorings:** Used to moor a vessel in order to lower the mast to enable the vessel to continue with the journey. Likely to be near bridges where the air draught (height between water and bridge) means the mast must be lowered. Again, these do not have to access land.

### Supply of moorings

The analysis undertaken as part of the Broads Integrated Access Strategy highlighted that the demand for visitor moorings exceeds supply. However, due to the conversion of boatyards to alternative uses and engineering works associated with flood defence works, the quantity of available visitor moorings across the Broads has been in decline for a number of years. To encourage the use and enjoyment of the waterways and to support the valuable contribution made by tourism to the local economy, the Authority will ensure that development proposals for commercial basins and marinas do not result in the further loss of moorings available for visitor use. Proposals for new commercial basins and marinas will also be expected to make an appropriate provision for new visitor moorings.

### Short stay moorings – ‘part m moorings’

With regards to the requirement to provide short stay visitor moorings as set out in part m of the policy, the preference is to deliver these short stay moorings on site. ‘On site’ does not have to be part of the development site; it could be elsewhere in an appropriately accessible and suitable part of the marina or boatyard. Indeed, the applicant may wish to provide these moorings in a location easily accessible by novice helms to minimise the potential for accidental damage. It is expected that these moorings will be appropriately advertised, for example ~~perhaps~~ on websites or signed on the river (in accordance with policy PODM49).

In exceptional circumstances, the Authority may accept off-site contributions towards mooring provision. The contribution would be calculated to reflect the cost of delivering the moorings on site. That is to say that the contribution in line with the standards set out in the policy would be equal to the cost of delivering the same amount of moorings as part of that scheme. This reflects that it would cost the Broads Authority this amount to deliver an equivalent provision in the same location.

To support the delivery of the mooring berths contributions, the Authority is willing to consider seasonal usage of moorings. A boatyard or marina may have moorings they only need for their own use in the off-peak season (November to March) and could therefore allow them to be used for short stay moorings, in accordance with ~~as per~~ the policy requirements, in the peak season only (April to October). If this is the case, the Authority would consider this approach subject to agreeing an appropriate and deliverable approach to operating, monitoring, managing and advertising the

359 seasonal moorings and would expect more short stay moorings than set out in part m to be  
360 provided in the peak season.

361 Operators may wish to charge a fee for use of these moorings, but this should be commensurate  
362 with the average mooring charges in the local area.

363 The table identifies three types of moorings – alongside, double alongside and stern on moorings.  
364 The table in the policy uses an average 10m per mooring for alongside and double alongside and  
365 4m for stern on moorings. These average lengths/widths are used elsewhere in the Authority and  
366 so provides a consistent approach.

#### 367 **Impact of mooring schemes**

368 The quality of the waterways and surrounding landscape is vitally important to the wellbeing of the  
369 tourism industry and, by extension, the economy of the Broads. It is therefore essential that  
370 proposals for mooring basins or marinas do not impinge on the natural beauty, ecological value and  
371 local distinctiveness of the Broads or other people's enjoyment of it. If a proposal is considered in  
372 the context of this policy to potentially have an effect on an internationally designated site, it will  
373 need to be considered against the Habitats Regulations and a project level Appropriate Assessment  
374 undertaken.

#### 375 **Relevant strategies, policies and guides**

376 The Broads Integrated Access Strategy is a starting point in regard to where moorings could be  
377 delivered, paid for by the off-site contributions, and other opportunities will come about outside  
378 that strategy.

379 The Authority has adopted a Moorings Design Guide, which sets out considerations for different  
380 types of moorings.

381 Other policies of particular importance to proposals for new or reconfiguring moorings are:

- 382 • ~~The safety by the water policy, which sets out what the Authority requires in relation to egress~~  
383 ~~from the water, life rings and so on.~~
- 384 • The boat wash down policy is of importance in relation to biosecurity and antifouling paint.
- 385 • Peat and archaeology policies.

386 The [Water Management Strategy](#) may be of relevance to your scheme to help ensure protection of  
387 National Site Network Sites. Any work in the waterways will also likely require an HRA given the  
388 potential hydrological links to European sites.

#### 389 **Reasonable alternative options**

- 390 a) Original policy
- 391 b) No policy

#### 392 **Sustainability appraisal summary**

393 The options of no policy, the original policy and amended policy have been assessed in the SA. The  
394 following is a summary.

A: Keep original policy	8 positives. 0 negatives. 0 ? Overall, positive.
-------------------------	---

B: Amended policy	8 positives. 0 negatives. 0 ? Overall, positive.
C: No policy	0 positives. 0 negatives. 8 ?

395 **How has the existing policy been used since adoption in May 2019?**

396 According to recent Annual Monitoring Reports, the policy has been used and applications have  
397 been determined in accordance with the policy.

398 **Why has the alternative option been discounted?**

399 An alternative option is to not have a policy. Navigation is an important aspect of the Broads and  
400 can be affected by schemes. To have a policy on moorings is therefore favoured. The amendment  
401 makes it clear this policy is relevant to all moorings and is favoured.

402 **UN Sustainable Development Goals check**

403 This policy meets these [UN SD Goals](#):

**14** LIFE  
BELOW WATER



**15** LIFE  
ON LAND





## Sustainability Appraisal

### SA objectives:

- ENV1: To reduce the adverse effects of traffic (on roads and water).
- ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to use water efficiently.
- ENV3: To protect and enhance biodiversity and geodiversity.
- ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and towns/villages.
- ENV5: To adapt, become resilient and mitigate against the impacts of climate change
- ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and coastal change.
- ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- ENV8: To minimise the production and impacts of waste through reducing what is wasted, and re-using and recycling what is left.
- ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and their settings
- ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable and reflects local distinctiveness.
- ENV11: To improve air quality and minimise noise, vibration and light pollution.
- ENV12: To increase the proportion of energy generated through renewable/low carbon processes without unacceptable adverse impacts to/on the Broads landscape
- SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- SOC2: To reduce poverty, inequality and social exclusion.
- SOC3: To improve education and skills including those related to local traditional industries.
- SOC4: To enable suitable stock of housing meeting local needs including affordability.
- SOC5: To maximise opportunities for new/ additional employment
- SOC6: To improve the quality, range and accessibility of community services and facilities and to ensure new development is sustainability located with good access by means other than a private car to a range of community services and facilities.
- SOC7: To build community identity, improve social welfare and reduce crime and anti-social activity.
- ECO1: To support a flourishing and sustainable economy and improve economic performance in rural areas.
- ECO2: To ensure the economy actively contributes to social and environmental well-being.
- ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy, society and the environment.

Policy POSP13: Navigable water space

		A: Keep original policy	B: No policy
ENV1	+	Policy relates to navigation of the waterways.	?
ENV2			
ENV3			
ENV4			
ENV5			
ENV6			
ENV7			
ENV8	+	Policy seeks beneficial re use of dredged material.	?
ENV9			
ENV10			
ENV11			
ENV12			
SOC1			
SOC2			
SOC3			
SOC4			
SOC5			
SOC6			
SOC7			
ECO1	+	Navigable waterways are important to the local economy.	?
ECO2	+		?
ECO3	+		?

Not having a policy does not necessarily mean that navigation would be lost as the Authority does have some legal powers regarding navigation. A policy is another way of protecting navigation.

Policy PODM31: Access to the water

		A: Keep original policy	B: No policy
ENV1	+	Policy relates to navigation of the waterways.	?
ENV2	+	Policy refers to water quality regulations.	?
ENV3	+	Policy refers to impact on biodiversity.	?
ENV4	+	Policy refers to landscape character impact.	?
ENV5			
ENV6	+	Policy refers to flood risk.	?
ENV7			
ENV8			
ENV9	+	Policy refers to impact on the historic environment.	?
ENV10			
ENV11	+	Policy refers to light pollution and provision of electric hook up/charging points that will mean diesel engines not turned on when boats moored.	?
ENV12			
SOC1	+	Reference to hazardous movements is made in the policy.	?
SOC2			
SOC3			
SOC4			
SOC5			
SOC6			
SOC7			
ECO1	+	Access to the water is important to the local economy.	?
ECO2	+		?
ECO3	+		?

Not having a policy does not necessarily mean that proposals for access to water will affect the sustainability objectives. A policy however provides more certainty.

Policy PODM32: Bank stabilisation

		A: Keep original policy	B: No policy
ENV1	+	Policy relates to navigation of the waterways.	?
ENV2	+	Policy refers to water quality regulations.	?
ENV3	+	Policy refers to impact on biodiversity.	?
ENV4	+	Policy refers to landscape character impact.	?
ENV5	+	Policy refers to a changing climate	?
ENV6	+	Policy refers to flood risk.	?
ENV7			Not having a policy does not necessarily mean that banks cannot be stabilised. Having a policy emphasises the considerations and provides certainty.
ENV8			
ENV9			
ENV10			
ENV11			
ENV12			
SOC1			
SOC2			
SOC3			
SOC4			
SOC5			
SOC6			
SOC7			
ECO1			
ECO2			
ECO3			

Policy POSP14: Mooring provision

	A: Keep original policy		B: Amended policy		B: No policy	
ENV1					Not having a policy does not necessarily mean that mooring will not be provided in an acceptable way. A policy provides clarification.	
ENV2						
ENV3						
ENV4	+	Policy refers to an attractive waterway.	+	Policy refers to an attractive waterway.		?
ENV5						
ENV6						
ENV7						
ENV8						
ENV9						
ENV10						
ENV11						
ENV12						
SOC1	+	Policy refers to a safe waterway	+	Policy refers to a safe waterway		?
SOC2						
SOC3						
SOC4						
SOC5						
SOC6						
SOC7						
ECO1	+	Moorings are important to the local economy.	+	Moorings are important to the local economy.		?
ECO2	+		+		?	
ECO3	+		+		?	

Policy DM33: Moorings, mooring basins and marinas

A: Keep original policy		B: Amended policy		B: No policy	
ENV1	+ Policy relates to navigation of the waterways.	+ Policy relates to navigation of the waterways.	?	Not having a policy does not necessarily mean that mooring will not be provided in an acceptable way. A policy provides clarification.	
ENV2	+ Policy refers to water quality regulations.	+ Policy refers to water quality regulations.	?		
ENV3	+ Policy refers to impact on biodiversity.	+ Policy refers to impact on biodiversity.	?		
ENV4	+ Policy refers to landscape character impact.	+ Policy refers to landscape character impact.	?		
ENV5					
ENV6					
ENV7					
ENV8					
ENV9					
ENV10					
ENV11	+ Policy refers to provision of electric hook up/charging points that will mean diesel engines not turned on when boats moored.	+ Policy refers to light pollution and provision of electric hook up/charging points that will mean diesel engines not turned on when boats moored.	?		
/ENV12					
SOC1					
SOC2					
SOC3					
SOC4					
SOC5					
SOC6					
SOC7					
ECO1	+ Moorings are important to the local economy.	+ Moorings are important to the local economy.	?		
ECO2	+ the local economy.	+ to the local economy.	?		
ECO3	+	+	?		



**Local Plan for the Broads - Review  
Preferred Options bitesize pieces  
November 2023**

**Planning Obligations**

This is a proposed draft section/policy for the Preferred Options Local Plan. Member's comments and thoughts are requested. This policy is already in the local plan, but some amendments are proposed.

Amendments to improve the policy are shown as follows: ~~text to be removed~~ and added text.

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal, but is included here to show how the policy and options are rated.

The currently adopted policy remains in place – these are proposed amendments and this section will form part of the Preferred Options version of the Local Plan.

**Policy PODMxx: Planning obligations and developer contributions**

1. The Authority will seek appropriate contributions from developers to serve the development and its occupants. Where the development is of a type that will introduce additional pressure on the Broads Authority Executive Area, including for permanent moorings, contributions will be sought towards the appropriate provision of social facilities and benefits including affordable housing, biodiversity enhancement and mitigation of the impact on biodiversity, recreational, community and navigation facilities, and to achieve sustainable development.
2. Contributions may be sought in appropriate circumstances. Where appropriate, the standards and thresholds adopted by the relevant authority, including Housing Authorities and County Councils, will apply. Contributions may be pooled with others from outside the Broads area to fund wider community infrastructure/mitigation.
3. Reduced contributions, where necessary (for example due to the exceptional costs of redeveloping a particular site), will be negotiated on an 'open book' basis, based on the financial viability of the scheme.
4. Occasionally, planning obligations may be used to require a certain element of a scheme to happen, such as a schedule of repairs to a listed building.

**Reasoned Justification**

18 Development can place additional pressure upon physical infrastructure, social facilities,  
19 [biodiversity](#) and green infrastructure, and it is a well-established principle that new development  
20 should contribute towards the cost of meeting these additional demands. Developer contributions  
21 (also referred to as Planning Obligations) are a means of funding works to mitigate the impact of  
22 development, and to provide benefits to local communities and support the provision of local  
23 infrastructure.

24 Where existing infrastructure is inadequate to meet the needs of new development, the Authority  
25 will use conditions or planning obligations to ensure that proposals are made acceptable through  
26 securing the provision of necessary improvements to facilities, infrastructure and services.

27 The nature and scale of any contribution sought for this purpose will be related to the development  
28 proposed and its potential impact upon the surrounding area. It is important to consider the  
29 following in relation to Developer Contributions (as set out in the Community Infrastructure Levy  
30 Regulations 2010 as amended, regulations 122 and 123):

- 31 • Developer contributions must be necessary to make the development acceptable in planning  
32 terms, be directly related to the development, and be fairly and reasonably related in scale and  
33 kind to the development.
- 34 • The combined total impact of contributions should not threaten the viability of the scheme.
- 35 • There are currently pooling restrictions on S106 contributions, whereby only five contributions  
36 can be sought towards generic types of infrastructure.

37 The Authority will seek contributions towards transport, police and fire service provision, education  
38 facilities, libraries, health facilities and social service provision where appropriate, using Planning  
39 Obligations standards prepared by Norfolk and Suffolk County Councils. The Authority will also  
40 apply the standards and thresholds adopted by the relevant constituent District Council to calculate  
41 the contributions to be sought (for example in relation to play and open space and waste  
42 management). Contributions to affordable housing will be sought in accordance with the approach  
43 set out in policy DM34 on affordable housing and policy DM7 on open space.

44 In relation to the protection and use of the waterways and navigation, contributions will be sought  
45 from development, where appropriate<sup>1</sup>, towards dredging and provision of moorings (see DM33).  
46 The dredging and proper disposal of sediment from the bed of the rivers and broads is the largest  
47 cost in the maintenance of the navigation area. The required level of contribution will be calculated  
48 on a site-by-site basis, using the Authority's latest available dredging costings and reflecting site  
49 specific characteristics such as quantity, contamination and ease of disposal.

50 Any financial contributions resulting from planning obligations will be held by the Authority until  
51 agreement is reached with the providing body for the relevant facilities to be provided. If  
52 agreement is not reached or the infrastructure is not constructed, those monies will be returned to  
53 the developer after a period of 10 years. Maintenance sums will be sought for the first 10 years of  
54 the life of a facility where relevant (15 years for highways maintenance in relation to bridges or  
55 other highway structures, 120 years for lifetime replacement).

## 56 **The Broads Authority and CIL**

---

<sup>1</sup> The development may be in an area which is not usually dredged and might attract more vessels. Or might be in an area where larger boats are attracted so would need more dredging to increase the water depth.



57 The Community Infrastructure Levy (CIL) is a planning charge introduced by the Planning Act 2008.  
58 It is a discretionary charge that can be used as a tool by local authorities in England and Wales to  
59 help deliver infrastructure to support the development of their area. The Broads Authority has not  
60 introduced a CIL, due to the low levels of development in the area, difficulties involved in  
61 identifying specific Broads' infrastructure, and the costs of collecting and monitoring CIL when  
62 balanced against the sums likely to be generated.

### 63 **Recreational Avoidance and Mitigation Scheme (RAMS) and Nutrient Neutrality**

64 As mentioned elsewhere in this Local Plan, the issue of recreation impact and the impact from  
65 development on nutrients needs to be mitigated. RAMS is a payment that tends to be secured from  
66 S111 payments. Nutrient Neutrality will also need to be addressed in some locations by certain  
67 developments. The exact mechanism and cost is being developed at the time of writing, but will be  
68 reflected in future local plans.

### 69 **Government changes to planning obligations**

70 At the time of writing, the Government were considering changes to planning obligations. The  
71 changes are being addressed through the Levelling Up and Regeneration Bill. The Government are  
72 looking into a new levy which would replace s106 planning obligations and the Community  
73 Infrastructure Levy. The Authority will monitor the progress of any such changes and these will be  
74 reflected in future local plans as necessary.

### 75 **Infrastructure Funding Statements**

76 The Community Infrastructure Levy (CIL) regulations require all local planning authorities that issue  
77 a CIL liability notice or enter into Section 106 planning obligations during a reporting year to publish  
78 an infrastructure funding statement (IFS) at least annually. The Statement for the Broads is here:  
79 [Developer contributions \(broads-authority.gov.uk\)](https://broads-authority.gov.uk/developer-contributions).

### 80 **Reasonable alternative options**

81 No reasonable alternative options have been identified. Planning obligations are an accepted and  
82 important part of determining planning applications. The amendments to the policy are factual.

### 83 **Sustainability appraisal summary**

84 The preferred policy has been assessed. The following is a summary.

A: Preferred Policy	3 positives. 0 negatives. 0 ? Overall, positive.
---------------------	---

### 85 **How has the existing policy been used since adoption in May 2019?**

86 According to recent Annual Monitoring Reports, the policy has been used and applications have  
87 been determined in accordance with the policy.

### 88 **UN Sustainable Development Goals check**

89 This policy meets these [UN SD Goals](#):

**11** SUSTAINABLE CITIES  
AND COMMUNITIES



## Sustainability Appraisal

### SA objectives:

- ENV1: To reduce the adverse effects of traffic (on roads and water).
- ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to use water efficiently.
- ENV3: To protect and enhance biodiversity and geodiversity.
- ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and towns/villages.
- ENV5: To adapt, become resilient and mitigate against the impacts of climate change
- ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and coastal change.
- ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- ENV8: To minimise the production and impacts of waste through reducing what is wasted, and re-using and recycling what is left.
- ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and their settings
- ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable and reflects local distinctiveness.
- ENV11: To improve air quality and minimise noise, vibration and light pollution.
- ENV12: To increase the proportion of energy generated through renewable/low carbon processes without unacceptable adverse impacts to/on the Broads landscape
- SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- SOC2: To reduce poverty, inequality and social exclusion.
- SOC3: To improve education and skills including those related to local traditional industries.
- SOC4: To enable suitable stock of housing meeting local needs including affordability.
- SOC5: To maximise opportunities for new/ additional employment
- SOC6: To improve the quality, range and accessibility of community services and facilities and to ensure new development is sustainability located with good access by means other than a private car to a range of community services and facilities.
- SOC7: To build community identity, improve social welfare and reduce crime and anti-social activity.
- ECO1: To support a flourishing and sustainable economy and improve economic performance in rural areas.
- ECO2: To ensure the economy actively contributes to social and environmental well-being.
- ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy, society and the environment.

