



# Local Plan for the Broads

## Preferred Options Consultation

**Plan period: 2012 to 2036**

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**Consultation period: 5 December 2016 – 4pm on 3 February 2017**

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

The Preferred Options version of the Local Plan for the Broads includes proposed draft policies to help determine planning applications for development in the Broads Authority Executive Area.

**We welcome your views on this Preferred Options document.**

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# 1. Introduction

## 1.1. About the Local Plan

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

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

The Broads Authority has three adopted Planning Policy documents: The Core Strategy, Development Management Document and the Site Specific Local Plan. Some of these policies have existed since 2007 and are no longer fully in line with Government policy. As such, we are reviewing all our current policies and looking into current issues in order to produce a new, up-to-date Broads Local Plan.

**This Preferred Options stage of the process proposes policy wording and discusses reasonable alternative policy approaches. The draft policies are based on evidence reports, consultation responses to the Issues and Options stage (Feb-Apr 2016), and on our current adopted policies.**

For the avoidance of doubt, until the new Local Plan is adopted the existing adopted and saved policies are in place and will be used in determining planning applications.

## 1.2. Preferred Options Sustainability Appraisal

A Sustainability Appraisal of the Preferred Options has been prepared and is also published for consultation.

The Planning and Compulsory Purchase Act 2004 requires a Sustainability Appraisal (SA) to be undertaken for Local Plans. The Broads Local Plan SA will examine whether the effects of the specific sites/areas allocations and policies, individually or collectively, give rise to sustainability benefits or dis-benefits. The SA assesses the short, medium and long-term social, environmental and economic effects of the individual policy options and the combined effects, in these terms, of the policies for the whole area.

The Scoping Report for the SA was consulted on from 13 October to 14 November 2014. A further consultation of changes to the SA Objectives was undertaken in April 2016. In general, the proposed approach to the SA was well received.

## 1.3. Habitats Regulation Assessment

Directive 92/43/EEC (the Habitats Directive) on the Conservation of Natural Habitats and of Wild Fauna and Flora, and the UK regulations that gives effect to this, require an 'Appropriate Assessment' (AA) or Habitats Regulations Assessment (HRA) of the potential impacts of land-use plans (including the Broads Local Plan) on European designated habitat sites to ascertain whether they would adversely affect the integrity of such sites. Where significant adverse effects are identified, alternative options must be examined to avoid any potential damaging effects.

A HRA of the Broads Local Plan Preferred Options has been prepared and is also published for consultation.

## 1.4. Local Plan Production process



The following table shows the proposed Broads Local Plan process. The Local Development Scheme, which shows when the various stages of the process are intended to take place, may be found at [Appendix G](#). This is the Preferred Options stage, as highlighted below.

**Table 1:** Broads Local Plan Process

Sustainability Appraisal and Habitats Regulation Assessment	1: Identify issues	Review existing policies and identify current gaps in policies.
	2: Collect evidence	Research that will inform the Local Plan.
	3: Consult (Issues and Options)	The Authority will inform stakeholders and the public that the Local Plan is being produced and ask for views on what the plan should cover. Minimum of 6 week consultation period. (Regulation 18)
	4: Prepare Draft Plan	The evidence and comments received help produce a draft Local Plan.
	5: Consult (Preferred Options)	The Authority will consult with stakeholders and the public on the draft Local Plan for a minimum of 6 weeks.
	6: Improve Plan	The Authority will take on board comments received and any further evidence as they improve the Local Plan.
	7: Publish Plan (Publication)	The plan is available for stakeholders and the public to comment on for a minimum of 6 weeks. (Regulation 19)
	8: Submit	The Authority will assess the comments received. If it considers that the Local Plan is sound, it can submit the Plan to the Planning Inspectorate. Regulation 22. If the Authority wishes to improve the plan, then stages 6 and 7 are repeated.
	9: Examine	The Plan is examined by an independent Planning Inspector. There may be Public Hearings. (Regulation 24)
	10: Adopt	If the independent Planning Inspector finds the Local Plan sound, the Plan can be adopted by the Authority. (Regulations 25 and 26). If the Inspector does not find the Local Plan sound, the process goes back to stage 6.

### 1.5 BREXIT and Local Plan production

The UK's decision to leave the European Union following the Referendum in June 2016 has not, at the time of writing, created any changes to regulations relating to Local Plans, and as such this draft Local Plan is based on current rules and regulations.

## 2. Overview of Document

Chapter 1, 2 and 3: Document background and how to respond

Chapters 4, 5, 6, 7 and 8: Background information on the Broads and the production of this document.

Chapters 9 to 17: Environmental issues.

Chapters 18 to 22: Economic issues.

Chapters 23 to 27: Societal issues.

Chapter 28: Developer contributions and obligations.

Chapter 29: Other development management policies.

Chapter 30: Site Specific policies.

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

As this stage of the Local Plan process is called the Preferred Options, all draft policies start with 'PO'.

**Strategic policies** have the suffix 'SP'.

Strategic Policies are in a box like this.

**Development Management policies** have the suffix 'DM'.

Development Management policies are in a box like this.

**Site Specific policies** have a three-letter suffix using the first three letters of the relevant settlement (for example 'ACL' for Acle). For area-wide policies the suffix 'XNS' is used.

Site Specific policies are in a box like this.

### 3. About this consultation

#### Tell us what you think!

**This is the second stage of the Local Plan production process, where we introduce our draft policies. This consultation stage offers a real opportunity for you to influence the Local Plan.**

We have posed specific questions throughout this document for you to respond to, and there is also an 'issue' table relating to soils. However, we welcome your feedback on any part of this document.

All **consultation documents** are available at <http://www.broads-authority.gov.uk/broadsconsultations>. We are also holding public sessions at venues around the Broads, where you can drop in and talk to the Authority's officers. For more information, visit the above web page.

**Printed copies** of the draft Local Plan and the Sustainability Appraisal, and a CD with other consultation documents, are available to view at the following venues. For opening times, please contact the venue directly or check on their website.

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

We have also produced a **summary leaflet/questionnaire** about some of the less technical issues discussed in the main document. Visit <http://www.broads-authority.gov.uk/broadsconsultations> or complete an online questionnaire at: <https://www.surveymonkey.co.uk/r/HHFVCCS>

**This consultation ends at 4pm on 3 February 2017**

## 4. About the Broads – Spatial Portrait

The Broads is an internationally important wetland and designated protected landscape of the highest order. It is also a member of the family of UK National Parks.

### 4.1 The Broads Authority Executive Area

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

The Broads does not sit in isolation. There are important linkages with neighbouring areas in terms of the community and economy. What goes on outside the Broads affects the area within, and vice versa.

**Map 1: Broads Authority Executive Area**



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### 4.2 The Broads Authority

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

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

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

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

The Broads Authority is the local planning authority for the Broads. It is responsible for producing the new Broads Local Plan that guides development in the area and is used in determining planning applications. A primary aspect of the Broads is that it is a nationally designated area, protected and enhanced for the benefit of the nation as well as for the local population and businesses. This is the justification for control of local planning within the designated area to be entrusted to a special purpose body that includes representation of the national interest as well as of local councils and navigators.

#### 4.3 The landscape of the Broads



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

Traditional settlements are on slightly higher ground, with extensive areas of reed beds, grazing marsh and some carr in and on the edges of the floodplain. There is no particular building vernacular, but the traditional villages tend to have a variety of surviving older buildings of considerable quality or interest, usually clustered near a staithe (landing stage), either on a river or connected to it by dyke (canal), and surrounded by more modern housing of no particular distinction.

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

Sporadic drainage mills and isolated farmhouses sparingly punctuate views across the marshland, and the relative absence of fences (because dykes and drains divide the marshes and contain grazing cattle)



accentuates its open, flat and empty appearance. Boats, birds, cattle, field gates, willow pollards and reed-fringed ditches are also important landscape features across the area.

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

#### 4.4 The Economy of the Broads



Tourism is the mainstay of the Broads economy. In 2014, the Broads and surrounding area (including the area of influence) received around 7.7 million visitors, bringing an estimated £594 million and directly supporting more than 7,660 FTE jobs<sup>1</sup>. Land and water based tourism is important in the area with around 12,325 boats on the Broads in 2014 (10,818 private craft and 1,507 hire craft). Many people also enjoy birdwatching, walking, cycling, angling, visiting heritage sites and just being near the water.

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

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

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

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<sup>1</sup> STEAM Report: Volume and Value of Tourism in the Broads 2013/14

#### 4.5 The Biodiversity of the Broads



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

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

- 11,067 species in total
- 19% of total protected species in the United Kingdom, and 26% of the UK's Biodiversity Action Plan species, occurring in an area only 0.4% of the United Kingdom
- 1,519 priority species, and particularly large numbers of priority bird species – 85% of Red, and 94% of Amber, designated UK Bird species
- Nineteen Global Red Data Book species
- A very wide range within taxonomic groups: e.g. 403 species of beetle, 251 species of fly and 179 species of moth
- 66 Broads Speciality species: 14 species entirely, and 17 largely, restricted to the Broads in the UK, and 35 with its primary stronghold in the area

#### 4.6 Historic Environment and Culture of the Broads



The unique quality and distinctiveness of the built environment of the area, its drainage mills, river and waterside settlements and the Broads origins as manmade medieval peat diggings makes the Broads itself arguably one of England's most extensive industrial monuments. Collectively these features provide the context for individual sites of built and archaeological interest resulting in a true cultural landscape. The Broads Authority Executive Area contains over 270 Nationally Listed Buildings, 15 Scheduled Monuments and 25 Conservation Areas. The area has been identified by Historic England as being a site of exceptional potential for waterlogged archaeology, and the Broads Authority has developed a Local List of heritage assets which is updated regularly. The Broads is also home to numerous heritage craft including the famous trading wherries, other historic sailing and motor vessels.

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

#### 4.7 Navigating the Broads



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

The Executive Area comprises approximately 1,974ha of water space and 63 open water bodies, covering 843ha. Many of these water bodies are 'broads' in the traditional sense, having been formed from medieval peat diggings and used as water transport routes linking settlements with the main rivers and tributaries, while others are of more recent and/or different origin, such as at Whitlingham Country Park, which was developed on the site of a gravel quarry. Some broads have public navigation rights, others have more limited access, generally for environmental or land ownership reasons, while some others are landlocked and inaccessible to craft.

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

#### 4.8 The boats and people who sail them

Visitors taking to the network of rivers and broads in the summer months find themselves sharing the water space with:

- Yare and Bure One Designs ('White Boats')
- Broads One Designs ('Brown boats')
- period launches and day boats, some propelled by steam
- Broads River cruisers (a type of yacht complying with local rules making them unique to the Broads)
- 'Norfolks' (varnished wooden dinghies), the racing derivatives of the traditional Norfolk punt
- dozens of types of nationally and internationally recognised racing/sailing dinghy;
- and last but not least, albeit in much smaller numbers, the





restored and maintained traditional trading wherries and leisure wherries.

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

#### 4.8 The Community of the Broads

The resident population of the Executive Area is about 6,000 people. Living in the Broads, particularly close to the water, is highly prized and this is reflected in local house prices. Local communities strongly identify with the area and value its special qualities.

The National Census 2011 gives some facts and figures about the community of the Broads: **6,271** people live in the Broads. **49.8%** are male and **50.2%** are female. The mean age of the population is **49.3**. The **majority** work full time or are retired. **Most** identify their health as good or very good. **9.6%** residents reported having a long-term health problem or disability which limited their day to day 'a lot'. The Broads has a population density of **0.2 people per hectare**, and the number of households increased by **307** between 2001 and 2011. The 2015 Indices of Multiple Deprivation (IMD) give an interesting insight into the community of the Broads. The IMD map for the Broads has been assessed as part of a Deprivation Topic Paper that can be found on the Broads Authority's website<sup>2</sup>.

#### 4.9 Pressure on the Broads

The Broads is a fragile wetland, and has come under increasing pressure from a variety of sources, including development both internal and external to the Executive Area. In the last century, habitat loss and fragmentation, nutrient enrichment and pollution of waterways, and increasing threats from non-native species and rising sea levels associated with climate change, have seen a decline in species and habitats. The Broads Plan and the Broads Biodiversity Action Plan commit the Authority and its partners to halting and reversing this decline in species and habitats in the Broads. Sea level rise will also increase pressure on the Broads over time.

#### 4.10 Access and Recreation



The Broads is one of the most extensive inland waterways in the UK, with more than 200km of lock free navigable rivers and open water bodies. Boating is a major recreational activity, with around 12,000 licensed

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<sup>2</sup> [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0005/764474/The-Index-of-Multiple-Deprivation-Topic-Paper.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0005/764474/The-Index-of-Multiple-Deprivation-Topic-Paper.pdf)

craft using the navigation area, from rowing boats and canoes to sailing boats, motor cruisers and commercial passenger vessels. The Broads navigation reaches from the quiet headwaters of the Bure, Ant, Thurne and Waveney to the bustling centre of Norwich and coastal resorts of Great Yarmouth and Lowestoft.

Due to the nature of its wetland landscape, many parts of the Broads are most easily accessible by water, with the unique experience this brings. However, the Broads is not just about water, and there are many recreational opportunities to be enjoyed on land. The area has an extensive rights of way network, with around 303km of public footpaths and 17km of public bridleways available for public use. There are three promoted long distance routes and a number of circular walks and cycle routes in the area. Additionally, approximately 150ha of land in the Broads has been designated as open access land under the Countryside and Rights of Way Act 2000. The Broads is also one of the most popular areas in the UK for angling.

Access and recreation provision in the Broads can contribute to the health and quality of life of residents of neighbouring areas and is especially important for urban dwellers and people from deprived communities.

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

## 5. Policy Context

### 5.1 Introduction

The following documents are relevant key policy documents that have helped shape the production of the Local Plan.

### 5.2 National Planning Policy Framework (NPPF) (2012)<sup>3</sup>

The National Planning Policy Framework acts as guidance for local planning authorities and decision-takers, both in drawing up plans and making decisions about planning applications, and is a material consideration in decision-making. The Broads is specifically mentioned in relation to landscape and scenic beauty and to objectively assessed needs (whether for jobs or housing):

*14. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.*

*For plan-making this means that:*

- Local Planning Authorities should positively seek opportunities to meet the development needs of their area;*
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless (inter alia) specific policies in this Framework indicate development should be restricted (For example, those policies relating to sites protected under the Birds and Habitats Directives... (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the **Broads Authority**); designated heritage assets; and locations at risk of flooding or coastal erosion).*

*115. Great weight should be given to conserving landscape and scenic beauty in National Parks, the **Broads** and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the **Broads**.*

### 5.3 National Planning Policy Guidance (NPPG) (2014)<sup>4</sup>

On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The resource was developed following the recommendations of the External Review of Planning Practice Guidance led by Lord Taylor of Goss Moor. This guidance is intended to assist practitioners. Ultimately the interpretation of legislation is for the Courts but this guidance is an indication of the Secretary of State's views. Planning practice guidance will be updated by DCLG as needed.

### 5.4 UK Marine Policy Statement (2011)<sup>5</sup>

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

### 5.5 East Inshore and Offshore Marine Plans (2014)<sup>6</sup>

<sup>3</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<sup>4</sup> <http://planningguidance.planningportal.gov.uk/>

<sup>5</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/69322/pb3654-marine-policy-statement-110316.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69322/pb3654-marine-policy-statement-110316.pdf)

<sup>6</sup> <https://www.gov.uk/government/publications/east-inshore-and-east-offshore-marine-plans>

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

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

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

#### **5.6 National Parks Circular (2010)<sup>7</sup>**

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

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

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

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

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

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

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<sup>7</sup> <https://www.gov.uk/government/publications/english-national-parks-and-the-broads-uk-government-vision-and-circular-2010>

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

The current Broads Plan (adopted 2011) has three key themes, covering a range of topics:

- Planning for the long-term future of the Broads in response to climate change and sea level rise, understanding and responding to the key challenges facing the Broads over the next 50 -100 years presented by climate change and sea level rise.
- Working in partnership on the sustainable management of the Broads' landscape and cultural heritage; agriculture and land management; biodiversity; and management of the navigation area.
- Encouraging the sustainable use and enjoyment of the Broads; Promoting understanding, enjoyment and wellbeing; and tourism, recreation and access.

The Broads Authority is required to review the Broads Plan at least every five years. The next Broads Plan will be produced in 2017, before the adoption of this Broads Local Plan. This will provide an opportunity to neatly align the new Local Plan with the new Broads Plan.

### 5.8 Current Broads Planning Policy Documents<sup>8</sup>

The Core Strategy Development Plan Document (DPD) sets out the vision for the Broads until 2021. It includes environmental, social and economic objectives and primary policies for achieving that vision.

Development Management Policies (adopted in 2011) provide the main policies that guide the determination of planning applications in the Broads, including development within the flood plain and achieving economic development in a protected landscape. These detailed policies are developed from the strategic principles set out in the Core Strategy.



The Site Specific Policies, adopted in 2014, apply to a particular site or area. Sites are allocated for housing, for open space, and as important for transport. This document also allocates development boundaries to some settlements.

### 5.9 Neighbouring Local Planning Authorities' Planning Policy Documents

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

*Note: As the Broads Local Plan is produced, it is important to be aware of the proposals and policies of the districts and counties. Please see the literature review of the Sustainability Appraisal for more information on these documents.*

### 5.10 Norfolk Strategic Framework (NSF)

<sup>8</sup> <http://www.broads-authority.gov.uk/planning/planning-policies/development/current-documents>

Norfolk Local Planning Authorities are working towards a Norfolk Strategic Framework (NSF) to ensure that planning is undertaken strategically and the requirements of the 'Duty to Cooperate' are met (see following section). All Local Planning Authorities in Norfolk are working together to produce this work over the next c.18 months. The Framework will identify cross boundary and strategic issues and seek ways to recommend to the Authorities how to address the issues in a coordinated manner. Not a policy document but a framework, the NSF follows the approach taken by Cambridgeshire Local Planning Authorities, which has been successful to date. The NSF will be nearing completion at the time of the publication stage of the Broads Local Plan.

#### 5.11 Neighbourhood Plans

At the time of writing, the following Neighbourhood Plans are adopted or in preparation (as at June 2016):

Neighbourhood Plan	Status
Acle	Adopted 2015
Beccles Area	Preparation
Brundall	Adopted 2016
Bungay	In preparation
Horstead with Stanninghall	In preparation
Lound with Ashby, Herringfleet and Somerleyton	In preparation
Oulton	In preparation
Salhouse	In preparation
Strumpshaw	Adopted 2014

## 6. Duty to Cooperate

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

The Duty to Cooperate is not a duty to agree; however, local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.

Local planning authorities must demonstrate how they have complied with the Duty at the independent examination of their Local Plans. If they cannot do so, then the Local Plan will not be able to proceed further in examination.

The Localism Act states that relevant bodies must ‘...engage constructively, actively and on an ongoing basis...’. The Broads Authority meets this Duty in many ways as set out in the Duty to Cooperate Statement<sup>9</sup>. The Authority therefore considers that it engages constructively and on an ongoing basis with relevant authorities. As the Local Plan progresses through the next stages of production, draft statements stating how the Authority has met the requirements of the Duty to Cooperate will be produced.

**Question 1: Do you have any thoughts on the Authority’s approach to Duty to Cooperate?**



## 7. Challenges and Opportunities

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

### Strengths

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

### Weaknesses

- Some of the protected habitats and other designated in less than optimal condition and/or vulnerable to change as a result of, for example, fragmentation, inappropriate land management and pressure from nearby development. Some areas of fen and some lakes in decline.
- Almost the whole of the Broads area subject to, or at risk of, flooding.
- High levels of listed buildings and other heritage assets at risk, and particular problems in finding compatible and beneficial uses that could help secure the restoration and maintenance of heritage assets such as windpumps/drainage mills.
- Continuing (though declining) problems of water quality in the rivers. Ground water quality problems.
- Difficulty of modernising and adapting existing buildings and uses, and accommodating new ones, due to flood prone nature of the area.
- Decline in traditional industries such as millwrights and reed and sedge cutters.
- High reliance on tourism which can leave the economy vulnerable and mean a loss of resilience as a result of changes to the holiday/recreational patterns.
- Car dependence of local communities and businesses and fragmentation of settlements.
- Depleted local community and/or visitor facilities, often through displacement by higher value activities (principally housing)
- Tensions and perceptions of incompatibility between interests of conservation, recreation, tourism, navigation and local communities, and between local interests and the national value of the Broads.
- The ageing population could lead to imbalance in the community.



- Lack of housing that is affordable resulting in some people having to commute to places of work.
- Deficiencies of moorings to meet the needs of various waterspace users

## Opportunities

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

## Threats

- Climate change - likely impacts that may be threats:
  - Increased frequency and severity of river flooding
  - Increased risk of coastal inundation
  - Changes in water quality and quantity
  - Increased frequency and severity of saline incursion into fresh water systems
  - Changes in flora, fauna and landscape
  - Changes in patterns of recreation
  - Changes in agriculture and its practices
  - Redundancy/degradation of infrastructure and material assets
- Erosion of the special character of the area's landscape and built heritage through:
  - Loss of archaeology and built and cultural heritage assets.
  - Saline intrusion.
  - Coastal erosion.
  - Incremental 'suburbanisation' and other changes, including through domestic and holiday home extensions/enlargements and paraphernalia:
    - Metalling of unmade tracks;

- 'Horsiculture' – proliferation of pony paddocks, stables, menagés, etc;
- Road, rail and navigation improvements/changes;
- Proliferation of advertisements.
- Potential landscape and economic effects of change, including that driven by market changes (e.g. food prices, bio-fuel).
- Changes in patterns of recreation, including impacts of earlier major decline in hire boat fleet and growth of private boat ownership; higher expectation of facilities for leisure plots, holiday chalets and other accommodation.
- Declining boatyard and boatbuilding industry.
- Loss of local and traditional skills.
- Pinch-points at bridges, no passing places and low levels of infrastructure allied to industry / business and even residential could limit potential for more use of water.
- Major housing and employment growth planned for nearby areas, and associated potential impacts such as:
  - Water quality and quantity loss arising from effluent input and supply extraction.
  - Increased recreational pressure, on both visitor 'honeypots' and remoter, more tranquil and sensitive localities.
  - Traffic growth.
- Passing of the economies, practices and ways of life that generated and sustained those landscapes.
- Unsympathetic design, construction and alterations.
- Loss of local community and/or visitor facilities, often through displacement by higher value activities (principally housing).
- High house prices in the rural areas could affect the willingness of some to train in traditional skills such as reed and sedge cutting as they would need to commute.
- Recent and likely future cuts in budgets and consequent challenges organisations face in light of reduced funds.
- Palaeo-environmental and organic archaeological remains are especially vulnerable and significant in the Broads.
- Potential damage to protected wildlife sites through activities in the Broads and more development in the wider area.

## 8. Vision, Objectives and Existing Policies

### 8.1 Draft Vision for the Broads

The draft Vision for the Broads below is taken from the revised draft Broads Plan 2017. The Broads Plan is the key management plan for the Broads. It sets out a vision, aims and objectives for the Broads and coordinates and integrates a wide range of plans and policies relevant to the area with the purposes and duties set out in the Broads Acts. It is currently under review and a new plan will be adopted in April 2017. It is proposed that the Broads Local Plan uses the Vision for the Broads as set out in the Broads Plan.

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

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

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

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

And finally, the Broads National Park is forever recognised as fundamental to our prosperity, health and wellbeing, and forever treasured as a special place that provides a "breathing space for the cure of souls".

#### Question 2: Do you have any thoughts on the Broads Plan and the Broads Local Plan having a shared Vision for the Broads?

### 8.2 Draft Broads Local Plan Objectives (2012 to 2036)

The following draft objectives reflect the Vision for the Broads and the area's special qualities and assets.

Objective		Relevant policies in the Local Plan
OBJ1.	The Broads remains a key national and international asset and a special place to live, work and visit.	POSP2, 3, 4, 5, 6, 9. All the DM policies contribute to this.
OBJ2.	There are areas of true tranquillity and wildness, giving a real sense of remoteness.	PODM22. POSP2.
OBJ3.	The Broads is a unique, highly valued and attractive environment where the landscape character and setting is protected, maintained and enhanced.	PODM16, 17, 18, 19, 20. POSP2.
OBJ4.	The rich and varied habitats and wildlife are conserved, maintained, enhanced and sustainably managed.	PODM13. POSP2.
OBJ5.	The coastal section of the Broads is used and managed in a balanced way for people and wildlife.	POXNS3. POSP2.
OBJ6.	Water quality is improved and water is managed to	PODM1, 2, 3, 4, 5. POSP3, 4.

Objective		Relevant policies in the Local Plan
	increase capture and efficiency, prevent pollution and reduce nutrients. Flood risk to people, property and landscapes is managed effectively.	
OBJ7.	'Climate-smart thinking' minimises future adverse impacts and makes use of opportunities in an area vulnerable to a changing climate and sea level rise.	PODM9, POSP5.
OBJ8.	The area's historic environment and cultural heritage are protected, maintained and enhanced. Local cultural traditions and skills are kept alive.	POSP6, PODM11, 12.
OBJ9.	The housing needs of the community are met.	PODM31, 32, 33, 34, 35, 36, 37, 38, 39. POSP2, 12.
OBJ10.	Development and change are managed to protect and enhance the special qualities of the Broads as well as the needs of those who live in, work in and visit the area. The Broads Authority maintains close cooperation with the Local Planning Authorities adjoining its executive area. .	All the policies seek to address this objective.
OBJ11.	The Broads offers communities and visitors opportunities for a healthy and active lifestyle and a 'breathing space for the cure of souls'.	PODM42, POFLE1, PODIT2, PODM43, PODM6. Although many policies are relevant. POSP2, 3.
OBJ12.	There is a buoyant and successful rural economy.	See the Economy Section.
OBJ13.	The Broads is renowned for sustainable tourism and supports a prosperous tourism industry.	POSP9, PODM27, 27
OBJ14.	People enjoy the special qualities of the Broads on land and on water. Access and recreation is managed in ways that maximise opportunities for enjoyment without degrading the natural, heritage or cultural resource. Navigation is protected, maintained and appropriately enhanced, and people enjoy the waterways safely.	POSX11, PODM28, 29, 20. POSP7, 8, 10, 11.
OBJ15.	The Broads continues to be important for the function, identity and recreation of the local community as well as over a wider area.	POSP14, 13
OBJ16.	Waste is managed effectively so there is no detriment to the environment.	POSP2, 3

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

#### 8.3 Special Qualities of the Broads

The special qualities of the Broads that the Local Plan will seek to protect or enhance (if appropriate) are well known. The following list is based on that set out in the Broads Climate Change Adaptation Plan and Landscape Character Assessment.

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

- The people, the visitors, the activities
- History: Geo-heritage, heritage assets, archaeology , historic structures
- Cultural assets, skills and traditions.
- People's interactions with the landscape
- The settlements
- Variety of patterns and textures of the landscape.

#### 8.4 The next sections of the Preferred Options Local Plan

The following sections cover the same themes as in the Broads Local Plan: Issues and Options consultation document. Taking into account the responses to the issues and related options, we have produced the following draft policies, on which your comments are welcomed.

Against each draft policy there is:

- A summary of the Sustainability Appraisal for that policy
- A summary of alternatives considered
- Draft monitoring indicator(s)
- A brief summary of the comments received as part of the Issues and Options consultation.

**We have posed specific questions throughout this document for you to respond to, and there is also an 'issue' table relating to soils. However, we welcome your feedback on any part of the document.**

## 10. Sustainable Development in the Broads

### Policy POSP1: DCLG/PINS Model Policy

When considering development proposals the local planning authority<sup>1</sup> will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will<sup>2</sup> work proactively with applicants jointly<sup>3</sup> to find solutions which mean that proposals can be approved wherever possible, and to secure development that meets the Broads statutory purposes<sup>4</sup> and improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in the development plan<sup>5</sup> will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the local planning authority<sup>6</sup> will grant permission unless material considerations indicate otherwise – taking into account whether:

- i) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- ii) Specific policies in that Framework, and particularly those relating to national parks and the Broads<sup>7</sup>, indicate that development should be restricted.

### Reasoned justification

The National Planning Policy Framework states that Local Plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally (paragraph 15). The Planning Inspectorate considers that the DCLG's model wording will, if incorporated into a draft Local Plan submitted for examination, be an appropriate way of meeting this expectation.

However, the Broads Authority considers that the DCLG's model wording requires minor modifications to ensure it is appropriate to the Broads and compliant with the NPPF. The modifications are identified in the text by superscript numbers and the justification of each change is as follows.

1. The local planning authority for the Broads is not a council, and local planning authority is the term used in the relevant part of the NPPF (Policy 187).
2. The word 'always' does not appear in the NPPF in this context (see NPPF Policy 187), and there will be occasions when this is not appropriate, for instance where there is no possibility that the proposals can be made acceptable.
3. The word 'jointly' does not appear in the NPPF in this context (see NPPF Policy 187), and its addition is tautologous.
4. Reflects the particular purposes of development and the nature of sustainability in this National Park equivalent area, in the interests of clarity, certainty and local distinctiveness.
5. Use of the term 'Local Plan' would be confusing in the local context, as over a period of several years a series of Development Plan Documents have been advertised as gradually replacing 'the Local Plan' (in this instance meaning the 1997 Broads Local Plan). Local Plan does not appear in the title of the current development plan documents. Listing the current development plan documents would be unnecessarily wordy and will eventually become out of date. Use of the statutory term 'development plan' most precisely includes all the relevant documents, and excludes all irrelevant ones.
6. The local planning authority for the Broads is not a council, and local planning authority is the term used in the relevant part of the NPPF (Policy 187).
7. Highlights the particular NPPF aspects relevant to this national park equivalent area, in the interests of clarity, certainty and local distinctiveness.

#### Alternative Options and Sustainability Appraisal Summary

- All of the topic areas covered by the Sustainability Appraisal Objectives relate to aspects of sustainable development and relate to the NPPF and NPPG.
- No Model Policy. It is practice for Local Plans to include this policy.

#### Evidence used to inform this section

- The NPPF.

#### Monitoring Indicators

- No specific monitoring indicator for this policy. All the policies in this Local Plan will be monitored.

#### **Policy POSP2: Sustainable Development in the Broads**

When considering development proposals the Authority will take a positive approach that reflects the presumption in favour of sustainable development provided that they:

- a) are consistent with the Broads Authority purposes;
- b) pay due regard to the duty in pursuit of the purposes;
- c) conserve and enhance the special qualities of the Broads; and
- d) do not conflict with the vision and objectives of the Broads Authority Management Plan and the policies in this Local Plan read in combination

Development and changes in land use / management must ensure that all aspects of the environmental and cultural assets of the Broads' distinctive landscape are protected, enhanced and restored. Opportunities must be taken to contribute to the sustainable development of the area. Particular attention will be paid to:

- i) the quality of the built environment, ensuring high quality design
- ii) the intensity of the use or activity is appropriate to the character and appearance of the Broads;
- iii) The defining and distinctive qualities of the varied landscape character areas and the character, appearance and integrity of the historic and cultural environment.
- iv) supporting the function and resilience of communities by retaining and strengthening their services and facilities, protecting their safe, attractive public places and employment opportunities and providing for a size, type and tenure of housing to address local needs and help create a balanced community;
- v) assist in the creation and maintenance of inclusive, environmentally sustainable communities making the best and most efficient use of previously developed land, buildings and natural resources;
- vi) the efficient use of land, buildings, services and infrastructure;
- vii) the impact on the amenities of local residents, occupiers of neighbouring properties, and visitors, and conserving or enhancing the quiet enjoyment, tranquillity and wildness as part of the Broads experience;
- viii) the use of sustainable building techniques, materials and minimising energy use and waste and construction waste;
- ix) maintaining the quality of natural resources;
- x) the needs of future generations, through sustainability and resilience to climate change and adapting to and mitigating the impacts of climate change; and
- xi) supporting the health and socio-economic wellbeing of local communities and encouraging community participation.
- xii) the value and integrity of nature conservation interest and objectives of European and national nature conservation designations paying attention to habitats and species including ecological networks and habitat corridors, especially linking fragmented habitats of high wildlife value; and
- xiii) flood risk taking into account the likely changes as a consequence of climate change.

Opportunities to mitigate the visual impact of currently intrusive features shall be sought.



The Authority will work with applicants to find solutions to ensure that development proposals that are in accordance with the policies in this Local Plan can be approved without delay, unless material considerations indicate otherwise.