## Assessment of policy

A: Keep original policy		
ENV1		
ENV2		
ENV3	+	Improvements/mitigation relating to biodiversity are secured through planning obligations.
ENV4		
ENV5		
ENV6		
ENV7		
ENV8		
ENV9		
ENV10		
ENV11		
ENV12		
SOC1	+	Recreation facilities/contributions are secured through planning obligations.
SOC2		
SOC3		
SOC4	+	Affordable housing is secured through planning obligations.
SOC5		
SOC6		
SOC7		
ECO1		
ECO2		
ECO3		



**Local Plan for the Broads - Review  
Preferred Options bitesize pieces  
November 2023**

**Retail development**

This is a proposed draft section/policy for the Preferred Options Local Plan. Member's comments and thoughts are requested. This policy is already in the local plan, but some amendments are proposed.

Amendments to improve the policy are shown as follows: ~~text to be removed~~ and added text.

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal, but is included here to show how the policy and options are rated.

The currently adopted policy remains in place – these are proposed amendments and this section will form part of the Preferred Options version of the Local Plan.

**Policy DM51 – Retail development in the Broads**

1. Support will be given for maintaining and enhancing the vitality and viability of town centres and local/district centres.
2. Proposals for retail and other town centre development of a scale appropriate to the retail hierarchy as set out in District Council Local Plans will be supported provided that development respects the character of the centre, including its special architectural and historic interest, and assists in maintaining its existing retail function.
3. Proposals for main town centre ~~retail~~ uses outside of town centres and across the Broads Authority Executive Area will be considered in accordance with:
  - a) The sequential test requirements as set out in national policy and the policies of our District Councils; and
  - b) The relevant policies and retail hierarchy of the local plan of the district in which the proposal is located, including in particular, the relevant adopted floorspace threshold if there is one<sup>1</sup>; and
  - c) The most up to date retail evidence of the District Council within which area the proposal is located; and
  - d) Relevant development plan policies.

<sup>1</sup> If there is not a locally set impact threshold see ~~2019~~ 2023 NPPF Paragraph 90-89. ~~2019~~ NPPF paragraph ~~88~~ 89 may also be of relevance for small-scale rural development.

4. Retail development within settlements will only be permitted in line with i to ~~iii~~ iv above and where:
  - a) It is of a scale commensurate with the size of that settlement; and
  - b) There would be, either individually or cumulatively, no significant adverse impact on the retail function, viability and vitality of centres (whether in or out of the Broads Authority Executive Area); and
  - c) The proposal is in accordance with other policies of the development plan.
5. The catchment area used to assess impacts (including which centres within this catchment area which are to be assessed) will be agreed with the Authority on a case-by-case basis depending on the scale and type of the proposal and its location relative to other centres<sup>2</sup>. The sequential test set out in the NPPF will cover the whole of the identified centre and the entire settlement<sup>3</sup>.
6. Development outside of settlements will only be supported where it will help to sustain an existing business, including farm diversification schemes (see policy xx) and it meets the requirements of the other policies in the development plan.
7. Proposals which seek to appropriately restore and/or put back traditional features on historic shop fronts will be particularly supported.
8. The Authority may seek to apply conditions limiting the ability to change use to other uses within Use Class E without the need for planning permission.

### **Reasoned justification**

The Broads is primarily a rural area, but a number of the settlements within or near to the Broads Authority Executive Area have retail and town centre uses and typically these tend to be located outside of the Broads part of that settlement. Many of the settlements have developed strong links between one another, based on the need for self-sufficiency. Larger towns outside the Broads Authority Executive Area provide access to higher tier services, such as hospitals and large retail outlets. These cross-boundary relationships are recognised, as are neighbouring district strategies. It is important to note that the two identified centres that are within the Broads Authority Executive Area (albeit partly) are Hoveton Town Centre and Oulton Broad District Centre.

It is important the Authority works within the landscape character and environmental limits, and builds upon the existing traditional settlement pattern, but at the same time enables local centres to change and develop and adapt to challenges as this will help those rural communities be sustainable. Development must be of a scale that is commensurate with the size and sympathetic to the role of the settlement and respect its appearance and physical capacity. When assessing a development proposal, spatial variations, such as location, size and level of service provision will be taken into account. Development will not be permitted where it compromises the area's special qualities or its distinctiveness.

<sup>2</sup> Due to the nature of the Broads Authority Executive Area boundary, in particular its shape and limits on development the Area does not form its own retail catchment, hence the case by case approach.

<sup>3</sup> Settlements in the Broads tend to be partly within the Broads and partly within the Local Planning Authority area of the constituent district.

52 There may be occasions when applications are received for Town Centre and/or retail proposals in  
53 the Broads Authority Executive Area. It is important to consider retail across a district as a whole  
54 and therefore the policy states that the Authority will assess these proposals against national policy  
55 requirements (as set out in the NPPF and NPPG) as well as the local policy requirements, including  
56 the retail hierarchy of the district within which the proposal is located.

57 The Local Plan will seek to support and enhance local provision through focusing retail and leisure  
58 proposals within town centres, with retail uses focused within the Primary Shopping Areas. The  
59 development of additional retail floorspace outside of defined centres (as defined in Local Plans of  
60 the Authority's constituent districts) will be restricted where it fails the sequential and impact tests  
61 where relevant.

62 This approach will enable the Authority to assess and appropriately manage proposals for town  
63 centre uses across the Broads in relation to the performance of town centres, local communities  
64 and rural areas.

65 Highstreets and shopping areas which have a well-protected historic identity offer a unique selling  
66 point to companies and brands using their buildings. People are attracted to high quality and well-  
67 preserved environments which help create a sense of place and boosts economy'.

68 There are three policies within this Local Plan that refer to specific areas of retail and those policies  
69 will be used in determining applications for development at those sites:

- 70 • HOV5 relates to the part of Hoveton Town Centre within the Broads Authority Executive Area;
- 71 • OUL3 relates to the part of Oulton Broad District Centre within the Broads Authority Executive
- 72 Area; and
- 73 • POT1 relates to Potter Heigham Bridge.

#### 74 **Reasonable alternative options**

- 75 a) Original policy
- 76 b) No policy

#### 77 **Sustainability appraisal summary**

78 The options of the amended policy, original policy and no policy have been assessed. The following  
79 is a summary.

A: Keep original policy	3 positives. 0 negatives. 0 ? Overall, positive.
B: Amended policy	6 positives. 0 negatives. 0 ? Overall, positive.
C: No policy	0 positives. 0 negatives. 6 ?

#### 80 **How has the existing policy been used since adoption in May 2019?**

81 According to recent Annual Monitoring Reports, the policy has been used and applications have  
82 been determined in accordance with the policy.

#### 83 **Why has the alternative option been discounted?**

84 An alternative option is to not have a policy however retail provides an important function in the  
85 Broads and therefore needs a policy. The changes firm up the policy as well as provides general  
86 support to appropriate improvements to centres.

87 **UN Sustainable Development Goals check**

88 This policy meets these [UN SD Goals](#):

**11** SUSTAINABLE CITIES  
AND COMMUNITIES



89



## Sustainability Appraisal

### SA objectives:

- ENV1: To reduce the adverse effects of traffic (on roads and water).
- ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to use water efficiently.
- ENV3: To protect and enhance biodiversity and geodiversity.
- ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and towns/villages.
- ENV5: To adapt, become resilient and mitigate against the impacts of climate change
- ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and coastal change.
- ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- ENV8: To minimise the production and impacts of waste through reducing what is wasted, and re-using and recycling what is left.
- ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and their settings
- ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable and reflects local distinctiveness.
- ENV11: To improve air quality and minimise noise, vibration and light pollution.
- ENV12: To increase the proportion of energy generated through renewable/low carbon processes without unacceptable adverse impacts to/on the Broads landscape
- SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- SOC2: To reduce poverty, inequality and social exclusion.
- SOC3: To improve education and skills including those related to local traditional industries.
- SOC4: To enable suitable stock of housing meeting local needs including affordability.
- SOC5: To maximise opportunities for new/ additional employment
- SOC6: To improve the quality, range and accessibility of community services and facilities and to ensure new development is sustainability located with good access by means other than a private car to a range of community services and facilities.
- SOC7: To build community identity, improve social welfare and reduce crime and anti-social activity.
- ECO1: To support a flourishing and sustainable economy and improve economic performance in rural areas.
- ECO2: To ensure the economy actively contributes to social and environmental well-being.
- ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy, society and the environment.

## Assessment of policy

	A: Keep original policy		B:Amended policy		B: No policy	
ENV1					Not having a policy does not mean that the benefits of having a policy will not be realised. A policy adds certainty.	
ENV2						
ENV3						
ENV4			+	Policy refers to local character.		?
ENV5						
ENV6						
ENV7						
ENV8						
ENV9			+	Policy refers to impacts on historic character.		?
ENV10			+	Policy refers to local character.		?
ENV11						
ENV12						
SOC1						
SOC2						
SOC3						
SOC4						
SOC5	+	Retail uses bring employment opportunities.	+	Retail uses bring employment opportunities.		?
SOC6	+	Retail is a community service and facility and by being in centres, in theory, they are accessible.	+	Retail is a community service and facility and by being in centres, in theory, they are accessible.		?
SOC7						
ECO1	+	Retail contributes to the economy.	+	Retail contributes to the economy.		?
ECO2						
ECO3						



**Local Plan for the Broads - Review  
Preferred Options bitesize pieces  
November 2023**

**Soils section**

**Question asked at Issues and Options Consultation**

**Options**

- a) Do not have a policy on peat/reduce the requirements in the current policy.
- b) Do not the change the approach as set out in policy and in the guide – so roll forward current approach.
- c) Change the emphasis so there is a stronger requirement to dispose of peat in a way that prevents it drying out. The current approach to excavating peat would be continued.
- d) Change the emphasis to reduce significantly the amount of peat excavated in the first place by making the policy stance stronger. This could be through a presumption against the excavation of peat. That being said, there would need to be circumstances where some small-scale development would be considered, perhaps using set criteria and following the mitigation hierarchy. The current approach to disposing of excavated peat would be continued.
- e) Combine options B and C – so that less peat is excavated and for any that is excavated, there is a stronger requirement to dispose of peat in a way that prevents it drying out.
- f) Potentially look into creating areas for new peat. This will take many years of course and the land would need to be found. But the Local Plan could express strong support for such a scheme.

Question 14: Do you have any thoughts on protecting peat, and on the options listed?

**Responses**

Q	Organisation	Comment
14	Bradwell Parish Council	We should give strong consideration to options c and d,
14	East Suffolk Council	East Suffolk does not have a policy that specifically relates to the use of peat. However (as already highlighted under other answers) East Suffolk Council has declared a climate emergency and is committed to helping communities become sustainable and protecting habitats and biodiversity. The introduction of Biodiversity Net Gain, and the unique properties of peat as a habitat highlight the need for this resource to be protected even more, therefore a stronger policy direction would be beneficial. Due to the potential impacts of peat excavation, option d (change the emphasis to reduce significantly the amount of peat excavated in the first place) appears to be the most favourable as it provides a balanced approach to providing

Q	Organisation	Comment
		greater controls whilst not preventing small scale development where needed. Reference to the Peatland Code could be considered.
14	Historic England	We welcome the direct reference to waterlogged heritage and archaeology. While we recognise that there would need to be circumstances where some small-scale development would be considered, we would welcome a change in emphasis to reduce the amount of peat excavated in the first place by making the policy stance stronger (option d).
14	Mrs S Lowes	Peat to stay where it is.
14	Norfolk Wildlife Trust	we support the cessation of peat extraction, which does not appear to be directly reflected in the options for this question. We would also support the creation of new peat areas in the future, so support option f.
14	RSPB	Options d and f in combination. Excavating peat to commence development is untenable and there should be a presumption against this. The only acceptable circumstance where surface peat might be 'excavated' is within fens and reedbeds to create shallow turf ponds with the express aim of restoring habitats to benefit certain species. By inference excavating peat only occurs in very low-lying areas, which would be extremely susceptible to flooding and at the forefront of the impacts of climate change. Need to take a firm stance now to prevent development at the expense of peat. Instigating projects to start the process of reinstating peat should also start, but care needs to be taken on sites chosen. Any site likely to be flooded in the future should be prepared for another climate change mitigation solution, such as creation of wet woodland or if nearer the coast, saltmarsh as both these habitats have positive Carbon sequestration abilities. OF equal importance is ensuring sufficient water is available to maintain peat soils at an appropriate level of wetness to optimise Carbon capture and prevent formation of methane (which happens when peat soils are submerged).
14	Suffolk County Council	As Minerals Planning Authority, Suffolk County Council would support a firmer stance on the excavation of peat so that less peat is excavated and there is a stronger requirement to dispose of peat in a way that prevents it drying out. Paragraph 210 of the NPPF prohibits policies that allow for new sites or extensions to existing sites for peat extraction and goes onto prohibit the granting of planning permission for peat extraction from new or extended sites.
14	Suffolk County Council	Consideration of the potential for creating new areas of peat is also supported. Peatlands function as carbon sinks, capable of absorbing and storing large quantities of carbon dioxide. The creation of additional peat would support Suffolk County Council's commitment to achieving carbon neutrality.

Q	Organisation	Comment
14	Suffolk County Council	Suffolk County Council would also support the protection of peatland where it provides important biodiversity habitat and where there is exceptional archaeological potential. Any policies relating to the protection or creation of peatland should be linked to the LNRS which, when complete, should inform Local Plans and will carry weight as a mandatory mechanism of the Environment Act 2021.
14	Woodbastwick Parish Council	It is not clear from the text whether peat is being extracted for commercial horticultural use. If this is the case it should cease.

This is a proposed draft section/policy for the Preferred Options Local Plan. Member's comments and thoughts are requested. This policy is already in the local plan, but some amendments are proposed.

Amendments to improve the policy are shown as follows: ~~text to be removed~~ and added text.

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal but is included here to show how the policy and options are rated.

The currently adopted policy remains in place – these are proposed amendments and this section will form part of the Preferred Options version of the Local Plan.

#### Policy **POSP4 Soils**

1) Proposals shall, ~~in relation to soils in the Broads:~~

a) Protect the best and most versatile agricultural land, defined as Grades 1, 2 and 3a of the Agricultural Land Classification (See map at ~~xxx~~);

b) Address decontamination where needed in order to improve quality;

c) Re-use topsoil locally;

d) Principally, leave soils that are carbon sinks in situ;

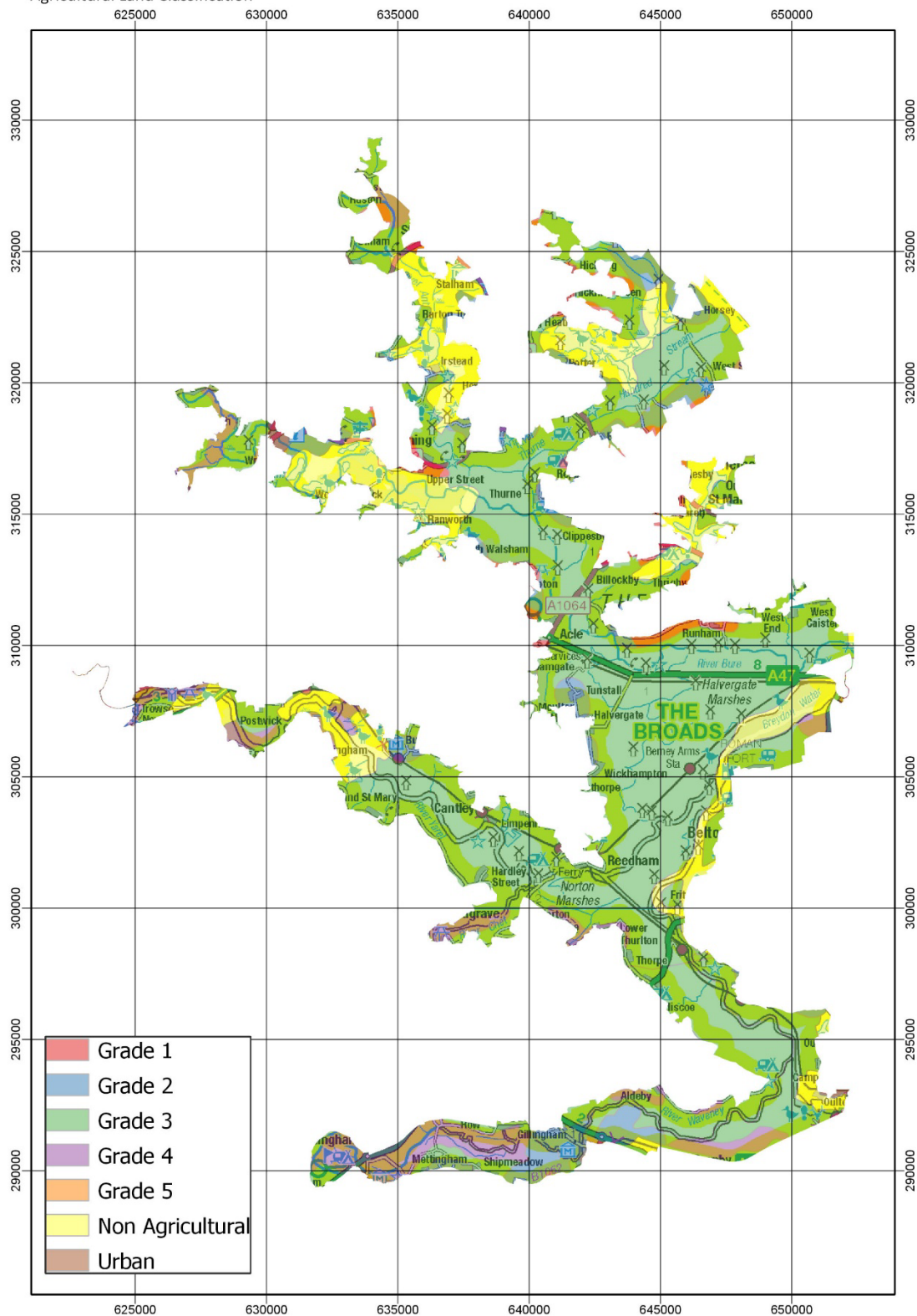
e) Manage soils in a sustainable way during construction;

f) Take particular care in the transportation and disposal of soil during development to prevent possible movement of invasive species; and

g) Address soil erosion and possible contamination of the water environment.