#### Reasoned Justification

In accordance with the statutory purposes of the designation of the Broads as one of Britain's protected landscapes and with government policy for National Parks, a position of general restraint and landscape protection is the baseline of the Local Plan. This policy sets the context for identifying and protecting the key physical, cultural and perceptual resources that make up the protected landscape of the Broads.

- Landscape Character

Despite its local distinctiveness there is a marked difference, for example, between the enclosed, intimate character of some parts of the Upper Thurne and the wide open spaces of Halvergate Marshes. Therefore, while the need to protect the landscape is agreed as a priority and supported by national and regional and local policy and the Broads Plan, there may be areas that are better able to accommodate change than others. The Authority has undertaken a Landscape Character Assessment that identifies which areas are more and less vulnerable to change, as well as providing detailed advice on landscape matters. Character assessment includes the identification of particular cultural features and environments within the landscape that gives it its character.

While the Broads landscape as a whole is protected for its natural beauty and national significance, there are areas that have suffered from inappropriate development or neglect and where landscape changes would be beneficial. The aim will be to work with landowners and infrastructure providers to mitigate adverse impacts caused when the area was not a protected landscape.

While protection is recognised as important, the needs of a 'living landscape', which will involve permitting development necessary to support local communities and the economy, are recognised, subject to criteria that protect and enhance the essential qualities of the landscape, since it is that landscape which provides the basis of their livelihoods.

- Tranquillity and Wildness

The Broads should offer a range of experiences, including the more social and bustling boating environments found, for example, in Great Yarmouth and Wroxham and an experience of wildness where peace and tranquillity can be enjoyed, such as the Waveney Valley. It is important that the tranquil and wild areas are protected from development that would adversely affect this special character. In some areas where there is a concentration of holiday or leisure development, tranquillity and wildness is not appropriate, and it is the bustling activity that gives the area its character. Light pollution is another aspect of tranquillity. Development should seek to enhance protect key characteristics such as tranquillity and dark night skies.

- Nature Conservation

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

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



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

The identification, promotion and creation of ecological networks will help to re-establish vulnerable species and habitats to more viable population levels and enable them to adapt better to change in the medium- and longer-term. Habitat corridors are vital for the migration and dispersal of species and help to maintain and enhance biodiversity. In the light of current and future climate change, the role of habitat corridors is likely to become more valuable as species adjust their ranges to accommodate for changing climatic conditions.

The ecological impacts of a proposed development will need to be assessed. Opportunities for ecological enhancements in all developments will be considered, in particular, those contributing to the conservation and enhancement of priority habitats, sites and species, including those with Biodiversity Action Plans. The Norfolk Biodiversity Action Plan (BAP) identifies priority species and habitat types and sets targets and priorities for improvement, and these are monitored. By increasing biodiversity in the Broads, the value and beauty of the area will increase and ecological populations will be strengthened and be better able to maintain viable communities.

- Historic and Cultural Environment

The Broads has a rich cultural heritage. Statutory protection is given to features in recognition of their national importance and type of feature, i.e. listed buildings, historic parks and gardens, Scheduled Monuments, and Conservation Areas. The historic and cultural environments are a definable resource and also have a strong and increasing role in promoting and supporting the tourism and heritage industries, which adds weight to the need for protection.

- Design

The built environment is an important part of the cultural landscape. It reflects the activities of people living and working in the Broads. Good design is crucial in protected landscapes such as the Broads. Development needs to take into account the characteristics of the site, as well as the distinctiveness of the wider Broads' setting. Good design is all the harder to define in the Broads because of the varied nature of the local architecture. As the local planning authority, the Authority can influence design and the use of materials so that buildings blend into the landscape. But it is not about looking back; the Authority also wants to explore the future in innovative ways that are compatible with the local heritage and culture as well as potentially stimulating the local economy.

- Climate change

Innovative solutions are also required to minimise the impacts of climate change and the particular challenges and opportunities that this will present in terms of development and of the delivery of sustainable design solutions. There is significant potential for the development of sustainable design solutions specific to the Broads and this could also potentially become a key economic strength.

- Flood risk

According to the NPPG, "flood risk" is a combination of the probability and the potential consequences of flooding from all sources – including from rivers and the sea, directly from rainfall on the ground surface and rising groundwater, overwhelmed sewers and drainage systems, and from reservoirs, canals and lakes and other artificial sources. Approximately 95% of the Broads Authority Executive Area is at some risk of

flooding. This includes more than 2000 properties and almost 30,000 hectares. The Broads Authority boundary is tightly drawn around the edge of the floodplain.

The flood risk in the Broads is mainly from both fluvial and tidal sources and the whole character and development in the Broads over many hundreds of years has been closely associated with the water environment and flood risk. Much of the Broads area is defended by flood defence embankments, which are maintained by the Environment Agency to reduce flooding. The flood defences, where they exist, only reduce the risk of flooding and will never eliminate it; this has been the historic case within the Broads. Flooding can cause damage to property and infrastructure. Coastal flooding can be particularly damaging. In extreme cases, flooding can lead to loss of life. The threat of flooding can also cause fear and distress to local residents. On the other hand, flooding is also a natural process within a floodplain. In some circumstances it can be beneficial to wildlife.

#### Alternative Options and Sustainability Appraisal Summary

- Preferred option: Positive on all aspects. This is an overarching policy that seeks to address all the SA Objective areas. There are more detailed policies that fall from this overarching policy. There could be some conflict between the individual aspects of this policy and this is teased out as each detailed policy is assessed.
- No overarching Policy. Rely on the PINS/Sustainable Development policy only. Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty. It is felt that this policy gives more detail and a local aspect to a sustainable development policy.
- More detailed policy: Not rated as the individual policies in this Local Plan are detailed and meet the thrust of this overarching policy. These will be topic-specific strategic policies and the development management policies.

#### Evidence used to inform this section

- This policy is an overarching policy and is therefore informed by all the evidences quoted elsewhere in this document.

#### Monitoring Indicators

- No specific monitoring indicator for this policy. All the policies in this Local Plan will be monitored.

#### **Policy POSP3: Air, water and waste**

The environment will be protected and enhanced by ensuring all development addresses impacts on air quality, water quality, water resources and waste. Opportunities should be sought for incorporating measures to achieve resource efficiency, for re-use and recycling.

#### Reasoned Justification

##### • Water Quality

The objectives of the Water Framework Directive not only to protect, but to enhance both water quality and quantity, are reflected in the Local Plan. The Directive indicates three aspects to water quality: biological, chemical and morphological. As a sensitive wetland system within a fragile environment, the Broads is at threat from resource problems and diffuse pollution that reduces water quality. New development can have significant impacts on water availability and quality, be it from increased abstraction or risk of pollution, and thereby damage the fundamental resource on which the area relies. Development and activities within the catchment can impact on the Broads. For example agricultural practices, even if located some way from the Broads, can lead to sediment and chemicals washing downstream to the Broads, which can result in reduced water depth, turbidity and impact on the aquatic system through excess nutrients. These are all matters which planning can influence potentially with close cooperation with neighbouring Local Planning Authorities. The Environment Agency is a key consultee on development proposals, and where development

is likely to present a risk to the hydrological system it will not be permitted. Boats can impact on water quality, e.g. through sewage/fuel/paints, and awareness raising campaigns as well as spatial planning are mechanisms for improving water quality. The hydrological system is affected by decisions made throughout the catchment.

Flooding and pollution risk is increased by development that reduces surface permeability and consequently increases the rate of surface run-off. An important 'soft' engineering approach to flooding and pollution prevention is to incorporate Sustainable Drainage Systems (SUDS) in the design for new development. These mimic a more natural drainage system, and use techniques to control surface water run-off as close to its origin as possible, before it enters a watercourse. Development Management Policies can incorporate these measures.

The Broads Authority is actively seeking to improve water quality in other ways:

- **The Broads Lake Restoration Programme** has been active for over 30 years, leading the UK in developing and studying lake restoration projects. The programme aims to recreate clear water with healthy aquatic plant growth that provides a habitat for wildlife.
- Many properties in the Broads are not connected to the **main sewerage system** and use septic tanks or package treatment plants instead. The Environment Agency<sup>10</sup> is asking householders with septic tanks and package treatment plants to help reduce the amount of the nutrient phosphate entering the waterways.
- Through the **Broadland Catchment Partnership (BCP)**<sup>11</sup> with the Environment Agency, Natural England, and other scientists and wetland landowners and communities, the Broads Authority is seeking practical ways of repairing ecological decline in the Broads. Some of the successes of the BCP include:
  - Completion of the **Broadland Rivers Catchment Plan** which sets out actions for partners in addressing water quality, water levels and run-off.
  - Securing £31K from **Defra's Catchment Partnership Action Fund (CPAF)** for a 'Slow the Flow' project 2015/16 to construct and promote schemes to capture or slow run-off known as Rural Sustainable Drainage Systems (RSuDS).

#### • Air Quality

As a wide open and largely flat rural area subject to northerly and easterly winds from the coast, the Broads does not suffer particularly from air pollution. A wide range of viable opportunities now exist for reducing air pollution while also contributing to reduction in greenhouse gas emissions. The use of modern and efficient forms of boat propulsion that minimise noise and pollution, the installation of electric recharging points at moorings and the use of renewable energy to generate that electricity would all help to improve air quality locally. Measures will be encouraged to improve air quality for visitors and waterside residents, such as obtaining energy from renewable sources, adoption of energy-efficient measures in building design and construction, improvement and promotion of sustainable transport schemes, improvement of facilities and safety for walking and cycling, and encouraging sailing and electric boating.

#### • Waste management

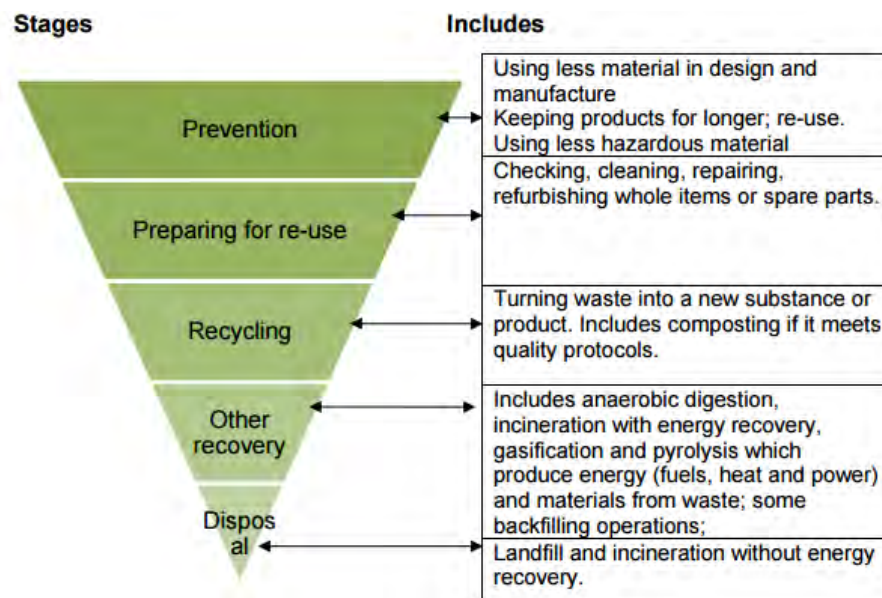
The policy requires developers to consider waste arising from their development as they prepare the scheme. The inclusion of appropriate waste management techniques in development will be expected. These could include the promotion of waste reduction, use of recycled materials in development projects, provision for recycling facilities at key visitor locations or safeguarding sites for wharves. There may be potential to use the waterways for transporting waste more efficiently than by road.

While the Broads Authority is not the waste authority, the NPPG is clear in saying that all Local Planning Authorities need to help deliver national waste policies and achieve the higher levels of the waste hierarchy.

<sup>10</sup> [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0010/398791/Env-agency-septic-tanks.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0010/398791/Env-agency-septic-tanks.pdf)

<sup>11</sup> [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0020/404318/WQP-Group-Profile.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0020/404318/WQP-Group-Profile.pdf)

The 'waste hierarchy'<sup>12</sup> is a way of thinking about waste as a potential resource. The aim is to move waste management up the hierarchy with the ultimate goal of achieving a zero waste society. The Waste Hierarchy forms part of the Waste Framework Directive which was transposed into United Kingdom law in 2011. It is summarised in the following diagram.



#### Alternative Options and Sustainability Appraisal Summary

- Preferred Option rats positively on SA objectives relating to water, waste and air.
- No policy. Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty. The Authority is keen for these issues to be addressed in the Local Plan due to their potential impact on the special qualities of the Broads.

#### Evidence used to inform this section

- This policy is an overarching policy and is therefore informed by all the evidences quoted elsewhere in this document.

#### Monitoring Indicators

- No specific monitoring indicator for this policy. See relevant DM policy for detail.

<sup>12</sup>

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/364759/141015\\_National\\_Planning\\_Policy\\_for\\_Waste.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/364759/141015_National_Planning_Policy_for_Waste.pdf)

## 11. Water and flooding

### **Policy PODM1: Water Quality**

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

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

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

The Authority encourages proposals to consider the use of reed beds as a filtration system to remove nutrients before the waste water from small sewage treatment plants, package treatment works and septic tanks enters waterbodies.

All new development and replacement buildings generating foul water and extensions increasing occupancy are required to submit a foul drainage assessment with applications.

Extensions that increase occupancy are required to improve the existing method of drainage of the entire property if appropriate.

To ensure the protection of designated sites, no new development requiring connection to the public foul drainage system within the Horning Knackers Wood Catchment, is allowed to take place until it is confirmed capacity is available within the foul sewerage network and at the Water Recycling Centre to serve the proposed development.

### Reasoned Justification

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

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



Government guidance contained within the National Planning Practice Guidance<sup>13</sup> sets out a hierarchy of drainage options that must be considered and discounted in the following order:

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

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

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

Where development involves the disposal of trade waste or the disposal of foul sewage effluent other than to the public sewer, a foul drainage assessment will be required to demonstrate why the development cannot connect to the public mains sewer system and to provide details of the method of effluent storage, treatment and disposal. The statement should include a thorough examination of the impact of disposal of the final effluent, whether it is discharged to a watercourse or disposed of by soakage into the ground. An Environmental Permit or exemption will be required from the Environment Agency if it is proposed to discharge treated sewage effluent to controlled waters or ground. Further guidance on the information that should be incorporated into this statement is available on the EA website<sup>14</sup>. Where development proposes non-mains drainage, early liaison with the Environment Agency is expected.

With regards to reed bed filtration systems, this is a more natural way of treating sewerage that provides habitat as landscape benefits as well as being a low energy and low carbon option. While it may take more space than other treatment options, the end discharge from a reed bed system could be similar and when combined with other methods, could be even better quality than other methods on their own.

Horning Knackers Wood Water Recycling Centre discharges to the River Bure and contributes nutrient loads to the downstream watercourses as well as the Bure Broads and Marshes Site of Special Scientific Interest (SSSI), a component of the Broads Special Area of Conservation (SAC)/ Broadland Special Protection Area (SPA). Restrictions on development without benefit of adequate mains sewerage are added on the advice of the Environment Agency in light of the potential for harm to nearby environmentally designated sites and the current shortcoming of the mains sewerage in the locality.

Both Anglian Water and the Environment Agency agree that the Horning Knackers Wood Water Recycling Centre (WRC) does not currently have capacity to accommodate further foul flows. Anglian Water Services (AWS) have undertaken investigations to identify why the WRC is receiving excessive flows. This work has indicated infiltration from groundwater into the sewer network as the main reason. AWS have developed a scheme to address the infiltration, and by relaying and relining sewers should resolve the issue and provide

<sup>13</sup> <http://planningguidance.communities.gov.uk/blog/guidance/water-supply-wastewater-and-water-quality/water-supply-wastewater-and-water-quality-considerations-for-planning-applications/>

<sup>14</sup> <https://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits>

modest capacity for further foul flows. This scheme was completed in March 2015 and was monitored for a subsequent period of 12 months to assess the efficacy of the scheme and whether there is capacity to accept additional flows.

Comments received as part of the Issues and Options consultation:

*General support for addressing sewerage treatment, referring to the hierarchy of preferred treatment methods but also ensuring the developer investigates adequate sewage treatment to serve the development or that it can be made available. Support for reed bed filtration as an addition.*

Alternative Options and Sustainability Appraisal Summary

- Preferred Option: Positive when assessed against water quality and wildlife objectives. ? against landscaping but schemes tend to be well screened. ? against delivery of homes as this policy does add a requirement on applicants.
- No policy: Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty
- No change to DP3: Similar scoring but the preferred option requires developers to ensure there is capacity at a treatment works or that capacity can be made. The preferred option is also stronger in its wording when relating to the hierarchy of disposal methods. Also incorporates the Horning aspect (rather than repeating in the HOR site policies). Finally, the preferred option brings in the potential to use reed bed filtration systems.

Evidence used to inform this section

- Environment Agency : Environmental management – guidance on discharges to surface water and groundwater: environmental permits.

<https://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits>

Monitoring Indicators

- Applications involving sewage treatment works and what type of system used.

**Policy PODM2: Boat wash down facilities**

Where development is proposed for recreational boating club facilities (new, rebuild or extensions) that increase the use of the club, there will be a requirement to designate and sign a suitable area for wash-down of vessels as part of good biosecurity practice.

Where development is proposed (new, rebuild or extensions) that increases the use of existing boatyards, marinas and mooring basins or is related to maintaining or washing down boats, there will be a requirement to designate a suitable area with adequate facilities to enable the filtration of waste water from the washing of boat hulls with the ultimate aim of preventing anti fouling paint residues (including paint flakes) entering the water.

Reasoned Justification

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

Biosecurity means taking steps to make sure that good hygiene practices are in place to reduce and minimise the risk of spreading invasive non-native species. Non-native species (such as Killer Shrimp, Zebra Mussel and Signal Crayfish) can devastate populations of native species and change whole ecosystems, for example by competing with and displacing native species, spreading disease, altering the local ecology and physically clogging waterways. A good biosecurity routine is always essential, even if invasive non-native species are not always apparent.

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

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

The policy requires commercial operations to have the facilities in place to prevent anti-fouling paint from entering the watercourse. The Green Blue Guide to Boat Wash Down<sup>15</sup> provides more information and gives detailed advice and guidance on wash down systems. Applicants are required, as part of the Planning Statement to support their application, to address the issue of boat-wash down and justify the chosen system. The Authority acknowledges that such a system can add to the cost of a particular scheme. If this requirement could affect the viability of an operation, evidence is required to be produced that proves installing a wash down facility could make an operation unviable.

Comments received as part of the Issues and Options consultation:

*General support for a policy but consideration to viability is important. The IWA suggest practices such as those used in garages to separate oil may be suitable, with modification.*

#### Alternative Options and Sustainability Appraisal Summary

- Preferred Option: Positive although some uncertainties in relation to ECO1 and ECO4 as could add an extra cost burden to a business.
- No policy: Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty. The Authority considers the issue of biosecurity and anti-fouling paint important.
- More detailed policy. An overly detailed policy specifying what measures should be put in place could restrict some more innovative and viable options coming forward.

#### Evidence used to inform this section

<sup>15</sup> [http://thegreenblue.org.uk/~media/TheGreenBlue/Files-and-Documents/Leaflets/The\\_Green\\_Guide\\_to\\_Boat\\_Washdown\\_Systems.ashx](http://thegreenblue.org.uk/~media/TheGreenBlue/Files-and-Documents/Leaflets/The_Green_Guide_to_Boat_Washdown_Systems.ashx)





- <http://www.nonnativespecies.org/checkcleandry/documents/species-guide.pdf>
- [http://thegreenblue.org.uk/~media/TheGreenBlue/Files-and-Documents/Leaflets/The Green Guide to Boat Washdown Systems.ashx](http://thegreenblue.org.uk/~media/TheGreenBlue/Files-and-Documents/Leaflets/The_Green_Guide_to_Boat_Washdown_Systems.ashx)

#### Monitoring Indicators

- Boat wash down areas and filtration devices delivered as a result of relevant planning applications.

#### **Policy PODM3: Water Efficiency**

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

#### Reasoned Justification

All new homes already have to meet the mandatory national standard set out in the Building Regulations (125 litres/person/day). The NPPG says *'Where there is a clear local need, local planning authorities can set out Local Plan policies requiring new dwellings to meet the tighter Building Regulations optional requirement of 110 litres/person/day'*<sup>16</sup>.

Following discussions with Essex and Suffolk Water, it is apparent that they do not consider a need for reducing water consumption to 110 l/h/d. Anglian Water Services, however, support this proposed policy. The policy therefore seeks 110 l/h/d in areas served by Anglian Water Services as shown on **map x**. New development in the Anglian Water Services area should therefore incorporate measures to minimise water consumption. Water management systems, including grey water recycling and rainwater harvesting, should be incorporated into new development unless proven unfeasible.

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

#### Comments received as part of the Issues and Options consultation:

- *General support for increased water efficiency, but need to consider viability impacts.*

#### Alternative Options and Sustainability Appraisal Summary

- Preferred option:
- 110 l/h/d for the entire Broads area. Same rating as preferred option but The Authority is aware that this approach is not supported by Essex and Suffolk Water.
- No policy – leave as per Building Regulations at 125 l/h/d. Rates positively against water efficiency and biodiversity objectives. ? against housing delivery as does add an extra requirement. The Preferred Options policy reflects the evidence that points towards increased water efficiency in the Anglian Water Services area. The Essex and Suffolk Water area would remain at 125 l/h/d.

#### Evidence used to inform this section

The NPPG says that the following sources of information could inform changes to policy relating to water resources:

- The Water Stressed Areas Classification (Environment Agency, 2013).

<sup>16</sup> The 'optional' enhanced national standard is defined within the 2015 Approved Document G, Building Regulations 'Sanitation, hot water safety and water efficiency' March 2015, page 15, G2(3). At 2015 this is defined as consumption 110 litres per person per day to be demonstrated

[http://www.planningportal.gov.uk/uploads/br/BR\\_PDF\\_AD\\_G\\_2015.pdf](http://www.planningportal.gov.uk/uploads/br/BR_PDF_AD_G_2015.pdf)

- Essex and Suffolk Water Resource Management plan (2014)
- Anglian Water Services Water Resource Management Plan
- Anglia District River Basin Management Plan

Another source of information is existing water cycle studies completed by our districts. Further work is likely to be commissioned during 2016.

#### Monitoring Indicators

- Dwellings permitted at 110 l/h/d.

#### **Policy POSP4: Flood Risk**

All new development will be located to minimise flood risk, mitigating any such risk through design and implementing sustainable drainage (SuDS) principles.

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

- Is compatible with national policy and when the sequential test and the exception test, where applicable have been satisfied;
- a site specific Flood Risk Assessment, where required demonstrates an acceptable flood risk and/or suitable flood protection mitigation measures are incorporated into the proposals, where necessary, which can be satisfactorily implemented.
- it is and will remain safe for people for the lifetime of the development
- Would not increase flood risk elsewhere and, wherever possible, is reduced;
- Does not undermine the integrity of existing coastal and river defences; and
- Would not affect the ability for future flood alleviation projects to be undertaken.

All new development will incorporate appropriate surface water drainage mitigation measures to minimise its own risk of flooding and should not materially increase the flood risk to other areas.

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

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

#### Alternative Options and Sustainability Appraisal Summary

- Preferred Option: positive in relation to flood risk, climate change, water quality and health of people, ? relating to housing delivery although flood risk is a known issue with strict policy control.
- No policy on flood risk. Flood risk would still be considered using the NPPF, but a local policy that is in line with the NPPF seems prudent in an area prone to such flooding as it is. With flood risk being such a big issue in the Broads, it is appropriate to tackle it in the Local Plan.
- No change to CS20. The general thrust of CS20 means it would score similar to the preferred option. However DP29 was produced prior to the NPPF and therefore needs updating in order to be found sound.

#### **Policy PODM4: Flood Risk**

All new development will be located to minimise flood risk, mitigating any such risk through design and implementing sustainable drainage (SuDS) principles.

Development will only be permitted in Environment Agency Flood Zones 2 and 3 when deemed an appropriate form of development (Table 3 para 67 NPPG) and where necessary the Sequential Test and Exceptions Test as set out in the NPPG, have been satisfied. Development proposals should be supported by a Site Specific Flood Risk Assessment

The Flood Risk Assessment will need to meet the requirements of the NPPG and demonstrate/assess the following:

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

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

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

Where, as a result of applying the sequential test, a development is approved on an exceptions basis, planning agreements or developer contributions will be sought to ensure that the development is protected from flooding to the appropriate standard throughout its lifetime. Any required additional or enhanced flood defences should not conflict with the Broads purposes and special qualities.

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

Surface water run-off proposals should address the requirements of the Flood and Water Management Act 2010.

#### Reasoned Justification

Flooding can have devastating impacts on individuals and communities. Risks relate not just to property but also to essential infrastructure and utilities required to facilitate and support development. Flooding can also precipitate pollution, which could have a significant and detrimental impact on the nature conservation interest of the Broads, and the duty of the Authority to protect this resource is an important consideration.

While the current Broadland Flood Alleviation Project will provide protection to 1995 levels, and future mitigation measures and technological innovation may improve on this, there remains uncertainty regarding the magnitude of future risk and a precautionary approach is appropriate.

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

It is evident that the causes of flooding in the Broads are complex, and that flooding will continue to be a significant risk in much of the Broads in the foreseeable future. Developers should be aware of this situation. The risk of flooding must continue to be a material consideration in dealing with Broads' planning applications. It may be a reason for refusal of planning permission in some cases. In the context of the uncertainty about the nature and extent of flood risk in the Broads, it is open to developers to commission their own risk assessment regarding the potential for flooding at a particular site. Risks relate not just to property but to essential infrastructure and utilities required to facilitate and support development, and to the ability of emergency services to respond to an event.

While flooding is a natural process within a flood plain, it can disrupt and endanger life and cause significant damage to property and infrastructure. The Strategic Flood Risk Assessment for the Broads Executive Area and the Environment Agency flood maps<sup>17</sup> place the majority of the area in Flood Zone 3a, defined as 'High Probability' of flooding; over time, with rising sea levels, the majority of the area will be in Flood Zone 3b, 'The Functional Floodplain'. As such, flood risk is a major constraint on sustainable development in the Broads. The NPPG defines flood risk as *'a combination of the probability and the potential consequences of flooding from all sources – including from rivers and the sea, directly from rainfall on the ground surface and rising groundwater, overwhelmed sewers and drainage systems, and from reservoirs, canals and lakes and other artificial sources.'*

All developments should be located in areas identified as being at the lowest risk of flooding.

The Government emphasises the importance of a Strategic Flood Risk Assessment to support the production of Local Plans. The Broads completed a Strategic Flood Risk Assessment in 2007. As part of the Infrastructure Group of the Norfolk Strategic Framework, the issue of updating SFRA's will be discussed. The Broads Authority will work with partners and progress will be reflected through the next stage of the Local Plan. Looking at the 'What's in Your Backyard' website of the Environment Agency, it shows that the Broads Authority Executive Area is at risk of surface water flooding, reservoir, sea and river flooding and is an area of flood warnings and flood alerts. This information will be important to the production of any future SFRA which covers the Broads.

Development proposals of one hectare or greater and all proposals for new development in Flood Zones 2 and 3 will be expected to be accompanied by a site specific Flood Risk Assessment (FRA). This FRA should demonstrate how flood risk from all sources of flooding to the development itself and flood risk to others would be managed. It will also be expected to take climate change into account, identify flood reduction

<sup>17</sup> <http://apps.environment-agency.gov.uk/wiyby/37837.aspx>

measures that will be incorporated into the development (including the use of Sustainable Drainage Systems) and provide an assessment of any residual risk. The FRA should be proportionate to the level of risk and the scale, nature and location of the development. The checklist as set out in the NPPG<sup>18</sup> should be used to produce an FRA but the FRA should also address the additional considerations as set out in the policy.

In accordance with national policy, development in Environment Agency Flood Zones 2 and 3 will only be permitted when the sequential test and the exception test, where applicable, have been satisfied. The Sequential Test will be carried out by the Authority drawing upon information submitted by the applicant. Where an exception test is necessary, the applicant's FRA must include sufficient information to enable this assessment to be undertaken. For the purposes of this policy, footprint will be defined as the ground floor area of the existing buildings, excluding temporary buildings, open spaces with direct external access between wings of a building, and areas of hardstanding.

Sustainable Drainage Systems (SuDS) are an alternative to traditional drainage systems that attempt to reduce the total amount, flow and rate of surface water run-off. There is a range of possible SUDs techniques that can be utilised. However, not all techniques will be appropriate for individual development sites. See separate policy on SuDS. **See policy x.**

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

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

#### Flood Risk Supplementary Planning Guidance

*A new Flood Risk SPD is being produced at the time of writing. The aim is to effectively explain the interpretation of the Development Management DPD policy on flood risk, in advance of the adoption of the new Local Plan. The SPD is due to be consulted on before the end of 2016 and adopted in early 2017. The final SPD will inform the Local Plan flood risk section. This section is likely to change between the Preferred Options and Publication version of the Local Plan. The Flood Risk SPD will include detail on how to apply the sequential test in the Broads as well as include a template/guidance for producing a Flood Response Plan. In the meantime, we welcome your comments on this draft flood risk section.*

#### Comments received as part of the Issues and Options consultation

- General support for a robust policy in line with National policy, with the **Environment Agency** giving detailed information to inform this section.

#### Alternative Options and Sustainability Appraisal Summary

- Preferred Option: positive in relation to flood risk, biodiversity, landscape, design, climate change, water quality and health of people. ? relating to housing delivery although flood risk is a known issue with strict policy control.
- No policy on flood risk. Flood risk would still be considered using the NPPF, but a local policy that is in line with the NPPF seems prudent in an area prone to such flooding as it is. With flood risk being such a big issue in the Broads, it is appropriate to tackle it in the Local Plan.
- No change to DP29. The general thrust of DP29 means it would score similar to the preferred option. However DP29 was produced prior to the NPPF and therefore needs updating in order to be found sound.

<sup>18</sup> <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/site-specific-flood-risk-assessment-checklist/>

Please note that the final policy is likely to incorporate much of the forthcoming SPD and so will likely be more detailed.

Evidence used to inform this section

- Draft Flood Risk SPD for the Broads.
- Environment Agency Flood Zones.
- The NPPG and NPPF.

Monitoring Indicators

- Permissions not contrary to Environment Agency Flood Risk advice.

**Policy PODM5: Surface water run-off**

With the exception of minor developments all developments will demonstrate that they have incorporated measures to attenuate surface water run-off in accordance with a drainage hierarchy for rainwater so that, in order of priority, they:

- a) continue natural discharge processes;
- b) store water for later use;
- c) adopt infiltration techniques in areas of suitable porosity;
- d) store water in open water features for gradual release to a watercourse;
- e) store water in sealed water features for gradual release to a watercourse;
- f) discharge direct to a watercourse;
- g) discharge direct to a surface water drain;
- h) discharge direct to a combined sewer.

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

Proposals to address surface water must be considered at an early stage of the design process:

- i) Taking natural site drainage and topography into account;
- ii) Effectively manage water including maintenance of and, where possible improvement to water quality; and
- iii) Provide amenity for local residents whilst ensuring a safe environment.

Where SuDS via ground infiltration is feasible, in order to ensure that SuDS discharge water from the development at the same or lesser rate as prior to construction, developers must undertake groundwater monitoring within the winter period and winter percolation testing in accordance with the current procedure<sup>19</sup>.

Minor developments are encouraged to incorporate mitigation measures to reduce surface water runoff, manage surface water flood risk to the development itself and to others, maximise the use of permeable materials to increase infiltration capacity, incorporate on-site water storage and make use of green roofs and walls wherever reasonably practicable.

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

<sup>19</sup> Currently BRE365



### Reasoned Justification

Sustainable drainage systems slow the rate of surface water run-off and improve infiltration, by mimicking natural drainage in both rural and urban areas. This reduces the risk of “flash-flooding”, which occurs when rainwater rapidly flows into the public sewerage and drainage systems. The Broads is ideally suited for this sort of approach as ditches and other forms of holding basins are characteristic of the landscape. There is a range of possible SuDS techniques that can be utilised. However, not all techniques will be appropriate for individual development sites. Examples of SuDS include retention ponds (a depression which holds water even during dry weather conditions) and swales (long vegetative depression which is normally dry except during and after heavy rainfall).

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

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

The Government has issued a written statement in relation to SuDS<sup>20</sup> saying that ‘we expect local planning policies and decisions on planning applications relating to major development - developments of 10 dwellings or more; or equivalent non-residential or mixed development (as set out in Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010) - to ensure that sustainable drainage systems for the management of run-off are put in place, unless demonstrated to be inappropriate.’. The policy seeks to address this direction.