2) Where significant development of any grade of agricultural land is demonstrated to be necessary, detailed field surveys should be undertaken and proposals should seek to use areas of poorer quality land in preference to that of higher quality.

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



© Natural England copyright. © Crown copyright [and database rights] 2019 Ordnance Survey 100021573. You are granted a non-exclusive, royalty free, revocable licence solely to view the Licensed Data for non-commercial purposes for the period during which the Broads Authority makes it available. You are not permitted to copy, sub-license, distribute, sell or otherwise make available the Licensed Data to third parties in any form. Third party rights to enforce the terms of this licence shall be reserved to Ordnance Survey.

## Reasoned Justification

The NPPF seeks the protection and enhancement of soils. The NPPF also says at footnote 58 53, 'Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality'.

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

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

## Best and most versatile agricultural land

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

## Contaminated land

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

## Non-native invasive species

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

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

## Soil erosion

---

<sup>1</sup> Natural England has an advice note about ALC for more information: [publications.naturalengland.org.uk/file/4424325](https://publications.naturalengland.org.uk/file/4424325).



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

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

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

## **Resources**

As part of the Government's 'Safeguarding our Soils' strategy<sup>2</sup>, Defra has published a code of practice on the sustainable use of soils on construction sites, which may be helpful in development design and setting planning conditions.

[The Guide to assessing development proposals on agricultural land - GOV.UK \(www.gov.uk\) says to use the post 1988 ALC Magic map and detailed site survey reports to help you assess whether a development proposal is likely to affect BMV agricultural land. If no suitable data exists, you may need to carry out a detailed survey to support your planning application.](https://www.gov.uk/guidance/the-guide-to-assessing-development-proposals-on-agricultural-land)

## **Reasonable alternative options**

- No policy
- The original policy, with no amendments.

## **Sustainability appraisal summary**

The three options (of the amended policy, the original policy and no policy) have been assessed in the SA. The following is a summary.

A: No policy	0 positives. 0 negatives. 5 ?
B: Keep original policy	4 positives. 0 negatives. 0 ? Overall, positive.
C: Preferred Option - amend policy.	4 positives. 0 negatives. 0 ? Overall, positive.

<sup>2</sup> [Safeguarding our Soils - A Strategy for England \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/90114/safeguarding-our-soils-a-strategy-for-england.pdf)

110 **How has the existing policy been used since adoption in May 2019?**  
111 According to recent Annual Monitoring Reports, the policy has been used and applications  
112 have been determined in accordance with the policy.

113 **Why has the alternative option been discounted?**  
114 The amended policy is preferred because it provides clarification and emphasises the  
115 properties and importance of soils.

116 **UN Sustainable Development Goals check**

117 This policy meets these [UN SD Goals](#):

**12** RESPONSIBLE  
CONSUMPTION  
AND PRODUCTION



**13** CLIMATE  
ACTION



**15** LIFE  
ON LAND



Policy **PODM10: Peat soils**

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

1. Sites of peat soils will be protected, enhanced and preserved.
2. There will be a presumption in favour of preservation in-situ for peat soils.
3. Development resulting in the loss or deterioration of peat (an irreplaceable habitat) will be refused, unless there are wholly exceptional reasons (see supporting text) and a suitable compensation strategy exists and it is demonstrated that:
  - i) There is not a less harmful viable option; and
  - ii) The amount of harm has been reduced to the minimum possible; and
  - iii) An evaluation is submitted to assess the impact of the proposal in relation to palaeoenvironments, archaeology, biodiversity provision and carbon content; and
  - iv) Satisfactory provision is made for the evaluation, recording and interpretation of the peat before commencement of development; and
  - v) The peat is disposed of in a way that will limit carbon loss to the atmosphere.
- ~~4. Where development is proposed on sites within the areas on the map, it may will be necessary for an evaluation to be submitted to assess the impact of the proposal in relation to palaeoenvironments, archaeology, biodiversity provision and carbon content.~~
- ~~5. There will be a presumption in favour of preservation in-situ for peat, and development proposals that will result in unavoidable harm to, or loss of, peat will only be permitted if it is demonstrated that:~~
6. Development that seeks to enhance biodiversity but may result in some peat removal will still need to demonstrate the criteria i) to iv) and that the biodiversity benefit will outweigh carbon loss.
7. Proposals to enhance peat and protect its qualities will be supported.

**Reasoned Justification**

Peat is an abundant soil typology in the Broads and an important asset. While there is a certain irony in protecting the peat soils in an area where the lakes originated from peat extraction, peat is a finite resource.

**Ecosystem services**

Peat has many qualities and provides ~~providing~~ many ecosystem services:

- **Climate change:** The soils formed by the Broads wetland vegetation store 38.8 million tonnes of carbon<sup>3</sup>. Peat soils release previously stored carbon when they are dry. UK peats therefore represent both a threat and an opportunity with respect to greenhouse gas emissions. Correct management and restoration could lead to enhanced storage of carbon and other greenhouse gases in these soils, while mismanagement or neglect could lead to these carbon sinks becoming net sources of greenhouse gases.

<sup>3</sup> NCA Profile 80, Natural England and the Broads Authority's [Greenhouse gas reduction strategy for the Broads \(broads-authority.gov.uk\)](#)

- **Biodiversity:** Peat soils support internationally important fen, fen meadow, wet woodland and lake habitats. 75% of the remaining species-rich peat fen in lowland Britain is found in the Broads. Milk parsley, the food plant of the Swallowtail caterpillar, grows only on peat soils. Fen orchids have their UK stronghold in the Broads so the peat soils are critical for the survival of this species. Other rare and important plant and invertebrate communities (collection of species) are supported by the peaty soils.
- **Archaeology:** Historic England has identified the Broads as an area of *exceptional waterlogged heritage*. Because of the soil conditions in the Broads, there is great potential for archaeology to be well preserved, giving an insight into the past. Archaeology is discussed in more detail in the Heritage section of this Plan.
- **Palaeoenvironments:** The peat has accumulated over time and thus incorporates a record of past climatic and environmental changes that can be reconstructed through, for example, the study of its stratigraphy and pollen content, leading to increased knowledge of the evolution of the landscape.
- **Water:** Peaty soils help prevent flooding by absorbing and holding water like a sponge as well as filtering and purifying water. Peat can absorb large quantities of nutrient and other pollutants, although peat soils can under certain conditions release these chemicals back into the surrounding water.

#### How peat quality can be impacted

Land management that could impact on the quality of the peat soil includes land drainage, introduction of polluted water, burying the peat under hard surfaces or gardens, compacting peat and peat removal to change the land use.

#### Priority habitat. Irreplaceable habitat.

NPPF (2023) para 180c) says 'development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons<sup>63</sup> and a suitable compensation strategy exists'.

Footnote 63 says 'For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat'.

The NPPF glossary defines 'irreplaceable habitats' as 'habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen'.

Peat is not a habitat that can be recreated elsewhere as the deep soils take many thousands of years to form. Indeed, a site in Salford that formed part of Greater Manchester's local spatial framework Places for Everyone was removed by Inspectors due to the development proposal's public benefits not outweighing the loss of deterioration of peat<sup>4</sup>.

The Authority therefore considers peat is an irreplaceable habitat and so the tests set out in the NPPF will need to be passed for development that negatively impacts peat to go ahead.

<sup>4</sup> [IN37-Further-Action-Points-July-2023-Final-Publication.pdf \(hwa.uk.com\)](#)

## **Lowland Fen**

Lowland fen is a priority habitat under the UK Biodiversity Action Plan and the EU Habitats Directive because of the quality and diversity of species it supports. Lowland Fen is also classed as an 'irreplaceable habitat' in the NPPF. The JNCC<sup>5</sup> says 'fens are peatlands which receive water and nutrients from the soil, rock and ground water as well as from rainfall: they are minerotrophic'.

## **Biodiversity enhancements schemes**

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

## **Excavation of peat as a mineral resource**

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

## **If the public benefit of a scheme is proved to clearly outweigh the loss or deterioration of peat**

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

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

The Broads Authority have produced a guide to understanding and addressing the impact of new developments on peat soil. This Guide provides additional information to help applicants meet the requirements of the related peat policy. It seeks to reduce the amount of peat excavated, ensure the special qualities are addressed and ensure that any peat excavated it disposed of in a way to ensure stored carbon is not emitted into the atmosphere.

## **Reasonable alternative options**

a) No policy

---

<sup>5</sup> [UK BAP Priority Habitat Descriptions \(Fen, Marsh & Swamp\) \(2008\) | JNCC Resource Hub](#)

233 b) The original policy, with no amendments.

234 **Sustainability appraisal summary**

235 The three options (of the amended policy, the original policy and no policy) have been assessed in  
236 the SA. The following is a summary.

A: No policy	0 positives. 0 negatives. 3 ?
B: Keep original policy	3 positives. 0 negatives. 0 ? Overall, positive.
C: Preferred Option - amend policy.	3 positives. 0 negatives. 0 ? Overall, positive.

237 **How has the existing policy been used since adoption in May 2019?**

238 According to recent Annual Monitoring Reports, the policy has been used and applications have  
239 been determined in accordance with the policy.

240 **Why has the alternative option been discounted?**

241 The amended policy is preferred because it provides clarification and makes the policy more  
242 consistent with the NPPF.

243 **UN Sustainable Development Goals check**

244 This policy meets these [UN SD Goals](#):



## **Sustainability Appraisal**

### **SA objectives:**

- ENV1: To reduce the adverse effects of traffic (on roads and water).
- ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to use water efficiently.
- ENV3: To protect and enhance biodiversity and geodiversity.
- ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and towns/villages.
- ENV5: To adapt, become resilient and mitigate against the impacts of climate change
- ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and coastal change.
- ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- ENV8: To minimise the production and impacts of waste through reducing what is wasted, and re-using and recycling what is left.
- ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and their settings
- ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable and reflects local distinctiveness.
- ENV11: To improve air quality and minimise noise, vibration and light pollution.
- ENV12: To increase the proportion of energy generated through renewable/low carbon processes without unacceptable adverse impacts to/on the Broads landscape
- SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- SOC2: To reduce poverty, inequality and social exclusion.
- SOC3: To improve education and skills including those related to local traditional industries.
- SOC4: To enable suitable stock of housing meeting local needs including affordability.
- SOC5: To maximise opportunities for new/ additional employment
- SOC6: To improve the quality, range and accessibility of community services and facilities and to ensure new development is sustainability located with good access by means other than a private car to a range of community services and facilities.
- SOC7: To build community identity, improve social welfare and reduce crime and anti-social activity.
- ECO1: To support a flourishing and sustainable economy and improve economic performance in rural areas.
- ECO2: To ensure the economy actively contributes to social and environmental well-being.
- ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy, society and the environment.

		A: No policy	B: Keep original policy	C: Preferred Option - amend policy
ENV1		Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.		
ENV2	?		+ Policy refers to soil erosion and contamination of water environment.	+ Policy refers to soil erosion and contamination of water environment.
ENV3	?		+ Policy refers to invasive species.	+ Policy refers to invasive species.
ENV4				
ENV5	?			+ Policy refers to carbon sinks.
ENV6				
ENV7	?		+ Policy seeks protection of soils and re use of topsoil locally.	+ Policy seeks protection of soils and re use of topsoil locally.
ENV8	?		+ Policy refers to local re use of topsoil.	+ Policy refers to local re use of topsoil.
ENV9				
ENV10				
ENV11				
ENV12				
SOC1				
SOC2				
SOC3				
SOC4				
SOC5				
SOC6				
SOC7				
ECO1				
ECO2				
ECO3				



		A: No policy	B: Keep original policy	C: Preferred Option - amend policy
ENV1		Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.		
ENV2				
ENV3	?		+ Fundamentally, the policy seeks to protect peat which is a habitat.	+ Fundamentally, the policy seeks to protect peat which is a habitat.
ENV4				
ENV5	?		+ Policy seeks protection of peat, which is a carbon sink. Talks about requirements of keeping peat wet if it is removed.	+ Policy seeks protection of peat, which is a carbon sink. Talks about requirements of keeping peat wet if it is removed.
ENV6				
ENV7				
ENV8				
ENV9	?		+ If peat is to be removed, policy talks of palaeoenvironments and archaeology.	+ If peat is to be removed, policy talks of palaeoenvironments and archaeology.
ENV10				
ENV11				
ENV12				
SOC1				
SOC2				
SOC3				
SOC4				
SOC5				
SOC6				
SOC7				
ECO1				
ECO2				
ECO3				



**Local Plan for the Broads - Review  
Preferred Options bitesize pieces  
November 2023**

**Source of heating**

**Contents**

1.	Introduction .....	1
2.	Issues and Options consultation – section and question.....	1
3.	Issues and Options consultation – responses .....	2
4.	Commentary and proposed way forward.....	5
5.	Draft policy.....	5
6.	Sustainability Appraisal.....	7

**1. Introduction**

One of the issues raised in the Issues and Options consultation, was about whether the Authority looks to address the source of heating through the Local Plan. This paper brings together the relevant section of the Issues and Options document, as well as the comments received and then proposes a way forward.

**2. Issues and Options consultation – section and question**

Some properties in the Broads are heated by oil. The Department for Business, Energy and Industrial Strategy (BEIS) estimates that while domestic gas heating produces 3,900 tCO<sub>2</sub>e per year, oil heating produced almost four times that at 15,300tCO<sub>2</sub>e. The Committee on Climate Change Sixth Carbon Budget Report<sup>1</sup> recommended that for a Balanced Pathway to Net-Zero, new boilers not on the gas grid – e.g. oil-fired boilers - should be low-carbon by 2028. For properties on the gas grid, the target date is 2033. In part this is due to gas boilers having a lower CO<sub>2</sub> footprint per kilowatt hour of heat produced.

The new Local Plan could set out a preferred hierarchy in respect of energy. A similar approach is already taken in adopted policy DM2 in respect of wastewater treatment, which requires development to be connected to a foul sewer unless this is proven not to be feasible. The next option in the hierarchy is package treatment works with septic tanks as the least favourable option. So, there could be scope for a similar hierarchical approach, but for source of heating.

<sup>1</sup> <https://www.theccc.org.uk/publication/sixth-carbon-budget> page 110-112.

- A source of heating hierarchy could be as follows. It may need to include being hydrogen ready<sup>2</sup> or even biomass boilers.
- a) Heat pump and underfloor heating, powered by on-site solar and batteries;
  - b) Heat pump and underfloor heating, powered by the electricity grid;
  - c) Gas heating, but with the overall heating system 'heat pump ready' (larger radiators etc) and the gas boiler 'hydrogen ready';
  - d) Oil Heating, but with the overall heating system 'heat pump ready' (larger radiators etc);
  - e) Gas Heating with no adaptation of the system; and
  - f) Oil Heating with no adaptation of the system
- There could also be benefits in requiring new developments, including extensions, to be heat pump ready (noting the hierarchy set out above). This will reduce costs and resource consumption in the long term and make it more affordable to then switch to a low carbon heating system such as a heat pump when gas and oil boilers cease to be available.
- It should be noted that towards the end of 2021 there were some Government consultations on fossil fuel heating. It could be that, during the production of the Local Plan, national standards are set:
- [Phasing out the installation of fossil fuel heating in homes off the gas grid - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/phasing-out-the-installation-of-fossil-fuel-heating-in-homes-off-the-gas-grid)
  - [Phasing out the installation of fossil fuel heating systems in businesses and public buildings off the gas grid - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/phasing-out-the-installation-of-fossil-fuel-heating-systems-in-businesses-and-public-buildings-off-the-gas-grid)
  - [Future support for low carbon heat - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/future-support-for-low-carbon-heat)

**Question 9: Do you have any thoughts on source of heating?**

- a) Do you have any thoughts on the approach of a heating hierarchy as set out above?
- b) Do you have any comments on the potential hierarchy as set out above?
- c) What about developments being heat pump ready?

### 3. Issues and Options consultation – responses

Question	Organisation	Comment
9	Broads Society	The Society feels that it is helpful to have a preferred hierarchy approach particularly for new development but does not think that any proscribed approach is necessary which would require new development and extensions to be 'heat-pump ready'. This could add an unnecessary financial burden on developers and residents. Instead, the approach should be collaborative and viewed positively within planning applications, to embrace the technologies available to provide electric charging and water/ground/air source pumps, to join up infrastructures for sustainable visitor travel, enable a joint marketing approach to encourage sustainable tourism.

<sup>2</sup> [Enabling or requiring hydrogen-ready industrial boiler equipment: call for evidence - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/enabling-or-requiring-hydrogen-ready-industrial-boiler-equipment)

Question	Organisation	Comment
9	Brooms Boats	The approach should be collaborative and viewed positively within planning applications, to embrace the technologies available to provide electric charging and water/ground/air source pumps, to join up infrastructures for sustainable visitor travel, enable a joint marketing approach to encourage sustainable tourism.
9	Designing Out Crime Officer, Norfolk Police	Option c) Yes reducing / eradicating oil tanks which are vulnerable to theft and criminal damage (when not locked or surrounded by the recommended layers of security) and replaced with other heating sources would be supported by Norfolk Constabulary to reduce crime.
9	Sequence UK LTD/Brundall Riverside Estate Association	<p>2.22 The Brundall Riverside Estate Association do have concerns with regard to the energy hierarchy set out above. Such an approach would go beyond the building regulations requirements and it is not clear from the consultation as to who would make the assessment as to whether a development is acceptable in terms of the hierarchy.</p> <p>2.23 It is presumed this would be undertaken by Broads Authority's Planning Officers unless a specialist role is created but this would create a further pressure on planning resource and it is not clear whether there is appropriate in-house expertise to make judgements on the proposed hierarchy.</p> <p>2.24 By contrast, the drainage hierarchy is implemented by specialist officers within the Lead Local Flood Authority (LLFA) at Norfolk County Council. Even then, this can be problematic even where applicants have legitimate grounds to justify a drainage solution further down the hierarchy where 'higher' options are not viable.</p> <p>2.25 There is a concern that such an approach could be overly restrictive and place a burden on developers, in going beyond building regulations requirements. In particular the reference to extensions meeting the hierarchy would seem inappropriate if it is required to be of a higher standard than the main dwelling.</p> <p>2.26 We would therefore suggest that the proposed heating hierarchy is not appropriate.</p>
9	South Norfolk Council	Consistent with the Agreement 3 of the NSPF. However, there is no reference to domestic wind power sources and whether there are any circumstance in which this may be deemed an appropriate solution within the Broads. The Council also considers that there may be a significant opportunity to encourage the use of water source heat pumps and this should be given due consideration in the policies of the Local Plan.
9	Suffolk County Council	Addressing the way homes are heated in Suffolk is considered an important component of reaching carbon neutrality across the Suffolk. In addition to supporting policies that require new buildings to include heat pumps or new heat networks, Suffolk County Council also supports the uptake of heat pumps in existing buildings in line with the actions accompanying the Suffolk Climate Emergency Plan. We support the heating hierarchy set out at section 13.5 and would support the requirement for new developments to be heat pump ready.