Areas with concentrated surface water risk will be identified by the Lead Local Flood Authorities as Critical Drainage Catchments (CDCs). The CDCs form the main focus for partner engagement, detailed analysis and potential implementation of flood protection schemes as well as the production of Surface Water Management Plans<sup>21</sup> which look in detail at places that have suffered surface water flooding or have a high surface water flood risk.

There are various sources of technical information that can be used when addressing surface water and designing SuDS:

- NPPG<sup>22</sup>
- Non-statutory technical standards for the design, maintenance and operation of sustainable drainage systems<sup>23</sup>
- SuDS manual produced by CIRIA<sup>24</sup>.

With regards to adopting SuDS, Anglian Water’s current standards for SuDS adoption are available to view at the following address: <http://www.anglianwater.co.uk/developers/suds.aspx>

<sup>20</sup> <http://www.parliament.uk/documents/commons-vote-office/December%202014/18%20December/6.%20DCLG-sustainable-drainage-systems.pdf>

<sup>21</sup> <https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/flood-and-water-management-policies/surface-water-management-plans> and <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-management-in-suffolk/>

<sup>22</sup> <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/reducing-the-causes-and-impacts-of-flooding/why-are-sustainable-drainage-systems-important/>

<sup>23</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/415773/sustainable-drainage-technical-standards.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/415773/sustainable-drainage-technical-standards.pdf)

<sup>24</sup> In delivering SuDS there is a requirement to meet the framework set out by the Government's 'non statutory technical standards' and the revised SuDS Manual complements these but goes further to support the cost-effective delivery of multiple benefits. [http://www.ciria.org/Resources/Free\\_publications/SuDS\\_manual\\_C753.aspx](http://www.ciria.org/Resources/Free_publications/SuDS_manual_C753.aspx)

Comments received as part of the Issues and Options consultation

- *General support for a policy which reflects the SuDS hierarchy and emphasises the multiple benefits SuDS can bring.*

Alternative Options and Sustainability Appraisal Summary

- Preferred Option: scores positively on many environment objectives as well as health and wellbeing. But is a ? regarding development as is an additional consideration for developers.
- No policy. SuDS could still be used as per the NPPF and NPPG, but this policy gives addressing surface water emphasis as a locally important issue. With flood risk being such an issue in the Broads, a policy on SuDS is appropriate.
- More detailed policy which specifics types of SuDS appropriate to different areas. A more detailed policy rates the same as the preferred option policy, but could be more restrictive on development but on the other hand provide assistance in finding the best option for a site. That being said, local site investigations and research will still be needed to fully understand which option is best for the local circumstances.

Evidence used to inform this section

- The NPPG and advice from Norfolk County Council as the Lead Local Flood Authority.

Monitoring Indicators

- SuDS delivered in line with the hierarchy.



## 12. Open Space (land), Play and Allotments

### Policy PODM6: Open Space on land, play, sports fields and allotments

#### a) Existing Provision. See **map x**

Development that would result in the loss of existing sport, recreational, allotment or amenity open space will only be permitted if it can be demonstrated (through a local assessment):

- i) that there is an excess of recreational or amenity open space in the entire settlement (in and out of the Broads) and the proposed loss will not result in a current or likely shortfall during the plan period; and
- ii) recreational facilities within the open space will be enhanced by the proposed development on an appropriate portion of the open space; or
- iii) the community would gain greater benefit from the developer providing a suitable alternative recreational or amenity open space of an equivalent quality in an equally accessible and convenient location.

The development of existing open space with an ecological value (a known biodiversity or nature conservation interest) will not be permitted.

#### b) New Provision

All new residential development (other than householder development) is expected to provide a contribution towards outdoor playing space. There will be a presumption that open space, play, sport and recreation facilities will be provided on the development site.

Where on-site provision is provided, the space should be of the appropriate type to serve the needs of the development, and well related to the proposed residential properties in accordance with relevant standards.

It is recognised that there may be scenarios where the direct provision of open space on-site is not the preferred option. Contributions in lieu of on-site provision will be the exception and will need to be supported by robust evidence from the applicant that on-site provision is not preferable. Any contribution will need to be to a specific deliverable scheme in consultation with the relevant parish council and the developer contributions policy in this document. The contribution will be required to name a specific scheme (site and type of provision).

In addition to the on-site and off-site contributions, a contribution will be required for maintenance of the facility. The contribution will be proportional to the type of facility provided.

#### c) Standards

The Broads Authority will defer to the standards set by the relevant constituent district council.

#### d) Cemeteries and burial grounds

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

- iv) appropriately sited in a sustainable location.
- v) designed to make the most of opportunities to improve and/or create new biodiversity, habitats and green infrastructure; and
- vi) will have no adverse impact on controlled waters including groundwater and surface water.

### Reasoned Justification

The provision of public open space, sports fields, play space and allotments is essential in promoting active living and providing important physical, psychological and social health benefits for the community. These areas can also contribute to mental health and community wellbeing. The Authority therefore considers it

important to retain open spaces, including children's play space and sports facilities, which are valued by local communities and/or add to the local character, unless a suitable alternative can be provided; and to create new open spaces that are located within or close to housing developments, that are safe and accessible for all members of the community. This policy sets out criteria for assessing proposals relating to these land uses.

Because our constituent districts assess the entire district in relation to need for these uses, including that part which is the Broads, it is appropriate and reasonable to defer to the standards set in their Local Plans. To do otherwise could skew open space need and does not reflect that these facilities are beneficial to and used by the entire community/settlement regardless of Local Planning Authority boundary.

Some of the Authority's constituent councils have adopted the Community Infrastructure Levy (CIL) and play, allotments and open space are part of the charging schedule. There is no CIL in the Broads Authority and therefore the Authority relies on S106 agreements (to which there are pooling restrictions now in place) to provide these.

With regards to off-site provision in the policy, the Authority acknowledges that open space may not represent an efficient use of land in the context of a particular site location or that there could be a deliverable opportunity to secure a more meaningful area of open space that better serves the whole community in close proximity to the application site.

The Authority will defer to standards and/or policies of constituent councils. Furthermore the Authority will liaise with the constituent councils regarding ongoing management of the space.

Regarding requiring off-site contribution, applications will be assessed on an individual basis in liaison with the relevant council and the Authority will use planning obligations where appropriate and viable to secure contributions. If a proposal is below the threshold for on-site contributions and if the relevant council has CIL in place, the Authority will base off-site commuted sum on that Council's commuted sum rates which could be pre-CIL and adjusted for inflation.

The local assessment should be undertaken by the applicant and then considered by the Authority in liaison with the relevant district council. The assessment must look at the entire settlement, including that part of the settlement outside of the Broads. It will also consider whether alternative provision is available in the vicinity without causing an unreasonable reduction or shortfall in meeting the local need.

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

The design of any open space and its integration into a proposed scheme, streetscape and landscape is an important consideration. Design standards and experience of the relevant council will be applied.

The **maps at appendix x** show areas of open space assessed as part of open space assessments by the Authority's constituent districts. While the districts assessed the entire district, including that which is the Broads, they only allocated open space in their Local Planning Authority area. Working with its districts, the Authority has allocated the open space assessed as part of their assessments that falls within the Broads Authority Executive Area. It is important to note that only reflects the open space at the time of writing.

Many of our districts intend to update their assessments as part of their Local Plan production. The Authority will defer to the most up to date open space assessment.

Comments received as part of the Issues and Options consultation:

**South Norfolk Council** support referring to deferring to their policy. *The issue of management of open space and play areas needs to be carefully considered and it should not be assumed that South Norfolk will automatically take on responsibility for management. The RSPB consider it should be clear what would be expected to be provided, although the scale of provision could be determined by the planning process.*

Alternative Options and Sustainability Appraisal Summary

- Preferred Option: positive for many environment objectives as well and health and wellbeing. A ? for development as does add another consideration for scheme design, but open space is welcomed by would-be occupiers.
- Do not have a policy: No policy does not necessarily mean that open space will not be delivered as could be negotiated at planning application stage. A policy however gives a more formal approach. Without a policy, the assessed open spaces in the Broads that are important to the districts as a whole are not protected through planning policy.

An alternative option is to undertake our own assessment on open space in the Broads. However, the Authority's constituent districts undertake this study for the entire district. Completing a separate one for the Broads would be duplicating work.

We could allocate other areas of open space. This is done to some extent as per the Local Green Space policy which allocates some other areas of open/green space.

Evidence used to inform this section

- Open Space Assessments of the Broads Authority's constituent district councils.

Monitoring Indicators

- Open space lost.
- Open space delivered in line with the policy.

### 13. Water open space/blue infrastructure

The water open space of the Broads can be enjoyed through activities such as hiring a boat, sailing, canoeing and waterskiing (where permitted), by being by the water at the open spaces and paths and roads that run by the water, and by being in the water where open water swimming events are permitted and organised.

Many policies in this Local Plan relate to water open space and blue infrastructure, such as moorings and navigation elements of policies. In this section there is one particularly relevant policy on staithes.

#### **Policy PODM7: Staithes**

The staithes as identified on the policies maps are protected from:

- Encroachment
- Being built on; and
- Their access being obstructed.

Proposals to enhance staithes or improve access to them will be supported subject to meeting the requirements of other relevant policies of the Local Plan.

#### Reasoned justification

A **staithe** (as defined in the 1988 Broads Act) means any land that is adjacent to a waterway and that the inhabitants of the locality are entitled to use as a landing place. A staithe is for loading and unloading.

There have been a number of instances where staithes have been adversely possessed by individuals, for example being fenced off or claimed as an individual's property. By losing staithes, there is a negative impact on public access to the water as well as use of the staithes for loading. The Broads Act 1988 sets powers on the Broads Authority to protect the existence of staithes and the ability of the public to use and access them (Part 2, section 37).

The Authority recently commissioned the University of East Anglia (UEA) to undertake a study on staithes on the Broads. This work looked into their history, identified their type and investigated what rights relate to specific staithes.

#### Comments received as part of the Issues and Options consultation

*General support, although one respondent considers there is inadequate weight on restoring staithes at key sites (such as Ludham Bridge) back to their legally protected status.*

#### Alternative Options and Sustainability Appraisal Summary

- Preferred option: positive on some environmental and social objectives. If staithes are used for offloading goods, policy rates positive against economy objectives.
- No policy: Not having a policy does not necessarily mean that staithes will be lost as the Authority does have some legal powers regarding staithes. A policy is another way of protecting staithes. Staithes are an asset in the Broads and following recent losses through adverse possession, the Authority considers it prudent to seek their protection through the Local Plan.

#### Evidence used to inform this section

#### Monitoring Indicators

- Staithes lost.

## 14. Green Infrastructure

### Policy PODM8: Green Infrastructure

There is an expectation that new development proposals will enhance, and integrate with, the local green infrastructure network. Development shall contribute to the delivery and management of green infrastructure that meets the needs of communities and biodiversity both within and beyond the proposal boundaries, including establishment of new and enhancement of existing green infrastructure. Development that fails to exploit opportunities to integrate green infrastructure will not be considered appropriate.

Through its layout and design, new development should respond to the existing local green infrastructure network.

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

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

Green infrastructure proposals should:

- a) protect and enhance existing natural and historic environments;
- b) strengthen connectivity and resilience of ecological networks;
- c) be locally distinctive through reflecting and enhancing landscape character;
- d) maximise opportunities to mitigate and adapt to climate change;
- e) improve quality of life through provision of benefits for health and wellbeing, including opportunities to access open space and enjoyment of the Broads and its special qualities.

### Reasoned Justification

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

Green Infrastructure typologies/components include:

- **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. downland and meadow), heath or moor, 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
- **Other** - allotments, community gardens, city farms, cemeteries and churchyards

The NPPF says at paragraph 114. '*Local planning authorities should (inter alia) set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure*'

There are essentially three elements to the policy. The first relates to the importance of incorporating existing green infrastructure assets within development proposals and enabling connectivity to other assets. This could include reflecting the green infrastructure features on site or nearby. The Broads Authority has produced a Biodiversity Enhancements Guide that could help.

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 act as mitigation of the effects of their development requirements and enable the delivery of housing and other development that benefits the community and visitors of the Broads.

The third element sets our criteria that proposals for Green Infrastructure need to address and the benefits it can provide, namely that it:

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

'Blue' infrastructure is also important in the Broads. There are other policies in this Local Plan that relate to the water in the Broads such as water quality, surface water and staithe policies.

#### Comments received as part of the Issues and Options consultation

*General support for such a policy. The RSPB made reference to how to include the outcomes of the Recreation Impacts Study.*

#### Alternative Options and Sustainability Appraisal Summary

- Preferred Option: rates positive against some environmental objective as well as health and wellbeing and tourism being offered in a way that benefits the environment.
- No policy: Not having a policy does not mean that GI will be lost or not provided. A policy provides more certainty. With the benefits that green infrastructure brings to the Broads, there is a need for an overarching policy to capture green infrastructure assets that do not have their own policy.



Another option is to have specific Green Infrastructure policies. To some extent other policies in the Local Plan relate to Green Infrastructure such as open space, local green space and safeguarding disused railway tracks for recreation routes. There is a need for an overarching policy to capture green infrastructure assets that do not have their own policy.

#### Evidence used to inform this section

#### Monitoring Indicators

DRAFT

## 15. Climate Change

### Policy POSP5: Climate Change

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

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

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

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

### Reasoned Justification

Climate change and sea level rise are key challenges facing the Broads.

There is overwhelming scientific evidence that the rate of climate change is increasing more rapidly than previously experienced in the Earth's history. The extent of these changes will depend on the level of society's response to the emission of greenhouse gases, particularly carbon dioxide from burning fossil fuels.

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

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

There are two general approaches to the issue of climate change, both of which have a role:

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

A policy stance can be taken to ensure low-carbon development, promote the use of renewable resources, reduce emissions, utilise small-scale renewable energy schemes and locally grown biomass crops, and reduce the need to travel.

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

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

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

The Authority encourages the use of a 'climate smart' approach whereby any proposed development is reviewed against climate projections to see what resilience and adaptation options might be possible to help inform the detail of the proposal.

#### Alternative Options and Sustainability Appraisal Summary

- Preferred option: Rates positively against many factors. A ? against housing development as this is another consideration for proposals.
- No policy: Climate change is addressed in the NPPG and NPPF so whilst this issue would not be ignored, a policy in the local plan is prudent to reflect the risks faced by the Broads in the face of climate change.
- No change to CS8: The general thrust of CS8 would mean that the policy rates the same. CS8 was produced in 2007 however and the preferred option is more up to date with current climate change thinking.

#### **Policy PODM9: Climate Smart Checklist**

Development proposals with residential and/or commercial elements (new or increasing space) must demonstrate how climate change has been taken account of in the scheme with the submission of a Climate Smart Checklist.

#### Reasoned Justification

The low-lying and coastal nature of the Broads and the dominance of water as a feature in the landscape make it particularly vulnerable to the impacts of climate change and sea level rise. The current projections are that by mid-century we will start to see significant climate change (UKCIP 2009) and early adaptation planning is likely to save money and better protect property and lives in the long run.

Climate projections for the Broads will depend on how effectively we deal with global greenhouse gas emissions. There will be some inevitable change to the climate due to the gases already in the atmosphere, but the more extreme changes should be avoided if there is prompt action to reduce emissions in the short term. In simple terms, the best current opinion<sup>25</sup> about likely changes that will impact on the Broads include warmer, drier summers, slightly wetter, warmer winters and more extreme events in terms of frequency and severity. The sea level is already rising and this is being increased by a changing climate.

The Broads is therefore very vulnerable to greater flood risk, storms, droughts and heatwaves that could affect how we are able to use land and buildings, how we get around, the wildlife around us and how the environment we enjoy appears and functions.

It is acknowledged that the extent to which climate change happens, and its impact on the Broads, will be affected by actions nationally and globally, and Local Plan policies cannot protect the Broads from this. They can, however, contribute to an approach which seeks to reduce climate change where possible through positive action and mitigate its effects. There are two general approaches to climate change, both of which have a role if we wish to retain the special qualities of the Broads and all the services it provides:

<sup>25</sup> UK CIP (Climate Impacts Programme) 2009 'medium emissions' scenario for the East of England

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

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

The Local Plan includes specific policy approaches that seek to address mitigation and adaptation needs, such as through the approach to renewable energy, flood risk management, housing resilience and standards, and transport (See **XXX**).

Additional to these specific policies, the Authority promotes the use of a ‘climate-smart’ approach whereby any proposed development is reviewed against climate projections<sup>26</sup> to see what resilience and adaptation options should be included to help inform the detail of proposals. This includes identifying changes that will need to be implemented when certain ‘trigger’ conditions are reached and building in sufficient flexibility to cope with differing climate scenarios. It could also suggest seeking revised outcomes if the climate changes cannot be accommodated in the initial ideas (see **XXX** for details of the climate smart planning cycle).

#### Comments received as part of the Issues and Options consultation

- *General support for a climate change policy. Policy could address mitigation and adaption to climate change. Historic England raised the issue of energy efficiency and historic buildings.*

#### Alternative Options and Sustainability Appraisal Summary

- Preferred Options: uncertain/positive. The checklist refers to the potential issues that could arise as a result of climate change. The issues included in the checklist can affect all of the SA objectives. It is also based on the level of risk the applicant is willing to accept and so is subjective. The fundamental reason for the checklist is to ensure that applicants have considered the various issues that climate change can bring and reflect them in their design of they consider them to be of risk. Of note, this is an extra requirement for development proposals to consider. That being said, if climate change issues are addressed in the development, this could aid the use of the development for its lifetime and therefore be more attractive to occupiers.
- No policy: uncertain/positive. A lack of policy does not necessarily mean that all applicants will not consider their development and climate change issues. However because the Broads is at risk from climate change issues, it seems prudent to have a local response to the issue.

#### Evidence used to inform this section

- Broads Authority Climate Change Adaptation Strategy

#### Monitoring Indicators

- Development proposals that have completed the checklist.

<sup>26</sup> <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>

## 16. Soils

### Policy PODM10: Peat

Sites of peat will be protected, enhanced and preserved. Where it is considered necessary in cases where development coincides with the location of peat an evaluation will be required in relation to palaeoenvironments, archaeology and potential carbon content.

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

- i) there is no less harmful viable option;
- ii) the amount of harm has been reduced to the minimum possible;
- iii) satisfactory provision is made for the evaluation, recording and interpretation of the peat before commencement of development;
- iv) the peat is disposed of in a way that will limit carbon loss to the atmosphere.

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, providing many ecosystem services:

- **Climate change:** The soils formed by the Broads wetland vegetation stores 38.8 million tonnes of carbon (NCA Profile 80, Natural England and the Broads Authority's Carbon Reduction Strategy<sup>27</sup>). Peat soils release previously stored carbon when they are dry. UK peats 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 sinks becoming net sources of greenhouse gases.
- **Biodiversity:** Peat soils support internationally important lake, fen, fen meadow, reed bed and wet woodland habitats. 75% of the remaining species-rich peat fen in lowland Britain is found in the Broads. Milk parsley only grows on peat soils and this is the food plant of the Swallowtail caterpillar. Fen orchids have their UK stronghold in the Broads so the peat soils are critical for the survival of this species. Rare plant and invertebrate communities (collection of species) are supported by the peaty soils.
- **Archaeology:** From around the 11<sup>th</sup> Century the demand for timber and fuel was so high that most woodland was felled, and the growing population then began digging the peat in the river valleys to provide a suitable fuel alternative. Rising sea levels then flooded these early commercial diggings and, despite numerous drainage attempts, the flooding continued and subsequently today's broads were formed. Historic England has identified the Broads as an area of *exceptional waterlogged heritage*. Fundamentally, 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 document.
- **Palaeoenvironments:** The peat has accumulated over time and thus incorporates a record of past climatic and environmental changes that can be reconstructed through, for example, the study of its stratigraphy and pollen content, leading to increased knowledge of the evolution of the landscape.
- **Water:** Peaty soils help prevent flooding by absorbing and holding water like a sponge as well as filtering and purifying water. Peat can absorb large quantities of nutrient and other pollutants, although peat soils can under certain conditions release these chemicals back into the surrounding water.

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

<sup>27</sup> [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0011/400052/Carbon-reduction-strategy.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0011/400052/Carbon-reduction-strategy.pdf)

Lowland peat bog is a priority habitat under the UK Biodiversity Action Plan and the EU Habitats Directive because of the quality and diversity of species it supports. Peat is not a habitat that can easily be recreated elsewhere. Some practices can also compact peat. It should be noted that on occasion, for nature conservation benefits, peat can be removed to create very 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 NPPF (paragraphs 143 and 144) and NPPG only mention peat in relation to its excavation as a mineral resource rather than the issue in the Broads relating to impact due to groundworks from development and inappropriate land management.

The policy seeks protection of peat through changes in the location of development in the first instance and then designing proposals in such a way so as to minimise disturbance to the qualities of the peat and the amount of peat removed. Development proposed on areas of peat would require 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 paleo environment potential of peat and make adequate recordings prior to removal.

In order to then prevent the loss of carbon to the atmosphere that is sequestered in peat, disposal is of great importance. The Authority expects peat to be disposed of in a way that maintains the carbon capture properties in perpetuity. 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), 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 loses its properties and oxidizes, so transfer to the receiving site would need to be immediate.

It is noted that the removal of peat can be necessary for conservation management, e.g. the most biodiverse areas of fen occur on areas where the turf has been stripped and vegetation subsequently grown back.

The Authority has undertaken projects to emphasise the importance of peat:

- ‘For Peat Sake’ is a Broads Authority education project and education resource document to help students understand what peat is and why it’s so precious. It outlines some of the science of peat in the Broads and its history, and explains how and why it is worth studying.
- The Authority provides soil carbon protection advice to land owners, land managers and agri-advisors, arising from its peat survey in 2009/2010. The survey looked at the type and quality of peat soils outside of conservation designated fen and wet woodland habitats, and included fen meadow, grazing marsh and arable sites. These peat soils account for over 4,500 hectares which could potentially be improved for carbon storage mainly through water management. This document was distributed to Farm Advisers working in the Broads.
- Surveys and mapping: Peat survey in the Waveney valley and collating records of peat from partners and surveyors. Current work is scoping out the mapping of historic peat cutting and the collation of peat records that were gathered by the Broads Authority in 2009.

#### Comments received as part of the Issues and Options consultation

*General support for the chosen option needs to minimise disruption, protect and restrict removal of peat soils although the wording needs to be carefully considered as some operations which are beneficial to the conservation of the Broads and the maintenance of internationally important species and habitats requires the carefully controlled and monitored removal of peat for conservation purposes, e.g. the creation of turf ponds and scrapes.*



### Alternative Options and Sustainability Appraisal Summary

- Preferred option; Rates positively against some environmental objectives. The effect is uncertain on development as whilst this is a consideration for proposals, they can justify why they have not changed their design. That being said, it could be possible to change layout of proposals to reduce peat disrupted.
- No policy: It is likely that not having a policy could still see peat lost/disrupted depending on the specific detail and location of the scheme.
- Stricter policy: Relates positively to the same environment objectives as the preferred option, but rates negatively against development related objectives due to restricting development and change.

### Evidence used to inform this section

NCA Profile: 80 The Broads (NE449), Natural England.	<a href="http://publications.naturalengland.org.uk/publication/11549064">http://publications.naturalengland.org.uk/publication/11549064</a>
Positive Carbon Management of Peat Soils, Broads Authority.	<a href="http://www.broads-authority.gov.uk/_data/assets/pdf_file/0010/416494/BA_PeatCarbonManagement.pdf">http://www.broads-authority.gov.uk/_data/assets/pdf_file/0010/416494/BA_PeatCarbonManagement.pdf</a>
Peatlands and Climate Change Worrall et al, Scientific Review December 2010	<a href="http://www.iucn-uk-peatlandprogramme.org/sites/www.iucn-uk-peatlandprogramme.org/files/Review%20Peatlands%20and%20Climate%20Change,%20June%202011%20Final.pdf">http://www.iucn-uk-peatlandprogramme.org/sites/www.iucn-uk-peatlandprogramme.org/files/Review%20Peatlands%20and%20Climate%20Change,%20June%202011%20Final.pdf</a>
NORFOLK BIODIVERSITY ACTION PLAN – Fen Orchid (Norfolk Wildlife Trust)	<a href="http://www.norfolkbiodiversity.org/pdf/SAPsHAPs/SAPs/27fen%20orchid-april%202004.pdf">http://www.norfolkbiodiversity.org/pdf/SAPsHAPs/SAPs/27fen%20orchid-april%202004.pdf</a>
FEN PLANT COMMUNITIES OF BROADLAND Results of a Comprehensive Survey 2005-2009 (Broads Authority and Natural England)	<a href="http://www.broads-authority.gov.uk/_data/assets/pdf_file/0006/416391/Fen-plant-report-summary.pdf">http://www.broads-authority.gov.uk/_data/assets/pdf_file/0006/416391/Fen-plant-report-summary.pdf</a>
England's peatlands Carbon storage and greenhouse gases, Natural England, 2010.	<a href="http://publications.naturalengland.org.uk/publication/30021?category=10003">http://publications.naturalengland.org.uk/publication/30021?category=10003</a>
Wetland and Waterlogged Heritage Survey NHPP Activity 3A5, Historic England, 2011 to 2015.	<a href="http://historicengland.org.uk/research/research-results/activities/3a5">http://historicengland.org.uk/research/research-results/activities/3a5</a>
The Archaeology of the Broads: a review.	To be published.

### Monitoring Indicators

#### 11.2 Soils

Natural England, in their response to the Local Plan Issues and Options, stated that the Authority should not just consider peat, but also scope wider soils into the Local Plan.

The NPPF states at paragraph 109 that *‘the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils and preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability. It goes on to say at paragraph 143 (inter alia) ‘safeguarding the long term potential of best and most versatile agricultural land and conserving soil resources’.*

Should planning take account of soil? The NPPG states that *‘the planning system should protect and enhance valued soils and prevent the adverse effects of unacceptable levels of pollution. This is because soil is 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. As part of the Government's 'Safeguarding our Soils' strategy<sup>28</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 main issues relating to soil therefore include:

- Soil compaction
- Soil erosion
- Local re use of top soil
- Conserving the most versatile soils (see soil map) and improving soils

#### Issue 1: How to address soil in the Local Plan

Options	Potential Content	Issues to Consider
Option 1: solely have the draft peat policy in the new Local Plan.	<ul style="list-style-type: none"> <li>• As per draft peat policy.</li> </ul>	<ul style="list-style-type: none"> <li>• There is already guidance relating to soil from DEFRA.</li> <li>• The NPPF has policies relating to soil.</li> <li>• Does not address other soils.</li> </ul>
Option 2: policy relating to soil in general.	<ul style="list-style-type: none"> <li>• Policy could seek to protect the best and most versatile agricultural land, refer to decontamination in order to improve quality, expect local re use of top soil and say that we will refer to the principles in the DEFRA safeguarding soils strategy.</li> </ul>	<ul style="list-style-type: none"> <li>• Would raise the importance of soil in the Local Plan.</li> <li>• Acknowledges that it is not just peat that brings benefits to the area.</li> <li>• Could be seen as restricting development and change in the area, but that would be down to the precise wording of any policy.</li> </ul>

**Question 4: Do you have any thoughts on how the Local Plan should address soil?**

<sup>28</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/69308/pb13298-code-of-practice-090910.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69308/pb13298-code-of-practice-090910.pdf)

## 17. Heritage and Historic Assets

### Policy POSP6: Heritage assets

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

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

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

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

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

Appropriate development proposals that bring into use or remove an asset from the heritage at risk register will be supported.

### Reasoned Justification

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

The Broads has a rich and varied historic environment recognised by 15 Scheduled Monuments, 25 Conservation Areas and 272 listed buildings (which collectively constitute the Designated Heritage Assets of the Broads), together with over 1000 sites or structures worthy of inclusion on the Historic Environment Record. In addition, there are many other landmark buildings, structures, historic landscape or landscape features that contribute to local character and heritage but are not statutorily protected and instead will be assessed for inclusion on a local list of assets, depending upon their significance. The Broads also contains a wealth of important archaeological sites, many of which owe their preservation to waterlogged conditions that enable the conservation of organic material; this material source also requires consideration as a significant heritage asset. Indeed, much of the landscape of the Broads is a product of historic and cultural practices and is of itself an historic landscape, providing the context for individual sites of archaeological interest.

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

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

- Designated heritage asset. The NPPF defines these as: A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.

- Non Designated Heritage Assets. The NPPG says ‘*local planning authorities may identify non-designated heritage assets. These are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets*’.

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

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

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

#### Alternative Options and Sustainability Appraisal Summary

- Preferred option: rates positively in relation to some environmental objectives as well as traditional skills.
- No policy: Heritage and historic assets feature quite strongly in the NPPF and NPPG however with heritage and culture being fundamental to the Broads it is prudent to have a local policy.
- No change to CS5 and CS6: The general thrust of these policies would result in a similar assessment to that of the Preferred Option. The preferred option is not that dissimilar to the CS and DP policies. Some differences include the Broads being an area of ‘exceptional waterlogged heritage’, the ‘unknown’ factor and the potential for interpretation.

#### **Policy PODM11: Historic Environment**

New development will be expected to protect, preserve or enhance the fabric and setting of historic, cultural and architectural assets that give the Broads its distinctive character.

##### a. Designated heritage assets

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

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

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

- Scale of any harm or loss
- Significance of the heritage asset
- Public benefits

##### c. Archaeology

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

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

There will be a presumption in favour of preservation in-situ for Scheduled Monuments and other archaeological heritage assets of significance.

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

- v) there is no less harmful viable option; and
- vi) the amount of harm has been reduced to the minimum possible.
- vii) satisfactory provision is made for the evaluation, excavation, recording and interpretation of the remains before the commencement of development.

d. The unknowns

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

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

Where heritage assets newly identified through this process are demonstrated to have local significance, development proposals affecting them will be determined in accordance with the criteria for existing locally identified heritage assets as set out in this policy. Any assessment of local significance should be made in accordance with the criteria set out in the reasoned justification to this policy.

e. Linking to the past

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

Reasoned Justification

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

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

In assessing the effect of development proposals on a Heritage Asset, consideration will be given to the significance of the asset and its setting, its intrinsic historic interest and rarity, and the contribution it makes to the character of the area. This will be weighed against the social and economic benefits of the proposal.

Development that would cause less than substantial harm to the significance of a Listed Building, Conservation Area or Scheduled Monument will only be permitted where the harm is outweighed by substantial public benefits of the proposal. ('Significance' can be defined as the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting<sup>29</sup>).

Non-designated heritage assets include those on the Historic Environment record of Norfolk and Suffolk County Councils as well as the Broads Local List. There are also assets not on either of these lists that we know about, that have potential historic importance. Indeed the Authority assesses one topic area at a time to understand the potential for other features or buildings to form part of the Local List. At the time of writing, the Authority has assessed mills and waterside chalets and is intending to assess boatyards.

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

The Broads contains important archaeological sites, many of which owe their preservation to waterlogged conditions that promote conservation of organic material. Large areas of the grazing marshes have never been investigated or developed and there is the likelihood that they represent a reserve of significant archaeological artefacts and interest, given the rich archaeology in the immediate vicinity. The importance of the palaeo-environmental remains likely to be preserved in the wetland environment is recognised.

Historic England has identified the Broads as an area of *exceptional waterlogged heritage*. Fundamentally, because of the soil conditions in the Broads, there is great potential for archaeology to be well preserved.

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

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

Heritage assets also include currently undesignated and unidentified assets that may be identified as being of significance during pre-application discussions or the process of decision making or that may be revealed in the course of development. These may include assets of established community value and assets that contribute to giving areas their sense of place and neighbourhood feel.

<sup>29</sup> Further guidance can be found in the NPPG: <http://planningguidance.communities.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/why-is-significance-important-in-decision-taking/>



As part of the planning application process, consideration should be given to whether a heritage asset whose significance is not currently recognised or appreciated, but which becomes apparent through the application process, merits formal protection. Where, following assessment, such an asset is judged to be worthy of protection, the principle to be followed is that any proposals resulting in harm to or loss of significance will be assessed according to the degree of significance that the asset is agreed to possess, in the same way that would apply if it had already been recognised.

An independent assessment of heritage significance would normally be undertaken by Historic England (or any equivalent successor body that becomes responsible for heritage asset protection during the currency of this plan). Where the significance of newly discovered assets is adjudged not to be so great as to merit national protection, there may be a case for some form of local recognition, typically by including the asset, or the building or structure in which it has been discovered or of which it forms part, on the Authority's Local List. Assessments of local significance should use the criteria currently used to assess locally identified heritage assets and take account of the views of the community, local and national heritage bodies and conservation and design professionals in reaching a balanced judgement on the significance of the asset. The Local Heritage Listing guide from Historic England is also of relevance<sup>30</sup>. The local criteria are:

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

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

#### Alternative Options and Sustainability Appraisal Summary

- See POSP6.

#### **Policy PODM12: Re-use of Historic Buildings**

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

- a) A structural survey demonstrates that the conversion, re-use or change of use can be undertaken without extensive building works, alterations or extensions that would lead to substantial harm to or loss of the asset's significance. In the case of non-designated heritage assets, the public benefits of the proposal will be weighed against the harm or loss;
- b) The proposal can be achieved in a way that preserves the structure's historic, cultural and architectural features and its character;
- c) The nature, scale and intensity of the proposed use are compatible with, and would not prejudice, surrounding uses or the character of the locality; and
- d) It would not adversely affect protected species or habitat.

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

<sup>30</sup> <https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/>

Conversion to residential uses, where the building would be used as a second home or for the main residence of the occupiers, will only be permitted where employment, recreation or tourism uses of the building are shown to be unviable.

#### Reasoned Justification

The Broads contains a wealth of Designated (listed buildings, Conservation Areas, Scheduled Monuments and registered parks and gardens) and non-Designated Heritage Assets, making a significant contribution to the special character of the area. The Authority recognises that, in the majority of instances, the most effective way of protecting and preserving these buildings will be to retain them in their original use. However, where these buildings can no longer sustain the use for which they were originally designed, finding an appropriate alternative use for the building often represents the best way of protecting it. The sensitive re-use of historic buildings is also good sustainable practice, both in terms of making the optimum use of the embodied energy of the building and also in relation to maintaining a local skill base in the restoration of historic buildings and traditional construction techniques.

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

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

Significance is discussed in the reasoned justification to policy x on the Historic Environment.

Criterion C relates to amenity and tranquillity impacts of proposals. Please refer to policies x and x that cover these topic areas.

Applicants should be aware that historic buildings, particularly those in rural areas, have the potential to provide important breeding and resting places for a number of species protected under a range of legislative provisions, including bats, barn owls or other nesting birds. If the presence of a protected species is

suspected, the applicant will normally be required to submit a survey undertaken by a suitably qualified ecologist to establish whether the species is present, whether the development would harm the species and what measures are proposed to avoid potential harm. There could be the requirement to provide compensatory features although such features should not impact adversely on the structure and also that they should not preclude appropriate development where it might bring a redundant asset or Building at Risk into use.

#### Alternative Options and Sustainability Appraisal Summary

- Preferred Option: Positive against many SA objectives.
- No Policy: Heritage and historic assets feature quite strongly in the NPPF and NPPG however with heritage and culture being fundamental to the Broads it is prudent to have a local policy.

The policy is very similar to the adopted policy DP6 with only minor changes.

#### Monitoring Indicators for heritage policies

Heritage related comments received as part of the Issues and Options consultation:

General support for improvement of policies on heritage. **Historic England** recommended some specific changes and provided links to additional information. The **Inland Waterways Association** commented that content is limited relating to those around boats and navigation- a significant omission given how many there are, and how they impact the landscape and in relation to archaeology in the Broads, a more focused approach is needed, to help identify smaller areas or sites which have a high likelihood of needing investigation or protection.

#### Evidence used to inform this section

Local List, Broads Authority.	<a href="http://www.broads-authority.gov.uk/planning/Other-planning-issues/protected-buildings/broads-local-list-of-heritage-assets">http://www.broads-authority.gov.uk/planning/Other-planning-issues/protected-buildings/broads-local-list-of-heritage-assets</a>
Good Practice Guide for Local Heritage Listing, Historic England.	<a href="https://www.historicengland.org.uk/images-books/publications/good-practice-local-heritage-listing/">https://www.historicengland.org.uk/images-books/publications/good-practice-local-heritage-listing/</a>
Historic Waterside Chalets of The Broads, Kayleigh Wood.	Not on line.
Enabling development and the conservation of significant places, Historic England.	<a href="http://www.historicengland.org.uk/images-books/publications/enabling-development-and-the-conservation-of-significant-places/">http://www.historicengland.org.uk/images-books/publications/enabling-development-and-the-conservation-of-significant-places/</a>
Drainage Mill Action Plan and Strategy, Broads Authority.	<a href="http://www.broads-authority.gov.uk/data/assets/pdf_file/0007/421855/EB5.pdf">http://www.broads-authority.gov.uk/data/assets/pdf_file/0007/421855/EB5.pdf</a>
Water, Mills and Marshes: the Broads Landscape Partnership. Application to the Heritage Lottery Fund, Landscape Partnership Scheme, May 2015.	<a href="http://www.broads-authority.gov.uk/looking-after/projects/water,-mills-and-marshes">http://www.broads-authority.gov.uk/looking-after/projects/water,-mills-and-marshes</a>
Historic Environment Record	<a href="http://www.heritagegateway.org.uk/Gateway/CHR/">http://www.heritagegateway.org.uk/Gateway/CHR/</a>
HISTORIC ENVIRONMENT GOOD PRACTICE ADVICE IN PLANNING, Historic England. Notes 1, 2 and 3.	<a href="http://historicengland.org.uk/images-books/publications/pps-practice-guide/">http://historicengland.org.uk/images-books/publications/pps-practice-guide/</a>
The Archaeology of the Broads: a review.	Not on line.

NHPP 3A5 IDENTIFICATION OF WETLAND/ WATERLOGGED SITES. 6240 Exceptional Waterlogged Heritage. Stage 1: Inventory	<a href="http://content.historicengland.org.uk/images-books/publications/6240-exceptional-waterlogged-heritage-stage1-inventory/6240-stage1-web-report-v2.pdf/">http://content.historicengland.org.uk/images- books/publications/6240-exceptional-waterlogged-heritage-stage1- inventory/6240-stage1-web-report-v2.pdf/</a>
The Archaeology of Norfolk Broads Zones	<a href="http://www.heritage.norfolk.gov.uk/nmp">http://www.heritage.norfolk.gov.uk/nmp</a>

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## 18. Biodiversity

### Policy PODM13: Natural Environment

All development shall:

- a) Protect biodiversity value and minimise the fragmentation of habitats;
- b) Maximise opportunities for restoration and enhancement of natural habitats;
- c) Incorporate beneficial biodiversity and geological conservation features where appropriate; and
- d) Include green infrastructure where appropriate.

Proposals on previously developed/brownfield land may require surveys to determine if the site has open mosaic habitat on previously developed land<sup>31</sup>. If the assessment then concludes that the site is of high environmental value, the design of the scheme is required to protect and enhance these areas and/or design appropriate compensation and off site mitigation measures.

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

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

Where it is anticipated that a development could affect the integrity of a Special Protection Area (SPA), Special Area of Conservation (SAC) or Ramsar Site, either individually or cumulatively with other development, a Habitat Regulation Assessment under the Habitats Regulations, will be undertaken. If adverse impacts on the integrity of the site and its qualifying features are predicted, measures to mitigate for these effects will be implemented. If it is not possible to mitigate satisfactorily for adverse effects, the development will not be permitted. If there is no alternative solution, the consideration of imperative reasons of overriding public interest, despite a potentially negative effect on site integrity can be considered. Development that may affect the special interest of a Site of Special Scientific Interest (SSSI) (which is not also subject to an international designation) or a National Nature Reserve will only be permitted in exceptional circumstances where:

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

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

Development that would be likely to have an adverse impact on a legally Protected Species or Priority Species will only be permitted where mitigation measures are implemented to maintain the population level of the species at a favourable conservation status within its natural range. Habitat and species enhancement will be required... Where the proposed development would impact upon European Protected Species or habitats it must also be demonstrated that:

- h) The development is necessary for reasons of overriding public interest; and

<sup>31</sup> For more information go here <https://www.buglife.org.uk/sites/default/files/Identifying%20open%20mosaic%20habitat.pdf> and here [http://jncc.defra.gov.uk/pdf/UKBAP\\_BAPHabitats-40-OMH-2010.pdf](http://jncc.defra.gov.uk/pdf/UKBAP_BAPHabitats-40-OMH-2010.pdf).

- i) There are no satisfactory alternatives, in terms of the form of, or location for, the development, that would have a lesser impact on the species or habitats.

### Reasoned Justification

The Broads is a biodiversity resource of international importance, recognised by various national and international conservation designations. Despite these designations, the ecosystems of the Broads are under considerable pressure. Climate change, water quality, habitat fragmentation, non-native species and scrub encroachment all pose threats to biodiversity in the Broads, while demands for higher levels of food production, waste disposal, infrastructure and small-scale developments are also placing strains on the natural environment. As a result, the proportion of SSSIs considered to be in an 'unfavourable condition' (44.1%) is significantly above the national average.

#### • Protected sites and species

Protecting and enhancing the natural environment is a statutory purpose of the Broads Authority. The Authority also has a legal duty under the Natural Environment and Rural Communities Act 2006<sup>32</sup> and the Wildlife and Countryside Act 1981<sup>33</sup> to protect and enhance biodiversity. Development proposals will therefore be expected to consider the protection and enhancement of biodiversity from the outset. In particular, proposals should take opportunities for the restoration and enhancement of priority habitats and species identified in the Broads BAP and the Norfolk Ecological Network Mapping Report (under preparation at the time of writing) and incorporate appropriate beneficial biodiversity conservation features.

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

Where protected species are likely to occur, development proposals should be accompanied by a protected species survey undertaken by a competent and suitably qualified ecologist and submitted with an application. The survey should include an appraisal and appropriate survey evidence of the likelihood and level of presence of the protected species and provide sufficient information to assess the effects of the development on the species, together with any proposed prevention, mitigation or compensation measures. A key test will be whether the viability of the species or habitat would be maintained at this site for the foreseeable future. Where the species is protected under the Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations)<sup>34</sup> it will also be necessary to demonstrate that any harm to the

<sup>32</sup> **Natural Environment and Rural Communities Act, 2006.** Section 40 places a duty on public authorities to conserve biodiversity - for the first time. This section states that (1) Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity, and (3) Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat. This places a duty on all Local Authorities to conserve wider biodiversity in addition to the statutory protection given to certain sites and species. Also Section 55 changes the situation regarding the Local Authority role and SSSI protection. Guidance for Local Authorities on Implementing the Biodiversity Duty has been produced by Defra. Section 41 refers to the list of the living organisms and types of habitat which in the Secretary of State's opinion are of principal importance for the purpose of conserving biodiversity.

<sup>33</sup> The legislative provisions in Great Britain for the protection of wild animals are contained primarily in the **Wildlife and Countryside Act, 1981**, Sections 9-12, the wild animals which are protected are listed in Schedules 5-7 of the Act and the provisions for the granting of licenses and enforcement are set out in Sections 16-27. In England and Wales, enforcement provisions were extended and some amendments for protection made by the Countryside Rights of Access Act 2000 (CRoW act) Section 81 and Schedule 12.

<sup>34</sup> These animal and plant species are listed on Annex IV of the **Habitat Directive**. The animals (not birds) are protected under Regulation 41 of the Habitats and Species Regulations 2010 and are listed on Schedule 2 of these Regulations; plants are protected



species is justified by reasons of overriding public interest. This public interest may relate to public health, public safety, beneficial consequence of primary importance to the environment, or other reasons of a social or economic nature.

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

The Authority has produced a Biodiversity Enhancements guide to help applicants in providing beneficial biodiversity features: <<link>>.

- Geodiversity

‘Geodiversity’ is the variety of rocks, fossils, minerals, landforms and soils, along with the natural processes that shape the landscape that forms the earth heritage resource. Currently there are no designated Regionally Important Geological or Geomorphological Sites (RIGS) in the Broads, but one SSSI, Bramerton Pits, is designated for its geological interest. Local geodiversity interest is: ‘Holocene peatland and marine alluvium giving rise to open water, fen and carr habitats; broads developed in former early Mediaeval peat diggings; rivers including lower reaches of Bure, Waveney and Yare and their tributaries including Ant, Chet and Thurne<sup>35</sup>.’ New development has the potential to result in the loss of geodiversity, including the valuable biodiversity and carbon stores supported by peat soils, through operations such as landfill, destruction of geomorphology (landform) and mineral extraction. However, there is also potential to enhance geodiversity by recording sediments exposed during development and by the retention of geological sections. The Authority will therefore ensure development is managed to protect this important asset.

- Brownfield Sites

Brownfield sites can be havens for wildlife, supporting some of the UK’s most threatened species. Brownfield sites are any piece of land that has been altered by human activity. Brownfield Sites are now listed as a Priority Habitat in Section 41 of the Natural Environment and Rural Communities Act 2006 (NERC Act) under the name of ‘Open mosaic habitat on previously developed land’. These habitats can be extremely diverse, supporting a wide range of terrestrial and aquatic habitats.

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

The Wildlife and Countryside Link discuss what ‘high environmental value’ in biodiversity terms means:

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

The policy’s requirement for a survey in relation to brownfield/previously developed land needs to be undertaken by a competent ecologist and submitted with an application. This is not about preventing development on brownfield land, but about ensuring development considers the potential habitat and takes

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under Regulation 45 of the Habitats and Species Regulations 2010 and are listed on Schedule 5. The European Protected Species Guidance note advises developers and planners of their responsibilities towards European Protected species.

<sup>35</sup> <https://sites.google.com/site/norfolkgeodiversity/action-ngap/3-protecting/protected/parks-nnrs>

this into consideration in its design and delivery. This is not at the expense of other habitats; it recognises that the majority of development in the Broads tends to occur on brownfield land.

- Planning conditions

Wherever a proposed development may have a detrimental impact upon a designated site or protected species, conditions and/or planning obligations will be used to ensure that appropriate mitigation measures are implemented.

Comments received as part of the Issues and Options consultation:

*One respondent said that providing off-site compensation is not always possible for small private developers. General support for the policy to address brownfield land.*

Alternative Options and Sustainability Appraisal Summary

- Preferred option: Positive in relation to biodiversity, wellbeing and tourism objectives.
- No policy: The NPPF and NPPG address biodiversity. However, considering much development in the Broads is on brownfield land, that element of the policy has been introduced. Furthermore, with biodiversity being so important in the Broads it seems prudent to have a local policy.
- No change to DP1: Generally rates the same as the Preferred Option. The Preferred Option however clarifies some aspects as well as emphasises the importance of species on brownfield land.

Evidence used to inform this section

Open mosaic habitats high value guidance: when is brownfield land of 'high environmental value'? (Wildlife and Countryside Link)	<a href="http://www.wcl.org.uk/docs/Brownfield%20high%20environmental%20value%20FINAL%20June%202015.pdf">http://www.wcl.org.uk/docs/Brownfield%20high%20environmental%20value%20FINAL%20June%202015.pdf</a>
Identifying Open Mosaic Habitat (Buglife)	<a href="https://www.buglife.org.uk/sites/default/files/Identifying%20open%20mosaic%20habitat.pdf">https://www.buglife.org.uk/sites/default/files/Identifying%20open%20mosaic%20habitat.pdf</a>
Introduction to Brownfields. (Buglife)	<a href="https://www.buglife.org.uk/sites/default/files/Introduction%20to%20brownfields_0.pdf">https://www.buglife.org.uk/sites/default/files/Introduction%20to%20brownfields_0.pdf</a>

Monitoring Indicators

## 19. Renewable Energy

### Policy PODM14: Energy demand and performance

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

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

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

Developments of non-housing development over 1,000m<sup>2</sup> are encouraged to achieve at least the BREEAM 'Very Good' standard or equivalent and are required to provide at least 10% of their predicted energy requirements from decentralised and renewable or low-carbon sources.

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

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

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

### Reasoned Justification

In July 2015 the Government announced, in 'Fixing the Foundations: Creating a more prosperous nation'<sup>36</sup>, that *'The government does not intend to proceed with the zero carbon Allowable Solutions carbon offsetting scheme, or the proposed 2016 increase in on-site energy efficiency standards, but will keep energy efficiency standards under review, recognising that existing measures to increase energy efficiency of new buildings should be allowed time to become established'*. Linked to this, the Deregulation Act 2015<sup>37</sup> amends the Planning and Energy Act 2008<sup>38</sup> to say that Local Plans cannot set requirements that go beyond the building regulations. However, there is still the potential for Local Plans to ensure that buildings are designed as sustainably as possible and to require that a reasonable proportion of energy demand is met from renewable or low carbon solutions.

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

The Authority currently has a policy on energy efficiency in new buildings. The current Development Management Policy DP7 refers to 10% of a development's predicted energy requirements being delivered from decentralised, renewable or low carbon resources for major developments and this is carried forward.

<sup>36</sup>

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/443897/Productivity\\_Plan\\_print.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/443897/Productivity_Plan_print.pdf)

<sup>37</sup> [http://www.legislation.gov.uk/ukpga/2015/20/pdfs/ukpga\\_20150020\\_en.pdf](http://www.legislation.gov.uk/ukpga/2015/20/pdfs/ukpga_20150020_en.pdf)

<sup>38</sup> [http://www.legislation.gov.uk/ukpga/2008/21/pdfs/ukpga\\_20080021\\_en.pdf](http://www.legislation.gov.uk/ukpga/2008/21/pdfs/ukpga_20080021_en.pdf)

However, experience gained while working with the promoters of two large-scale sites in the Broads (Pegasus in Waveney, and Ditchingham Maltings in South Norfolk) indicates that it is preferable to take a Fabric First approach, i.e. that the development is designed to reduce energy demand in the first place, then to use energy efficient improvements and finally to use renewable energy technologies where appropriate.

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

Addressing climate change is also about making improvements to resource and energy efficiency. Building Research Establishment Environmental Assessment Method (BREEAM) building standards are nationally recognised levels that require building design and construction to address these challenging issues. The retro-fit of historic buildings to enhance their energy efficiency has the potential to become an issue. The Authority will assess the impact of the adaptations, taking due regard of the significance of the historic asset and the character, historic interest and integrity of those elements of the asset likely to be affected.

Further guidance on designing new development to minimise energy consumption is provided in the Broads Authority's Sustainability Guide<sup>39</sup>.

#### Comments received as part of the Issues and Options consultation:

- *Historic England emphasised the issue of heritage assets and building regulations.*

#### Alternative Options and Sustainability Appraisal Summary

- Preferred Option: Positive against many environment objectives. A ? against development as this is an extra requirement for applicants to consider.
- No policy: Not having a policy does not mean that energy demand would not be a consideration for proposals. A policy however does add more certainty that it will be considered.
- No change to DP7: The general thrust of DP7 would result in the same assessment as the Preferred Option. The policy did need updating to reflect changes in regulations such as the Code for Sustainable Homes not being in place any more.

#### Evidence used to inform this section

#### Monitoring Indicators

#### **Policy PODM15: Renewable Energy**

Renewable energy proposals should be of a scale and design appropriate to the locality and should not, either individually or cumulatively, have an unacceptable impact on the distinctive landscape, cultural heritage, biodiversity or recreational experience of the Broads. The impact of ancillary infrastructure, including power lines, sub-stations, storage buildings, wharves and access roads, will form part of the evaluation. Wherever possible, renewable energy proposals should utilise previously developed sites and result in environmental improvements over the current condition of the site.

#### Reasoned justification

The NPPG says that 'When drawing up a Local Plan local planning authorities should first consider what the local potential is for renewable and low carbon energy generation.'

It is widely acknowledged that tackling the challenges posed by climate change will necessitate a radical increase in the proportion of energy we use that is generated from renewable sources. The UK Renewable

<sup>39</sup> <http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports>

Energy Strategy (2009) includes the UK's legally binding renewable energy target of 15% by 2020. This is part of a wider suite of strategies within the UK Low Carbon Transition Plan. The Authority must ensure that the causes of climate change are addressed at the local level. This will, however, need to be undertaken within the context of the special circumstances pertaining to the Broads.

A range of renewable energy technologies may be suitable for the Broads, including solar photovoltaic cells, ground and air source heat pumps and wind turbines. However, the sensitivity of the Broads landscape means that large-scale renewable energy developments will generally be inappropriate. In accordance with the NPPF paragraph 97, local planning authorities should 'design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts'. The NPPF also states that 'great weight should be given to conserving landscape and scenic beauty in...the Broads...which have the highest status of protection in relation to landscape and scenic beauty.'

Wind turbine developments in particular have the potential to impact significantly on the special character of the Broads. Wind turbines are tall structures that have the potential to detract from the mainly open and low-lying character of the Broads landscape, particularly when they are in large groups or sited in prominent locations. Proposals for wind turbines must therefore be accompanied by a landscape and visual impact assessment, which assesses the impact of the development from a full range of viewpoints, including from the waterways. When considering such proposals, the Authority will take into account: the scale of the wind farm (in terms of turbine groupings and heights); the condition of the landscape; the extent to which topography and/or trees screen the lower part of turbines; the degree of human influence on the landscape; and the presence of strong visual features and focal points. The Authority's Landscape Character Assessment will be used to assist in assessing the impact of individual proposals.

The operation of the turbines can also adversely affect ecological interests, particularly birds and bats. If a proposal is considered likely to have an effect on internationally designated sites, it will need to be considered in the context of the Conservation of Habitats and Species Regulations 2010 (the Habitats Directive) and a project level Appropriate Assessment undertaken. Development that could affect the integrity of a European site would not be in accordance with Policy CS2 of the Core Strategy.

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

#### Comments received as part of the Issues and Options consultation:

- *The Issues and Options consultation referred only to wind energy. The stance of the Authority of not allocating areas for wind turbines is supported by those who responded.*

#### Alternative Options and Sustainability Appraisal Summary

- Preferred Option: Rates positively against many environmental objectives as well as having the potential to provide jobs.
- No policy: Not having a policy does not mean that proposals will not address the SA objectives but considering the Broads is a protected landscape with many special qualities, it is prudent to have a local policy.

#### Evidence used to inform this section

- Renewable Energy Topic Paper

#### Monitoring Indicators

- Renewable energy development

## 14 Landscape Character

### **Policy PODM16: Landscape**

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

It should be clearly demonstrated that development proposals are informed by:

- i) the Broads Landscape Character Assessment (2012 and 2016 supplement); and
- ii) appropriate site based investigations

The design, layout and scale of proposals should both conserve and enhance those landscape features which are worthy of retention and which contribute positively to landscape character including topography, vegetation, natural and other historically typical drainage systems and existing trees which typify the traditional characteristics of the area and safeguard the positive experiential and visual amenity qualities of the landscape.

Where proposals are within designated landscapes (including the AONB and historic park and gardens) they should be based on an understanding of the design principles of the landscape and should be complementary to it. This needs to be demonstrated as part of an application.

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

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

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

### Reasoned Justification

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

The Broads is a landscape greatly modified by people over time and is of international historic and cultural significance. The quality and uniqueness of the landscape, both visually and historically, are central to the attractiveness, distinctiveness and diversity of the Broads. It has high economic and cultural value and is a major draw for visitors to the area. Accordingly, having been awarded status equivalent to a national park, the highest status of protection has been conferred upon the landscape and natural beauty of the Broads. While acknowledging this duty to protect the special landscape quality of the Broads, the Authority recognises the need for a 'living landscape', with development necessary to support local communities and the economy being permitted, subject to criteria to protect and enhance the essential qualities of the landscape.

Despite its distinctiveness, the landscape of the Broads is not homogeneous and there are areas better able to accommodate change than others. The Authority has undertaken a Landscape Character Assessment which identifies 31 distinctive local character areas. The key characteristics which combine to give a particular area its unique sense of place can be found, incorporating information on topography, land cover and important landscape features.



Where appropriate, development proposals will be expected to be accompanied by a landscape statement that assesses the impact of the proposal on the landscape and details the measures that will be implemented to mitigate any adverse impact. To ensure development proposals do not have a detrimental effect on the distinctive character, condition, features and sensitivities which include amenity and experiential qualities, of the landscape. The Landscape Character Assessment should be considered by applicants and will be used by the Authority to assess the impact of development proposals and the suitability of any proposed mitigation measures. The Broads BAP and County species and habitat action plans will also be used when assessing the appropriateness of landscaping schemes, together with the potential for enhancements for wet and dry woodlands, hedgerows and associated species.

The Broads is principally an open and low-lying environment. However, there are areas where trees and other natural features form essential features of the Broads landscape, providing vital habitats for a range of species as well as having potential historic/cultural significance in demonstrating traditional land management. Where a development would involve works that could affect any tree or landscape feature, detailed site plans showing the species, spread, roots and position of these features must be submitted alongside the proposal. This plan should be accompanied by an arboriculture assessment carried out in accordance with the relevant British Standard that explains which features, if any, will be removed or cut back, and how any of these features will be protected during the course of the development. Details of replacement trees or hedges, including measures for maintenance and aftercare should also be included.

Comments received as part of the Issues and Options consultation:

*South Norfolk Council supports the inclusion of a general landscape policy in the Broads Local Plan although it would be important for any such assessment to be consistent across Local Planning Authority boundaries.*

Alternative Options and Sustainability Appraisal Summary

- Preferred Option: positive in relation to many environmental objectives and health and wellbeing.
- No policy: Not having a policy does not mean that landscape will not be an important consideration, but as the Broads is a nationally protected landscape, it is prudent to have a local policy.
- DP2: The general thrust of DP2 would score in a similar way to the preferred option. The preferred option has been drafted to separate landscaping from landscape and improve the policy using officer experience of using the current policy.

Evidence used to inform this section

- Landscape Character Assessment (xxxx)
- Landscape Sensitivity Study (xxx)

Monitoring Indicators

**Policy PODM17: Land Raising**

Schemes that intend to raise land are required to justify this approach as well as explaining what other options to address the issue that land raising seeks to resolve have been discounted and why.

Proposals that involve land raising will not be permitted if they have unacceptable adverse impacts on:

- a) flood risk on site and elsewhere;
- b) visual appearance and landscape character;
- c) existing habitats and mature trees; and
- d) archaeology.

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

#### Reasoned Justification

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

- (i) It can serve to divert flood water onto neighbouring land, particularly in areas primarily affected by fluvial flooding.
- (ii) Land in the Broads area is often wet and of poor load bearing capacity. Surcharging of land with soil or other material may lead to the site sinking over a period of time.
- (iii) On sites that are in close proximity to each other, it affects the relationship of the site to surrounding plots and to access roads. On waterside sites the relationship to the river or broad is changed, often leading to the need for higher piling and quay heading, potentially affecting the visual amenity of views from the water.
- (iv) It can be damaging to ecology, geomorphology, trees and other vegetation on the site.
- (v) It can change the character of the landscape. Land-raising can increase the height and prominence of new buildings.
- (vi) It can affect the ability to provide alternative flood storage capacity in the drainage compartment.
- (vii) Material being placed on top of other material can impact interrogation to understand archaeology and past human interaction with the environment.

Where land-raising could be part of a scheme, applicants are required to explain what issue it seeks to resolve, which other options have been considered and the reasons for their being discounted, and to justifying the raising of land.

The disposal of excavated material policy is of relevance.

#### Comments received as part of the Issues and Options consultation:

*The EA said that land raising has the potential to increase flood risk, which would be contrary to national planning policy. While Norfolk County Council suggested that it is important to provide an adaptive approach which could respond to climate change and any other advances in knowledge or technology.*

#### Alternative Options and Sustainability Appraisal Summary

- Preferred Option: rates well against environment objectives.
- No policy: Not having a policy may still mean that this is a consideration. That being said this is a new policy, introduced to reflect practice that is ongoing in the Broads and not addressed using current policies. It therefore seems prudent to address this issue in the Local Plan.

#### Evidence used to inform this section

#### Monitoring Indicators

#### **Policy PODM18: Excavated material**

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

- i) Firstly, schemes are required to reduce to a minimum the volume of material that needs to be disposed of.

- ii) Left over material is then required to be put to a productive use with the preference being used on site. Off-site productive use could be acceptable.
- iii) Any remaining material is required to be disposed of in a considerate and acceptable manner, subject to the Environment Agency's licencing requirements.

#### Reasoned Justification

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

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

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

This policy will ensure that disposal is considered early in the scheme design process and could be incorporated positively. It could result in improved disposal of material with landscape character and habitat benefits.

When disposing of material, the Environment Agency<sup>40</sup> needs to be contacted, as a licence may be required.

Of importance to disposal of material is the section on peat, the section on archaeology and the guides referred to earlier in this section. The land-raising policy is of relevance.

#### Comments received as part of the Issues and Options consultation:

*General support for this policy.*

#### Alternative Options and Sustainability Appraisal Summary

- Preferred Option: Generally positive in relation to some environmental objectives.
- No policy. Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty and seeks to ensure that this issue, which can often be an afterthought, is considered early on in the process. An important issue, which the Authority considers warrants a planning policy approach.

#### Evidence used to inform this section

- Officer knowledge and experience.

#### Monitoring Indicators

- Planning applications approved in accordance with (or otherwise) this policy.

#### **Policy PODM19: Utilities Infrastructure Development**

The provision of essential utilities infrastructure will only be supported where it is of a scale and design appropriate to the Broads and would not have an unacceptable impact on the special landscape setting and character of the Broads.

<sup>40</sup> Go here for more information: <https://www.gov.uk/topic/environmental-management/waste>

In particular, proposals for the erection of utilities infrastructure and associated development will only be permitted where:

- a) The proposal has an essential role in the provision of a regional and national network;
- b) There is no opportunity for undergrounding or no suitable alternative locations outside the Broads protected landscape;
- c) There is no unacceptable impact on the character of the locality, the wider landscape and the amenity of neighbours;
- d) Full consideration has been given to the opportunities for sharing a site, mast, pole or facility with existing utilities infrastructure already in the area and the least environmentally intrusive option has been selected;
- e) The proposal is in conformity with the latest national guidelines on radiation protection; and
- f) It would not adversely affect protected species or habitats.

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

#### Reasoned Justification

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

For the purposes of this policy, utilities infrastructure could include telecommunications, electricity, gas and water.

Planning applications for utilities infrastructure development must be accompanied by supplementary information on the area of search, details of any consultation undertaken, details of the proposed structure and measures to minimise its visual impact, photomontages, and technical justification for the proposed development, as appropriate. Measures to reduce the visual impact of a proposal will be secured by planning condition where necessary. To avoid the proliferation and visual impact of new utility installations, preference will be to accommodate new installations on existing masts and/or within existing utility apparatus sites where this represents the least environmentally intrusive option. Applicants who choose not to mast or site share where there is an opportunity to do so should submit a statement setting out the extent of the area of search and fully justifying their reasons for discounting this option.

The Authority will require all telecommunications operators to demonstrate that their proposed installation would be in conformity with the latest national guidelines on radiation protection. To this end, the submission of information to certify compliance with the International Commission of Non-Ionizing Radiation Protection (ICNIRP<sup>41</sup>) standards will be sufficient to demonstrate that a proposed development would not have an unacceptable impact on people's health. Because of the rapid pace of change in technology, permissions could be temporary so that utilities infrastructure is required to be removed when no longer necessary to meet the requirements of the operator.

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

<sup>41</sup> <http://www.icnirp.org/>

Comments received as part of the Issues and Options consultation:

*General support for policy, but need to consider what a blanket ban would mean in relation to quality of life and the economy.*

Alternative Options and Sustainability Appraisal Summary

- Preferred Option: Generally positive but there are some ? relating to SCO and ECO policies. There are some areas that are not served by good broadband or do not have mobile phone coverage. This policy does not necessarily act as a halt to improvements, but emphasises the importance of the landscape of the Broads.
- No policy. Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty. As the Broads is a protected landscape, it seems prudent to cover this issue in the Local Plan.
- As per DP9 with no amendments. Same rating as the Preferred Option, but the Preferred Option relates to other utilities infrastructure such as power cables.

Evidence used to inform this section

- Officer knowledge and experience.

Monitoring Indicators

- Planning Applications permitted in accordance with (or otherwise) this policy.

**Policy PODM20: Protection and enhancement of settlement fringe landscape character**

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

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

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

Development shall also demonstrate that it will not as a result of cumulative and/or sequential landscape and visual effects of development detract from the natural beauty of the national park and the experience of tranquillity.

Reasoned Justification

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

Settlement fringe is a landscape type that represents those areas of land found repeatedly throughout the Broads, where settlement and semi natural/natural environment converge. Invariably around any settlement there are pressures for use other than for traditional agricultural. Many of these pressures are generated as a direct result of recreational and leisure activities. Developments can be varied and include garden extensions with their associated fencing and features; allotments; poultry keeping, horse keeping, sports pitches, pond construction (fishing and wildfowling) and storage of scrap items etc.