Question	Organisation	Comment
9	Broadland Council	Consistent with the Agreement 3 of the NSPF. However, there is no reference to domestic wind power sources and whether there are any circumstance in which this may be deemed an appropriate solution within the Broads.
9a	RSPB	Looks sensible. Are you differentiating between ground source and air-source heat pumps? Either way it makes sense to make clear both methods should be considered as valid.
9a	Bradwell Parish Council	We only agree with a-d.
9a	East Suffolk Council	East Suffolk Council's view is that planning policy should support low carbon and renewable energy but should not be setting detailed requirements. Building Regulations should set the requirements for energy performance at the national level. Building Regulations set carbon emission standards without specifying the type of heating/hot water system required. This approach allows for new technologies to come forward that are more energy efficient/low carbon. Given the timeframes of Local Plans, it is important that there is sufficient flexibility to accommodate technological advances in this area. As above, clarification of the approach to residential solar PV installations (alongside heat pump installations and potentially geothermal) would be useful.
9b	RSPB	It would make sense to work towards phasing out fossil fuel source systems and again incentivise with Government grants or other.
9b	Bradwell Parish Council	The approach should be for net zero emissions.
9b	East Suffolk Council	Notwithstanding our more general comments against question a) above, the principal behind the introduction of some form of heating hierarchy sounds sensible. As noted in the consultation document, any new Local Plan will need to consider the impact that any new standards may have on the feasibility of installing oil and gas boilers in new homes in the future.
9c	RSPB	An essential approach to take to smooth the transition. Perhaps impossible to predict but design and installation should allow adaptation at a future date if new technology arrives to further enhance efficiency.
9c	Bradwell Parish Council	We should move to a situation where all developments are heat pump ready.
9c	East Suffolk Council	As outlined in our response to question a) above, East Suffolk Council's view is that Building Regulations, not planning policy, are best placed to specify requirements for heating and/or hot water systems. Building Control Officers have the knowledge and expertise to assess the technical information submitted alongside applications and can carry out the necessary onsite checks to ensure work has been carried in accordance with plans. Developments being 'heat network ready' where viable is expected to be a future national requirement – this could also be added as a consideration, but may be less relevant to the Broads due to the generally lower heat and population density.

#### 4. Commentary and proposed way forward

Taking on board the comments made, it is proposed to have a draft policy that includes a source of heating hierarchy, that includes water source heat pumps, and applies to new build (including replacement dwellings) rather than including extensions.

#### 5. Draft policy

This is a proposed new policy for the emerging Local Plan.

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal but is included here to show how the policy and options are rated.

##### **Policy PODMxx Source of heating**

- 1) The Authority encourages the heating system of new buildings to be as high up the heating method hierarchy in section 4 as is feasible.
- 2) New buildings that include heating are required to be:
  - a) heat pump ready (if they do not intend to include heat pumps as part of the initial build). This could be water, ground or air source heat pumps, to reflect the individual circumstances of the scheme and;
  - b) ensure any boiler is hydrogen ready.
- 3) Oil heating of new builds and replacement dwellings will not be supported.
- 4) Proposals for replacement development, as well as proposals to intensify an already permitted use, are required to improve the existing method of heating of the entire property if feasible, in line with the heating method hierarchy as set out below:
  - a) Heat pump and underfloor heating, powered by on-site solar and batteries;
  - b) Heat pump and underfloor heating, powered by the electricity grid;
  - c) Gas heating, but with the overall heating system 'heat pump ready' (larger radiators etc);
  - d) Oil Heating, but with the overall heating system 'heat pump ready' (larger radiators etc);
  - e) Gas Heating with no adaptation of the system; and
  - f) Oil Heating with no adaptation of the system.

##### **Reasoned justification**

Some properties in the Broads are heated by oil. The Department for Business, Energy and Industrial Strategy (BEIS) estimates domestic gas heating produces much less carbon dioxide emissions than oil heating. The Committee on Climate Change Sixth Carbon Budget Report<sup>3</sup>

<sup>3</sup> <https://www.theccc.org.uk/publication/sixth-carbon-budget> page 110-112.

recommended that for a Balanced Pathway to Net-Zero, new boilers not on the gas grid – e.g. oil-fired boilers - should be low-carbon by 2028. For properties on the gas grid, the target date is 2033. In part this is due to gas boilers having a lower CO<sub>2</sub> footprint per kilowatt hour of heat produced.

The policy sets out a preferred method of heating hierarchy in respect of source of heating. Replacement buildings are required to improve their method of heating in line with the hierarchy. New buildings are required to be ready for other heating technologies. In all cases, oil as a source of heating is not supported.

The approach of being ready for new or other heating technologies will reduce costs and resource consumption in the long term and make it more affordable to then switch to a low carbon heating system such as a heat pump when gas and oil boilers cease to be available.

It should be noted that towards the end of 2021 there were some Government consultations on fossil fuel heating. It could be that, during the production of the Local Plan, national standards are set.

#### **Reasonable alternative options**

a) No policy

#### **Sustainability appraisal summary**

The two options (of having a policy and not having a policy) have been assessed in the SA. The following is a summary.

A: Have a policy	4 positives. 0 negatives. 0 ? Overall, positive.
B: No policy	0 positives. 0 negatives. 4 ?

#### **Why have the alternative options been discounted?**

There was general support for a policy as part of the Issues and Options consultation responses. Given the Climate Emergency and how heating is an important consideration when building homes, a policy is preferred.

#### **UN Sustainable Development Goals check**

This policy meets these [UN SD Goals](#):

**7** AFFORDABLE AND  
CLEAN ENERGY



**11** SUSTAINABLE CITIES  
AND COMMUNITIES



**13** CLIMATE  
ACTION



## 6. Sustainability Appraisal

SA objectives:

- ENV1: To reduce the adverse effects of traffic (on roads and water).
- ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to use water efficiently.
- ENV3: To protect and enhance biodiversity and geodiversity.
- ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and towns/villages.
- ENV5: To adapt, become resilient and mitigate against the impacts of climate change
- ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and coastal change.
- ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- ENV8: To minimise the production and impacts of waste through reducing what is wasted, and re-using and recycling what is left.
- ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and their settings
- ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable and reflects local distinctiveness.
- ENV11: To improve air quality and minimise noise, vibration and light pollution.
- ENV12: To increase the proportion of energy generated through renewable/low carbon processes without unacceptable adverse impacts to/on the Broads landscape
- SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- SOC2: To reduce poverty, inequality and social exclusion.
- SOC3: To improve education and skills including those related to local traditional industries.
- SOC4: To enable suitable stock of housing meeting local needs including affordability.
- SOC5: To maximise opportunities for new/ additional employment
- SOC6: To improve the quality, range and accessibility of community services and facilities and to ensure new development is sustainability located with good access by means other than a private car to a range of community services and facilities.
- SOC7: To build community identity, improve social welfare and reduce crime and anti-social activity.
- ECO1: To support a flourishing and sustainable economy and improve economic performance in rural areas.
- ECO2: To ensure the economy actively contributes to social and environmental well-being.
- ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy, society and the environment.



## 143 Assessment of policy

		A: Have a policy	B: No policy
ENV1			<p>Developers may still implement sources of heating higher up the hierarchy to reflect other reasons. Indeed, the Government may set regulations in place to address the issue the policy seeks to address. Having a policy provides more certainty.</p>
ENV2			
ENV3			
ENV4			
ENV5	+	Fundamentally, the reason for such a policy is to reduce contributions to climate change.	
ENV6			
ENV7	+	The hierarchy seeks best ways of producing energy/heat.	
ENV8			
ENV9			
ENV10			
ENV11			
ENV12	+	The hierarchy would result in more energy produced using renewable/low carbon methods.	
SOC1			
SOC2	+	By being ready for alternative/new ways of heating, this would make changing cost effective for owners/occupiers.	
SOC3			
SOC4			
SOC5			
SOC6			
SOC7			
ECO1			
ECO2			
ECO3			



**Local Plan for the Broads - Review  
Preferred Options bitesize pieces  
November 2023**

**Sustainable Tourism**

This is a proposed draft section/policy for the Preferred Options Local Plan. Member's comments and thoughts are requested. This policy is already in the local plan, but some amendments are proposed.

Amendments to improve the policy are shown as follows: ~~text to be removed~~ and added text.

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal but is included here to show how the policy and options are rated.

The currently adopted policy remains in place – these are proposed amendments and this section will form part of the Preferred Options version of the Local Plan.

**Policy POSP12: Sustainable tourism**

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

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

23 **Reasoned Justification**

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

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

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

43 The Broads Authority adopted a Tourism Strategy and Destination Management Plan for the Broads  
44 in 2016. An updated version should be adopted by the Broads Authority by end of 2024.

45 The leisure sector is a fast-changing industry and the patterns and popularity of uses change over  
46 time. Tourism businesses and visitors in the Broads are still adjusting to the new normal following  
47 the Covid pandemic of 2020/2021. Whilst initial trends following the lifting of restrictions on travel  
48 were encouraging, the recovery has also been affected by other factors. The global economy has  
49 slowed, fuel prices have been volatile and the domestic 'cost of living crisis' has reduced the  
50 disposable income for many families. International travel has been affected by industrial action,  
51 fuel prices, and the increasing effects of global warming which has contributed to irregular weather  
52 patterns, soaring temperatures, wildfires and flooding in many popular destinations. These factors  
53 all create uncertainty for businesses and individuals.

54 The Local Plan helps to guide tourism and recreational development (including holiday/tourism  
55 accommodation) by making sure it is of an appropriate scale and location where the environment,  
56 infrastructure and facilities support and can accommodate the visitor impact. Detailed  
57 considerations about location are addressed in PODM30. Proposals should be of a suitable scale  
58 and type to protect the character of the townscape and landscape. The Authority encourages the  
59 use of brownfield sites in the first instance, ~~where feasible.~~

60 Shops, pubs, restaurants, moorings, water, electricity and boating supplies are used by local  
61 communities as well as visitors. These services are all part of the essential infrastructure of a  
62 holiday destination. Proposals are encouraged to provide refuse disposal points and public toilets  
63 where appropriate, taking into consideration their ongoing management and maintenance.

64 Provision of facilities that enable visitors and residents to experience, explore, and enjoy the Broads  
65 and access visitor destination points are guided by and driven in the main by the Broads Integrated  
66 Access Strategy. This is discussed in more detail in the transport section.

67 Assessment of tourism initiatives will include consideration of their accessibility. Small-scale  
68 highways improvements may be required to allow schemes to go ahead in an acceptable manner.  
69 Improvements need to be made to the cycle network around the Broads and also to provide access  
70 by modes other than the private car. New development should, where possible, support such  
71 opportunities. This could involve infrastructure for electric vehicle charging points (see policy  
72 PODM xxx on EV charging points) and other new technologies.

73 Access to a number of the main tourist destinations in the Broads can be realistically achieved only  
74 by the use of the private car. However, future ~~medium-sized and major~~ development should be  
75 located only where alternative means of access can be provided as part of the development, such  
76 as by water, close to train stations or bus routes ~~stops~~. It may be the case that the scale of a new  
77 tourism facility could justify a new bus route or stop that will serve it.

78 Across the Broads there is considerable variation in landscape types and ecological sensitivity, with  
79 some areas more sensitive and vulnerable to change than others. Similarly, visitor pressure is not  
80 evenly spread across the system, with some areas being ‘honey pots’, particularly in the height of  
81 the season, while other areas remain relatively quiet. The aim is to distribute tourism throughout  
82 the Broads, while providing protection to sensitive and vulnerable areas. Development will need to  
83 be carefully sited and designed to protect and enhance the special features and character of the  
84 Broads. This could be achieved through using previously developed sites.

85 The term ‘tourism and recreation development’ also covers holiday/tourism accommodation. The  
86 role of land-based accommodation in supporting the local tourism and leisure economies in the  
87 Broads is increasingly recognised and further development can support this. Such accommodation  
88 can help to replace the bed spaces lost by the decline in the hire boat fleet, as well as offering  
89 alternative ways to enjoy the Broads and encouraging diversification of the tourism base. Policies  
90 will permit development to provide land-based accommodation for holiday use, subject to  
91 satisfaction of criteria set out in other Local Plan policies.

## 92 **Reasonable alternative options**

93 a) No policy

## 94 **Sustainability appraisal summary**

95 The following is a summary of the assessment of the policy.

A: Have a policy	10 positives. 0 negatives. 0 ? Overall positive
B: No policy	0 positives. 0 negatives. 10 ?

## 96 **How has the existing policy been used since adoption in May 2019?**

97 According to recent Annual Monitoring Reports, the policy has been used and schemes have been  
98 in conformity with the policy.

## 99 **Why has the alternative option been discounted?**

100 Given the attractiveness of the Broads to people and the attractions and accommodation that are  
101 in the area or planned for the area, it is prudent to have a policy.

102 **UN Sustainable Development Goals check**

103 This policy meets these [UN SD Goals](#):



## **Policy PODM29: Sustainable tourism and recreation development**

### **1) General Location of Sustainable Tourism and Recreation Development**

- a) New tourism and recreational development (including holiday/tourism accommodation [of all types](#)) will be permitted ([subject to other policies of the Local Plan](#)) where it:
  - i) Is within or adjacent to a defined development boundary; or
  - ii) Is ~~closely associated with~~ [is part of](#) an existing visitor attraction/tourism site, group of holiday dwellings, boatyard or established sailing or similar club.
- b) For all proposals it should be demonstrated that the use of brownfield sites has been considered.
- c) In all cases the development must be satisfactorily accessed by sustainable means, which could include public transport, walking, cycling, horse riding or by water.
- d) Tourism and recreational facilities in all other areas not covered by (i) and (ii) will be permitted only where there is a clear and demonstrable need for the facilities to be situated in the proposed location and where:
  - i) They are in accordance with the policies in this Local Plan;
  - ii) They do not involve a significant amount of new build development. New build development will only be of a scale that is compatible with the location and setting; and
  - iii) They do not adversely affect and wherever possible and appropriate contribute positively to water quality, dark skies, the landscape character, historic environment, protected species or habitats.
- e) The requirement to demonstrate a need to be located in areas other than (i) or (ii) does not apply to farm diversification development to provide tourist accommodation; [see policy PODMxx on Farm Diversification](#).
- f) Intensive tourism and leisure uses, including static caravans, will not normally be permitted on greenfield sites.
- g) [Overnight accommodation in Norfolk and parts of Suffolk will need to mitigate against recreation impacts \(potentially through the relevant GI RAMS scheme\). Mitigation for impact on Nutrient Enrichment \(through a mitigation scheme\) will be required in some parts of the Broads.](#)

### **2) Principles of Sustainable Tourism and Recreation Development**

- a) Proposals for new tourism and recreation development, including within existing sites or attractions, will be positively supported where:
  - i) [They are in accordance with the policies in this Local Plan;](#)
  - ii) There is proven sufficient capacity of the highway network;
  - iii) Sufficient car and cycle parking can be provided on site;
  - iv) They do not adversely affect - and wherever possible enhance - dark skies, the landscape character, historic environment, protected species or habitats;
  - v) Proposals are of a high-quality design and are suitable for the setting;
  - vi) Navigation is not adversely affected; and
  - vii) Proposals are of a scale compatible with their location and setting.

- |   |
|---|
| b) Regard will be given to the cumulative impacts of tourism and recreation proposals on landscape character, nature conservation value and local transport movement. |
|---|

### **Reasoned Justification**

The NPPF advises that Local Planning Authorities should support sustainable rural tourism and leisure developments that benefit rural businesses, communities, and visitors and that use and enrich, rather than harm, the character of the countryside, its towns, villages, buildings and other features. The tourism sector plays a vital role in the local economy.

The tourism economy of the Broads is heavily dependent on the quality of the natural environment. Inappropriate development proposals, including for intensive tourism and leisure uses, can detract from the special qualities of the Broads upon which tourism relies. The Sustainable Tourism and Recreation Strategy for the Broads therefore aims to develop, manage, and promote the Broads as a high-quality sustainable tourism destination, in keeping with its status as an internationally renowned environment.

The policy directs tourism and recreational development to appropriate locations with the necessary infrastructure and facilities to support such development and accessible by a variety of transport modes. The settlements of the Broads provide the greatest potential for accommodating additional visitor numbers without detriment to the environment. These locations are also among the most accessible by public transport. To make sure the special qualities of the Broads are protected for future generations while maintaining the economic benefits of tourism, the Authority will support new tourism and recreational development in or adjacent to defined settlements, and on existing visitor attraction/tourism sites, groups of holiday dwellings, boatyards or established sailing or similar clubs.

Proposals for new tourism and recreation facilities outside these areas will need to be accompanied by a robust and comprehensive statement that demonstrates why the proposed facility needs to be located away from development boundaries and specific attractions (as described in i and ii of the policy) and provides evidence to justify the scale of development. This requirement does not apply to farm diversification projects providing tourist accommodation (which will be considered against other policies of the Local Plan). Due to the potential impact on the openness and special character of the landscape, facilities located away from development boundaries and specific attractions will only be permitted where the scale of built development would not have an adverse impact on the character of the local area and special qualities of the landscape. In addition, proposals that may have an effect on a protected site or species will only be permitted where a site level Habitats Regulations Assessment can successfully demonstrate that there are no adverse effects on the qualifying features of those habitats or species.

[For the avoidance of doubt, where there is reference to new development, this includes conversion, new build and temporary structures.](#)

### **Reasonable alternative options**

- a) An alternative option would be to keep the original policy
- b) No policy

### **Sustainability appraisal summary**

The following is a summary of the assessment of the policy.

A: Keep original policy	12 positives. 0 negatives. 0 ? Overall positive
B: Amended policy	12 positives. 0 negatives. 0 ? Overall positive
C: No policy	0 positives. 0 negatives. 12 ?