The distinctive landscape characteristics of this landscape type are that:

- a) the basic underlying landscape characteristics are the same as the prevailing landscape type within the character area, i.e. estuarine marshland/ heathland, etc.;
- b) the basic landscape characteristics associated with the existing natural/ semi natural environment have been compromised;
- c) they are always located in close proximity to existing settlement;
- d) the landscape has been modified in some way to accommodate the intended use;
- e) features may have to be added that look out of character with the semi natural environment of the Broads; and
- f) the activities have the potential to impact on the soils, vegetation, water quality and tranquillity of an area.

Additionally the proximity of a settlement can influence the presence and extent of strategic infrastructure, such as the poles and cables for telecoms and electricity supply.

The land that is subject to these types of development pressure will generally have the basic underlying characteristics of the prevailing landscape type within the locality, but invariably if used for such activities can become heavily modified though the annexation, subdivision, change of use, or introduction of ancillary buildings and structures that meet the needs of the activity.

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

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

Each of the activities (see below for examples) has the potential to affect landscape in different ways. They may cause direct impacts on both the landscape (soils, water, vegetation, etc.) and the perceptual qualities of an area, including views. They may have the effect of urbanising the semi natural/natural environment. The following are examples of landscape issues that may have an adverse impact on the local landscape character.

Excavations for ponds for wildfowling/fishing, etc:

- the shape, depth and profile of the excavations can look unnatural;
- pond edges not designed to support marginal plant species;
- material dug out is not disposed of in an appropriate manner;
- peat (which is a valuable landscape resource) is excavated;
- ancillary structures introduced to support the activity look out of character
- inappropriate planting

Garden extensions

- inappropriate ornamental planting introduced into a semi natural/natural environment
- layout, the materials used and manicured appearance can look out of character
- garden buildings, fencing and features can look out of character
- loss of natural/semi natural habitat



#### Horse keeping

- loss of natural/ semi natural habitat from changing in relation to grazing management and construction of ménages
- introduction of fencing can look out of character
- water quality – storage of bedding materials
- buildings for storage of feedstuffs and equipment
- stabling blocks
- lighting

#### Forces for change include:

- An increase in housing development and therefore recreational / leisure time pressures within areas adjacent to the Broads
- An increase in horse ownership
- Land values which may dictate the economic viability of land use.
- Increasing popularity for coarse fishing

#### Comments received as part of the Issues and Options consultation:

*General support for addressing this but would be a need to take different types of development into consideration due to the varying degrees potential landscape impact.*

#### Alternative Options and Sustainability Appraisal Summary

- Preferred Option: Positive against some environment criteria. A ? against the rural economy as some development on the settlement fringe in the past has an economic element (as well as recreation) such as horsiculture. The policy does not stop change, but sets criteria that proposals should address.
- No policy: Not having a policy does not mean that these issues would not be addressed as the Broads is a nationally protected landscape. The policy is drafted to reflect ongoing practice and emerging themes from determining planning applications.

#### Evidence used to inform this section

#### Monitoring Indicators

## 14 Amenity

### Policy PODM21: Amenity

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

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

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

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

### Reasoned Justification

Protecting the amenity of both the future occupiers of new development and the occupiers of existing developments is vital for the sustainability of communities in the Broads. The NPPF says, at Paragraph 17 '*...always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*'.

Amenity can include many factors such as traffic, smell, loss of privacy, outlook, noise and overlooking. Policy x lists the general issues that should be taken into account by applicants advancing specific development proposals for planning approval and by the Broads Authority in its role as Local Planning Authority, determining planning applications in consultation with local communities and stakeholders.

This policy applies to situations where new development would affect the amenity of an existing land use as well as where a new development may lead to complaints about an existing land use that are not currently an issue because there are not any neighbours.

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

### Reasonable alternatives

- No policy: The alternative option to the policy above is to not include a specific policy on amenity. This approach was rejected as the Authority considers that promoting the principles of amenity is important in the context of the Broads and sustainable development.
- No change to DP28: The preferred option version rolls forward DP28 but adds some further considerations which the Authority considers to be important to development in the Broads.

Comments received as part of the Issues and Options consultation

None.

Sustainability Appraisal Summary

- Preferred Option: Rates positively against pollution, health and how the economy affects society and the environment objectives.
- No policy: Not having a policy does not mean that amenity will not be considered, but a policy gives criteria against which to assess applications.
- No change to current policy: Rates similar to the Preferred Option, but the Preferred Option policy brings in more amenity issues to consider.

Evidence used to inform this section

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

Monitoring Indicators

- Applications refused on amenity grounds.

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## 15 Light Pollution

### Policy PODM22: Light pollution and dark skies

#### See map x.

The tranquillity and dark sky experience of the Broads will be maintained and improved.

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

- There is no external lighting within Dark Sky Core Zones category A .
- External lighting within the Dark Sky Zone category B is strictly controlled.
- Good lighting management and design is applied throughout the Broads

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

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

Applicants are required to demonstrate that they meet or exceed the Institute of Lighting Professionals guidance and other relevant standards or guidance for lighting within environmental zones<sup>42</sup>.

#### Reasoned Justification

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

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

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

It is important to note that artificial lighting is not detrimental in all cases. It has helped society by extending the length of the productive day, for example. Indeed the 'solution' to the issue is not necessarily turning off all lighting; artificial lighting does not necessarily produce light pollution. Light pollution is the term for artificial light that is excessive or intrudes where it is not wanted or expected. There are many sources of light pollution. For example some older street lights emit light pollution, as do security lights mounted at an angle above the horizontal. Well-designed lighting, on the other hand, sends light only where it is needed without scattering it elsewhere; "The right amount of light and only when and where needed" (Campaign for Dark Skies motto).

The NPPF Paragraph 125 says '*by encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation*'.

<sup>42</sup> For the purposes of the ILP lighting guidance (CIE 150:2003 Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installations <https://www.theilp.org.uk/documents/obtrusive-light/>) the Broads Authority is included within Environment Zone 1 as a reflection of its protected status and its intrinsically dark skies.

To be considered a dark sky of sufficient quality by the International Dark Sky Association, values of 20 magnitudes per arc second must be achieved. The Authority has assessed over 400 points around the entire Broads Authority Executive Area<sup>43</sup>, from land and water, to understand the quality of the dark skies. Results show that the majority of the Broads has good quality dark skies with the majority of readings being over 20 magnitudes per arc second. The Authority therefore considers that the Broads is an intrinsically dark landscape which must be preserved.

While the Authority's survey effectively looked upwards, the CPRE<sup>44</sup> undertook a study that effectively looked down to the earth. Both datasets were assessed and compared and have informed the final zones as set out in the policies map. A report<sup>45</sup> explaining the assessment between the two datasets has been produced.

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

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

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

**Question 5:** The Authority is considering producing a bespoke, user friendly guide for development in the Broads. Do you have any thoughts on this?

#### Dark Sky Status

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

#### Comments received as part of the Issues and Options consultation

*IWA raised waterside lights affecting a helm's visibility. General support for a policy but not at large expense to applicants and safety needs to be considered. Guide generally supported.*

#### Reasonable alternatives and Sustainability Appraisal Summary

- Preferred Option: rates positive against many environmental objectives, against health and wellbeing and against tourism as dark sky related tourism could be a new kind of tourism. There is a ? against crime and antisocial behaviour as some may think not having security lights could aid crime, but the policy is not about turning off lights per se – just a better design and only if lighting is needed.
- No policy: Not having a policy does not mean that light pollution in the Broads will not be considered. The evidence however points to the Broads being intrinsically dark and therefore the NPPF seeks to protect such areas. The local policy reflects the data collected.

<sup>43</sup> [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0007/757402/Broads-Authority-Dark-Skies-Study-March-20161.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0007/757402/Broads-Authority-Dark-Skies-Study-March-20161.pdf)

<sup>44</sup> Night Blight: <http://nightblight.cpre.org.uk/>

<sup>45</sup> xxxxx

- Rely on DP28: Whilst DP28 mentions light pollution, it does not give the detail that the preferred option does and not does it reflect the dark sky evidence. Furthermore DP28 is more about amenity whereas the Preferred Option relates more towards tranquillity.

Evidence used to inform this section

Monitoring Indicators

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## 16 Retail

While the Broads Authority Executive Area may not include town centres, there are some important shopping areas in the larger villages. Five areas have been identified as having a degree of retail provision:

Location	Description
The Bridge area of Wroxham/Hoveton	Contains tourist related shops, restaurants, banks and some of the Roy's complex of shops. Contains a good range and number of shops capable of meeting most of the day-to-day needs of residents. This centre is of more than purely neighbourhood significance and draws in some shoppers from outside of the immediate community as well as catering for visitors in this important tourist hub. To the north east of this area, North Norfolk District Council allocates the area as a Town Centre.
Potter Heigham Bridge	QD (formerly Latham's) is the largest retail outlet in this area selling every day goods as well as clothes and electrical appliances. There are restaurants, an arcade and tourist/recreation related shops. Contains a good range and number of shops capable of meeting most of the day-to-day needs of residents. This centre is of more than purely neighbourhood significance and draws in some shoppers from outside of the immediate community as well as catering for visitors in this important tourist hub. There are no North Norfolk retail related policies at Potter Heigham Bridge.
Lower Street, Horning	Restaurants, a newsagent, post office, deli and tourist related shops (no supermarket, but a large village). There are no North Norfolk retail related policies in Horning.
Bridge Road, Oulton Broad	Restaurants, newsagents, post office, takeaways (no supermarket, but a large village). The area to the east of this road is classed as a District Shopping Area by Waveney District Council in the Development Management DPD.

Following discussions with Waveney and North Norfolk District Councils, it has been proposed that the authorities will work together with the Broads Authority to produce a consistent retail policy approach between the authorities in relation to the areas listed above.

At the time of writing this Preferred Options version of the Local Plan, Waveney District Council had completed their retail evidence base but was not in a position to draft a policy. North Norfolk District Council had not yet commissioned retail evidence, but is intending to do so in the near future.

As such, there is no draft policy included in the Preferred Options relating to retail. Instead, this policy will be part of the publication version of the Local Plan.

### Comments received as part of the Issues and Options consultation

*General support that a retail policy is necessary to accord with national policy that directs retail development to defined centres. The absence of a policy could result in unplanned retail development. The policy needs to protect town centres outside the Broads Local Plan Area.*

## 17 Transport

### **Policy POSP 7: Getting to the Broads**

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

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

Within the area particular improvements required include:

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

### Reasoned Justification

Visitors to the Broads arriving by private car can cause seasonal congestion during the summer travel period, particularly in and around towns that act as a focus for attractions and provide easy access to the rivers or broads. The result is increased pressure on the area in terms of demands for visitor attractions, accommodation, road space and parking. This creates a contradictory impression to visitors who expect the Broads to be tranquil and not an area of dense traffic and congestion. Those who holiday on board a boat leave their car parked ashore, whereas those on land will tend to use their vehicle throughout their stay unless there is strong encouragement for them to use day boats, cycle or walk.

Due to the high proportion of visitors presently arriving in private cars, there is a need for a policy to promote investment in public transport improvements. The improvement of interchanges between passenger transport, walking and cycling facilities, seasonal road and water bus services and boats between rail stations, town centres, tourist attractions, and moorings, and bespoke provisions such as a Broads Hopper bus service, are all measures that may be considered appropriate and that would reduce localised car-based travel within the area. Developers can make a contribution by encouraging a modal shift, e.g. with a travel plan and by providing infrastructure.

The Broads area is crossed by a number of major transportation links, including the A47 trunk road east of Norwich and the A12 south of Great Yarmouth, and by a number of other important roads. However, as a predominantly rural area, access to the villages, rivers and broads is usually off minor roads and this can be a constraint on development of isolated sites.

The improvement of walking and cycling facilities will support the local economy and the diversification of the tourism industry. Employees of visitor facilities and Broads businesses also have to travel within the area. Any improvements to access would take into account the needs of disabled people.

The Authority seeks to encourage access to the area by bicycle. This promotes quiet and sustainable access in a manner compatible with the National Park ethos, while encouraging visitors to consider the impact of their activities on an ecosystem vulnerable to climate change.

Traffic congestion has an impact on the local economy and creates a negative impression of the Broads, both to visitors and local residents. Therefore, through traffic will be encouraged to find alternative routes away from visitor and residential areas achieved through measures including improved signage.

### Comments received as part of the Issues and Options consultation

*Not specifically included in the Issues and Options.*

### Reasonable alternatives and Sustainability Appraisal Summary

- Preferred Option: positive against a range of different objectives including climate change, health and wellbeing and tourism.
- No Policy: Not having a policy does not mean that sustainable modes of transport will not be promoted. But because of the local congestion issues in part of the Broads, such a policy seems appropriate.

Note that this policy is very similar to policy CS16 with only some slight text changes.

### Evidence used to inform this section

### Monitoring Indicators

#### **Policy POSP8: Getting around the Broads**

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

- i) Developing the Public Rights of Way (PRoW) network in line with the recommendations of the Norfolk and Suffolk Rights of Way Improvement Plans;
- ii) Developing and/or improving access to other areas of the Broads from land and water, if appropriate.
- iii) Identifying and safeguarding potential crossing points of land and water;
- iv) Protecting and improving staithes and slipways;
- v) Creating new access to the waterside by boat (where there is good road access and provision for parking);
- vi) Improving and maintaining launching facilities for small craft;
- vii) Protecting and creating waterside spaces for informal recreation;
- viii) Incorporating appropriate measures for disabled people.

### Reasoned Justification

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

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

Part II of the CRow Act seeks to modernise the rights of way system to reflect current culture and to complement the provisions with regard to access to open country. Both Suffolk and Norfolk County Councils, as local highway authorities, will prepare and publish Public Rights of Way (ProW) Improvement Plans. The Broads Authority has an Integrated Access Strategy that sits alongside the PRoW Improvement Plans to discuss issues of particular significance such as access alongside, across, and to water, and its effect on landscape and tranquillity for local residents, visitors, anglers and boat users.

Poor accessibility in the Broads area can be further exacerbated by the geographical nature of the broads themselves, which dissect much of the area, creating severance and making it difficult to get from one place to another without having to go around the waterways. The provision of well-designed and appropriately

located bridges/crossings will be investigated where they can provide safe crossings of roads by pedestrians and cyclists, or of navigable waterways where navigation will not be impeded.

Comments received as part of the Issues and Options consultation  
*Not specifically included in the Issues and Options.*

#### Reasonable alternatives and Sustainability Appraisal Summary

- Preferred Option: rates positive against many objectives such as adverse effects of traffic on water, health and tourism.
- No policy: Not having a policy does not mean that such issues will not be considered. With the Broads being a water-based equivalent to a National Park, it seems prudent to have a policy on using the water.

Note that this policy is very similar to policy CS17 with only some slight text changes.

#### Evidence used to inform this section

#### Monitoring Indicators

#### **Policy PODM23: Transport, highways and access**

Development proposals that need to be accessed by land shall:

- a) Be assessed in terms of their impact upon the highway network in respect of traffic capacity, highway safety and environmental impact of generated traffic. As appropriate, mitigation will be required including off-site works, points of access, visibility and turning facilities;
- b) Incorporate opportunities for increased sustainable public access by a choice of transport modes including by bus, train, foot, bicycle or horse, including where possible new access to CROW access land;
- c) Provide parking in accordance with the relevant adopted standards;
- d) Where appropriate, be accompanied by a Travel Plan that seeks to improve the accessibility of the developments by non-car modes, the implementation of which will be secured by planning condition or obligation; and
- e) Avoid any adverse effect on protected species or habitat.

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

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

#### Reasoned Justification

A number of major transportation links, including the A47 trunk road east of Norwich and the A12 south of Great Yarmouth, traverse the Broads. Nevertheless, as a predominantly rural area, access to the villages, rivers and broads is usually via minor roads, which places a constraint on the development of isolated sites. Consequently, in order to maintain the tranquillity and special character of the Broads, the Authority will expect new development to be of a scale and nature appropriate to the adjacent road network and the character of the area. Where a development proposal could have an impact on a trunk road, it will be assessed by the Highways Agency in accordance with policies of the relevant DfT Circular (currently 02/2013: THE STRATEGIC ROAD NETWORK AND THE DELIVERY OF SUSTAINABLE DEVELOPMENT).

Traffic congestion is a problem in parts of the Broads, particularly in and around the towns that act as a focus for attractions and that give easy access to the rivers or broads. This congestion creates a negative

impression of the Broads to visitors and residents, and can have a damaging impact on the local economy. Consequently, to minimise the impact of new development on congestion, proposals should incorporate measures that enable the development to be accessed by a choice of means of transport and provide adequate levels of parking. Discussions will be had with the relevant district and relevant county council with regard to which parking standards to apply (as some districts have their own parking standards).

A Travel Plan should also be submitted as part of any planning application where the proposed development has significant transport implications. This should illustrate the accessibility of the site by all modes of transport, indicate the probable modal split of journeys to and from the site and provide details of any proposed measures to improve access to the site by public transport, walking and cycling. Further guidance is available in the NPPG<sup>46</sup> and from Norfolk<sup>47</sup> and Suffolk<sup>48</sup> County Councils.

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

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

If a proposal is likely to result in increased vehicular movements and associated emissions that have the potential to affect an internationally designated site, it will need to be considered in accordance with the Conservation of Habitats and Species Regulations 2010 (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 **x** of the Local Plan.

Comments received as part of the Issues and Options consultation  
*Not specifically included in the Issues and Options.*

#### Reasonable alternatives and Sustainability Appraisal Summary

- Preferred Option: Rates positive against some environmental objectives as well as health and wellbeing. There are ? against some objectives relating to development. Travel plans could be required by some development which could be a burden but also reflects that the development needs to consider its impact on the highway network.
- No policy: Not having a policy does not mean that such issues will not be considered. With the Broads being urban in a few areas, but mostly rural it is appropriate for a policy to reflect these local circumstances.

<sup>46</sup> <http://planningguidance.communities.gov.uk/blog/guidance/travel-plans-transport-assessments-and-statements-in-decision-taking/overarching-principles-on-travel-plans-transport-assessments-and-statements/> and <http://planningguidance.communities.gov.uk/blog/guidance/travel-plans-transport-assessments-and-statements-in-decision-taking/travel-plans/>

<sup>47</sup> <https://www.norfolk.gov.uk/roads-and-transport/alternative-ways-to-travel/travel-plans>

<sup>48</sup> <https://www.suffolk.gov.uk/planning-and-environment/planning-and-development-advice/travel-plans-for-new-developments/>

Note that this policy is very similar to policy DP11 with only some slight text changes.

### Evidence used to inform this section

### Monitoring Indicators

#### **Policy PODM24: Changes to the Acle Straight (A47T)**

Any improvements to the Acle Straight will need to consider the following – biodiversity mitigation and enhancement, visual impact, setting of the Broads, safety, congestion improvements and driving experience whilst retaining the special qualities of an iconic and highly protected landscape.

The Authority will proactively work with promoters and designers of any proposals for changes to any aspect of the Acle Straight, at an early stage and throughout the process especially the feasibility and design stages.

Any proposed schemes will need to:

- a) Demonstrate clearly the justification for the changes and with any benefits significantly outweighing any negative impacts;
- b) Undertake comprehensive constraint scoping at the earliest stage (particularly in relation to landscape, ecology and habitats, visual amenity, the historic environment, access, either temporary or permanent);
- c) Clearly demonstrate that there is no realistic alternative which would have avoided or had a lesser impact on the Special Qualities of the Broads Authority Executive Area;
- d) Set out clearly, based on robust evidence, the nature and scale of any resultant impacts to include those set out in b above;
- e) Demonstrate how any negative impacts would be mitigated or compensated for as well as opportunities taken to enhance the special qualities of the area, bearing in mind that the Broads Authority is a protected landscape of national importance; and

The following criteria must be addressed through the design and delivery of any changes to the Acle Straight and/or its access points.

- i) Detailed understanding and appropriate mitigation of impacts to designated wildlife areas and species.
- ii) Wildlife crossing points and habitat compensation.
- iii) Impacts on landscape, tranquillity and visual amenity are fully understood, reduced to a minimum and then appropriately mitigated.
- iv) Surface water run-off and pollution risk from spills fully understood and addressed in terms of containment methods, volume, flow and impacts on water quality
- v) Any scheme shall keep lighting to a minimal. Any lighting will need to be thoroughly justified and will be well designed and will not contribute to light pollution.
- vi) Walking, cycling and horse-riding route (or routes) with appropriate entry points and links to nearby urban areas and nearby public rights of way will be provided.
- vii) Interpretation measures and opportunities to safely enjoy and appreciate the iconic views to the mills and over the marshes will be provided.
- viii) Any enhancements to landscape, heritage, biodiversity, water management, recreation and habitat resulting from the Heritage Lottery Funded scheme (Water, Mills and Marshes) will need to be fully understood protected and enhanced.
- ix) Any impacts of the scheme on designated or undesignated heritage assets or their setting including waterlogged archaeology and traditional dyke networks will be thoroughly assessed and mitigated and opportunities taken to conserve and interpret the features that relate to the distinctive cultural landscape of the drained marshland.



- x) Transport infrastructure, including roads, bridges, lighting, signing, other street furniture and public transport infrastructure, will be carefully designed and maintained to take full account of the valued characteristics of the Broads.
- xi) Balancing accesses onto and from the road against the overall impact of the scheme on the special qualities of the Broads.

#### Constraints and features

- Entire length of Acle Straight in Flood Zone 3 (EA mapping)
- Western end: Damgate Marshes SSSI and The Broads SAC
- Eastern end: Breydon Water LNR, SSSI,
- Stracey Arms Drainage Mill (listed building) is next to the Acle Straight.
- Other listed buildings with a view towards the Acle Straight which can be viewed from the road.
- Halvergate Marshes Conservation Area
- The Broads is a site identified by Historic England as having exceptional potential for waterlogged Archaeology
- Undesignated Heritage assets which contribute to the Cultural heritage of the area such as the WW2 defences and assets identified on the Norfolk HER and Broads Local List.
- Numerous accesses to tracks, for example to farms.
- Numerous level crossings accessed from the Acle Straight.
- Branch Road junction
- Little Whirlpool Ramshorn Snail (*Anisus vorticulus*) is a European protected species
- The Acle Straight runs in between railway line and river
- Open and flat landscape
- Historic dyke networks with associated features
- Rights of Way
- Future changes resulting from the HLF bid

#### Reasoned justification

The A47 is the main east west connection in northern East Anglia. It links Great Yarmouth in the east with Norwich, King's Lynn and Peterborough to the A1, which provides onward connections to the Midlands and north of England. At Great Yarmouth and Norwich connections to Europe and beyond are available via the port and airport. At Great Yarmouth the trunk road continues south, as the A12, to Lowestoft

The A47 passes through the Broads between Acle and Great Yarmouth – known as the Acle Straight. It is important to note that this policy relates to any changes to the Acle Straight. This includes any safety improvements currently programmed for the road as well as any future plans for dualling the road. There is an ambition promoted by the A47 Alliance to dual the A47 for its full length, including the stretch between Acle and Great Yarmouth. This is a long-term ambition for post-2021. In the medium term, Highways England plan to undertake safety improvements at key hotspots on the Acle Straight. This could include the installation of safety barriers, junction improvements and road widening or capacity improvements.

In December 2014, funding was announced in the Autumn Statement to deliver improvements along the A47, including safety improvements along the Acle Straight. Two schemes in particular are of relevance:

- A47/A12 Great Yarmouth: junction improvements, including reconstruction of the Vauxhall roundabout.
- Safety improvements at key hotspots and joint working with Natural England to establish environmental impacts and mitigation measures for the medium and long term which could include installation of safety barriers, junction improvements and road widening or capacity improvements.

The dualling of the Acle Straight has the potential to come forward during the Plan period. The Authority considers that this policy enables the designers of any future scheme to take into account and address in an adequate and appropriate way important issues and considerations.

The Broads Authority is unlikely to determine any future planning application for dualling the Acle Straight. The scheme is likely to be determined as a Nationally Significant Infrastructure Project (NSIP) by the Planning Inspectorate (because the developable area could be over 12.5 Ha and because the scheme could have environmental impacts<sup>49</sup>).

In relation to roads in particular, Defra guidance in the English National Parks and the Broads - UK Government Vision and Circular 2010, states: *'there is a strong presumption against any significant road widening or the building of new roads through a (National) Park unless it can be shown there are compelling reasons for the new or enhanced capacity and with any benefits outweighing the costs significantly. Any investment in trunk roads should be directed to developing routes for long distance traffic which avoids the Parks'*.

It should also be noted that the statutory purpose of the Broads Authority is to protect the interests of the Broads. Section 17A of The Norfolk and Suffolk Broads Act 1988 imposes a statutory duty on authorities to have regard to the relevant statutory purposes when exercising their functions that can affect land in the Broads. For the avoidance of doubt, the special characteristics of the Broads are those set out at section x. Furthermore, of particular importance and relevance in understanding the impacts of any scheme are the Landscape Sensitivity Study<sup>50</sup> and Landscape Character Assessment<sup>51</sup>. Areas 19, 24, 25 and 20 of these studies are the relevant areas for consideration.

Fundamentally, because of the potential adverse impacts on the landscape, visual amenity, historic environment, ecology, habitats, access and the special characteristics of the Broads either in a temporary or permanent nature that highway improvement schemes to the Acle Straight may cause, any changes to the Acle Straight need to be thoroughly justified. Any changes need to be designed so as to reduce and avoid impacts on the special qualities of the Broads in the first place. Only then can mitigation be considered. The specific criteria are discussed in detail:

- **Wildlife and habitats**

The Broads is one of the nation's most rich areas for biodiversity, with European designated habitats and species flanking and occupying the habitats close to the existing road. European Protected species such as water vole, bats and otter are likely to be impacted by any changes. Water voles have suffered drastic declines across the country in recent years, although populations in the Broads are still high. Any loss of water vole habitat in the ditches would need to be compensated and water vole populations translocated.

Any increase in lighting could potentially cause adverse impacts on bat populations in the area. Light pollution is known to deter bats from commuting and foraging areas, delay emergence for hunting and cause disturbance to roosts.

The area is already a significant site for otter mortality. Road widening risks making this worse, so the Authority would expect changes that underline the need to include enhancements, such as wildlife crossing points. Other impacts on wildlife, such as increased barn owl road fatalities, would also need to be addressed

<sup>49</sup> [http://www.legislation.gov.uk/ukxi/2013/1883/pdfs/ukxi\\_20131883\\_en.pdf](http://www.legislation.gov.uk/ukxi/2013/1883/pdfs/ukxi_20131883_en.pdf)

<sup>50</sup> <http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-sensitivity-studies>

<sup>51</sup> <http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-character-assessments>

Many of the grazing marsh ditches hold conservation designations of European importance, supporting important plant and invertebrate communities. Any impacts to the ditch network would need to address this loss, considering alternatives, mitigation (including translocation), compensation, long term conservation and monitoring.

One of the already specified issues that changes to the Acle Straight would need to address is the Little Whirlpool Ramshorn Snail. The dykes around the current road are one of the few habitats of this species, which is on an international 'red list' of endangered species. It is a small aquatic snail with a flattened spiral shell of approximately 5mm in diameter. It has been declining from the UK since the 1960s, although the reason for decline is not clear. A study investigating the potential to translocate the snail (AECOM, March 2015) concluded that translocation was a potential option, but identified various considerations such as:

- Pathogen transference has been highlighted as an issue and as such receptor and donor sites should derive from the same drainage unit.
- Donor sites must have a robust population and only sites with no current population should be used as receptor site.
- In order to ascertain these sites and to increase knowledge of the target species robust pre translocation survey is a necessity.
- In addition receptor sites will need to be properly assessed to ensure the receiving habitat is suitable.

Large scale changes, such as dualling the Acle Straight, are likely to result in the loss of habitat as the surrounding dykes could be lost, as could some marshland. The Authority would expect any loss to be avoided and then minimised, with compensation likely to be required. Areas requiring compensation include the need to secure land purchase, conservation management or long term covenants for defined enhancements, and monitoring regimes. In the first place a scoring system for compensation should be worked up by independent consultant and agreed by all parties.

#### • Landscape and tranquillity

Another key issue is the impact of a dualled road on the landscape character of the Halvergate Conservation Area. The A47 crosses an area known as the Halvergate marshes or Halvergate triangle. This area forms one of the defining landscapes of the Broads area, being a vast panoramic expanse of grazing marsh dotted with windmills and often teaming with wildlife. The sheer scale, inaccessibility and emptiness of much of the marshland means it remains largely quiet and isolated. It is designated as a Conservation area and its biodiversity interest is recognised through national and international designations. The dualling of the Acle Straight has the potential to have a very significant impact on both the existing landscape character of the area (including tranquillity through increased traffic noise) and nature conservation interests.

Proposed highway improvement options are likely to range in scale, nature and extent. There are a number of key characteristics that have the potential to be affected through highway improvements. The significance of the effects on the landscape and visual amenity of the area (adverse or beneficial) of any option proposed will need to be assessed in accordance with current guidelines. Reference will need to be made to the current landscape Character assessments for Local Character Areas 19 and 25 and the Conservation Area appraisal<sup>52</sup>.

Duelling of the Acle Straight is likely to cause significant adverse effects on the existing landscape character. Mitigation of these affects may be challenging and would need to recognise that common methods – such as screening tree belts – may be highly intrusive in terms of the extensive open landscape character.

<sup>52</sup> [http://www.broads-authority.gov.uk/data/assets/pdf\\_file/0009/412893/Area\\_19\\_-\\_Halvergate\\_Marshes.pdf](http://www.broads-authority.gov.uk/data/assets/pdf_file/0009/412893/Area_19_-_Halvergate_Marshes.pdf) and [http://www.broads-authority.gov.uk/data/assets/pdf\\_file/0006/412899/Area\\_25\\_-\\_Fleggburgh\\_to\\_Bure\\_Loop\\_Arable\\_Marshlands.pdf](http://www.broads-authority.gov.uk/data/assets/pdf_file/0006/412899/Area_25_-_Fleggburgh_to_Bure_Loop_Arable_Marshlands.pdf)

Noise is an important aspect of tranquillity. Schemes should seek to address this, but the provision of noise barriers would be detrimental to the iconic landscape viewing potential along this route. There could be scope for low noise surfacing.

- Surface water

Put simply, changes to the Acle Straight could result in more impermeable surfaces that would lead to a greater volume of surface run off to wash more pollutants off the road surface. The sensitive habitats nearby could be adversely affected by pollutants.

Any changes to the Acle Straight would need to address increased risk of flooding at that point as well as elsewhere by implementing sustainable drainage or SuDS and considering potential hazard to water quality from the surface runoff. Where any SuDS are proposed it is important to demonstrate that the SuDS hierarchy has been followed both in terms of:

- surface water disposal location, prioritised in the following order: disposal of water to shallow infiltration, to a watercourse, to a surface water sewer, combined sewer / deep infiltration (generally greater than 2m below ground level),
- the SuDS components used within the management train (source, site and regional control)

The CIRIA SuDS Manual C753 (2015) reviews how to design sustainable surface water drainage from highways and explains how to design for water quality issues. Additional measures to address accidental spills will also need to be considered.

The Acle Straight is almost entirely within an IDB area and so the Water Management Alliance should be consulted early. If infiltration is not favourable, they should be consulted to establish if surface water drainage discharge to a managed network would require consent.

The Environment Agency should also be consulted with regard to water quality and any particularly sensitive receptors nearby as well as in relation to strategic flood risk and any mitigation required to compensate for any floodplain affected.

- Light pollution

The Authority's Dark Sky Report (2016)<sup>53</sup> shows that the Acle Straight has good quality dark skies, with the western end in particular having very good quality dark skies<sup>54</sup>. Any schemes need to be assessed in line with policy x. See Light Pollution Policy.

- Walkers, cyclists and horse riders

Changes to the Acle Straight offer the opportunity to improve provision for walkers, cyclists and horse riders and provide new facilities. The Integrated Access Strategy has an aspiration for a shared use path along the length of the Acle Straight, which would provide a new link to enable non car journeys between Acle and Great Yarmouth.

- Interpretation and appreciation

The route is a tourist route as well an access route. Changes to the Acle Straight could include provision of parking laybys, allowing people the opportunity to appreciate the iconic landscape. The Authority would expect these areas to have no impediment to view, as well as the provision of interpretation points. This provision would add to the visitor experience of the Broads in this area.

<sup>53</sup> [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0007/757402/Broads-Authority-Dark-Skies-Study-March-20161.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0007/757402/Broads-Authority-Dark-Skies-Study-March-20161.pdf)

<sup>54</sup> The readings taken along the Acle Straight were all over 20 arc magnitudes per second with those to the western end of the Acle Straight in particular being over 20.5 arc magnitudes per second.

- HLF scheme

The Broads Landscape Partnership has received an earmarked grant of £2.6m from the Heritage Lottery Fund (HLF) through its Landscape Partnership (LP) programme for the Water, Mills and Marshes project. The project aims to enrich and promote heritage sites in the area between Norwich, Great Yarmouth, Lowestoft, Acle and Loddon, unlock the benefits of this distinctive landscape for local people and give them the skills to protect it as a legacy for future generations.

Iconic drainage mills on Halvergate marshes, an area which boasts one of the greatest concentrations in Europe, will be documented and renovated through a Heritage Construction Skills training scheme.

Delivery of the HLF project is set for 2018 to 2022. At the time of writing the Local Plan, the actual results of the scheme and their impact on the landscape in the Halvergate Marshes area is not known. The changes to the area will be an important consideration for any proposals to change the Acle Straight.

- Heritage assets

One listed building, Stracey Arms Drainage Mill, is located immediately adjacent to the Acle Straight. The impacts of changes on this heritage asset will need to be addressed. There are also numerous other intervisible (seen from each perspective) drainage mill structures both Nationally and Locally listed collectively forming the largest grouping in the UK, all of which contribute to the Historic character of the drained marshland. The Norfolk HER<sup>55</sup> contains many records relating to the area both in terms of archaeology and built form, an example being the World War 2 defences that remain in situ on the marshes.

The special historic interest of Halvergate marshes is particularly significant as a constantly evolving cultural landscape. That evolution is illustrated by numerous remnant structures, landscape and archaeological features that collectively contribute to the historic significance of the area. Historic England has recognised this significance in terms of undiscovered archaeology and identified the Broads as an area of *exceptional potential for waterlogged heritage*. Fundamentally, because of the soil conditions in the Broads, there is great potential for archaeology to be well preserved giving an insight into the past. See policy x on which relates to archaeology.

Virtually the whole of the Acle Straight corridor lies within the Halvergate Marshes Conservation Area, a designated Heritage Asset characterised by the cultural landscape and the features within it.

The Authority would expect that the historic significance, including potential archaeological significance of the area, is fully assessed and analysed in any proposal for changes to the Acle Straight. The historic environment is a finite resource and once lost cannot be replaced. The Authority therefore expects that any adverse impact on the historic environment, either built, landscape or archaeological, is kept to an absolute minimum, and any adverse impact resulting from change is fully assessed and can be justified in line with the tests set out in section 12 of the NPPF. Furthermore, where justification for harm can be made, then any impact or harm should be mitigated, including improvements to existing features.

- Practicalities

The current route has various pinch points bounded by river on one side and railway on the other. These may mean that any improvements cannot be fitted 'on-line' and a wider route choice corridor has to be considered. This could have immense implications on the landscape, history and ecology and could alter the attitude of the Authority to any proposals. Constraint scoping needs to be undertaken very early in the process.

#### Comments received at the Issues and Options consultation

<sup>55</sup> <http://www.heritage.norfolk.gov.uk/>

**Great Yarmouth** and **South Norfolk Councils** support dualling of the Acle Straight. General support for a criteria based policy with realistic criteria. **Great Yarmouth Borough Council** was keen to promote the benefits such a scheme could bring.

#### Alternatives and Sustainability Appraisal Summary

- Preferred Option: Rates positive against most of the environment objectives. Question marks form some social and economic objectives as whilst this policy is not saying that changes cannot go ahead, it does raise issues that need addressing which need to be considered as changes are worked up. With regards to tourism, changes could impact what people come to experience in this area, but equally if there are improved journey times this could be appreciated by tourists.
- No policy. No policy does not mean that these issues will not be addressed. But there is scope for changes to the road to come forward in the timeframe of this Local Plan. With this being the only Trunk road that passes through the Broads, it seems prudent that there is a policy which sets out the local issues that need to be addressed. This option was not taken forward as the Authority wishes to set out what it thinks are important considerations early on in order to inform any preparatory surveys or design work.
- Allocate site for dualling. Such a policy would still set out criteria similar to the Preferred Option so would rate the same. However, without an agreed scheme design it is not clear how much land is needed for any future dualling. Furthermore, dualling could not come forward in the plan period. Indeed the Preferred Option is wider than solely dualling – it refers to changes to the Acle Straight, including the safety improvements the Government have promoted for the road. This was not taken forward as the precise land take for the scheme is not known yet. For example, it is not known where parking laybys will be located and it is not known what kind of junction treatments will be proposed.

#### Evidence used to inform this section

#### Monitoring Indicators

##### **Policy PODM25: Recreation Facilities Parking Areas**

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

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

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

- Recreation facility is readily accessible from the parking area
- The parking area is of an appropriate and commensurate size for the facility it serves
- High quality design of surface, landscaping and boundary treatments
- Safe access and visibility into and out of the parking area can be achieved
- Avoiding harm to the sensitive designated habitats and species in the vicinity
- Avoiding harm to the local landscape
- Address light pollution

#### Reasoned Justification

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

In order to improve facilities that provide tourism and access benefits, there are some circumstances where provision of parking facilities is essential and in others desirable. For example, canoes and boats tend to be



transported to slipways by a motor vehicle so the canoeist/boater requires somewhere to leave their vehicle and trailer. Equally, the provision of a new facility like a footpath (such as the Wherryman's Way) may result in increased car use by people wanting to get to the path, as bus services may not drop off near to the access point.

Proposals are required to consider how users will access the facility and consequently where modes of transport will be parked. When deciding on the location of a recreation facility, its accessibility by public transport, cycle and walking is a key consideration. If a car needs to be used, opportunities for utilising existing parking in the vicinity of the facility with the agreement of the landowner should be explored.

Parking areas will need to be designed in a way that is acceptable in the Broads. They also do not need to be immediately by the particular attraction. A short walk from the car park to the access point is acceptable. Parking areas will also need to meet the safety requirements of the Local Highways Authority. Of relevance are the policies on landscaping in particular. See **policy x**.

Of importance will be the policy on light pollution as the areas to which this policy may apply could generally be in more rural areas.

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

#### Comments received as part of the Issues and Options consultation:

*None*

#### Alternative Options and Sustainability Appraisal Summary

- Preferred Option: Generally positive for many environmental objectives as well as health and tourism.
- No policy. Not having a policy does not mean that such parking areas will not be provided. A policy provides emphasis on the importance of such parking areas as well as criteria to help suitable delivery. The Authority is aware that leaving vehicles at such areas is an issue and therefore considers the provision of parking areas important.

#### Evidence used to inform this section

#### Monitoring Indicators

- Parking areas provided as part of relevant applications/schemes.

## 18 The Broads Economy

### Economy

The Authority is in the process of commissioning work to better understand the economy and employment needs of the Broads. It is intended that the final version of this research will inform the publication version of the Local Plan.

Below are the comments received from stakeholders and the public in response to the consultation on the Issues and Options version of the Local Plan.

#### **Question 6: Do you have any further thoughts on the economy and employment needs of the Broads?**

##### Comments received as part of the Issues and Options consultation Local Plan

*General support the retention of redundant boatyards or boatyard buildings for commercial/employment use before the consideration of alternative uses. Another option could be to prepare a 'criteria based policy'. It would be better to encourage a wide diversity of uses and/or businesses rather than a derelict site which could then be vandalised and become an eyesore. Some considered it important to direct employment uses to sustainable locations. Any development on waterside sites needs to consider moorings (including residential), slipways and consider windshadow. Evolution Town Planning provided some detailed comments in relation to Somerleyton Marina.*

## 19 Sustainable Tourism

### Policy POSP9: Sustainable Tourism

The creation, enhancement and expansion of high quality and inclusive tourism attractions, and tourism infrastructure will be supported in accordance with the policies within this Local Plan where this would enhance the understanding and enjoyment of the special qualities of the Broads, enhance the existing tourism offer, benefit the local economy and be of a suitable scale and type for its location. Particular emphasis is placed on improving the quality of existing visitor accommodation/attractions and the need to broaden the range of accommodation/attractions provided.

The tourism base in the Broads will be supported, widened and strengthened by:

- i) Encouraging an appropriate network of tourism and recreational facilities throughout the system;
- ii) Protecting against the loss of existing tourism and recreation facilities;
- iii) Supporting diversification of tourism where economically and environmentally sustainable; and
- iv) Promoting low-impact tourism which seeks to protect or enhance the special qualities of the Broads which visitors come to see or experience.

Tourism and recreational development (including holiday accommodation) should be of an appropriate scale and will be directed to appropriate locations where the environment, infrastructure and facilities support such development and can accommodate the visitor impact. Proposals should be of a suitable scale, and type to protect the character of the townscape and landscape. Consideration should be given to use of brownfield sites where feasible.

Where tourism development seeks to attract more than a small-scale or local level of visitors, it must be accessible by means other than the private car, be located at strategic positions throughout the area where it can be accessed by water and/or land, and be linked to settlements.

Where a proposal is not readily accessible by public transport, then it will be supported where it relies on a specific geographical resource or contributions are made to improve accessibility and it complies with the emerging policies as a whole in the Local Plan.

The Authority will seek to ensure adequate levels and types of infrastructure and facilities to support development taking into account factors such as accessibility, water quality, sewer capacity, seasonal impacts.

Development proposals for visitor accommodation and visitor attractions that would have an unacceptable adverse impact on the National Park's special qualities will be refused.

#### Reasoned justification

National and regional policies support the promotion of tourism as a key element of the economy, subject to the limits of sustainability.

The World Tourism Organisation and United Nations Environment Programme define sustainable tourism as *'tourism that takes full account of its current and future economic, social and environmental impacts, addressing the needs of visitors, the industry, the environment and host communities'*. The potential for tourism and recreation in the Broads is immense. The Broads attracts more than 7 million visitors a year. Boating, cycling, canoeing, fishing, heritage, walking and wildlife-watching are just some of the ways visitors and those living here enjoy the area. It must be noted that the leisure sector is a fast-changing industry and the patterns and popularity of uses will alter over time. It is the role of the Local Plan to guide the location and development of sustainable tourism.

The term ‘tourism and recreation development’ also covers holiday accommodation.

One of the three key purposes of the Broads Authority is to promote understanding and enjoyment of the Broads, but it needs to strike the right balance between this and conservation and navigation interests. Tourism brings more than £400 million into the local economy every year but it needs sensitive management to make sure the fragility of this special landscape is not adversely affected.

The Authority encourages quiet forms of recreation on land and water, based on the area’s distinctive beauty, culture, traditions, history and wildlife. In other words, it supports tourism and recreation that does not damage the Broads’ environment, or other people’s enjoyment of it. It is vital to ensure that enjoyment of the area is combined with an awareness and understanding of the special qualities of the Broads.

The economic viability of the Broads’ tourism industry relies on a healthy and attractive environment and opportunities to engage in a range of appropriate recreational activities. Water-borne tourism is considered to be the largest contributor to the Broads’ economy.

The Broads Authority adopted a Tourism Strategy and Destination Management Plan<sup>56</sup> for the Broads in 2016. The Strategy includes a comprehensive assessment of tourism in the Broads including the tourist offers, the economic impact of tourism and areas where it can be improved. The Strategy is also supported by primary evidence in the form of an attitudes survey of Broads tourism businesses. The vision for sustainable tourism in the Broads in 2020 as set out in the Strategy is *‘working together effectively to provide a brilliant visitor experience of a unique National Park, delivering year round benefits to the local economy – through engaging and supporting local businesses and protecting, enhancing and celebrating the special natural and cultural heritage of the Broads’*.

The Strategy identifies the following key principles:

- Pursuing sustainable growth
- Achieving more year-round visitor spending
- Focussing on conservation and environmental management
- Promoting and living up to the National Park status
- Spreading benefits to all parts of the Broads
- Providing a National Park for all
- Working in partnership

The three key objectives that are the drivers of the Strategy are:

- Objective 1: Creative promotion. To raise awareness of the Broads as a unique wetland National Park based on its waterways, heritage, landscapes and wildlife
- Objective 2: Captivating products. To strengthen the variety, distinctiveness and quality of the Broads tourism offer, capable of generating visits throughout the year
- Objective 3: Supportive management. To stimulate and manage the flow of visitors around the Broads with consequent benefits for communities and the environment

Shops, pubs, restaurants, moorings, water and electricity and boating supplies are used by local communities as well as visitors. These services are all part of the essential infrastructure of a holiday destination.

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

<sup>56</sup> [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0012/769773/Sustainable-Tourism-in-the-Broads-2016-20-May-2016.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0012/769773/Sustainable-Tourism-in-the-Broads-2016-20-May-2016.pdf)

Initiatives that foster improvements to tourism will include consideration of their accessibility. Small-scale highways improvements may be a requirement to enable economic regeneration to occur. There is a need for improvements to be made to the cycle network around the Broads and also to access by modes other than the private car, and new development could provide the opportunity to assist these.

Access to a number of the main tourist destinations in the Broads can be realistically achieved only by the use of the private car. However, future medium-sized and major development should only be located where alternative means of access can be provided as part of the development, e.g. by water, close to train stations or bus stops.

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

The role of land-based accommodation in supporting the tourism and leisure economies in the Broads is increasingly being recognised and there is a need for further development to support this. Such accommodation can help to replace the bed spaces lost by the decline in the hire boat fleet, as well as offering alternative ways to enjoy the Broads and encouraging diversification of the tourism base. Policies will permit development to provide land-based accommodation for holiday use subject to satisfaction of criteria set out in other Local Plan policies, and to include adequate access, infrastructure, provision of local facilities and appropriate scale and design.

#### Reasonable alternatives and Sustainability Appraisal Summary

- Preferred Option: Positive against many environmental, social and economy objectives.
- No Policy: Not having a policy does not mean that these issues will not be addressed. However considering how important tourism is to the economy and also reflecting the special purposes of the Broads Authority, it is prudent to have a policy on tourism.
- Keep original policies from Core Strategy (CS9, 11, 12, 19, 21): The general thrust of each of these current Core Strategy policies would result in similar scoring as the Preferred Option. However, the Preferred Option generally combines the thrust of all of the existing policies.

#### **Policy PODM26: Sustainable Tourism and Recreation Development**

##### a) General Location of Sustainable Tourism and Recreation Development

New tourism and recreational development (including holiday accommodation) will be permitted where it is:

- i) within or adjacent to a defined development boundary, as defined on the Policies Map, or
- ii) is closely associated with an existing visitor attractions/tourism site, group of holiday dwellings, boatyard, public rights of way network or established sailing or similar club.
- iii) it can be satisfactorily accessed by sustainable means, including public transport, walking, cycling, horse riding or by water

Tourism and recreational facilities in the open countryside will be permitted only where there is a clear and demonstrable need for the facilities to be situated in the open countryside and where they:

- iv) Are in accordance with the policies in this Local Plan
- v) Do not involve a significant amount of new built development;

- vi) Do not adversely affect, and wherever possible contribute positively towards, the landscape character of the locality;
- vii) Do not result in an adverse effect on the integrity of a protected site or protected species; and
- viii) The demand for the proposed tourism or recreation facility is not already met in more sustainable locations.

The requirement to demonstrate a need to be located in open countryside does not apply to farm diversification development to provide tourist accommodation.

Intensive tourism and leisure uses, including static caravans, will not normally be permitted on greenfield sites.

**b) Principles of Sustainable Tourism and Recreation Development**

Proposals for new tourism and recreation development, including within existing sites or attractions will be positively supported where:

- ix) The levels of activity or use would not cause unacceptable adverse effects on the natural and historic environment, would not impact on local transport movements, would not detract from the experience of visitors or adversely affect the character, appearance and amenity of the area either individually or cumulatively or affect the amenity of the community;
- x) They contribute towards a sustainable future for the Broads' local economy and communities.
- xi) They support the improved health and wellbeing of people living, working and visiting the Broads through the benefits of recreation and experience of tranquillity.
- xii) They safeguard the existing access network, including public rights of way, and access land; and provide enhancements where opportunities arise.
- xiii) They respond to opportunities to improve the quality and viability of existing recreation and tourism businesses, through appropriate restoration, extension, expansion or diversification and development proposals make use of existing buildings, where appropriate;
- xiv) It would bring regeneration benefits particularly through the redevelopment of previously developed land
- xv) They are of a scale compatible with their location and setting
- xvi) would support the continued viability of rural businesses;
- xvii) the facilities proposed will provide opportunities for visitors to increase their awareness, understanding and enjoyment of the special qualities of the Broads;
- xviii) is demonstrated that any proposed on-site facilities or ancillary buildings are necessary
- xix) It is located in accordance with section a) of this policy.
- xx) The proposals is for agricultural diversification that is of an appropriate scale and type in rural areas

The Authority will support a year-round visitor economy, through the relaxation or removal of seasonal planning restrictions, where appropriate, while ensuring the facility remains for visitor use.

**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 utilise 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 strategic policy seeks to support, widen and strengthen this tourism base by encouraging a network of tourism and recreational facilities, protecting against the loss of existing services and supporting the diversification of tourism.

Visitors are attracted to the Broads predominantly by the beautiful wetland landscapes and the opportunities for sailing, motor-boating, canoeing, angling, bird-watching and other recreational pursuits such as walking, cycling and horse riding. The tourism economy of the Broads is therefore heavily dependent



on the quality of the natural environment and inappropriate development proposals, including for intensive tourism and leisure uses, are capable of detracting 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 tourism strategic policy directs tourism and recreational development to appropriate locations which have the necessary infrastructure and facilities to support such development. The settlements of the Broads provide the greatest potential for accommodating additional visitor numbers without detriment to the environment. These locations are also amongst the most accessible by public transport. Accordingly, to ensure the special qualities of the Broads are protected for future generations while maintaining the economic benefits of tourism, the Authority will support new tourism and recreational development in or adjacent to defined settlements and on existing tourism sites.

Proposals for new tourism and recreation facilities outside these areas will need to be accompanied by a statement that demonstrates why the proposed facility needs to be located in the open countryside 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 in the open countryside 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 on those habitats or species.

#### Reasonable alternatives and Sustainability Appraisal Summary

- Preferred Option: Positive against many SA objectives in all categories.
- No Policy: Not having a policy does not mean that these issues will not be addressed. With tourism such an important element of the economy as well as the special qualities of the Broads, it is prudent to have a local tourism policy.
- No change to DP14: The general thrust of DP14 would score in a similar way to the Preferred Option. The Preferred Option however expands on DP14 emphasising more issues that proposals need to consider.

#### **Policy PODM27: Holiday Accommodation – New Provision and Retention**

New holiday accommodation will be permitted where:

- a) It complies with the approach to locations for tourism and recreation development as set out in Policy x;
- b) It will be for holiday use for short stay occupation on a rented basis and not used as a second home or for the main residence of the occupiers;
- c) It will be available for holiday lettings for a substantial period of the year and not occupied by the same people on a continuous basis;
- d) The applicant can prove that such a use will likely be viable in perpetuity; and
- e) A register of bookings is maintained at all times and is made available for inspection.

When permitting new holiday accommodation, the Authority will seek to ensure that it remains available for short stay occupation on a rented basis by attaching an occupancy condition to restrict the sale of the property on the open market or use of the property for year-round occupation or as a second home. Changes in the occupancy conditions from a holiday lettings unit to a second home or permanent residential will only be permitted where it can be demonstrated that the existing tourism use is no longer viable.

The Authority will also seek a variety of accommodation types where they are appropriate to their location.

The extension, intensification, upgrading or replacement of existing static caravan sites will only be permitted where:

- f) The proposal is in accordance with other policies of the Local Plan
- g) The proposal is compatible with the Landscape Character Assessment; and
- h) 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.

The conversion or redevelopment of hotels and guest houses to permanent residential accommodation will be resisted where it would result in the loss of more than five bed spaces available for holiday use unless it can be demonstrated that the existing tourism use is no longer viable.

Opportunities for appropriate relocation or redevelopment of existing visitor accommodation or related development which is currently resulting in harm to the special qualities will be encouraged.

#### Reasoned Justification

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

The policy seeks to secure and retain a supply of appropriately located tourist accommodation. The Authority will expect all new holiday accommodation to be available for lettings for at least nine months in any one year. To ensure that new holiday accommodation is used for tourism purposes that benefit the economy of the Broads, occupancy conditions will be sought to prevent the accommodation from being used as a second home or sold off on the open market. To ensure an adequate supply of holiday accommodation is retained, the removal of such a condition will only be permitted where the proposal is accompanied by a statement completed by an independent chartered surveyor which demonstrates that it is financially unviable or that any net loss of accommodation is necessary to allow appropriate relocation or redevelopment. Evidence of a robust marketing campaign of at least 12 months, for accommodation located within settlement boundaries, or of at least 24 months for accommodation located close to a geographically specific feature or a long distance footpath or outside of settlement boundaries, will be required that clearly demonstrates that there is no market demand for the premises. The Authority will need to verify the content of such a report and may need to employ external expertise to do so (The applicant will need to meet the cost of this).

Proposals to redevelop an existing hotel or guest house that would result in the loss of more than five bed spaces available for holiday use will also be expected to be accompanied by a statement completed by a chartered surveyor, demonstrating that the existing use is unviable. The threshold of 5 relates to the associated small scale employment that such sized operations result in. Cumulatively, the employees associated with operations of 5 or more can add up to a significant amount around the Broads.

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

Holiday homes that will be occupied as second homes are not considered as holiday accommodation for the purpose of this policy and are instead regarded as new dwellings.

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.

Comments received as part of the Issues and Options consultation

South Norfolk supports a general policy seeking to retain tourist facilities combined with the potential for additional policies for specific tourist attractions if considered necessary. Any policy will need to refer to and link with tourism initiatives across neighbouring Local Planning Authorities. It was emphasised that the BA needs to manage the balance between the importance of tourism to the local economy, and navigation and conservation. Norfolk County Council considered that no new policy is needed for sustainable tourism and existing policies would cover what is required from an economic development perspective.

Reasonable alternatives and Sustainability Appraisal Summary

- Preferred Option: Rates positively against many varied SA objectives.
- No Policy: Not having a policy does not mean that these issues will not be addressed. Because there is local pressure to convert some holiday accommodation to permanent as well as the Broads being an areas much visited by tourists who need somewhere to stay, such a policy is required.
- No change to DP15: The general thrust of DP15 would score in a similar way to the Preferred Option. The Preferred Option however expands on DP15 emphasising more issues that proposals need to consider.

Comments received as part of the Issues and Options consultation

**South Norfolk Council** would encourage sustainable tourism in the Broads Area as it would be good for the wider economy of South Norfolk. The provision of facilities for tourists e.g. public toilets needs to be carefully considered. Any policy will need to refer to and link with tourism initiatives across neighbouring Local Planning Authorities. **Inland Waterways Association** is keen to ensure the BA manages the balance between the importance of tourism to the local economy, and navigation & conservation. **Norfolk County Council** consider that no new policy is needed for sustainable tourism and existing policies would cover what is required from an economic development perspective.

Evidence used to inform this section

Monitoring Indicators for all tourism policies

## 20 Navigation

### **Policy POSP10: Navigable Water Space**

The water space will be managed in a strategic, integrated way and navigation and conservation interests will be maintained and enhanced.

Opportunities for the extension or creation of navigable/recreational water space will be promoted, subject to compliance with other policies in this plan.

Navigable water space will be protected and enhanced through:

- i) The careful design of flood alleviation/protection projects; and
- ii) Avoiding development and changes in land management which are detrimental to its use.

Adequate water depths will be maintained for safe navigation, and the disposal of dredged and cut material will be carried out in ways that mitigate unavoidable adverse impacts on the environment. Beneficial use of dredgings will be expected. Opportunities for the disposal of dredged materials to enable the management of the navigation will be sought and promoted. Control of 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. Promotion of the recreational use of the Broads and the protection of navigation are two of the three statutory purposes of the Authority, and use of the water is one of the key attractions for Broads' visitors. This will be maintained and protected, and development that would have an adverse impact on the enjoyment of navigable water space will not be permitted.

There is considerable pressure in certain areas on the use of water space for navigation, recreation and nature conservation purposes. Its management requires an integrated approach, based on levels of use and importance, and suitability and potential for different uses.

Improvements for people and wildlife can be achieved, as evidenced at Barton Broad. The Authority will work with partner bodies and local communities, taking a valley-wide approach to develop integrated management.

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

Parts of the rivers and broads are subject to periodic dredging to keep the waterways open to navigation, not only for the Authority but also for owners of private water space who require planning consent for disposal. Historically, the dredgings have been disposed of on land when ecological gain and agricultural benefits could be derived. Dredging is guided by local and national legislation.

Silt resulting from bank erosion is a recurring issue, with a number of causes. Once the causes have been addressed, action must be taken to restore and protect banks. The Authority provides advice to landowners on appropriate riverbank stabilisation<sup>57</sup> methods, encouraging the use of natural or 'soft' engineering techniques wherever possible.

<sup>57</sup> <http://www.broads-authority.gov.uk/planning/Planning-permission/design-guides/river-bank-stabilisation>

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

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

Of relevance to this policy is **policy x** on Excavated Material.

#### Comments received as part of the Issues and Options consultation

#### Reasonable alternatives

#### Sustainability Appraisal Summary

#### Evidence used to inform this section

#### Monitoring Indicators

### **Policy PODM28: Access to the Water**

Developments that support and encourage the use of waterways, including the provision of supporting infrastructure for navigation, such as the construction of jetties and walkways and the provision of electric hook up points, will be permitted 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; and
- d) Are consistent with the objectives of protecting and conserving the Broads landscape and ecology, including the objectives of the Water Framework Directive;
- e) Would not prejudice the current or future use of adjoining land or buildings.

Proposals incorporating staithes or slipways will be permitted where:

- f) 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
- g) Access and other highway requirements for cars and trailers would be adequately provided for (in line with policy x).

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, offering 200km of boating on lock-free tidal rivers, approximately 1,974 hectares of water space and 63 permanently open water bodies. A key objective underlying the designation of the Broads is to protect the interests of navigation and to maintain the navigation area for the purposes of navigation to such standards as it

requires. Closely aligned to this is the Authority's responsibility to enable people to enjoy the Broads. To this end, 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>58</sup>.

Accordingly, development proposals that support and encourage the use of waterways will be permitted where they would not have a detrimental impact on public safety on land or water or an unacceptable impact on other people's enjoyment of the Broads. Proposals should also be consistent with the objectives of the Water Framework Directive and with protecting and conserving the Broads landscape and wildlife. In particular, if a proposal is considered likely to have an effect on internationally designated sites, it will need to be considered in accordance with the Conservation of Habitats and Species Regulations 2010 (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 X 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 to ensure that the use of waterways for this purpose does not affect the special qualities of the Broads. Consequently, proposals for infrastructure to support the greater use of the waterways by freight will be permitted provided that they do not have an adverse impact on landscape character, biodiversity, tranquillity or other people's enjoyment of the Broads.

#### Comments received as part of the Issues and Options consultation

#### Reasonable alternatives

#### Sustainability Appraisal Summary

#### Evidence used to inform this section

#### Monitoring Indicators

#### **Policy PODM29: Riverbank stabilisation**

Development proposals that include riverbank stabilisation will be permitted where the need can be fully justified and it can be demonstrated through the submission of the Riverbank stabilisation Checklist for Design that the proposal has been designed to take account of:

- a) The nature of the watercourse;
- b) The scale of tidal range;
- c) Safe navigation;
- d) The character of the location;
- e) Existing uses in the area;
- f) Future maintenance of the riverbank stabilisation method proposed;
- g) The effect on European and priority biodiversity habitats and species; and
- h) The requirements of the Water Framework Directive.

Soft engineering techniques shall be used as a first preference where appropriate.

Permission for the piling of banks will only be permitted where:

- i) There is a proven need to prevent bank erosion by this method; or
- j) The site is within an established settlement where piling is part of the character of the area; or
- k) 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.

<sup>1</sup> English National Parks and the Broads: UK Government Vision and Circular (2010) – Defra



- l) The piling works are required for:
  - i) navigation purposes;
  - ii) compliance with the Water Framework Directive;
  - iii) the prevention of diffuse pollution to the water environment; or
  - iv) flood defence.

Mooring on banks that have been piled may not necessarily be permitted. Where mooring is permitted, the number of craft allowed 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 also expensive to repair and the sediment that enters watercourses increases the amount and frequency of dredging required to maintain adequate water depths for navigation. The careful design of new or replacement bank edging is therefore crucial for protecting the special landscape character and conservation value of Broads habitats and for maintaining the navigation area to the required standard.

The wide variation in depth, width, boating activity, tidal ranges and bank construction on different river sections in the Broads mean that no one riverbank stabilisation solution will be suitable for the whole area. The appropriate technique will also depend on the objective behind the bank protection. To help design proposals for riverbank stabilisation, the Authority has produced, consulted on and adopted guidance and design checklist<sup>59</sup>. Accordingly, development proposals that include riverbank stabilisation need to be accompanied by a completed Riverbank stabilisation Checklist for Design that provides justification for the choice of bank protection solution in relation to the issues listed in the policy and guidance.

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

#### Comments received as part of the Issues and Options consultation

##### Reasonable alternatives

##### Sustainability Appraisal Summary

##### Evidence used to inform this section

##### Monitoring Indicators

#### **Policy POSP11 Mooring Provision**

**The provision of a range of additional short term visitor moorings will be encouraged in order to ensure that visitor moorings are available in appropriate locations and where they are most needed, where they**

<sup>59</sup> <http://www.broads-authority.gov.uk/planning/Planning-permission/design-guides/river-bank-stabilisation>

contribute to the management of a safe and attractive waterway, and in settlements where services and facilities are available.

**Policy PODM30: Moorings, mooring basins and marinas.**

In accordance with the Integrated Access Strategy new moorings will be permitted where they contribute to the network of facilities around the Broads system in terms of their location and quality.

Proposals for new moorings, mooring basins and marinas, including changes to existing provision will be permitted where it can be demonstrated through the submission of a Bank Stabilisation Pre-application Questionnaire<sup>60</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;
- d) Existing uses in the area;
- e) Future maintenance of the mooring method proposed;
- f) The effect on European and priority biodiversity habitats and species; and
- g) The requirements of the Water Framework Directive

Other important considerations include:

- h) They would be located where they or their use would not have a negative 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 adversely affect the amenity of adjoining residents.

In addition, proposals for development at or within commercial mooring basins or marinas<sup>61</sup> should:

- l) Not result in the loss of moorings available for visitor/short stay use;
- m) Not have an adverse effect on European habitats or species and meet the requirements of the Water Framework Directive;
- n) Provide new short stay moorings (visitor, tidal, de-masting as appropriate) at not less than 10% of total new moorings provided with a minimum provision of two provided at nil cost to the Broads Authority. These moorings shall be provided on-site but in exceptional circumstances the Authority may consider off-site contributions to any type of mooring.
- o) Make adequate provision for car parking, waste and sewage disposal and the prevention of pollution;
- p) Provide for the installation of pump-out facilities (where on mains sewer) unless there are adequate alternative facilities in the vicinity; and
- q) Provide an appropriate range of services and ancillary features, unless there is access to local facilities within walking distance.

The Authority supports the provision of electric hook up points where appropriate, subject to the impacts associated with their construction and operation not being unacceptable (for example illumination and location of electricity supply).

(Note: Refer to <http://planningguidance.communities.gov.uk/blog/guidance/water-supply-wastewater-and-water-quality/water-supply-wastewater-and-water-quality-considerations-for-planning-applications/> for information on pollution prevention measures)

<sup>60</sup> [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0010/703882/Mooring-design-Pre-application-questionnaire.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0010/703882/Mooring-design-Pre-application-questionnaire.pdf)

<sup>61</sup> Please note that we are looking into a definition for these terms.

### Reasoned Justification

This policy applies to private and public moorings. In the Broads, mooring types traditionally fall under the following definitions:

- **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.
- **Visitor/Short Stay Moorings:** A mooring that is specifically designated to enable boats to stop-off or stay for short periods while cruising, usually for a maximum, specified period. This type of mooring is usually occupied by different visiting vessels in succession (not necessarily continuously). A charge may or may not be made for the use of visitor/short stay mooring.
- **Casual/Informal Moorings:** A mooring where boats moor on a casual basis, anywhere along a river bank, for a short period of time. These do not generally require the benefit of planning permission.
- **Commercial Moorings:** A mooring (usually in a mooring basin or marina) used by a commercial operator on a commercial basis, where boats may be moored for long or short periods between cruising. The vessels may or may not be in the ownership of the commercial operator.
- **Tidal 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.