### How has the existing policy been used since adoption in May 2019?

According to recent Annual Monitoring Reports, the policy has been used and schemes have been in conformity with the policy.

### Why has the alternative option been discounted?

Given the attractiveness of the Broads to people and the attractions and accommodation that are in the area or planned for the area, it is prudent to have a policy. The amendments add clarification to the policy and factually reference to the GI RAMS and Nutrient Neutrality mitigation.

### UN Sustainable Development Goals check

This policy meets these [UN SD Goals](#):

**14** LIFE  
BELOW WATER



**15** LIFE  
ON LAND





### Information for members

As part of the Issues and Options consultation, we received the following comments relating to the holiday/[tourism accommodation](#) policy. We consider the conditions in question are required to ensure a variety of types of holiday/[tourism accommodation](#) are available. There have been recent permissions using the condition that the Authority has tended to use, to which these comments apply. To date there have not been any appeals against the conditions.

Section	Organisation	Comment	Response	Action
Economy and Tourism	Lanpro Services	<p>The Local Plan Review covers a wide range of topic areas and although at Section 7.6 The economy of the Broads the review acknowledges that tourism is the significant contributor to the economy and employment of the Broads, as it states:</p> <p>“Tourism is the mainstay of the Broads’ economy. In 2019, the Broads and surrounding area (including the area of influence) received around 8.1 million visitors, bringing in an estimated £490 million and directly supporting more than 7,435 FTE jobs.”</p> <p>and at Section 7.9 Navigation:</p> <p>“Navigation is fundamental to the local economy and provides varied health and wellbeing benefits. The Local Plan will need to ensure that navigation is protected and appropriately enhanced”</p> <p>the review does not contain any specific references as to how the Broads Authority aim at encouraging future investment into these important sectors in order to not only maintain but enhance the existing quality and provision in these sectors so they continue to be significant contributors to the economy.</p>	<p>It is intended that our current tourism policies will continue. No comments on those were provided however. It is worth noting that the Authority has a Tourism Strategy and the Broads Plan, which is the Management Plan for the Broads, has been adopted and is in place.</p>	<p>Assess economy and tourism policies and update and amend as required.</p>

Section	Organisation	Comment	Response	Action
Economy and Tourism	Lanpro Services	Whilst, separate sections have been devoted to many other aspect and issues impacting on the Broads, the Tourism and Navigation sectors which are the main drivers of the Broads Economy, have failed to be addressed. This represents a significant and fundamental omission from the Local Plan review. The Broads Authority should be actively engaging with its tourism and navigation sectors to understand their needs and how to improve the quality and range of facilities on offer to ensure that tourism and navigation continue to thrive over the period to be covered by the Local Plan Review.	It is intended that our current tourism policies will continue. No comments on those were provided however. It is worth noting that the Authority has a Tourism Strategy and the Broads Plan, which is the Management Plan for the Broads, has been adopted and is in place. We have consulted far and wide (as evidenced by the number of comments received) and some boat yards have come forward to us wishing to speak about future plans - we have therefore engaged with tourism and navigation sections.	Assess economy and tourism policies and update and amend as required.
Economy and Tourism	Lanpro Services	Local Plan policies formulated as part of the review SHOULD whilst affording protection of the Broads environment, landscape and ecology, also actively encourage business investment in tourism accommodation, boat moorings, marinas and services without the imposition of unnecessary and unenforceable restrictions, to ensure facilities which actively support the diversification and adaptation of the Broads tourism economy are provided for the future. Visitors expect high quality accommodation in which to stay and facilities to moor boats and this can only be achieved through creating the right climate for businesses to invest in these facilities.	It is intended that our current tourism policies will continue. No comments on those were provided however so it is not clear if the comments are saying the existing policies do this or not. It is worth noting that the Authority has a Tourism Strategy and the Broads Plan, which is the Management Plan for the Broads, has been adopted and is in place.	Assess economy and tourism policies and update and amend as required.

Section	Organisation	Comment	Response	Action
Economy and Tourism	Lanpro Services	Tingdene companies are significant providers of a variety of types of high quality holiday/tourism accommodation and mooring berths, which directly contribute to the economy and job opportunities of the Broads. They have in recent years been significant investors in the Broads with circa £34 million invested in the upgrading of the Parks and Marinas they have purchased and operate. This high level of investment ensures continued improvement of the facilities and services which directly contribute to the quality of the visitor experience and the overall economy of the Broads. Investment in the Broads economy needs to be actively recognized and encouraged in addition to policies affording protection to the environment, landscape and ecology of the Broads.	Background information noted.	No further action.
Economy and Tourism	Lanpro Services	Tingdene's business model for the operation of its holiday parks throughout the country, including those in the Broads, is to sell the holiday lodges on their holiday parks on long term leases to individual purchasers who wish to own holiday/tourism accommodation, rather than, as is often the case on many holiday sites, offering annual or time limited licences. The leases are registered with HM Land Registry which provides long term certainty for people purchasing holiday/tourism accommodation in an area. This model enables many different people who wish to purchase a wide range of types of holiday/tourism accommodation, the opportunity to do so on a dedicated holiday park, rather than opting for the purchase of an unrestricted property from within the general housing stock, further depleting the housing stock available for primary residences.	Background information noted.	No further action.

Section	Organisation	Comment	Response	Action
Economy and Tourism	Lanpro Services	The individual owners of the holiday/tourism accommodation then frequently rent their properties out to visitors to the Broads. This cyclical investment enables Tingdene to recoup the initial investment it has made in upgrading and improving the often-poor quality holiday/tourism accommodation and facilities on a site and then to continue to invest in the upgrading of further holiday sites which have often fallen into disrepair, through lack of investment. Owners of the holiday/tourism accommodation then not only have accommodation available for their own use but also to achieve a return on their investment in the holiday/tourism accommodation by letting it out ensuring that holiday/tourism accommodation is available for visiting holiday makers throughout the year. This year-round availability of holiday/tourism accommodation and facilities then results in wider business opportunities being created in the local area to serve the visitors.	Background information noted.	No further action.
Economy and Tourism	Lanpro Services	Broadlands at Oulton Broad is a prime example of a holiday park and marina within the Broads which Tingdene has invested significantly in over recent years. The increase in tourism accommodation and marina berths has benefitted the Broads economy. The Park is now providing a range of high-quality year-round holiday/tourism accommodation and Marina berths at Oulton Broad, encouraging visitors throughout the year. The lodges and chalets on this Park are not constrained by unenforceable limitations on the periods the accommodation can be occupied or requirement that they should only be used for short stay occupation on a rented basis as required under the current Local Plan policy DM30- Holiday/tourism accommodation – new provision and retention. They are simply limited to 'holiday use only and	Background information noted.	No further action.

Section	Organisation	Comment	Response	Action
		not for use as a sole or main residences'. This ensures the accommodation is used for holiday purposes only.		
Economy and Tourism	Lanpro Services	Tingdene is also making substantial investment in the provision of a range of types of tourism accommodation at a recently acquired site at Caldecott Hall Country Park, Fritton, which whilst just outside the Broads Authority's Executive Boundary directly serves the Southern Broads Area. The tourism accommodation recently permitted at Caldecott Hall allows for year round use for holiday purposes only and not as a sole or main residence, providing maximum flexibility in its holiday use whilst ensuring it does not become a sole or main residence.	Background information noted.	No further action.
Economy and Tourism	Lanpro Services	Tingdene as a significant operator and employer within the Broads would urge the Broads Authority to address in the review of its Local Plan how it proposes to attract investment into the main stays of its economy and would welcome the opportunity to discuss its business operations with the Broads Authority.	Will contact the respondent to understand better the nature of the request to meet.	Contact respondent.

## Policy PODM30: Holiday/tourism accommodation – new provision and retention

### New Holiday/tourism Accommodation

- 1) New holiday/tourism accommodation will be permitted where:
  - a) It complies with the approach to locations for tourism and recreation development as set out in Policy PODM29;
  - b) It will be for holiday use for short stay occupation on a rented basis for a substantial period of the year, not occupied on a continuous basis by the same people, and not used as a second home or for the main residence of the occupiers;
  - c) The applicant provides clear evidence that the proposed holiday/tourism accommodation has been planned on a sound financial basis and takes into account demand for this type of accommodation in the area it is proposed; and
  - d) A register of bookings is maintained at all times and is made available for inspection.
- 2) When permitting new holiday/tourism accommodation, the Authority will seek to ensure that it remains available for short stay occupation on a rented basis by attaching an occupancy condition to restrict the sale of the property on the open market or use of the property for year-round occupation or as a second home.

### Existing tourism accommodation.

- 3) Existing holiday/ tourism accommodation will be protected. Change of use to a second home or permanent residence will only be considered in exceptional circumstances where it can be fully and satisfactorily demonstrated that there is no demand for tourist accommodation. Marketing evidence must be provided which demonstrates that the premises have been marketed for a sustained period of 12 months.
- 4) The conversion or redevelopment of hotels and guest houses to permanent residential accommodation will be resisted unless it can be demonstrated that the existing tourism use is no longer viable. Marketing evidence must be provided which demonstrates that the premises have been marketed for a sustained period of 12 months.

### Static Caravans

- 5) The extension, intensification, upgrading or replacement of existing static caravan sites will only be permitted where:
  - a) The proposal is in accordance with other policies of the Local Plan;
  - b) The proposal is compatible with the Landscape Character Assessment;
  - c) Any associated buildings proposed are modest in scale and the visual impact of the proposal is minimised by appropriate siting, design, external materials and colour; and
  - d) Proposals are of a scale compatible with their location and setting.

### General requirements

- 6) The Authority will also seek a variety of accommodation types where they are appropriate to their location.
- 7) Opportunities for appropriate relocation or redevelopment of existing ~~visitor~~ holiday/tourism accommodation or related development which is currently resulting in harm to the special qualities of the Broads will be encouraged.

- 8) [Overnight accommodation in Norfolk and parts of Suffolk will need to mitigate against recreation impacts \(potentially through the relevant GI RAMS scheme\). Mitigation for impact on Nutrient Enrichment \(through a mitigation scheme\) will be required in some parts of the Broads.](#)

### **Reasoned Justification**

Tourism makes a valuable contribution to the local economy, and a statutory purpose of the Broads is to provide opportunities for the understanding and enjoyment of the special qualities of the area by the public. The provision of a sufficient level and range of [holiday/tourism accommodation](#) is essential for supporting the contribution made by the tourism sector to the local economy.

The policy seeks to secure and retain a supply of appropriately located tourist accommodation. The Authority will expect all new holiday/[tourism accommodation](#) to be available for lettings for at least nine months in any one year. To make sure new holiday/[tourism accommodation](#) is used for tourism purposes that benefit the economy of the Broads, occupancy conditions will be sought to prevent the accommodation from being used as a second home or sold on the open market. To ensure an adequate supply of holiday/[tourism accommodation](#) is retained, the removal of such a condition will only be permitted where the proposal is accompanied by a statement, completed by an independent chartered surveyor, which demonstrates that it is financially unviable or that any net loss of accommodation is necessary to allow appropriate relocation or redevelopment. Evidence of a robust marketing campaign of at least 12 months will be required that clearly demonstrates that there is no market demand for the premises - [see the Marketing and Viability Guide produced by the Broads Authority for more details](#). The Authority will need to verify the content of such a report and may need to employ external expertise to do so (the applicant will need to meet the cost of this).

[A second home is any property you own, in addition to your main residence, and which you do not rent out either for permanent or holiday purposes. A second home is a property which is not the 'sole or main residence' of any individual for Council Tax purposes. This may include a property that you use as a 'holiday home' for your own use. It may also include a property which the owner does not regularly occupy and where another property is defined as their 'sole or main residence.'](#)

[Holiday/tourism accommodation includes dwellings, static caravans, hotels, B and Bs, campsites and glamping accommodation. They are let out to people to use for visits or holidays on a short-term basis, usually treated as for periods of up to three consecutive weeks. They are not permanently occupied all year round. The property is provided by the owner for the use and enjoyment of the guest during the booking period, as booked by the guest.](#)

Proposals to redevelop an existing hotel or guest house that would result in the loss of more than five bed spaces available for holiday use will also be expected to be accompanied by a statement completed by a chartered surveyor, demonstrating that the existing use is unviable (see previous paragraph regarding marketing and independent review of viability assessments). The threshold of five bed spaces relates to the associated small-scale employment that such sized operations support. Cumulatively, the employees associated with operations of five or more bed spaces adds up to a significant amount around the Broads. [Conversion or redevelopment of hotels and guest houses to a permanent residential use will also need marketing for 12 months in line with this supporting text.](#)

Static caravans contribute to the provision of a range of accommodation in the Broads and can also provide a valuable supplementary source of income for farm businesses. Although there is a need to provide a range of tourist accommodation, the nature of this type of activity can have a significant visual impact on the appearance and character of the landscape. Applications for the extension, intensification, upgrading or replacement of existing static caravan sites will therefore only be permitted where the scale of the proposals and their visual impact is compatible with the character of the location and the wider Broads setting and landscape.

Holiday homes that will be occupied as second homes, in that they will not be available to rent as a holiday home but will be for the exclusive use of the owner and their family, are not considered as holiday/[tourism accommodation](#) for the purpose of this policy, but as new dwellings. The removal of occupancy conditions on holiday homes to permit permanent occupation, will be considered as proposals for new dwellings in accordance with the policies in the housing section of this Local Plan.

If a proposal is considered in the context of this policy to potentially have an effect on an internationally designated site, then it will need to be considered against the Habitats Regulations and a project level Appropriate Assessment undertaken. Indeed, in all of Norfolk and parts of Suffolk, the recreation impact of schemes needs to be mitigated and this is most easily done by paying the relevant GI RAMS tariff. And in some parts of the Broads, Nutrient Enrichment will need to be mitigated. Schemes may need to provide Biodiversity Net Gain.

Policy DM12 on reusing historic buildings may be of relevance.

#### **Reasonable alternative options**

- a) An alternative option would be to keep the original policy
- b) No policy

#### **Sustainability appraisal summary**

The following is a summary of the assessment of the policy.

A: Keep original policy	12 positives. 0 negatives. 0 ? Overall positive
B: Amended policy	12 positives. 0 negatives. 0 ? Overall positive
C: No policy	0 positives. 0 negatives. 12 ?

#### **How has the existing policy been used since adoption in May 2019?**

According to recent Annual Monitoring Reports, the policy has been used and schemes have been in conformity with the policy. There is one scheme that did however allow conversion to residential from an existing holiday/[tourism](#) accommodation.

#### **Why has the alternative option been discounted?**

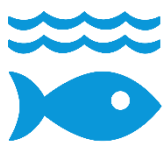
Given the attractiveness of the Broads to people and the attractions and accommodation that are in the area or planned for the area, it is prudent to have a policy. The amendments add clarification to the policy and factually reference to the GI RAMS and Nutrient Neutrality mitigation.

#### **UN Sustainable Development Goals check**

This policy meets these [UN SD Goals](#):



**14** LIFE  
BELOW WATER



**15** LIFE  
ON LAND



## **Sustainability Appraisal**

### **SA objectives:**

- ENV1: To reduce the adverse effects of traffic (on roads and water).
- ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to use water efficiently.
- ENV3: To protect and enhance biodiversity and geodiversity.
- ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and towns/villages.
- ENV5: To adapt, become resilient and mitigate against the impacts of climate change
- ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and coastal change.
- ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- ENV8: To minimise the production and impacts of waste through reducing what is wasted, and re-using and recycling what is left.
- ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and their settings
- ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable and reflects local distinctiveness.
- ENV11: To improve air quality and minimise noise, vibration and light pollution.
- ENV12: To increase the proportion of energy generated through renewable/low carbon processes without unacceptable adverse impacts to/on the Broads landscape
- SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- SOC2: To reduce poverty, inequality and social exclusion.
- SOC3: To improve education and skills including those related to local traditional industries.
- SOC4: To enable suitable stock of housing meeting local needs including affordability.
- SOC5: To maximise opportunities for new/ additional employment
- SOC6: To improve the quality, range and accessibility of community services and facilities and to ensure new development is sustainability located with good access by means other than a private car to a range of community services and facilities.
- SOC7: To build community identity, improve social welfare and reduce crime and anti-social activity.
- ECO1: To support a flourishing and sustainable economy and improve economic performance in rural areas.
- ECO2: To ensure the economy actively contributes to social and environmental well-being.
- ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy, society and the environment.

# Assessment of Policy POSP12: Sustainable tourism

		A: Have a policy	B: no policy	
ENV1	+	Policy refers to sites needing to be accessible by a variety of transport means.	?	Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.
ENV2	+	The policy generally refers to protecting the special qualities of the Broads and water is one of those.	?	
ENV3	+	The policy generally refers to protecting the special qualities of the Broads and biodiversity and geodiversity are special qualities of the area.	?	
ENV4	+	The policy generally refers to protecting the special qualities of the Broads and landscape character is one of those.	?	
ENV5				
ENV6				
ENV7				
ENV8				
ENV9	+	The policy generally refers to protecting the special qualities of the Broads and heritage is one of the special qualities of the area.	?	
ENV10				
ENV11				
ENV12				
SOC1	+	Generally, visiting somewhere can be good for mental health and some of the offers in the Broads will result in physical activity.	?	
SOC2				
SOC3				
SOC4				
SOC5	+	Tourism would likely result in job opportunities.	?	
SOC6				
SOC7				
ECO1	+	Generally, tourism will contribute to the economy in the area and this policy seeks this to be done in a sustainable manner.	?	
ECO2	+		?	
ECO3	+		?	

Assessment of Policy PODM29: Sustainable tourism and recreation development

A: Original policy		B: Amended Policy		C: no policy	
ENV1	+	Policy refers to sites needing to be accessible by a variety of transport means and sets locations for tourism development.	+	Policy refers to sites needing to be accessible by a variety of transport means and sets locations for tourism development.	?
ENV2	+	The policy refers to water quality.	+	The policy refers to water quality.	?
ENV3	+	The policy refers to biodiversity.	+	The policy refers to biodiversity and RAMS and nutrient enrichment.	?
ENV4	+	The policy refers to landscape character	+	The policy refers to landscape character	?
ENV5					
ENV6					
ENV7					
ENV8					
ENV9	+	The policy refers to heritage.	+	The policy refers to heritage.	?
ENV10	+	Policy seeks good design.	+	Policy seeks good design.	?
ENV11	+	Policy refers to dark skies.	+	Policy refers to dark skies.	?
ENV12					
SOC1	+	Generally, visiting somewhere can be good for mental health and some of the offers in the Broads will result in physical activity.	+	Generally, visiting somewhere can be good for mental health and some of the offers in the Broads will result in physical activity.	?
SOC2					
SOC3					
SOC4					
SOC5	+	Tourism would likely result in job opportunities.	+	Tourism would likely result in job opportunities.	?
SOC6					
SOC7					
ECO1	+	Generally, tourism will contribute to the economy in the area and this policy seeks this to be done in a sustainable manner.	+	Generally, tourism will contribute to the economy in the area and this policy seeks this to be done in a sustainable manner.	?
ECO2	+		+		?
ECO3	+		+		?

Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.

Assessment of Policy PODM30: Holiday/tourism accommodation – new provision and retention

A: Original policy			B: Amended policy			C: no policy	
ENV1	+	Policy refers to sites needing to be accessible by a variety of transport means and sets locations for tourism development.	+	Policy refers to sites needing to be accessible by a variety of transport means and sets locations for tourism development.	?	Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.	
ENV2	+	The policy refers to water quality.	+	The policy refers to water quality.	?		
ENV3	+	The policy refers to biodiversity.	+	The policy refers to biodiversity and RAMS and nutrient enrichment.	?		
ENV4	+	The policy refers to landscape character	+	The policy refers to landscape character	?		
ENV5							
ENV6							
ENV7							
ENV8							
ENV9	+	The policy refers to heritage.	+	The policy refers to heritage.	?		
ENV10	+	Policy seeks good design.	+	Policy seeks good design.	?		
ENV11	+	Policy refers to dark skies.	+	Policy refers to dark skies.	?		
ENV12							
SOC1	+	Generally, visiting somewhere can be good for mental health and some of the offers in the Broads will result in physical activity.	+	Generally, visiting somewhere can be good for mental health and some of the offers in the Broads will result in physical activity.	?	Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.	
SOC2							
SOC3							
SOC4							
SOC5	+	Tourism would likely result in job opportunities.	+	Tourism would likely result in job opportunities.	?		
SOC6							
SOC7							
ECO1	+	Generally, tourism will contribute to the economy in the area and this policy seeks this to be done in a sustainable manner.	+	Generally, tourism will contribute to the economy in the area and this policy seeks this to be done in a sustainable manner.	?		
ECO2	+		+		?		
ECO3	+		+		?		



**Local Plan for the Broads - Review**  
**Preferred Options bitesize pieces**  
**November 2023**

**The Coast**

This is a proposed draft section/policy for the Preferred Options Local Plan. Member's comments and thoughts are requested. This policy is already in the local plan, but some amendments are proposed.

Amendments to improve the policy are shown as follows: ~~text to be removed~~ and added text.

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal but is included here to show how the policy and options are rated.

The currently adopted policy remains in place – these are proposed amendments and this section will form part of the Preferred Options version of the Local Plan.

**Policy SSCOAST: The Coast**

**Main Map North East:** [A1\\_POLICY\\_NE.pdf \(broads-authority.gov.uk\)](#)

The Coastal area defined on the Adopted Policies Map and its special nature, character and tranquillity will be conserved for low-key quiet recreation and as a wild bird and seal refuge.

In order to further these purposes, and in view of the high flood and tidal inundation risk to the area, operational development will generally not be permitted.

Exceptionally, small-scale development such as bird-watching hides, seal viewing platforms or footpath bridges, which further these aims, are consistent with managing recreational pressure (particularly in relation to Special Protection Area and Special Area of Conservation features), and are unobtrusive in the landscape will be supported.

Parishes affected

Horsey CP, Winterton-on-Sea CP.

Constraints and features

- Wholly in SAC and SSSI, partially within SPA. Adjacent CWS.
- Part of area within the Norfolk Coast Area of Outstanding Natural Beauty (AONB).
- Article 4 Direction (1964) covering most of area removes permitted development rights for caravanning and camping, etc.
- High risk of tidal inundation from a breach of the coastal defences (Environmental Agency work ongoing to model such a breach).

- 20 • High risk of flooding (flood zone 3) (EA mapping), riverine flood risk (zone 3 by EA mapping; zone
- 21 indicative 3b by SFRA 2017 mapping).
- 22 • EA have undertaken considerable work to maintain sea defences.
- 23 • Part of the England Coast Path.
- 24 • Risk of coastal erosion.

## 25 Reasoned Justification

26 The coastal area of the Broads has a very special character and tranquillity, and wildlife and landscape  
 27 importance. It is highly valued for walking and for bird and seal watching. It is also particularly vulnerable to  
 28 climate change and sea level rise, and has been subject to sporadic coastal inundation for centuries (it was  
 29 once the river mouth), with parts at risk of riverine flooding. This area of coast is also vulnerable to coastal  
 30 erosion.

31 The area is generally unsuitable for development because of these flood risk, wildlife, and landscape issues.  
 32 The policy reinforces this and clarifies the general approach to the area's use and the limited types of  
 33 development likely to be appropriate.

34 The Environment Agency highlights the high risk of tidal inundation in the event of a breach of the coastal  
 35 defences.

36 This policy approach is consistent with the vision, objectives, and policies of the AONB Management Plan  
 37 Strategy<sup>1</sup> (2014-19 2019-2024) and with the UK vision for the marine environment for 'clean, healthy, safe,  
 38 productive, and biologically diverse oceans and seas'.

39 In line with policy DM22 on light pollution, the area has very good quality dark skies, which will be  
 40 maintained.

41 According to the Shoreline Management Plan, as a brief summary of this document, the general approach to  
 42 coastal erosion along this stretch for the present day and medium term is to hold the line up to 2055. This is  
 43 dependent on the option continuing to be technically and economically deliverable, and over time, other  
 44 options may be investigated such as possible managed realignment, or a retired line of defence further  
 45 inland. In relation to the present day, the plan says: '*due to the considerable assets at risk and the*  
 46 *uncertainty of how the coastline could evolve, the policy option from the present day is to continue to hold*  
 47 *the line of the existing defence. This policy option is likely to involve maintenance of existing seawalls and*  
 48 *reef structures, replacing groynes as necessary and continuing to re-nourish beaches with dredged sand. This*  
 49 *policy option will provide an appropriate standard of protection to all assets behind the present defence line,*  
 50 *and, with the recharge, a beach will be maintained as well as a supply of sediment to downdrift areas.'*

51 The Authority, working with neighbouring coastal authorities, has produced the Coastal Adaptation SPD  
 52 (2023). The Coastal Adaptation Supplementary Planning Document (SPD) provides guidance on policy  
 53 approaches along the coast from Holkham in Norfolk to Landguard Point, Felixstowe in Suffolk. The SPD  
 54 supports the implementation of Local Plan policies, provides case study examples of coastal adaptation best  
 55 practice and will:

- 56 • Ensure Coastal Communities continue to prosper and can adapt to coastal change; and
- 57 • Provide detailed guidance for developers, landowners, development management teams, and elected
- 58 members on the interpretation of policies with a whole coast approach.

## 59 **Reasonable alternative options**

60 a) No policy

---

<sup>1</sup> [Management Plan 2019 - 2024 - Norfolk Coast Partnership \(norfolkcoastaonb.org.uk\)](https://norfolkcoastaonb.org.uk)

61 **Sustainability appraisal summary**

62 The two options (of having a policy and not having a policy) have been assessed in the SA. The  
63 following is a summary.

A: Policy – Preferred Option	5 positives. 0 negatives. 0 ? Overall, positive.
B: No policy	0 positives. 0 negatives. 5 ?

64 **How has the existing policy been used since adoption in May 2019?**

65 According to recent Annual Monitoring Reports, the policy has not been used.

66 **Why have the alternative options been discounted?**

67 Given the undeveloped nature of the small stretch of the coast within the Broads and this being a  
68 special place for people and wildlife, to have a policy is favoured.



## 69 Sustainability Appraisal

70 SA objectives:

- 71 • ENV1: To reduce the adverse effects of traffic (on roads and water).
- 72 • ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to  
73 use water efficiently.
- 74 • ENV3: To protect and enhance biodiversity and geodiversity.
- 75 • ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and  
76 towns/villages.
- 77 • ENV5: To adapt, become resilient and mitigate against the impacts of climate change
- 78 • ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and  
79 coastal change.
- 80 • ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- 81 • ENV8: To minimise the production and impacts of waste through reducing what is wasted, and  
82 re-using and recycling what is left.
- 83 • ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and  
84 their settings
- 85 • ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable  
86 and reflects local distinctiveness.
- 87 • ENV11: To improve air quality and minimise noise, vibration and light pollution.
- 88 • ENV12: To increase the proportion of energy generated through renewable/low carbon  
89 processes without unacceptable adverse impacts to/on the Broads landscape
- 90 • SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- 91 • SOC2: To reduce poverty, inequality and social exclusion.
- 92 • SOC3: To improve education and skills including those related to local traditional industries.
- 93 • SOC4: To enable suitable stock of housing meeting local needs including affordability.
- 94 • SOC5: To maximise opportunities for new/ additional employment
- 95 • SOC6: To improve the quality, range and accessibility of community services and facilities and to  
96 ensure new development is sustainability located with good access by means other than a  
97 private car to a range of community services and facilities.
- 98 • SOC7: To build community identity, improve social welfare and reduce crime and anti-social  
99 activity.
- 100 • ECO1: To support a flourishing and sustainable economy and improve economic performance in  
101 rural areas.
- 102 • ECO2: To ensure the economy actively contributes to social and environmental well-being.
- 103 • ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy,  
104 society and the environment.

105 Assessment of policy

106

	A: Keep original policy		B: No policy	
ENV1				Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.
ENV2				
ENV3	+	Policy identifies the area as a seal and wild bird refuge and seeks to protect that.	?	
ENV4	+	The policy seeks to protect the character of the area.	?	
ENV5	+	The policy refers to the flood risk and tidal inundation.	?	
ENV6	+	The policy refers to the flood risk and tidal inundation.	?	
ENV7				
ENV8				
ENV9				
ENV10				
ENV11				
ENV12				
SOC1				
SOC2				
SOC3				
SOC4				
SOC5				
SOC6				
SOC7				
ECO1				
ECO2				
ECO3	+	The policy refers to recreation use of the area.	?	

107



**Local Plan for the Broads - Review  
Preferred Options bitesize pieces  
November 2023**

**Allocation for Class E Land uses – Whitlingham Lane.**

This is a proposed draft section/policy for the Preferred Options Local Plan. Member's comments and thoughts are requested.

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal, but is included here to show how the policy and options are rated.

This is a new policy and will only take effect once the Local Plan is adopted.

**Policy POWHI2: Land at Whitlingham Lane**

**See map below**

- 1) The appropriate reuse and enhancement of existing facilities at the former rowing club and boatyard (and smaller ancillary buildings on the site) for Class E<sup>1</sup> land uses will be encouraged where this is compatible with the location of the site.
- 2) The Authority supports conversion rather than demolition and new build.
- 3) Conversion/improvement activities would need to be informed by a Preliminary Ecological Survey.
- 4) Proposals will need to address each of these criteria:
  - a) Address light pollution, in line with the Dark skies policy;
  - b) Include biodiversity enhancements in line with the Natural Environment policy;
  - c) Ensure impacts on the highway are addressed as per the Transport section of this Local Plan;
  - d) Link to and make the most of the East Norwich development proposals;
  - e) Ensure adequate provision for walking, cycling and wheeling;

<sup>1</sup> Note: In the event that the Use Classes Order changes during the life of this Plan, then the closest new Use Classes to those previously categorised as E Use Classes as a whole will apply for the purpose of applying the above policy, provided such new Use Classes are reasonably similar to the ones being replaced. Should no similar replacement new Use Classes arise, then the description of E Use Classes as at the date of the adoption of this plan will apply for the purpose of applying this policy, and appropriate conditions or similar mechanisms will be used to enforce such provisions.

- f) Use water efficiently;
  - g) Enhance the wider landscape setting of the site, including enhancing the road frontage;
  - h) Address the requirements of the Design Guide and policy;
  - i) Rationalise to one point of access onto Whitlingham Lane;
  - j) Accommodate the flood risk on the site; and
  - k) Accommodate the nature reserve on the site.
- 5) The Authority may seek to apply conditions limiting the ability to change use to other uses within Use Class E without the need for planning permission.

Proposed policy



© Crown copyright [and database rights] 2023 OS 100021573. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.

### Constraints and features

- Former rowing club and boat yard.
- Some smaller ancillary buildings
- Near to Whitlingham Broads
- Nearby semi-natural grassland
- Part of site is a nature reserve
- Part of site is at risk of flooding
- Early proposals for the East Norwich redevelopment suggest a bridge landing point nearby.
- Currently two accesses onto Whitlingham Lane

### Reasoned justification

The two main buildings on this site are the former rowing club building and a boatyard. The rowing club building has been empty for a little while now. The boatyard was being

36 operated, but the operator sadly passed away. The Estate consider these circumstances  
 37 provide an opportunity to bring the buildings into another use.  
 38 If proposals are for Class E land uses then these will be assessed in line with the sequential  
 39 approach in the NPPF for town centre uses, as well as in line with Policy DM2.4 of South  
 40 Norfolk Council's Development Management DPD<sup>2</sup>.

41 Class E land use category is quite wide in terms of the types of uses. Not all will be  
 42 appropriate to this site. Indeed, those E class land uses that are also main town centre uses  
 43 (see glossary of the NPPF) will need to be considered in light of the NPPF requirements as well  
 44 as local retail policy.

45 As per the Retail Policy in the Local Plan, we have regard to/defer to the retail policies of our  
 46 District's Local Plan. Policy DM2.4 of South Norfolk Council's Development Management  
 47 DPD<sup>3</sup> seeks the sequential test on schemes of 200sqm. It also seeks an Impact Assessment  
 48 on schemes of 500sqm and over. The former Rowing Club building is around 450sqm and  
 49 the boatyard building is around 290 sqm.

50 The Authority seeks the retention of the buildings to reflect the embodied carbon and also  
 51 link to the previous uses of the sites.

52 Existing buildings have potential as bat roost locations and the brownfield nature of the site  
 53 plus nearby semi-natural grassland suggests potential for reptile interest and therefore  
 54 ecological surveys will be required. Indeed, the Authority will seek appropriate biodiversity  
 55 enhancements as part of any scheme.

56 The only other buildings in the vicinity are small-scale traditional Estate Cottages, built with  
 57 vernacular materials in a traditional style and these would certainly be considered locally  
 58 identified heritage assets; any proposals for this site will need to consider and address the  
 59 design to reflect nearby uses as well as the Design Guide.

60 The emerging masterplan and SPD for the East Norwich Redevelopment Site show that a  
 61 bridge could be put in place near to the site covered by this policy. Any scheme needs to  
 62 take into account this opportunity.

63 The Highways Authority have requested one access onto Whitlingham Lane, rather than the  
 64 two that are currently there.

---

<sup>2</sup> [Development Management Policies Document – Broadland and South Norfolk  
\(southnorfolkandbroadland.gov.uk\)](https://www.southnorfolkandbroadland.gov.uk/development-management-policies)

<sup>3</sup> [Development Management Policies Document – Broadland and South Norfolk  
\(southnorfolkandbroadland.gov.uk\)](https://www.southnorfolkandbroadland.gov.uk/development-management-policies)

65 There are some smaller buildings on the site; appropriate uses of these smaller buildings  
66 that complement the main buildings, that also meet the policy requirements will be  
67 supported.

68 **Reasonable alternative options**

69 a) Do not have a policy

70 **Sustainability appraisal summary**

71 The three options (of no policy, specific use and the preferred option) have been assessed in  
72 the SA. The following is a summary.

A: No policy	0 positives. 0 negatives. 14 ?
B: Preferred Option	13 positives. 0 negatives. 1 ? Overall, positive.

73 **Why have the alternative options been discounted?**

74 Promoting the re use of buildings on this site would hopefully prevent buildings being empty  
75 for a long time.

76 **UN Sustainable Development Goals check**

77 This policy meets these [UN SD Goals](#):

**11 SUSTAINABLE CITIES  
AND COMMUNITIES**



## **Sustainability Appraisal**

SA objectives:

- ENV1: To reduce the adverse effects of traffic (on roads and water).
- ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to use water efficiently.
- ENV3: To protect and enhance biodiversity and geodiversity.
- ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and towns/villages.
- ENV5: To adapt, become resilient and mitigate against the impacts of climate change
- ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and coastal change.
- ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- ENV8: To minimise the production and impacts of waste through reducing what is wasted, and re-using and recycling what is left.
- ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and their settings
- ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable and reflects local distinctiveness.
- ENV11: To improve air quality and minimise noise, vibration and light pollution.
- ENV12: To increase the proportion of energy generated through renewable/low carbon processes without unacceptable adverse impacts to/on the Broads landscape
- SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- SOC2: To reduce poverty, inequality and social exclusion.
- SOC3: To improve education and skills including those related to local traditional industries.
- SOC4: To enable suitable stock of housing meeting local needs including affordability.
- SOC5: To maximise opportunities for new/ additional employment
- SOC6: To improve the quality, range and accessibility of community services and facilities and to ensure new development is sustainability located with good access by means other than a private car to a range of community services and facilities.
- SOC7: To build community identity, improve social welfare and reduce crime and anti-social activity.
- ECO1: To support a flourishing and sustainable economy and improve economic performance in rural areas.
- ECO2: To ensure the economy actively contributes to social and environmental well-being.
- ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy, society and the environment.

# Assessment of policy

		A: No policy	B: Preferred Policy
ENV1	?	<p>Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.</p>	+ Policy seeks only one access onto Whitlingham Lane and refers to walking, cycling and wheeling.
ENV2	?		+ Policy seeks water efficiency.
ENV3	?		+ Policy refers to potential for wildlife on site, the nature reserve as well as the need for biodiversity enhancements.
ENV4	?		+ Policy seeks improved frontage and good design.
ENV5	?		+ Policy refers to walking, cycling and wheeling and seeks retention of buildings due to embodied carbon.
ENV6	?		+ Policy refers to flood risk on site.
ENV7	?		+ Policy seeks retention of exiting building.
ENV8	?		+ Policy seeks retention of exiting building.
ENV9	?		+ Policy seeks retention of exiting building. Policy refers to nearby buildings that are of heritage value.
ENV10	?		+ Policy refers to design and design guide.
ENV11	?		+ Policy refers to light pollution.
ENV12			
SOC1			
SOC2			
SOC3			
SOC4			
SOC5	?		+ E Class Land use would provide some employment opportunities.
SOC6	?		? Depending on proposals, this could provide a use that benefits the community.
SOC7			
ECO1			
ECO2	?		+ The policy requirements would ensure the land use considers and addresses potential impacts on the environment for example by assessing wildlife on site, being well designed and water efficient.
ECO3			





**Local Plan for the Broads - Review**  
**Preferred Options bitesize pieces**  
**November 2023**

**Sites Specifics – Acle**

This is a proposed draft section/policy for the Preferred Options Local Plan. Member's comments and thoughts are requested. This policy is already in the local plan, but some amendments are proposed.