(Note: Residential Moorings are addressed separately under Policy X)

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 however important to ensure that mooring basins and marinas are only provided 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 can lead to congestion and overcrowding on the rivers. New moorings will therefore only be permitted where they would not have a negative impact on navigation, for example in an off-river basin or within a boat yard.

The analysis undertaken as part of the Integrated Access Strategy<sup>62</sup> 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. Consequently, to encourage the use and enjoyment of the waterways and to support the valuable contribution made by tourism to the local economy, the Authority will ensure that development proposals for commercial basins and marinas do not result in the further loss of moorings available for visitor use. Proposals for new commercial basins and marinas will also be expected to make an appropriate provision for new visitor moorings.

With regards to the requirement for 10% or two short stay moorings (whichever is greater), the preference is to deliver these short stay moorings on site. 'On site' does not have to be part of the development site; it could be elsewhere in an appropriately accessible and suitable part of the marina or boatyard.

<sup>62</sup> <http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/conservation-publications-and-reports/water-conservation-reports/49.-Integrated-Access-Strategy.pdf>

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 of 10% or two moorings 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.

Furthermore, to aid in the delivery of the 10%/two moorings requirement, the Authority is willing to consider seasonal usage of moorings. A boatyard or marina may have moorings that they only need to use in Winter but could allow to be used for short stay moorings as per the policy requirements in the peak season (April to October). If this is the case, the Authority would expect a provision of three part-time moorings or two full-time moorings.

With regards to where the moorings would be delivered, paid for by the off-site contributions, the Integrated Access Strategy would be the starting point but there could be other opportunities to deliver moorings that come about outside this strategy.

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

The Authority has produced, consulted on and adopted a Moorings Design Guide, which sets out considerations for different types of moorings.

There are other policies of particular importance to proposals for new or reconfiguring moorings:

- The Safety by the Water policy sets out what the Authority requires in relation to egress from the water and life rings, etc.
- The Boat Wash Down policy is of importance in relation to biosecurity and antifouling paint.
- Peat and Archaeology policies.

Comments received as part of the Issues and Options consultation

Reasonable alternatives

Sustainability Appraisal Summary

Evidence used to inform this section

Monitoring Indicators

## 21 Housing

### **Policy POSP12: Residential development**

Development will be located to protect the countryside from inappropriate uses to achieve sustainable patterns of development, by concentrating development in locations:

- i) With local facilities;
- ii) With high levels of accessibility; and
- iii) Where previously developed land is utilised.

Housing will only be permitted elsewhere where it is necessary, and subsequently retained, in connection with rural enterprises or to provide affordable housing where local need has been demonstrated in District Councils' or local housing needs surveys.

A contribution from housing development towards the provision of affordable housing will be sought.

#### Reasoned Justification

The policy approach will be to prevent development beyond settlements other than in exceptional circumstances, or which accords with the Authority's statutory purposes. Development within settlements would be permitted only where it meets criteria covering issues such as flood risk, satisfactory provision of infrastructure and design.

This policy sets a strong policy presumption against housing development outside settlements; this accords with the protected status of the area and its risk of flooding.

The provision of affordable housing is a key issue in local communities, particularly in rural areas where sites appropriate for development may be limited or may fail to meet sustainability criteria. In the Broads, this is exacerbated by the limited availability of land due to flood risk and the demand for second/holiday homes that inflates land and property prices, and is a disincentive for the provision of lower cost housing.

The requirement for a percentage of properties within a development to be 'affordable' is an established mechanism used by planning authorities to achieve provision of social housing. This mechanism, however, is not easily applied within the Broads, as development is of a small-scale, and often individual properties. Larger sites that trigger such a requirement come forward rarely.

Developers are encouraged to use Rural Housing Enablers to carry out Local Housing Needs Surveys where affordable housing contributions for local need will be sought.

#### Comments received as part of the Issues and Options consultation

##### Reasonable alternatives

##### Sustainability Appraisal Summary

##### Evidence used to inform this section

##### Monitoring Indicators

### **Policy PODM31: New housing in the Broads Authority Executive Area**

#### a) Meeting the Objectively Assessed Housing Need

The Authority will endeavour to enable housing delivery to meet its objectively assessed housing need throughout the plan period.

The Authority will allocate land in the Local Plan to provide 212 net new dwellings.

To meet the remaining requirement of 44 dwellings to 2036, which falls within that part of the Broads in the Borough of Great Yarmouth, the Authority will work with Great Yarmouth Borough Council to address housing need.

b) The type of new homes

The size and type of homes for each proposal will be based on up-to date evidence of local needs. A suitable mix will be determined through liaison with housing authorities and rural housing enablers where applicable.

c) Spatial Strategy

To facilitate sustainable development across the Broads Authority Executive Area, development proposals should accord with the spatial strategy as set out below. The spatial strategy aims to ensure that communities across the Broads Authority Executive Area continue to thrive so that they are economically resilient, environmentally sustainable, socially mixed and inclusive. The Authority will direct development to meet the amount of housing as set out in this policy to the following locations:

- i) Three brownfield sites at Pegasus in Oulton Broad, Utilities Site in Norwich and Hedera House in Thurne as detailed in the site allocation section of this Local Plan.
- ii) In relation to windfall, those areas with development boundaries as detailed in policy x.
- iii) Other areas which meet the requirements as set out in policies x, x, and x.

Reasoned Justification

The NPPF states at paragraph 47 *'to boost significantly the supply of housing, local planning authorities should (inter alia) use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period'.*

The Broads Executive Area is part of three separate Housing Market Areas (HMA):

Housing Market Area	Districts in the HMA	Strategic Housing Market Assessment (SHMA) progress
Central Norfolk	North Norfolk, South Norfolk, Norwich, Broadland, Breckland	Completed 2015
Great Yarmouth	Great Yarmouth	Completed 2013
Waveney	Waveney	Ongoing

As most of the Broads Authority Executive Area is within the Central Norfolk Housing Market Area, that Strategic Housing Market Assessment<sup>63</sup> (SHMA) calculated the Objectively Assessed Housing Need for the entire Broads Area. The Objectively Assessed Housing Need (OAN) for the Broads is shown in the following table. Appendix x gives more detail in relation to the methodology used and the findings of the study. The OAN is for the period 2012 to 2036.

Part of the Broads in...	Objectively Assessed Housing Need	Annual average from 2012 to 2036
Broadland	57	2.4
Great Yarmouth	69	2.9
North Norfolk	103	4.3
Norwich	3	0.13
South Norfolk	37	1.5

<sup>63</sup> A SHMA is a study which identifies housing need for an area. See Appendix x – Objectively Assessed Housing Need for more detail. Please note that this is being updated at the time of writing and the next version of the Local Plan will incorporate the findings of the updated study.



Waveney	51	2.1
<b>Total:</b>	<b>320</b>	<b>13.33</b>

On the issue of meeting the objectively assessed need, the NPPF at Para 47 says Local Planning Authorities should ‘*use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, **as far as is consistent with the policies set out in this Framework**, including identifying key sites which are critical to the delivery of the housing strategy over the plan period*’

It is important to note that The NPPF places great weight on the status of the Broads:

- Paragraph 14: Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless... specific policies in this Framework indicate development should be restricted.
- Footnote 9: For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.

In deciding how to address housing need, the Authority needs to balance the demands of meeting the needs and protecting the Broads. As such, the housing need for the Broads is met in the following ways:

i) Completions between 2012 and July 2016

District	Housing Market Area	Number of dwellings completed
Broadland	Central Norfolk	0
North Norfolk	Central Norfolk	21
Norwich	Central Norfolk	40
South Norfolk	Central Norfolk	108
Great Yarmouth	Great Yarmouth	8
Waveney	Waveney	1
Total		178

ii) Allocations within this Local Plan

Policy	Location	Housing Market Area	Approximate number of dwellings
Policy x: Utilities Site	Norwich	Central Norfolk	120
Policy x: Pegasus Site	Oulton Broad	Waveney	76
Policy x: Hedera House	Thurne	Great Yarmouth	16
Total			212

iii) Cooperating with Great Yarmouth Borough Council

As the **table in Appendix x** shows, the housing need has been exceeded in the Central Norfolk and Waveney Housing Market Areas. However there is a residual need in the Great Yarmouth Housing Market Area for 44 dwellings. Great Yarmouth Borough Council, in their representations to the Issues and Options consultation, stated that they do not consider it appropriate for the Broads to be obliged to meet the housing need in the Great Yarmouth area because of the special qualities of the Broads. They have already included the whole of the Borough, including that part within the Broads, in their assessment of the Borough’s housing needs.

They are keen for the Memorandum of Understanding that has been signed to stay in place, and continue the arrangement that while the Borough will endeavour to meet the whole of its needs outside the Broads, any housing development coming forward in the Broads part of the Borough is counted towards delivery

against the Borough's needs. Through the Duty to Cooperate, Great Yarmouth Borough Council will deliver the residual 44 dwellings.

Because the Broads Authority is not the Housing Authority, we will work closely with our districts (who undertake this function) to determine the type of housing that needs to be delivered in a certain area.

The Spatial Strategy is the overall framework for guiding development across the Broads Authority Executive Area, determining in what broad locations and settlements different kinds of development will be encouraged or restricted. It offers the most sustainable way to accommodate housing in the Broads as:

- it makes the best use of previously developed land;
- it places new residents in close proximity to jobs, shops, leisure and cultural facilities and public transport nodes, to support sustainable lifestyles; and
- it regenerates some of the more run down areas around the Broads

Other policies in this Local Plan set out the detail relating to meeting the Spatial Strategy.

#### Comments received as part of the Issues and Options consultation

Some district councils would accept the implications of a smaller total allocation if it proved impossible to identify sufficient viable sites without significant environmental impact. The Environment Agency emphasised that when considering how to address housing need for the Broads area, it will be essential to ensure that compliance with the flood risk Sequential Test can be demonstrated. Great Yarmouth Borough Council considers that the constraints and special qualities of the Broads mean that it is unlikely to be desirable to provide significant housing within the Broads. There is therefore no need for the Broads Local Plan to provide for that part of its 'objectively assessed need' relating to the Great Yarmouth Borough part of the Broads. That is not to say that there will not be opportunities for housing development in the Broads that would benefit the local community, provide environmental enhancements, or strengthen the sustainability of settlements. Some residents expressed support for Option 1, Housing requirement of zero to reflect special qualities and characteristics of the Broads. The Residential Boat Owners' Association were keen to emphasise the contribution that residential boats can make to the supply of housing which does provide an alternative, diverse and affordable solution in appropriate locations.

#### Reasonable alternatives

#### Sustainability Appraisal Summary

#### Evidence used to inform this section

#### Monitoring Indicators

### **Policy PODM32: Affordable Housing**

#### a) Provision outside development boundaries

Affordable housing developments outside defined development boundaries (rural exception sites), as defined on the Proposals Map, will be permitted where:

- i) Most of the proposed dwellings would be affordable;
- ii) There is an identified local need for affordable housing;
- iii) The need cannot be met within the boundaries of the adjoining local authority's part of the Broads settlement or elsewhere within established settlements in the Broads; and
- iv) The development would be in a sustainable location with adequate access to local services and facilities.

#### Provision within development boundaries

For residential developments within a defined development boundary, as defined on the Policies Map, contributions towards affordable housing provision will be sought in accordance with adopted standards

of the relevant District Council, including thresholds, level (%) of contribution, house types/mix and tenure, and having regard to evidence provided by Council surveys and research, including Council waiting list data.

b) Size, type and tenure

The size (number of bedrooms), type (flat, house) and tenure (social or affordable rented, intermediate, shared ownership or other) of affordable homes for each proposal will be based on up-to-date evidence of local needs. A suitable mix will be determined through liaison with the applicant, parish council, relevant housing authority and rural housing enablers where applicable.

c) Delivery of affordable housing

Affordable housing shall be provided as completed dwellings built to an agreed standard on site or through contributions to be transferred to a Registered Provider or other provider approved by the Broads Authority (in liaison with relevant Housing Authority) at nil land costs plus the financial contribution to build out the units. Financial contributions in lieu of on-site provision will only be acceptable in exceptional circumstances. The layout and design of affordable housing will be appropriately integrated into each development to assist the management by registered providers where necessary.

The Authority will only consider reducing the requirement for the proportion of affordable housing on a particular development site, or amending the tenure mix where:

- v) Alternative provision is agreed between the Broads Authority, applicant and Housing Authority and is assessed through a site-specific viability assessment (using a recognised toolkit) and the conclusions are accepted by the Authority; or
- vi) An accepted independent review of development viability finds that alternative provision on viability grounds is justifiable; and
- vii) The resultant affordable housing provision would ensure that the proposed development is considered sustainable in social terms through its delivery of housing mix.

d) Planning Obligations

To secure all affordable housing in perpetuity, the Authority will seek a planning obligation from the developer to ensure that:

- viii) The permitted dwellings are affordable in perpetuity by being offered for initial and successive occupation at an affordable or social rent or low-cost shared ownership;
- ix) The management of the dwellings is undertaken by a local authority, Registered Provider or other suitable body such as a parish or village trust; and
- x) Initial and successive occupation of the permitted dwellings is restricted to people with strong local connections and who need to live in the immediate area.

e) Starter Homes

Starter homes will be required in line with national policy.

Reasoned Justification

The NPPG notes that affordable housing need is based on households “*who lack their own housing or live in unsuitable housing and who cannot afford to meet their housing needs in the market*”.

It is accepted that the Broads Authority defers to the affordable housing policy of our constituent districts as this gives consistency across a district. Furthermore, as the Authority is not the Housing Authority, we work closely with our Districts who do undertake the housing function for our area. The current adopted levels of affordable housing for our districts are set out in Appendix X.

The NPPF definition of affordable housing will apply in implementing this policy.

- Offsite provision

Financial contributions in lieu of on-site provision will only be acceptable in exceptional circumstances, where the Authority is satisfied that an element of affordable housing either could not practically be accommodated on site, or if it can be demonstrated that on-site provision would be unviable. In all cases, planning obligations will be sought to ensure an appropriate contribution to affordable housing is secured.

- Assessing viability

The independent review process will require the applicant to submit a development appraisal (to include a prediction of all development costs and revenues for mixed use schemes) to an Authority-appointed assessor, who will produce an alternative appraisal for comparison by the Authority. The independent review shall be carried out entirely at the applicant's expense. Where little or no affordable housing would be considered viable through the appraisal exercise, the Authority will balance the findings from this against the need for new developments to provide for affordable housing. In negotiating a site-specific provision with the applicant, the Authority will have regard to whether or not the development would be considered sustainable in social terms.

- Information to accompany an application

Developers advancing specific proposals that incorporate an element of affordable housing should submit an affordable housing statement alongside their application. This should provide information on the number of affordable residential units, the mix of affordable units in terms of type, tenure (intermediate/ social rented) and size (number of bedrooms and gross floor space), and the arrangements for managing the affordable housing units. Where the proposal comprises affordable housing on a site outside the development boundary, this statement should also provide information to demonstrate that the local need for affordable housing cannot be met within the development boundaries of the adjoining local authority's part of the Broads settlement or elsewhere within development boundaries in the Broads.

This statement is also required to explain and justify the layout and location of the affordable housing element of a scheme. The Authority expects applications to liaise with Registered Providers and the Housing Teams of the relevant district council to get advice and recommendations regarding the layout (although the Authority will be the determining body).

- Using planning obligations

To ensure all affordable housing remains affordable to the local community in perpetuity, planning obligations will be sought to ensure that the initial and successive occupation of the dwellings is restricted to people with strong local connections and who need to live in the immediate area. This will include people who need to live in the Broads as a result of their current employment and existing residents needing separate accommodation in the area (for example people in housing need due to sub-standard, overcrowded or otherwise unsuitable accommodation).

- Providing affordable housing

The Affordable Housing policy states that 'Most of the proposed dwellings would be affordable' when referring to affordable housing schemes outside of development boundaries. This is in keeping with the NPPF definition for rural exception sites: *'small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant funding'*.

How 'most' is defined will reflect the specifics of the scheme but it is expected that the majority of a scheme will be affordable housing. The market housing element of rural exception sites is to enable the development of affordable houses. Applications need to fully justify the proposed market housing element

(the split between market and affordable) of rural exception site schemes via an assessment. See ‘assessing viability’ section of the reasoned justification to this policy for more information.

- Delivering affordable housing in the Broads

Delivery of affordable housing in the Broads will be difficult. There is a limited supply of suitable sites in the Broads for housing to meet local affordable housing need due to the protected landscape of the area, the extent and severity of flood risk and the remoteness of many sites from facilities and public transport. The high demand for second/holiday homes, which inflates land and property prices and provides a disincentive for the provision of lower cost housing, exacerbates the difficulties in meeting the need for affordable housing in the Broads.

Over the last ten years, applications for dwellings have tended to be in the region of on average x dwellings per application<sup>64</sup> (according to an assessment of the Authority’s planning applications as set out in the Housing Topic Paper)<sup>65</sup>. A new Government policy has been introduced that says affordable housing and tariff style contributions should not be sought on sites of 10 units or less, and which have a maximum combined gross floor space of 1,000 square metres. Presuming that the current trend of size of housing applications continues (windfall), it is unlikely that affordable housing will be delivered through windfall schemes.

Turning to the large scale allocations and applications, Pegasus (Oulton Broad, 76 dwellings) and Ditchingham Maltings (108 dwellings) are of a scale that triggers the affordable housing policies of Waveney and South Norfolk district respectively. However, a clawback mechanism is in place. The Clawback Mechanism is included as a Schedule in the S106 Agreement document. It is worded and calculated so that the Council will receive 33% of the difference between the agreed ‘base price’ of the scheme and the final ‘sale price’ of the scheme. This mechanism allows a development to proceed where in the current economic situation it cannot sustain an affordable housing contribution, but it ensures that the District Council will get an affordable housing contribution if market/economic conditions improve before the development is built out/ completed. It is basically a safeguard mechanism to avoid development being thwarted by an inability to make S106 contributions but which will protect District Councils from losing out if the economic situation improves before the development is completed.

- Starter Homes

According to the Housing and Planning Act (2016)<sup>66</sup> “starter home” means a building or part of a building that—

- a) is a new dwelling,
- b) is available for purchase by qualifying first-time buyers only,
- c) is to be sold at a discount of at least 20% of the market value,
- d) is to be sold for less than the price cap, and
- e) is subject to any restrictions on sale or letting specified in regulations made by the Secretary of State (for more about regulations under this paragraph, see section 3).

The Act goes on to say that “an English planning authority must carry out its relevant planning functions with a view to promoting the supply of starter homes in England” and “local planning authority in England must have regard to any guidance given by the Secretary of State in carrying out that duty”. The Act also defines the various elements to starter homes.

<sup>64</sup> This excludes the applications relating to large scale allocations as set out in the 2014 Sites Specifics Local Plan, some of which have been rolled forward to this new Local Plan.

<sup>65</sup> xxx

<sup>66</sup> [http://www.legislation.gov.uk/ukpga/2016/22/pdfs/ukpga\\_20160022\\_en.pdf](http://www.legislation.gov.uk/ukpga/2016/22/pdfs/ukpga_20160022_en.pdf)

A technical consultation relating to Starter Homes ended in May<sup>67</sup>. In this consultation, the Government discuss various elements of starter homes including thresholds and percentage requirements. As the publication version of the Local Plan is produced (after the Preferred Options consultation) we will make sure we are aware of any regulations that are produced by the Government in relation to starter homes.

- Habitats Regulations Assessment

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

**Question 7:** There might be circumstances where more than half of the affordable dwellings on a rural exceptions site (outside of development boundary) are needed as open market to provide grant-free cross-subsidy. We currently propose to say '**most** of the proposed dwellings would be affordable'. Do you have any thoughts on the wording of this part of the policy? What are your reasons for your comments?

Comments received as part of the Issues and Options consultation

*South Norfolk and Broadland District Council in general support deferring to their policies. Inland Waterways Association commented that given the Broads special situation, there may also be opportunities to provide innovative housing such as floating housing as deployed in Holland to contribute.*

Reasonable alternatives

Sustainability Appraisal Summary

Evidence used to inform this section

Monitoring Indicators

#### **Policy PODM33: Residential Development within Defined Development Boundaries**

New residential development will only be permitted within defined development boundaries and must be compatible with other policies of the Development Plan.

Development will be of a scale that is suitable and appropriate for the size of the site and settlement. Proposals need to avoid over development and retain and reflect the character of the area.

Outside the defined development boundaries, new residential development will not be permitted except in the circumstances defined in Policies xxxx.

Proposals for new residential moorings will be determined against Policy xxx.

Development Boundaries are identified on the policies maps for the following settlement areas:

a) Horning

b) Oulton Broad

In the light of the potential for archaeological remains in the area an archaeological survey may be required in advance of any grant of planning permission.

c) Thorpe St Andrew

d) Wroxham and Hoveton

Outside the designated village centre area retail uses will not be acceptable, in order to secure the continued viability and vibrancy of retailing in the village centre, and limit the spread of traffic congestion (see Policy

<sup>67</sup> <https://www.gov.uk/government/consultations/starter-homes-regulations-technical-consultation>



xx). Particular care will be taken to avoid uses which may generate excessive traffic on the minor roads of the area or in the village centre/bridge area, and to secure the retention of boatyard uses and related employment land.

#### Constraints and features

##### **a) Horning**

Flood risk (zones 1, 2 & 3 by EA mapping).

Conservation area.

Listed buildings.

Just across river from SAC, SPA, Ramsar Site, SSSI.

##### **b) Oulton Broad**

Area is within Oulton Broads Conservation Area.

High potential for archaeological remains in the area.

Flood risk (mainly zone 1, plus some 2 & 3, by EA mapping).

##### **c) Thorpe St Andrew**

Area is within Thorpe St. Andrew Conservation Area.

Flood risk (mainly zone 2, some zones 1 & 3, by EA mapping).

The bounded area includes safeguarded minerals (sand and gravel) resources, but the Minerals Planning Authority has advised this is unlikely to constrain the type and scale of development supported by the Policy.

##### **d) Wroxham and Hoveton**

Close to SPA and SAC.

Lies partly within Wroxham Conservation Area.

Flood risk (mainly zone 3 by EA mapping, and partly zones 1 & 2).

The SFRA shows almost all of the area is at risk of flooding.

Capacity of minor roads in the area.

#### Reasoned Justification

The purpose of a development boundary is to consolidate development around existing built-up communities where there is a clearly defined settlement where further development, if properly designed and constructed, would not be incongruous or intrusive because of the size of the settlement. Development Boundaries have twin objectives of focusing the majority of development towards existing settlements while simultaneously protecting the surrounding countryside.

Early in the evolution of the Broads Local Plan some consideration was given to the merits of not having development boundaries at all, but it was concluded that these could continue to be a useful tool in promoting sustainable development in the Broads.

Development is directed to areas with Development Boundaries as listed in the policy and defined on the Local Plan Policies Map. Development in these areas could be acceptable, notwithstanding other policies, constraints and other material considerations. It is important to note that just because an area has a Development Boundary, this does not mean that all proposals for development in the area are necessarily acceptable. A lot depends on the detail and location of the proposal. The sensitivities of the Broads in terms of biodiversity, landscape, cultural heritage and flood risk mean that careful consideration must be given to the appropriateness of developing a site, and each proposal will be determined against this and other policies of the Plan.

The areas with development boundaries are rolled forward from the 2014 Local Plan. To support the Authority's approach a Development Boundaries Topic Paper<sup>68</sup> and Settlement Study<sup>69</sup> have been produced. This work assesses the suitability of settlements for Development Boundaries and seeks to justify why the four areas (Horning, Oulton Broad, Thorpe St Andrew and Wroxham and Hoveton) have Development boundaries.

Development boundaries are also important for residential moorings. One of the key criteria of policy XX relates to the mooring being within or adjacent to a development boundary. The Authority also regards other areas as being suitable for residential moorings which do not have development boundaries. These are in Brundall (policy x), Horning (policy x), and Stalham (policy x). The areas covered by these policies are not deemed suitable for development boundaries to reflect constraints on the land, but are still accessible to services and facilities that make them suitable for residential moorings.

Some development proposals could be acceptable outside of Development Boundaries although this will depend on detail, constraints in the area and accordance with other adopted policies and the NPPF. See policies xxxxx

If a proposal is considered 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.

In most cases settlements in the Broads straddle the Broads boundary, and the greater part of the settlement lies within the neighbouring local planning authority's jurisdiction. Because of the national protection afforded to the Broads and the vulnerability to flooding of most of the Broads area (the boundary generally follows the edge of the flood plain) it will usually be the case that both the greatest need and greatest opportunity for development in any settlement straddling the boundary will be in that part of it outside the Broads. In assessing each of such settlements for Broads development boundaries, regard has been given to the treatment of the adjacent area by its local planning authority and although this is not considered determinative, it is a relevant consideration. In each case the approach to the settlement is complementary to the treatment of the adjacent area of the settlement outside the designated Broads area

Regarding the development boundary for **Horning**, the Broads part of the village is a substantial length of river frontage of varying character and a range of uses, including dwellings, shops, pubs, boatyards, etc. Trees, garden planting and lawns, and open areas make an important contribution to the character of the area. There is a significant range of local services including a number of shops, public houses, post office, recreation ground, primary school and pre-school, etc. A bus service runs about half hourly by day, and hourly in the evenings, to Wroxham/Norwich and Stalham. Although there are no significant undeveloped areas within the core of the village (apart from those important as open space, etc., and dealt with under other policies), there is some potential scope for incremental renewal and replacement development, subject to other policies on flood risk. The boundary drawn has been deliberately drawn tighter than in the Local Plan, specifically excluding the southern 'water gardens' plots area, the immediate riverside where this is currently un-built, and more generally excluding gardens, etc. to reflect the government's changed definition of previously developed land. For development proposals in Horning, of particular importance is policy x regarding water quality and Knackers Wood Water Recycling Centre constraints.

Regarding the development boundary for **Hoveton and Wroxham**, this combined area is one of the largest concentrations of development, population and services in the Broads. It has a range of shopping, employment opportunities, leisure and health facilities, etc., and relatively frequent rail and bus services.

<sup>68</sup> xxx

<sup>69</sup> [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0006/764475/Broads-Authority-Settlement-Study-no-hierarchy-in.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0006/764475/Broads-Authority-Settlement-Study-no-hierarchy-in.pdf)

Although there is little undeveloped land (aside from gardens and public spaces) there has long been a gradual renewal and replacement of buildings and uses within the area, and there are at present a limited number of derelict or underused sites ripe for redevelopment. The development boundary excludes areas identified as open space, and includes boatyards and other development on the south (Wroxham) bank. It also complements the Village Core policy (xxx) to continue the focus of retail and related development in the village centre. Parts of the area are at risk of flooding. The relevant Local Plan and National Planning Policy Framework Policies will apply, and a site flood risk assessment may be required to establish the degree of risk.

Regarding the development boundary for **Oulton Broad**, together with Lowestoft, the area has a wide variety of services, facilities and employment opportunities, and although most of these are at some distance from the area under consideration, there is a bus service here, and the distances involved make walking and cycling feasible options. The development boundary has been drawn to generally exclude the edge of the broad except where there is already significant built development, in order to discourage building on the waterfront for flooding and landscape reasons, and to encourage continuance of the overall level of trees and planting which provides an important part of the setting of the Broad and contributes to its value for wildlife. Parts of the area are at risk of flooding. The relevant Local Plan and National Planning Policy Framework Policies will apply, and a site flood risk assessment may be required to establish the degree of risk.

Regarding the development boundary for **Thorpe St Andrew**, only part of the south side of Yarmouth Road in Thorpe St Andrew is within the designated Broads area. Elsewhere Broadland District Council is the local planning authority and in this part of Thorpe St. Andrews is urban in character. Thorpe has itself a range of facilities and services, including employment opportunities, and good public transport links to, and within cycling distance of, the extensive facilities of Norwich. Although there are a range of buildings and uses within the identified boundary, in practice it is not anticipated that there will be a great deal of redevelopment in the foreseeable future, but the development boundary provides additional scope for some redevelopment if opportunities arises, subject to flood risk. This complements the identification of the Broadland District Council part of Thorpe St. Andrew as a growth location in the Greater Norwich Joint Core Strategy.

#### **Specific questions relating to the Development Boundary policy:**

The previous version of this policy (DP22) stated that development within development boundaries would normally be limited to no more than 5 dwellings and only more than 5 dwellings in exceptional circumstances.

It is not intended to carry forward this threshold. Instead, the policy emphasises the onus on the developer to prove that their scheme is suitable and appropriate for size of site and in relation to other policies in the Local Plan. Proposals need to avoid over development and retain and reflect the character of the area.

#### **Question 8: What are your thoughts on the removal of the 5 dwelling threshold?**

We are aware that some of the area included within the development boundaries is at risk of flooding. This has the potential to raise false hope to those wishing to develop within development boundaries and who could be turned down in relation to flood risk.

We propose to keep the development boundaries as shown on the draft policies maps (xxx) but display the Environment Agency Flood Risk zones on these maps. Flood risk is also emphasised within the reasoned justification for each settlement with a development boundary. Furthermore, development boundaries are also of relevance to other land uses, not just dwelling houses. For example development boundaries are of relevance to residential moorings.

**Question 9: What are your thoughts on the development boundary and flood risk issue?**

Alternative Options

**Additional Development Boundaries:** In general, many settlements were assessed in relation to the services and facilities on offer and this is set out in the Settlement Study.

One area which was being considered as having a development boundary was Stalham Staithe. This area generally scored well in the Settlement Study. This scoring however relies on the ability to cross the A149 using the pedestrian refuge as many facilities and services are fairly close to the Staithe area once the A149 is crossed. Regarding the pedestrian refuge, the following organisations were contacted:

- Local businesses operating in the staithe: Consider the route important for visitors to the staithe area to visit the town. The refuge could be improved. The time taken to get to the town centre could be around 12 minutes or so.
- Norfolk County Council Highways initial opinion: refuge appears to be well used and there have been no reports incidents at the refuge in the last five years (although the absence of such accidents does not necessarily indicate a route is safe). While Staithe Road is suitable for two way traffic in peak tourist season, the pressure for tourist parking could restrict its width. The other roads are all primarily single track lanes with little or no passing provision and not ideally suited to any material increase in traffic movements.
- Parish Council – The pedestrian routes between the refuge and the staithe and to the town are both very well used particularly in the summer months with more visitors to the Broads. Consider that the routes need to be improved to make more obvious to drivers on the A149 and to pedestrians who could use it.

Another consideration is the impact of development in the area on the character of the staithe. The Conservation Area Re-Appraisal is to be adopted by the end of the summer. Reflecting the work undertaken in relation to the re-appraisal:

- It is not clear where new development would go as the staithe area has seen much infill development
- The mixed land uses are part of the character.
- Community consider the area is at capacity and there is likely to be opposition to a development boundary in the area.

On balance, while the services and facilities in Stalham can be accessed by pedestrians using the pedestrian refuge, further development in the area has the potential to negatively impact the character of the area and also the highway network. As such, a development boundary for the Stalham Staithe area is not proposed to be taken forward.

**Employment sites directed to development boundaries:** An option considered during the Issues and Options consultation was to reinstate the 1997 Local Plan approach of development boundaries applying to residential and employment land uses. On reflection it was felt that this could stifle economy. There would likely be lots of exceptions e.g. boatyards and tourism development. The areas where the development boundaries are chosen are not necessarily appropriate for employment.

Comments received as part of the Issues and Options consultation:

*Norfolk County Council committed that reintroducing the approach from the 1997 local plan with development boundaries relating to employment development would be the preferred option from an economic development perspective. Evolution Town Planning committed that insofar as Somerleyton Marina are concerned the reintroduction of the approach taken in the 1997 Local Plan would only be acceptable if the earlier policy exception for 'certain circumstances relating to boatyards' was included. Broadland District Council note that there is no mention of 'Norwich' which forms part of the built-up area and the facilities within are accessible to nearby settlements with the potential for growth. Great Yarmouth*

*Borough Council: The Borough Council would be keen to liaise with the Broads Authority to ensure complementary development boundaries in settlements which straddle the shared planning boundary. A resident requested that the Broads Authority reinstate their plot to be included in the Local Plan as a development area, as it was before the Broads Authority took over this area.*

### **Sustainability Appraisal Summary**

Evidence used to inform this section

Broads Settlement Study: [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0006/764475/Broads-Authority-Settlement-Study-no-hierarchy-in.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0006/764475/Broads-Authority-Settlement-Study-no-hierarchy-in.pdf)

Development Boundary Topic Paper: xxxx

### **Monitoring Indicators**

Development is within Development Boundaries.