Amendments to improve the policy are shown as follows: ~~text to be removed~~ and added text.

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal, but is included here to show how the policy and options are rated.

The currently adopted policy remains in place – these are proposed amendments and this section will form part of the Preferred Options version of the Local Plan.

**Policy ACL1: Acle Cemetery extension**

**Policy Map 1**

- 1) Land to the rear of the existing cemetery is allocated as an extension to the cemetery. This development will be:
  - a) Subject to a prior archaeological assessment;
  - b) Subject to a prior groundwater protection risk assessment in accordance with Environment Agency Guidance: Assessing Groundwater Pollution for Cemetery Developments<sup>1</sup> (or successor document or advice);
  - c) Integrated into the wider surroundings by a landscaping scheme, including boundary hedge and tree planting; and
  - d) Coordinated with any adjacent proposed playing field extension in terms of design and boundary treatment.
- 2) A management plan that addresses how the site will be managed to benefit biodiversity is required as part of any application.
- 3) Proposals will also be designed to avoid contributions to light pollution.

<sup>1</sup> This guidance has been withdrawn. The EA will need to be contacted regarding the successor document:  
[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/290462/scho0404bgla-e-e.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/290462/scho0404bgla-e-e.pdf)

18 4) There may be a requirement to assess the area for peat as there is peat known in the vicinity.

19 Constraints and features

- 20 • Archaeological interest in vicinity (contains and adjacent to cropmarks of enclosures and field
- 21 systems).
- 22 • Outside identified high flood risk areas (zone 1 by Environment Agency mapping and SFRA
- 23 2017).
- 24 • As a minimum, a basic Tier 1 risk screening assessment is required for all cemetery extensions
- 25 (as set out in guidance on the Environment Agency website).
- 26 • Peat nearby.

27 Reasoned Justification

28 The existing cemetery at Acle is close to capacity. Acle Parish Council has, over a period of time,  
29 actively sought a site to accommodate further burials. Following a search of potential locations  
30 around the village, this ~~is~~ was its preferred site and is understood to have widespread local support.  
31 The location adjacent to the existing cemetery makes practical sense, and the use can be  
32 satisfactorily accommodated here, subject to the considerations outlined in the policy. The Parish  
33 Council has yet to secure ownership of the site. ~~but has indicated its firm intention to do so and is~~  
34 ~~negotiating with the owner to achieve this.~~ Planning permission has been granted for another site  
35 in the village, however the Parish Council have requested that this site continue to be allocated for  
36 Cemetery use in this Local Plan.

37 The area concerned is around 0.8ha (2 acres), gently sloping and currently part of an arable field  
38 adjacent to the existing cemetery and bounded on one side by a narrow track/public footpath. The  
39 Parish Council's intention is that the immediately adjacent piece of land to the east would be used  
40 as an extension to the existing recreation centre playing fields, and this is supported by a  
41 complementary policy. Together they would form a reasonable extension to the existing urbanised  
42 extent of Acle, forming a new boundary line linking the extremity of the existing playing fields to  
43 the east with the approximate limit of housing development to the west.

44 The site lies wholly in Flood Zone 1 by both Environment Agency (EA) mapping and the Broads  
45 Strategic Flood Risk Assessment (SFRA 2017) mapping and there are no flood risk issues  
46 constraining the development. However, the EA wishes to ensure that any risk of pollution to  
47 groundwater is adequately assessed before any planning permission is granted, and the policy  
48 reflects this. The EA is content with the allocation for the proposed use on the basis of the results  
49 of preliminary investigations by the Parish Council.

50 The area is of archaeological interest and this development should be subject to prior assessment  
51 of the archaeological value, and arrangements for archaeological recording in the event the  
52 development proceeds. A requirement for suitable boundary treatment and planting would help  
53 integrate the development into the wider Broads landscape.

54 A management plan will be needed, setting out steps to manage the site so it can benefit  
55 biodiversity in the area, in recognition of its location at the edge of an urban area and a protected  
56 landscape. The extension to the cemetery also needs to be designed to avoid light pollution.

57 ~~Please note that this allocation received planning permission in 2014 and again in 2017. The policy~~  
58 ~~is carried forward from the Site Specific Policies Local Plan 2014 as the permission is yet to be built~~  
59 ~~out and there is still an infrastructure deficit.~~

60 **Reasonable alternative options**

- 61 a) No policy  
62 b) Original policy with no amendments.

63 **Sustainability appraisal summary**

64 The options of no policy and having a policy have been assessed in the SA. The following is a  
65 summary.

A: Amended policy	5 positives. 0 negatives. 0 ? Overall, positive.
B: No policy	0 positives. 0 negatives. 5 ?
C: Original policy	5 positives. 0 negatives. 0 ? Overall, positive.

66 **How has the existing policy been used since adoption in May 2019?**

67 According to recent Annual Monitoring Reports, the policy has not been used.

68 **Why has the alternative option been discounted?**

69 An alternative option is to not have a policy. By having a policy, it brings the important  
70 considerations into a policy.

71 **UN Sustainable Development Goals check**

72 This policy meets these [UN SD Goals](#):



**Policy POACL2: Acle Playing Field extension**

**Policy Map 1**

- 1) Land is allocated for an extension to the playing fields at Acle Recreation Centre. This development will be:
  - a) Subject to a prior archaeological assessment;
  - b) Integrated into the wider surroundings by a landscaping scheme including boundary hedge and tree planting; and
  - c) Coordinated with any adjacent proposed cemetery extension and neighbouring/nearby land uses in terms of design and boundary treatment.
- 2) Any floodlighting shall be designed to minimise light spillage into the wider Broads landscape and avoid adverse effects on neighbouring residents' amenity.
- 3) Any proposals that result in excavation of soil will need to consider the peat policy (DMxx) as part of the site is peat.

**Constraints and features**

- Outside identified high flood risk areas (zone 1 by EA mapping and Broads SFRA 2017).
- Archaeological interest in vicinity (contains and adjacent to cropmarks of enclosures and field systems).
- Partially on safeguarded minerals (sand and gravel) resource.
- Part of extension is on peat

**Reasoned Justification**

The area concerned is a piece of gently sloping land, currently part of an arable field adjacent to the existing playing fields. It is immediately adjacent to the land subject of Policy ACL1 for a cemetery extension. Together they would form a reasonable extension to the existing urbanised extent of Acle, forming a new boundary line linking the extremity of the existing playing fields to the east with the approximate limit of housing development to the west.

The Recreation Centre is a well-used local resource. The Trust that runs it has identified a need for additional playing field capacity. Extending the existing playing fields makes practical sense, and meets a social need in a location well related to the village and built surroundings. The proposed extension is around 0.44ha (1 acre), and would increase the existing playing fields area, which is largely outside the Broads area, by about 10% (they are currently around 4ha or 10 acres). The location also enables coordination and landscaping with the proposed cemetery extension adjacent. The scheme has the active support of Acle Parish Council. It is also supported in principle by Sport England and Broadland District Council.

The playing fields extension could be satisfactorily integrated into the Broads landscape in this location, and integrated with the proposed cemetery extension adjacent, by means of a landscaping scheme including boundary planting, and the policy provides for this.

The site is partly on a safeguarded mineral (sand and gravel) resource, but Norfolk County Council has no objection to the sports field use, provided that no permanent buildings are erected on the site. The potential need for additional ancillary facilities such as car parking and changing rooms has

113 been considered by the Trust. It plans to provide these within its existing area and does not plan to  
114 erect buildings on the area, subject to this policy.

115 Please note that this allocation received planning permission in 2014 and again in 2017. The policy  
116 is carried forward from the ~~Site Specific Policies Local Plan 2014~~ [Local Plan for the Broads](#) as the  
117 permission is yet to be built out and there is still an infrastructure deficit.

#### 118 **Reasonable alternative options**

119 c) No policy

120 Please note that the amendments are factual – the Cemetery land is not to be allocated in this Local  
121 Plan.

#### 122 **Sustainability appraisal summary**

123 The options of no policy and having a policy have been assessed in the SA. The following is a  
124 summary.

A: Keep original policy	3 positives. 0 negatives. 0 ? Overall, positive.
B: No policy	0 positives. 0 negatives. 3 ?

#### 125 **How has the existing policy been used since adoption in May 2019?**

126 According to recent Annual Monitoring Reports, the policy has not been used.

#### 127 **Why has the alternative option been discounted?**

128 An alternative option is to not have a policy. By having a policy, it brings the important  
129 considerations into a policy.

#### 130 **UN Sustainable Development Goals check**

131 This policy meets these [UN SD Goals](#):

**3** GOOD HEALTH  
AND WELL-BEING



**15** LIFE  
ON LAND



## Sustainability Appraisal

### SA objectives:

- ENV1: To reduce the adverse effects of traffic (on roads and water).
- ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to use water efficiently.
- ENV3: To protect and enhance biodiversity and geodiversity.
- ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and towns/villages.
- ENV5: To adapt, become resilient and mitigate against the impacts of climate change
- ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and coastal change.
- ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- ENV8: To minimise the production and impacts of waste through reducing what is wasted, and re-using and recycling what is left.
- ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and their settings
- ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable and reflects local distinctiveness.
- ENV11: To improve air quality and minimise noise, vibration and light pollution.
- ENV12: To increase the proportion of energy generated through renewable/low carbon processes without unacceptable adverse impacts to/on the Broads landscape
- SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- SOC2: To reduce poverty, inequality and social exclusion.
- SOC3: To improve education and skills including those related to local traditional industries.
- SOC4: To enable suitable stock of housing meeting local needs including affordability.
- SOC5: To maximise opportunities for new/ additional employment
- SOC6: To improve the quality, range and accessibility of community services and facilities and to ensure new development is sustainability located with good access by means other than a private car to a range of community services and facilities.
- SOC7: To build community identity, improve social welfare and reduce crime and anti-social activity.
- ECO1: To support a flourishing and sustainable economy and improve economic performance in rural areas.
- ECO2: To ensure the economy actively contributes to social and environmental well-being.
- ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy, society and the environment.

Assessment of policy: Policy ACL1: Acle Cemetery extension

	A: Amended policy		B: No policy		A: Keep original policy	
ENV1						
ENV2	+	Consideration of proposals on water quality is an important consideration.	?	Not having a policy does not necessarily mean that the cemetery would not come forward. An allocation may provide more certainty.	+	Consideration of proposals on water quality is an important consideration.
ENV3	+	The potential for biodiversity enhancements is a consideration in the policy. Also refers to potential for peat impact.	?		+	The potential for biodiversity enhancements is a consideration in the policy.
ENV4	+	Fitting any scheme into the landscape is mentioned in the policy.	?		+	Fitting any scheme into the landscape is mentioned in the policy.
ENV5						
ENV6						
ENV7						
ENV8						
ENV9	+	Archaeology is considered in the policy.	?		+	Archaeology is considered in the policy.
ENV10						
ENV11	+	Policy refers to light pollution.	?		+	Policy refers to light pollution.
ENV12						
SOC1						
SOC2						
SOC3						
SOC4						
SOC5						
SOC6						
SOC7						
ECO1						
ECO2						
ECO3						

Assessment of policy: Policy POACL2: Acle Playing Field extension

	A: Keep original policy		B: No policy	
ENV1				Not having a policy does not necessarily mean that the cemetery would not come forward. An allocation may provide more certainty.
ENV2				
ENV3				
ENV4	+	Policy refers to landscaping	?	
ENV5				
ENV6				
ENV7				
ENV8				
ENV9				
ENV10				
ENV11	+	The policy refers to light pollution.	?	
ENV12				
SOC1	+	The field will enable physical activity.	?	
SOC2				
SOC3				
SOC4				
SOC5				
SOC6				
SOC7				
ECO1				
ECO2				
ECO3				



# Replacement Quay Heading/Piling Topic Paper

## November 2023

# Contents

1.	Introduction	2
2.	Issues and Options	3
3.	Research – technical issues and costs	4
4.	Width of waterways	6
5.	Way forward	9
	Appendix 1: Proposed draft policy.	10

## 1. Introduction

Across the Broads area, the banks of the rivers, Broads, dykes and inlets vary in terms of the treatment of the edge. Mostly, the banks are natural with the land sloping down to the water, often with a wide, reeded fringe. Where the tidal flow is strong, or there is erosion or protection is required, the bank may be piled. The piling may be steel or timber and the material used often depends on the age of the piling and its primary function. The term ‘piling’ tends to be used where there is primarily an engineering purpose for the piling. Where mooring is required, the bank is often piled so that vessels can be tied alongside the bank, and there is often a walkway constructed parallel to the bank to facilitate access. Where the purpose of the piling is primarily to enable a mooring use, it tends to be referred to as ‘quay heading’. ‘Quay heading’ can cover commercial, visitor, residential, householder and other types of moorings.

Planning permission is usually required to install piling and quay heading as it is an engineering operation. The Broads Authority treats like-for-like replacement of quay heading as ‘maintenance’, subject to a 25m maximum length and the replacement being on the same alignment, height and depth as the previous and being in the same materials.

Landowners may want to improve a quay heading in a particular area to maintain it in a good condition, to enable a change in the way an area is used, or to replace the quay heading at the end of its life. They may do this by placing new quay heading in front of the original quay heading, rather than removing the original quay heading. The new quay heading tends to be placed 10cm to 50cm in front of the old quay heading. Timber quay heading tends to be replaced every 10 to 15 years and steel quay heading every 20 to 30 years.

Placing new quay heading in front of existing quay heading at a typical distance of 10cm to 50cm reduces the width of the river in that location. This is a particular issue in narrower waterways with high volumes of river traffic. Importantly, reducing navigable space impacts

on the ability of users to navigate safely. One of the statutory purposes of the Broads Authority is to protect the interests of navigation. The Local Plan for the Broads has a strategic policy (SP13) that seeks to protect and enhance the navigable water space.

There are some stretches of rivers that are both narrow and have quay heading. In some areas, a small encroachment could have a significant impact on the available channel space. Another issue to consider is how busy a stretch of water is and the typical size of vessels that use that stretch. Therefore, any policy approach could apply to certain areas.

Ideally, the old quay heading would be removed first, and the new quay heading would then go in its place or new quay heading could go behind the original quay heading which is then removed. This would ensure that there is no encroachment into the river. However, this is not always done because it may be costly and can be technically challenging.

This Topic Paper explores the issue as well as proposes a way forward for the Local Plan.

## 2. Issues and Options

This Issue was discussed in the [Issues and Options Local Plan document](#) that was consulted on at the end of 2022.

In planning terms, we tend to use the strategic policy SP13. Under the Broads Act 1988, certain schemes require a Works Licence and one of the considerations in issuing these licences is the impact on navigation. Taking these together, we usually request that replacement quay heading is not placed more than 30cm in front of the original. However, the reason we are raising this as an issue is that in some areas we are at a critical point and need to safeguard navigation from further encroachment.

The options and related question we included in the Issues and Options document are as follows.

- a. No specific policy approach to address quay heading in front of quay heading.
- b. Geographic risk-based approach. Map areas where the rivers are narrow and where there is already quay heading – through assessment of channel width and river usage, areas where new quay heading being placed in front of old quay heading would impact navigation would be identified. In the areas identified as being most impacted from encroachment, the approach could be to hold the existing line of the quay heading.
- c. Have a policy that applies to all the Broads, regardless of river width. This seeks to minimise the impact through set criteria for how far quay heading could be in front of existing.

Question 23: Do you have any comments on the issue of new quay heading in front of old quay heading?

Here are the responses:

Organisation	Comment
Bradwell Parish Council	We should adopt option C.
Broads Society	The Society favours the 'Geographic risk-based approach' detailed in 'Option b'.
Brooms Boats	Option B however economic viability regarding business needs is vital and hence requires a collaborative approach.
East Suffolk Council	East Suffolk Council's view is that the Broads Authority are best placed to determine which of the options best deliver against the statutory purposes of the Broads Authority in protecting the interests of navigation. However, an approach based on the evidence of risk (option b) would seem sensible as this will allow for the policy to focus on those areas where a critical point has been reached.
Mrs S Lowes	Old quay heading should be removed.
RSPB	Prioritisation for replacement of quay head must go to locations where the heading protects bank integrity first and foremost and provision of mooring facilities second. We recommend the construction cost in terms of CO2 becomes part of the validation process, just as for materials and design of residential developments.
Sequence UK LTD/Brundall Riverside Estate Association	We note the issues that have been raised within the consultation document but are concerned that this is a matter that does need to be considered on a site-by-site basis and therefore the options set out within b) or c) are too prescriptive and inflexible, particularly where navigation matters will also be a factor. Therefore, we would recommend that no specific policy would be more appropriate, although guidance only could be provided within the Design Guide or an SPD (Supplementary Planning Document) to ensure there is some form of assistance on this issue.

### 3. Research – technical issues and costs

To further understand the impact of placing quay heading in the same place or even behind the existing quay heading, the Authority contacted two contractors who operate in the

Broads and are often hired to replace quay heading. The key information from the contractors is as follows:

- a) To understand the potential for piling to be removed, it is important to understand the piling type (timber, plastic, steel), location (can the quay heading be reached by an excavator? By road or river?), condition of the piling to be removed (is the piling likely to break, particularly at the waterline making extraction difficult) and waste disposal/transport costs.
- b) In many ways the outcomes are very site specific. But in general, there are more risks with piling behind the original line. The chance of encountering debris that hampers or prevents piles being driven behind is greater when you pile behind. It is not unusual to find old revetments, old anchors, services, or aggregate backfill behind the piles. If these items are encountered, then it can add considerable time to the project or change the end results.
- c) If there are no such items behind the piles and the piles drive freely then the additional costs would be the excavation and disposal of the material between the old and new. It will cost less if the material is allowed to be spread on site, but if it must be taken away, assuming a collection vehicle can get to within a few yards for the source, then that would cost more.
- d) The old piles would also need extracting. If they come out freely and intact and a collection vehicle can get close to the site then the scrap metal cost would go some way to covering the cost, but this is an additional cost.
- e) The advantage of piling behind existing piling is that the importing of material needed to fill the void between the old and new piles is not necessary. There is a cost of providing and placing this material.
- f) One consequence of removing old works first is that in most cases, once the old work is removed, the material directly behind the removed quay heading immediately starts to fall away. This does then require the land to be reinstated behind the new quay heading either by dredging the original material back out of the water, or by bringing additional material back to the site. There could be an additional cost because of the material falling away. The likelihood of this happening will depend on the local soil type and conditions as well as the rate of river flow.

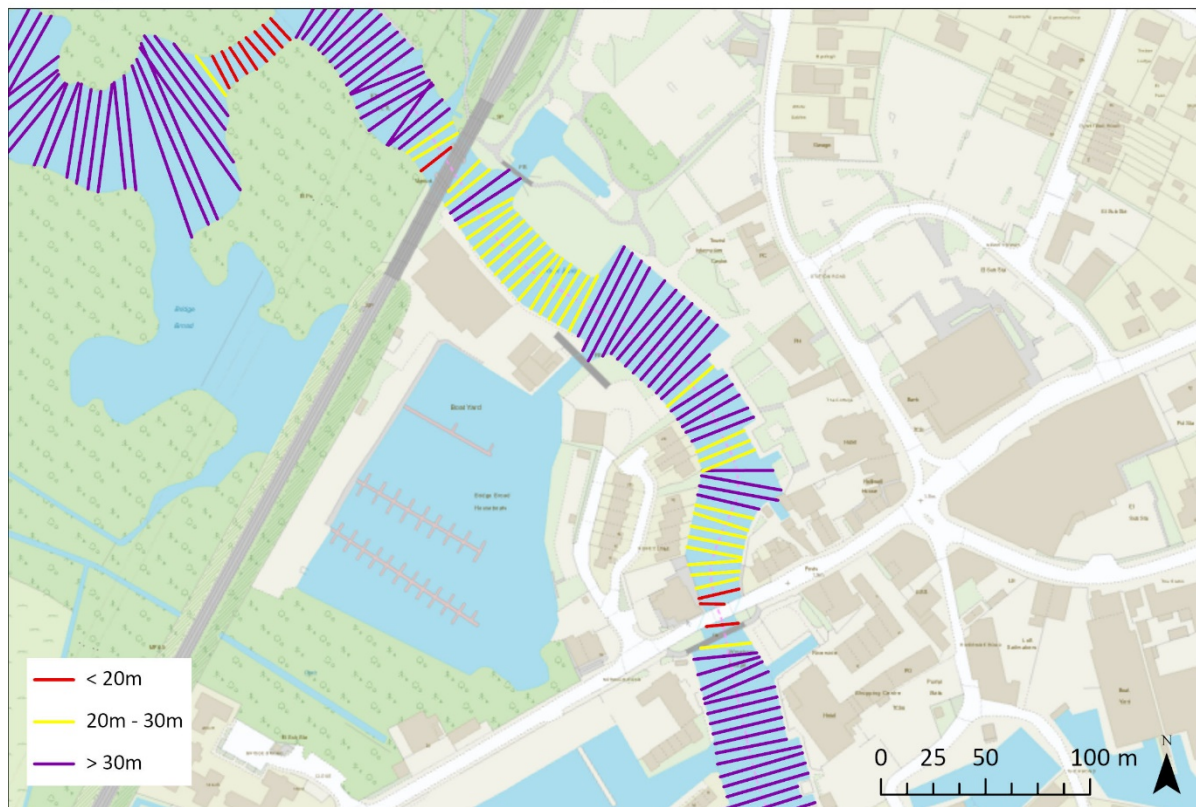
In summary, from a theoretical point of view, if there are no obstacles behind the piles, there is little difference in the cost and work required to place piling in line or behind the existing quay heading. However, given the risk of obstacles and access for vehicles having a potentially pivotal impact, site specific assessment is really needed. The issue of material falling away if piling removed first is another consideration and cost.

Placing quay heading in place of or behind	
Additional costs	<ul style="list-style-type: none"> <li>• Removing piling</li> <li>• Excavation and disposal of material</li> <li>• Material falling away and then being dredged</li> </ul>
Potential costs	<ul style="list-style-type: none"> <li>• Encountering debris</li> </ul>
Cost savings/offset	<ul style="list-style-type: none"> <li>• Scrap metal value of piling</li> <li>• Back filling of material/importing material</li> </ul>

## 4. Width of waterways

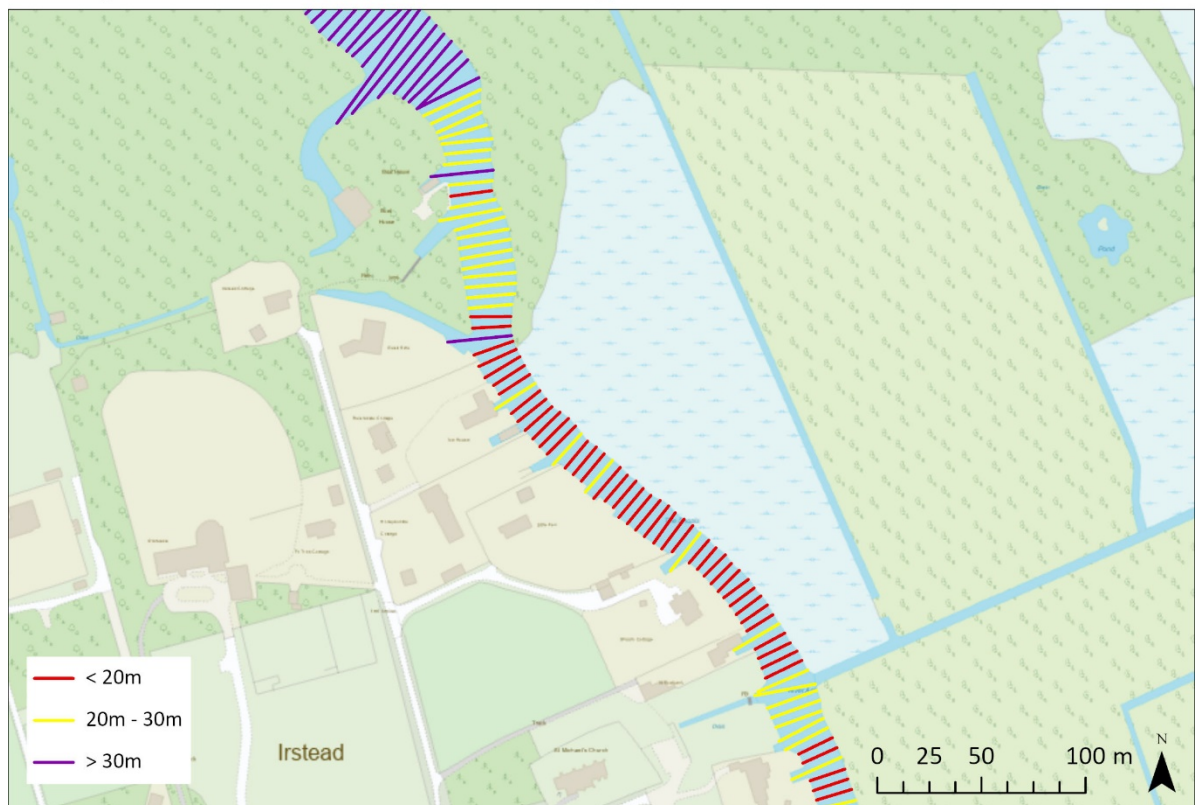
The widths calculated are based on Ordnance Survey MasterMap data which is the most accurate large-scale mapping available. Transects have been created at 5m intervals perpendicular to the Broads Authority centreline dataset and clipped to the extent of the water body. Each transect has been assigned one of the following 3 categories based on the length across. Less than 20m wide, More than 20m wide, but less than 30m, More than 30m. Some examples are included here:

Showing width of the river at 5m intervals though Wroxham/Hoveton



© Crown copyright [and database rights] 2023 OS AC0000814754. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.

Showing width of the river at 5m intervals though Irstead

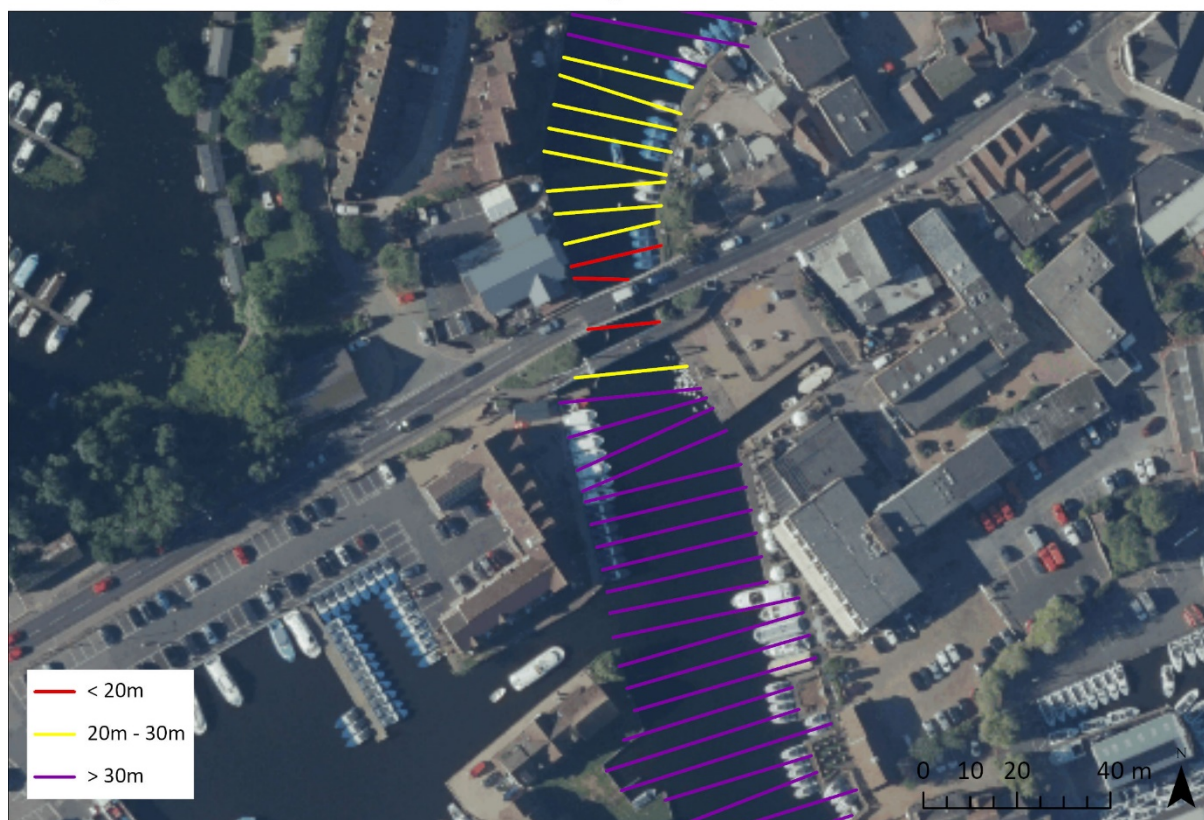


© Crown copyright [and database rights] 2023 OS AC0000814754. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.



It is not just the width of the channel that we need to consider; we also need to understand if boats do or will moor either on one side or both sides of the stretch of water. The aerial imagery below shows that boats can moor on one or both sides of the waterways.

Showing width of the river at 5m intervals though Wroxham/Hoveton



© Crown copyright [and database rights] 2023 OS AC0000814754. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form. GetMapping Plc/Bluesky international 2022.

Because the areas where stern on moorings are known, they have also been mapped.



Showing width of the river at 5m intervals though Chedgrave



© Crown copyright [and database rights] 2023 OS AC0000814754. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form. GetMapping Plc/Bluesky international 2022.

## 5. Way forward

It is proposed that there is a policy approach in the Local Plan to address this issue.

It is proposed that the approach is a geographic risk-based approach.

The 5m segments would be a starting point to consider the impact of any proposal, and aerial imagery would be used to indicate if boats are moored at the site in question. The Development Management Officer would then measure the width using GIS, taking into account the boat(s) moored there.

There is potential for the mapping system to be public facing.

In the areas identified as being most impacted from encroachment, the approach would be to hold the existing line of the quay heading.

## Appendix 1: Proposed draft policy.



### Local Plan for the Broads - Review Preferred Options bitesize pieces November 2023

#### The impact of replacement quay heading on navigation.

This is a proposed draft section/policy for the Preferred Options Local Plan. Member's comments and thoughts are requested. This policy is a new policy.

There is an assessment against the UN Sustainable Development Goals at the end of the policy.

The proposed Sustainability Appraisal of the policy is included at the end of the document. This would not be included in the Preferred Options Local Plan itself; this table would be part of the Preferred Options Sustainability Appraisal but is included here to show how the policy and options are rated.

#### **Policy x: The impact of replacement quay heading on navigation.**

1. Proposals for replacement quay heading that adversely impact on the navigable waterways will be refused.
2. Replacement quay heading proposals on waterways that are less than 30m in width, as indicated by the navigation transect dataset, will be assessed, on a case-by-case basis, to ascertain whether the replacement quay heading needs to be placed in line with or behind the existing quay heading in order to not erode the width of the navigable waterway.

#### Reasoned justification

Schemes involving replacement quay heading often place the new quay heading in front of the original quay heading, rather than removing the original quay heading first. The new quay heading tends to be placed 10cm to 50cm in front of the old quay heading. Timber quay heading tends to be replaced every 10 to 15 years and steel quay heading every 20 to 30 years.

Placing new quay heading in front of existing quay heading at a typical distance of 10cm to 50cm reduces the width of the river in that location. This is a particular issue in narrower

waterways with high volumes of river traffic. Importantly, reducing navigable space impacts on the ability of users to navigate safely. One of the statutory purposes of the Broads Authority is to protect the interests of navigation. The Local Plan for the Broads has a strategic policy (SP13) that seeks to protect and enhance the navigable water space.

There are some stretches of rivers that are both narrow and have quay heading. In some areas, a small encroachment could have a significant impact on the available channel space. Another issue to consider is how busy a stretch of water is and the typical size of vessels that use that stretch.

Ideally, the old quay heading would be removed first, and the new quay heading would then go in its place or new quay heading could go behind the original quay heading which is then removed. This would ensure that there is no encroachment into the river. However, this is not always done because it may be costly and can be technically challenging.

Under the Broads Act 1988, certain schemes require a Works Licence and one of the considerations in issuing these licences is impact on navigation.

The **Replacement Quay Heading/Piling Topic Paper** explores this issue in more detail and seeks to justify the policy approach.

### Delivering the policy

1. When a proposal for replacement quay heading is received, the Broads Authority will use the Waterway Width Mapping System to ascertain the width of the waterway.
2. The mapping system will also include aerial imagery from the last few years, and these will be used to ascertain if vessels usually moor along the stretch of waterway in question and indeed, how they moor (stern on, alongside or double alongside).
3. The aerial imagery will be used to understand the actual width of the river, considering moored vessels.
4. The Authority will also assess accident data and data relating to how busy a stretch of water is.
5. All this information will be combined to determine whether the new quay heading needs to be in line or behind the existing quay heading.

### **Reasonable alternative options**

- a) No policy.
- b) No quay heading is allowed in front of quay heading across the entire system.
- c) Proposed policy.

### **Sustainability appraisal summary**

The three options have been assessed in the SA. The following is a summary.

A: No policy	0 positives. 0 negatives. 3 ?
B: No quay heading allowed in front of quay heading across the entire system	3 positives. 0 negatives. 0 ? Overall, positive.
C: Preferred Option – proposed policy	3 positives. 0 negatives. 0 ? Overall, positive.

51 **Why have the alternative options been discounted?**

52 Placing new quay heading in front of existing quay heading at a typical distance of 10cm to  
53 50cm reduces the width of the river in that location. This is a particular issue in narrower  
54 waterways with high volumes of river traffic. Importantly, reducing navigable space impacts  
55 on the ability of users to navigate safely. So having a policy is favoured and having a policy  
56 that judges schemes on a case-by-case basis is favoured.

57 **UN Sustainable Development Goals check**

58 This policy meets these [UN SD Goals](#):

59 None identified

## Sustainability Appraisal

SA objectives:

- ENV1: To reduce the adverse effects of traffic (on roads and water).
- ENV2: To safeguard a sustainable supply of water, to protect and improve water quality and to use water efficiently.
- ENV3: To protect and enhance biodiversity and geodiversity.
- ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and towns/villages.
- ENV5: To adapt, become resilient and mitigate against the impacts of climate change.
- ENV6: To avoid, reduce and manage flood risk and to become more resilient to flood risk and coastal change.
- ENV7: To manage resources sustainably through the effective use of land, energy and materials.
- ENV8: To minimise the production and impacts of waste through reducing what is wasted, and re-using and recycling what is left.
- ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and their settings.
- ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable and reflects local distinctiveness.
- ENV11: To improve air quality and minimise noise, vibration and light pollution.
- ENV12: To increase the proportion of energy generated through renewable/low carbon processes without unacceptable adverse impacts to/on the Broads landscape.
- SOC1: To improve the health and wellbeing of the population and promote a healthy lifestyle.
- SOC2: To reduce poverty, inequality and social exclusion.
- SOC3: To improve education and skills including those related to local traditional industries.
- SOC4: To enable suitable stock of housing meeting local needs including affordability.
- SOC5: To maximise opportunities for new/ additional employment.
- SOC6: To improve the quality, range and accessibility of community services and facilities and to ensure new development is sustainability located with good access by means other than a private car to a range of community services and facilities.
- SOC7: To build community identity, improve social welfare and reduce crime and anti-social activity.
- ECO1: To support a flourishing and sustainable economy and improve economic performance in rural areas.
- ECO2: To ensure the economy actively contributes to social and environmental well-being.
- ECO3: To offer opportunities for Tourism and recreation in a way that helps the economy, society and the environment.

## Assessment of policy

		A: No policy	B: No quay heading allowed in front of quay heading across the entire system	C: Preferred Option – proposed policy
ENV1		Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.		
ENV2				
ENV3				
ENV4				
ENV5				
ENV6				
ENV7				
ENV8				
ENV9				
ENV10				
ENV11				
ENV12				
SOC1				
SOC2				
SOC3				
SOC4				
SOC5				
SOC6				
SOC7				
ECO1	?		+ Navigable waterways are fundamental to many businesses in the Broads.	+ Navigable waterways are fundamental to many businesses in the Broads.
ECO2	?		+	+
ECO3	?		+	+