### **Policy PODM34: Gypsy, Traveller and Travelling Show People**

Development proposals for the provision of permanent or transit accommodation, or temporary stopping places, to meet the needs of Gypsies and Travellers and Travelling Showpeople will be supported where they meet a proven need, as identified by a Gypsy and Traveller Accommodation Assessment.

Development proposals that would have an unacceptable adverse impact on the special qualities of the Broads will be refused. Appropriate development and site applications will be allowed where they meet the following criteria.

- a) Avoid sites being over-concentrated in any one location or disproportionate in size to nearby communities.
- b) Well related to existing settlements and do not harm the character and appearance of the area.
- c) Within reasonable distances to facilities and supporting services.
- d) Are on brownfield (previously developed) land.
- e) There are no significant adverse impacts on the safe and efficient operation of the highway network.
- f) There is adequate provision for parking, turning and safe manoeuvring of vehicles within the site.
- g) Transit sites should be in close proximity to the main established travelling routes in the area.
- h) Have clearly defined physical boundaries and will be appropriately screened and landscaped and be capable of visual privacy.
- i) The site will not have any adverse effects on the setting of any heritage asset or any adverse impact on the character and appearance of the surrounding landscape.
- j) Permanent built structures in rural locations or on settlement fringes are restricted to essential facilities.
- k) There is sufficient amenity space for occupiers.
- l) The design, layout and density of the site are based on Government guidance in 'Designing Gypsy and Traveller Sites'<sup>70</sup> (or successor documents).
- m) Sites or pitches are capable of being provided with adequate infrastructure such as power, water supply, foul water drainage and recycling/waste management.
- n) Proposals do not cause unacceptable harm to the amenity of neighbouring uses and occupiers and the tranquillity of the area.
- o) Due regard has been given to all types of flood risk.
- p) Sites are not proposed which will impact on Natura 2000 sites.

Transit or temporary sites may have conditions applied relating to length of occupancy in consultation with the Housing Authority.

<sup>70</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/11439/designinggypsiesites.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/11439/designinggypsiesites.pdf)

Reasoned justification

The Broads Authority considers there is no need to allocate sites for Gypsy and Travellers in the Broads Authority Executive Area. The reasoning behind this stance is addressed in the accompanying Gypsy, Traveller and Travelling Show People Need Topic Paper. That being said, the Government's Planning Policy for Traveller Sites document states *'where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward. Criteria based policies should be fair and should facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community'*. This criteria-based policy enables the Authority to assess any applications that may come forward for such sites that may address the need of the Authority's constituent District Councils. The justification of each of the criteria in the policy is discussed below.

Sites in or near to existing settlements are prioritised. Such sites are generally more sustainable than those in remote areas, with better access to services and in particular education and health. The Authority's preference would be for well related sites located in and near to settlements classed as local service centres and above in the settlement hierarchy. The priority will be that access to services can be reasonably obtained so as to meet the day to day needs of the occupiers, recognising the differences in lifestyles, working patterns and transport preferences.

National planning policy encourages planning policies and decisions to encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.

Sites are required to have safe and convenient vehicular access and provide adequate car parking space. The development should avoid significant impacts on local roads and be well located to major routes.

The local topography and form of the landscape will affect the visibility of a Gypsy and Traveller site and will affect its ability to integrate into its surroundings. Some sites will be highly visible, and others more visually contained. The Broads is a protected landscape and sites should respect the scale of the environment, including the historic environment, be of a scale proportionate to the local community and be capable of visual privacy. Sites which allow appropriate natural screening will be considered more favourably. Other policies of the Local Plan are likely to be of relevance such as policy x on Landscape and Landscaping and policy x on Settlement Fringe. The Government's design guide for Gypsy and Travellers emphasises key elements necessary to design a successful site.

To meet the needs of occupiers, proposals need to be capable of being served by appropriate service infrastructure, including public and/or private water supplies and treatment works as appropriate (see policy x on sewage treatment).

In order to ensure sites provide a healthy and safe environment for occupiers, sites should not be located on contaminated land and avoid areas of unsuitable noise, air quality and major hazards such as pipelines. In line with adopted amenity, tranquillity and light pollution policies, the proposals should not have a negative impact on neighbours and tranquil areas as well as have appropriate lighting that should not add to light pollution.

Caravans and mobile homes are highly vulnerable to flooding. National and local policies dictate that sites should not be allocated in areas of high risk of flooding, including that of functional flood plains.

The Broads has a wealth of environmental assets and site locations must not compromise the objectives of any designated areas.



Any planning permission will include a planning condition or obligation to ensure that occupancy of the site is limited to persons able to demonstrate an essential need for the accommodation. When any temporary permission is granted, a planning condition will be attached or an obligation secured to ensure that the permission is for a limited time period, after which time the use shall cease and the land must be restored to its former condition, within a specified period.

#### Alternative Options

- No policy. Not having a criteria-based policy would be contrary to the Government's Planning Policy for Traveller Sites. There may be occasions where appropriate sites within the Broads may assist in meeting the need of the Authority's constituent Districts. Not having a policy would make assessing such applications difficult.

#### Comments received as part of the Issues and Options consultation:

*Some comments related to boat people. As discussed in the Topic Paper, the Authority does not consider those who live on boats to be Gypsy and Travellers. The Inland Waterways Association supported a criterion based policy but raised the issue of the necessary licensing.*

#### Sustainability Appraisal Summary

- Preferred Option: Positive on 10 objectives.
- No policy: Uncertain.

#### Evidence used to inform this section

- Criteria reflect the Government's Planning Policy for Traveller Sites as well as other topics addressed in the Local Plan.

#### Monitoring Indicators

- Sites or pitches approved meeting the requirements of this policy.

#### **Policy PODM35: New Residential Moorings**

Applications for permanent residential moorings will be permitted provided that the mooring:

- Is in a mooring basin, marina or boatyard that is within or adjacent to a defined development boundary and, if more than one residential mooring is proposed, the proposal is commensurate with the scale of development proposed for that settlement. Furthermore, that the mooring basin, marina or boatyard provides an adequate and appropriate range of services and ancillary facilities to meet the needs of the occupier of the residential moorings (for example potable water and electricity) or provides adequate access to local facilities in the vicinity;
- Would not result in the loss of moorings available to visitors/short stay use;
- Would not impede the use of the waterway;
- Would not have an adverse impact upon:
  - the character or appearance of the surrounding area from the use of adjacent land incidental to the mooring;
  - protected species, priority habitats and designated wildlife sites;
  - the amenities of neighbouring occupiers; or
  - bank erosion.
- Provides safe access between vessels and the land without interfering with or endangering those using walkways;
- Has adequate car parking and makes provision for safe access for service and emergency vehicles and pedestrians;
- Would not prejudice the current or future use of adjoining land or buildings;
- Makes adequate provision for waste, sewage disposal and the prevention of pollution; and

- i) Provides for the installation of pump-out facilities (where on mains sewer) unless there are adequate facilities in the vicinity.

All such development will meet the requirements of the Water Framework Directive.

(Note: Refer to <https://www.gov.uk/guidance/pollution-prevention-for-businesses> for information on pollution prevention measures)

#### Reasoned Justification

The high environmental quality of the Broads and wide range of opportunities it offers for boating make the area a popular location. As a consequence there is a significant associated demand for residential moorings. The provision of residential moorings must, however, be carefully managed to ensure that the special qualities of the Broads and their enjoyment are protected.

Tourism makes a valuable contribution to the local economy and a statutory purpose of the Broads is to provide opportunities for the understanding and enjoyment of the special qualities of the area by the public. To ensure there are sufficient facilities to allow visitors to enjoy the Broads, the Authority will therefore resist proposals for permanent residential moorings where they would result in the loss of visitor/short term moorings or boatyard services.

To ensure the occupants of houseboats have access to adequate facilities, such as education, recreation and other community facilities and services such as domestic waste collection, and to minimise impact of new development on landscape character, the Authority will require new residential moorings to be directed to mooring basins, marinas or boatyards in or adjacent to defined development boundaries. Proposals for residential moorings will be expected to be commensurate in scale with the size of the settlement as well as the level of residential development proposed for the settlement by the relevant Local Planning Authority.

Residential moorings that have the potential to affect a protected site or species will only be permitted where a project level Appropriate Assessment (under the Habitats Directive) can successfully demonstrate that there are no adverse effects on qualifying features on the site or a detrimental impact on the species.

In order to protect visual and residential amenity and to ensure that the use of residential moorings does not compromise public safety, where permission is granted for a new permanent residential mooring planning conditions and/or obligations will be used to secure agreements for the management of the mooring and surrounding land. The use of surrounding land for incidental purposes such as storage and seating can have a negative impact if incorrectly managed. Policy x provides guidance on the forms of development that will be permissible on the adjacent waterside environment associated with a mooring.

For the purposes of this policy, a residential mooring is one where someone lives aboard a vessel (which is capable of navigation), that the vessel is used as the main residence and where that vessel is moored in one location for more than 28 days in a year. The vessel may occasionally/periodically go cruising and return to base.

Proposals for residential moorings need to ensure they have adequately considered the following:

1. The technique/method of mooring the vessel. By being too tight, the vessel could list and by being too loose the vessel could float onto the landside of the quay heading or be cast adrift at times of flooding. Both scenarios have safety concerns relating to occupiers, possessions and other objects or vessels that could be hit by a loose boat.
2. A Flood Response Plan needs to be produced. While it is acknowledged that residential boats will float, the access to the boat could be disrupted at times of flood with the occupier effectively stuck on board the boat. What will the occupier do at times of flood? Will they have another way of escaping from the

boat or have supplies to help them sit out the flood? Which is the safest option? The Flood Response Plan will need to address these concerns.

3. Finally, how will the boat moored at the residential mooring itself be monitored at times of flood so it does not cause damage to other vessels and also prevent damage to the belongings on board (and indeed the boat itself).

The policy currently says ‘*within or adjacent to a defined development boundary*’. With regards to the element relating to adjacent development boundary, this currently is interpreted as adjacent to our development boundaries (see section x). There could be scope to also include development boundaries of our constituent districts. For example at Chedgrave, Acle and indeed Norwich there is no development boundary in the Broads part of those settlements, but not withstanding other policy considerations, residential moorings in these locations could have good access to important facilities and services such as shops and schools without relying on the private car.

**Question 10: Do you think residential mooring should only be considered adjacent to the Broads Authority’s development boundaries or if they are adjacent to a development boundary as defined by one of our constituent districts?**

Comments received as part of the Issues and Options consultation:

*RBOA and the IWA consider that appropriate residential moorings can support the viability of boatyards by maintaining regular income streams, regular need for boatyard facilities, maintenance, fuel etc and by providing affordable accommodation for boatyard operatives. Servicing of moorings is an important issue for all users and while supporting the provision of charging points it would be very useful would to explore the option of residential moorings using renewable energy sources. EA emphasised that where Local Plans contain policies relating to floating structures, they must be informed by the flood risk Sequential Test and Exception Test.*

Sustainability Appraisal Summary  
Evidence used to inform this section  
Monitoring Indicators

## 20.7 Floating Buildings

With much of the Broads prone to flood risk, there are limited areas for development of buildings. Floating buildings are used around the country and world in areas prone to flooding.

To date the Authority’s approach has been one of a presumption against such buildings. The Local Plan Issues and Options offers the opportunity to further consider the issue. Below are some issues that need to be considered in relation to floating buildings.

- Definitions

The adopted Development Management DPD defines **houseboats** as ‘*a static vessel or purpose-built structure with no form of mechanical propulsion, used or designed for residential purposes*’. These are different to residential moorings. Locally, houseboats are also called ‘flat-a-floats’.

**Residential moorings** are for boats used as someone’s sole or primary residence and allow them to stay long term – the boat can be moved so is not static like houseboats are. The boats that use residential moorings can be called ‘live-aboards’.

There are two types of **floating buildings**; permanently floating buildings and those that float only when flood waters swell, but sit on the ground during dry conditions.

Photos: Houses in Holland - on dry land, which floats if waters swell (left); floating on the water



- Broads Housing Need

While the Broads Authority does have a housing need, as discussed earlier in this section, the figure of 274 dwellings is to be adjusted for completions and then current allocations and permissions need to be considered. As such, the need for the Broads Authority is not likely to be 274 dwellings but considerably less. It could be that the residual need could be met on land or by our constituent district councils rather than on water. The contribution that houseboats and or/floating structures could make to meeting the housing need of the Broads is a matter to be developed through the production of the Local Plan.

- Design

There are some instances of house boats in the Broads. Many are quite basic in their appearance. They may add to the local character but equally, would the character of the Broads be affected by more of these types of houseboats or floating houses?

Design is an important aspect of all development in the Broads because of its special qualities. These special qualities are the reasons why people live in, work in and visit the Broads. If houseboats or floating buildings were considered appropriate in principle, the detail of the design will be an important consideration to determine if a scheme was acceptable. There could be potential for well designed, innovative and striking floating buildings in the Broads but design is a very subjective issue.

- Location

It is likely that the acceptable location of these floating buildings would be similar to if not the same as that of residential moorings - that is to say, locations where facilities and services often used by the community, such as GPs, shops and schools, are a walking distance from the proposed location. There are some locations in the Broads which have good access to services and facilities.

Another aspect of location is that of potential landscape impact. The sensitivity of the landscape to accommodate buildings of this type would need to be carefully considered. Not forgetting that adverse impact on navigation should be avoided.

- Function

How electricity, gas and freshwater are provided and foul water and waste disposed of in an appropriate way will be important considerations for any floating building. Furthermore, the user will likely want somewhere to park their car. Access to land will also be a consideration.

- Flood Risk

This is a major issue. National Policy seeks to avoid residential development in areas of high flood risk unless there is no other choice (sequential test) and can be made safe (exception test). That being said, by their

very nature such buildings will float. There are two types of floating buildings; permanently floating buildings and those that float only when flood waters swell, but sit on the ground during dry conditions. Such floating buildings are present elsewhere in the UK and elsewhere in the world.

- Uncertainty

There will be issues with interpretation of definitions:

- When is a boat a boat?
- When is a floating building a building?
- When is a floating building a boat?

- Houseboats - Need

The Housing and Planning Bill includes a requirement for Local Housing Authorities (a function carried out by our districts) *'to consider the needs of people residing in or resorting to their district with respect to the provision of (inter alia) places on inland waterways where houseboats can be moored'*. The Authority will monitor the Bill and work with Local Housing Authorities (our districts) on this issue.

### **Policy PODM36: Permanent and Temporary Dwellings for Rural Enterprise Workers**

Development of a new dwelling or a residential mooring for rural workers will only be permitted outside the defined development boundaries if:

- Satisfactory evidence is submitted that demonstrates an existing essential need for full time worker(s) to be available on site or nearby at all times for the enterprise to function properly;
- The need is arising from a worker employed either full-time or one employed primarily in the Broads in a rural enterprise;
- Evidence is submitted that demonstrates that the business has been established for at least three years, has been profitable for at least one of them, is currently financially sound and has a clear prospect of remaining so;
- The functional need cannot be met by an existing dwelling on the site or nearby and there has been no sale on the open market of another dwelling on the site that could have met the needs of the worker in the past three years;
- Where practicable and appropriate, first consideration has been given to the conversion of an existing building;
- The dwelling is commensurate in size and scale with the needs of the enterprise and the cost would be viable in relation to the finances of the enterprise;
- The dwelling is sited so as to meet the identified functional need and is well related to the existing buildings of the enterprise; and
- The proposal would not adversely affect protected species or habitats.

Should a new dwelling be permitted under this policy, the Authority will impose a condition restricting its occupation to a person solely or mainly employed in agriculture, forestry or a Broads related rural enterprise, as appropriate.

The removal of an occupancy condition will only be permitted in exceptional circumstances where it can be demonstrated that:

- There is no longer a long-term need for the dwelling on the particular enterprise on which the dwelling is located; and
- Unsuccessful attempts have been made to sell or rent the dwelling at a price that takes account of the occupancy condition.

Applications for a temporary mobile home, caravan or residential mooring for rural enterprise workers, will only be permitted if;

- Residential occupation would be for a period of up to three years;



- l) There is clear evidence that the proposed enterprise has been planned on a sound financial basis for the same period (or longer) which the application seeks permission for a temporary dwelling/residential mooring for;
- m) The functional need cannot be met by an existing dwelling on the site or nearby;
- n) In relation to temporary caravans and mobile homes, the proposed temporary dwelling would not be located in Flood Risk Zone 3;
- o) The temporary structure can easily dismantled or taken away; and,
- p) The proposal would not adversely affect protected species or habitats.

Any planning permission granted will specify the period for which the temporary permission is granted and the date by which the temporary dwelling/mooring will have to be removed. Successive extensions to a temporary permission will not normally be granted unless material considerations indicate otherwise.

After three years (or such other period as the temporary permission may be for), if there is no planning justification for a permanent dwelling, then the mobile home or caravan must be removed or, for a residential mooring, the vessel's residential use must cease.

#### Reasoned Justification

The erection of dwellings outside defined development boundaries has the potential to have a negative impact on the openness and special character of the Broads. Rural Enterprise dwellings outside development boundaries will require special justification for planning permission to be granted. The NPPF states that one such instance is when accommodation is required to enable agricultural, forestry and certain other full-time rural workers to live at, or nearby, their place of work.

For the purposes of this policy, the term 'rural workers' relates to those who work in agriculture, horticulture, forestry, tourism and boatyards and other enterprises which require a rural location. Any application would need to fully justify why it considers the dwellings to be linked to a rural enterprise.

While proposals which support the proper functioning of rural enterprises will generally be supported because of the contribution such enterprises make to the local economy, in order to protect the landscape character of the Broads essential workers dwellings will only be permitted where there is a demonstrable need for a full time worker(s) to live at, or very close to, the site of their work and this functional need cannot be met by an existing dwelling on the site or in the locality.

When judging locality, the Authority will take into account what the requirement of the business is for an employee to live nearby and what a reasonable distance to travel to the business is. This will vary on a case-by-case basis and an application should explain what distance is appropriate and why.

To ensure that this demand for a dwelling is likely to be sustained, proposals must be accompanied by evidence to demonstrate that the business has been established for at least three years, profitable for at least one of them, currently financially sound and has a clear prospect of remaining so. A business plan for the subsequent three years will assist in assessing the future prospects.

Any proposals to convert buildings to become a rural enterprise dwelling (criterion e) will be considered against the relevant conversion policies in the Local Plan. When looking at dwellings that already exist nearby (criterion d), properties available for rent need to be considered as well as those available to buy and it should be demonstrated what price the enterprise can reasonably afford.

Any new dwelling permitted under this policy will be restricted in size and scale to one which is commensurate with the needs of the enterprise to ensure that the proposal does not have an unacceptable impact on the special landscape character of the Broads. Furthermore, the cost of constructing the dwelling



in relation to what can be afforded by the enterprise is an important consideration as the erection of a dwelling should not affect the finances such that the enterprise would no longer be financially viable. Permitted development rights for future extensions and alterations may be removed in order to maintain control over the size of the dwelling, in the interests of protecting the landscape and local character.

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

Applicants should be aware that the Authority will use appropriate external expertise when necessary to assess the more technical information required to accompany proposals.

Where a new dwelling is permitted, the occupancy will be restricted by condition to ensure that it is occupied by a person, or persons currently or last employed working in local agriculture, horticulture, forestry, and other rural activities, or their surviving partner or dependant(s).

Due to changing farm practices, the vulnerability of the agricultural sector and potential decline in other rural businesses, there may be instances where a dwelling or mooring for a rural worker is no longer required. The Authority will only consider favourably applications to remove occupancy conditions where it can be demonstrated that there is no longer a need for the dwelling on the particular enterprise on which the dwelling is located, either due to changes in the nature of the business or because the business is no longer viable. Applications for the removal of occupancy conditions will also need to be accompanied by robust information to demonstrate that unsuccessful attempts have been made, for a continuous period of at least 12 months, to sell or rent the dwelling at a reasonable price which takes account of the occupancy condition, including offering it to a minimum of three local Registered Social Landlords operating locally on terms which would prioritise its occupation by a rural worker as an affordable dwelling, and that option has been refused. With regards to criterion J, unless there are special circumstances to justify restricting the dwelling to the particular enterprise where the dwelling is located, an occupancy condition is likely to allow occupation by other workers in the locality, in which case it should be considered whether there is other demand locally, and not just whether the demand for this particular enterprise has ceased.

Proposals for a temporary mobile home or residential mooring for rural workers will only be permitted for a period of up to three years. In order to protect the landscape character of the Broads, a planning condition will be attached to any permission to ensure that any mobile home or vessel is removed at the end of this three year period. The NPPG lists caravans and mobile homes for permanent occupation as a 'highly vulnerable' use. Accordingly, proposals to site a caravan or mobile home in an area defined as being within Flood Zone 3 will be contrary to the NPPG on flood risk.

Any new or converted dwelling needs to address the requirements of other policies in this Local Plan such as:

- The proposed dwelling needs to be sensitively designed and in keeping with its rural surroundings and will not adversely affect the setting of any heritage asset;
- The proposed dwelling will have satisfactory access; and,
- The proposed dwelling will be well landscaped, is sited to minimise visual intrusion and is in close proximity to existing buildings to meet the functional need of the business.

Comments received as part of the Issues and Options consultation:

*Broadland Council felt that the NPPF provides sufficient policy to address this issue but a short guidance note for determining planning applications may be of assistance also.*

#### Alternative Options

- No policy – using the NPPF instead would not assist DM Officers in assessing applications now provide detail for applicants to address in their applications. With the special qualities of the Broads Executive Area, a policy that is more detailed than the NPPF is deemed necessary by the Authority.
- Keep existing policy with no changes – the changes bring into the policy and reasoned justification some useful guidance and criteria for preparing and assessing such applications. With the special qualities of the Broads Executive Area, a policy that is more detailed than the NPPF and more detailed than the existing policy is deemed necessary by the Authority.

#### Sustainability Appraisal Summary

- Preferred Option: Generally positive although rates negative in relation to access to services and facilities as the very nature of the enterprise dwelling is outside of a development boundary.
- No policy: Uncertain on some but negative against the economy objectives.
- Keep existing policy: Generally positive although rates negative in relation to access to services and facilities as the very nature of the enterprise dwelling is outside of a development boundary.

#### Evidence used to inform this section

- PPS7

#### Monitoring Indicators

- Rural enterprise dwellings permitted in accordance (or otherwise) with this policy.

#### **Policy PODM37: Residential Annexes**

Any residential annexe is required to remain integral to the dwelling with which it is associated. The Authority will prevent its use as a separate dwelling by means of a planning obligation or condition.

In the countryside residential annexes will only be permitted where they are either an extension to the existing dwelling or through the conversion of an existing outbuilding. They will be subject to detailed design considerations as set out in other Local Plan policies. New detached buildings for use as annexes will be treated as new dwellings and will not be permitted.

#### Reasoned Justification

The creation of residential annexes to an existing dwelling can create a useful facility for the support and care of family members. With an increasingly elderly population and rising life expectancy in the area, there are an increasing number of people who, although capable of living relatively independently, would benefit from living close to relatives or carers who they can rely on for help and support. This need can often be met through the purchase of a nearby property. However, on some occasions it may be important for the carer or relative to be closer at hand to provide care and support at short notice. Residential annexes can offer a way of addressing this more immediate need.

Fundamentally, an annexe needs to be designed so that it will continue to be used as part of (integral to) the main dwelling, without creating an independent dwelling unit. This should include the option of absorbing the annexe back into the main dwelling accommodation if necessary, by the same or future occupiers.

There are two ways in which the Authority considers a residential annexe to be integral to the main property. Firstly, an annexe can be physically integral, which means it is attached to the existing building and also shares facilities (such as kitchen and bathroom) with the existing building. Secondly, an annexe can be functionally integral, which means that only a bathroom or kitchen is provided within the annexe and not both, with the existing building providing the other facility. If the annexe is physically attached to the main building then independent facilities (e.g. kitchen and bathroom) could be acceptable subject to a link being maintained between main dwelling house and annexe to ensure that they are not occupied as two separate, unrelated dwellings. In either case, it is acceptable for a residential annexe to have a separate entrance.

The provision of annexes in the countryside could lead to detrimental impacts on the environment and landscape. Unduly large or detached annexes can prove an economic and practical liability when vacated or when the property changes hands and this leads to pressure for the annexes to be separated off and occupied separately from the main dwelling. This can create sub-standard dwellings with inadequate standards of access, amenity and space and could result in pressure in the future to permit the annexe to be let or sold as an independent unit contrary to the objectives of sustainable development and contrary to other policies in the Local Plan.

As such it is usually preferable for annexes in rural areas to be in the form of extensions to existing dwellings, which are capable of serving the needs of the dependents, but which are easily integrated into the existing dwelling when no longer required.

Detached annexes in the countryside are more likely to be visually prominent and are often set in larger plots, thereby being more likely to be capable of being let or sold independently in the future. The conversion of existing outbuildings (such as garages) to annexes can be preferable to a new annexe being built. The conversion of a building is less likely to be visually intrusive and it is likely that a converted building can be returned to its original use when no longer required. However in some circumstances the conversion of existing buildings may still be undesirable, particularly if it would lead to the requirement for new outbuildings to be built or for the converted building to be substantially altered. An additional consideration will be the proximity of the outbuilding which it is proposed to convert to the main dwelling: The greater the distance between the two, the less the functional integration.

Any residential annexe will have planning conditions or obligations attached to the permission which could relate to the occupier(s) of the annexe or prevent use as an independent separate dwelling.

#### Alternative Options

- No policy. The Authority receives applications for annexes and there is currently no specific policy on this topic.

#### Comments received as part of the Issues and Options consultation

*None. Not included in the Issues and Options consultation.*

#### Sustainability Appraisal Summary

- Preferred Option: Generally rates positive.
- No policy: Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty

#### Evidence used to inform this section

- Officer knowledge and experience.

#### Monitoring Indicators

- Planning Applications permitted in accordance with (or otherwise) this policy.

### **Policy PODM38: Replacement Dwellings**

Replacement dwellings outside of the development boundary will be permitted on a one-for-one basis provided that:

- a) The scale, mass, height, design and external appearance of the replacement dwelling are appropriate to its setting and the landscape character of the location;

- b) The replacement would be located within the same building footprint as the existing dwelling or in an alternative location within the same curtilage, which would be at a lower risk of flooding or would provide benefits for landscape, wildlife or cultural ;
- c) The existing dwelling has a lawful residential use; and
- d) The existing dwelling does not make a positive contribution to the character and appearance of the area or has no historic, architectural or cultural significance making it worthy of retention.

Where permission is granted, conditions will be attached to ensure that the existing dwelling is demolished and removed from the site prior to or within 3 months of the replacement dwelling first being occupied.

#### Reasoned Justification

Applications for replacement dwellings often come forward where an existing dwelling is in disrepair.

Replacement dwellings of a scale, mass, height, design or external appearance that is inappropriate to their setting can, either individually or cumulatively, have a detrimental impact on the landscape character of the Broads and undermine the reasons for its designation. The replacement of dwellings outside defined development boundaries therefore needs to be managed in order to prevent development that would be unacceptable by virtue of its size, design or positioning.

Where the residential use has been abandoned, any proposals will be assessed against policies for new build residential dwellings. Dwellings recently destroyed by accident/fire will be eligible for replacement.

Replacement by a new dwelling of modern building and energy efficiency standards demands particular attention to design and siting to avoid harm to the landscape and character of the area.

The replacement dwelling should be sited on or close to the existing footprint of the building unless the benefits that may be achieved for flood risk, landscape character, wildlife or cultural heritage can justify the replacement dwelling to be sited in an alternative location. In such situations, locations that are inherently more sustainable will be favoured such as replacing a remote substandard dwelling in the open countryside with a dwelling in a nearby settlement.

The replacement dwelling should be of a similar scale, massing and floorspace as the original dwelling to avoid any adverse harm to landscape character and visual amenity; where existing dwellings have a net internal floorspace below 90sqm, the proposed replacement should not exceed 90sqm. In terms of this policy the 'existing dwelling' is the dwelling as it exists at the point of application to the Broads Authority.

Conditions will be attached to any permission granted to remove permitted development rights in relation to extensions on replacement dwellings less than 90sqm to ensure they are more affordable to local people.

For replacement dwellings larger than 90sqm, the 35% extension allowance should not be factored in to the proposals for the replacement dwelling as this would result in a considerably larger dwelling in terms of scale and massing than the existing dwelling on site.

A separate application would be required for any subsequent extension to the replacement dwelling (unless within permitted development rights) to ensure that the design does not adversely impact on the surrounding landscape or settlement character, and the amenity of neighbouring occupiers.

A condition will also be attached to any planning permission to ensure that where the existing building is not demolished prior to construction, it is removed from the site prior to the replacement building being occupied or up to 3 months after first occupation for family homes.

If a proposal is considered in the context of Policy DP24 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.

Of relevance to this proposals for replacement dwellings is policy **x** on water quality and policy **x** on flood risk.

#### Comments received as part of the Issues and Options consultation:

#### Sustainability Appraisal Summary

#### Evidence used to inform this section

#### Monitoring Indicators

##### Housing for Older People

The NPPG says ‘older people have a wide range of different housing needs, ranging from suitable and appropriately located market housing through to residential institutions (Use Class C2). Local planning authorities should count housing provided for older people, including residential institutions in Use Class C2, against their housing requirement. The approach taken, which may include site allocations, should be clearly set out in the Local Plan.’

Older people in housing are included in the Objectively Assessed Need as calculated in the Central Norfolk SHMA. However, those in Class C2 are not included.

According to the Central Norfolk SHMA, the institutional population (older people residing in care homes) is projected to increase by 4,551 persons between 2012 and 2036 in the Central Norfolk SHMA authority areas (North Norfolk, Norwich, Broadland, South Norfolk, Breckland). The OAN as set out previously in this section does not include this figure. It does not necessarily follow that all of this need should be provided as additional bedspaces in residential institutions in Use Class C2.

It is important to note that the Government’s reform of Health and Adult Social Care is underpinned by a principle of sustaining people at home for as long as possible, thereby avoiding expensive hospital and care home services. Therefore, despite the ageing population, current policy means that the number of care home and nursing home beds required may increase proportionately more slowly than the number of older people, as people are supported to continue living in their own homes for longer.

If bedspaces in residential institutions in Use Class C2 are counted within the housing supply (to meet the target/need) then the increase in institutional population aged 75 or over would need to be counted as a component of the housing requirement (in addition to the assessed OAN). If these bedspaces are not counted within the housing supply, then there is no need to include the increase in institutional population as part of the housing requirement.

Additional to the conclusions of the Central Norfolk SHMA, Norfolk County Council is developing a comprehensive Housing Strategy Framework, due to be completed in 2016:

- To encourage housing with support as a solution to preventing people requiring more intensive institutional care
- To encourage greater self-reliance within supportive communities
- To develop the most cost effective solutions to meet care outcomes
- To offer a range of options within the constraints of Norfolk geography and demography
- To support the objectives of integrating health, social care and housing policy

Great Yarmouth Borough and Waveney District may have a small number of older people needing Class C2 use properties in the Broads part of their area which the Central Norfolk SHMA has not calculated. This will add to the housing requirement. Through the Norfolk Strategic Framework Housing Group, the county-wide approach to addressing older people housing will be agreed<sup>71</sup>. The Authority will also work with Waveney District Council as their SHMA is produced. We will continue to monitor evidence and discussions and address accordingly in future versions of the Local Plan.

#### **Policy PODM39: Custom/self-build**

The Authority encourages developers of multi-dwelling sites to set aside part of their scheme for custom/self-build plots.

Custom/self-build dwelling proposals will be considered in accordance with other policies in the Local Plan on the location of new dwellings.

#### Reasoned Justification

The term 'self-build' or 'custom-build' is used when someone obtains a building plot and then builds their own home on that plot. The majority of work can be completed by the future occupiers, or the future occupier could take the role of project manager and employ professionals to deliver their plans. Such homes can be built as a one off or on a community basis. The Government wants to enable more people to build their own home and wants to make this form of housing a mainstream housing option.

It is important to understand that self-build/custom-build schemes are still required to meet the policy requirements in local plans as well as national policy and guidance. The schemes are still subject to the same constraints as developer delivered dwellings and the policy refers to this.

Some councils are looking into policies that require a certain percentage of a larger development to be set aside for custom/self-build. The Authority is not likely to receive applications for large scale development, but the policy does encourage developers to set aside plots for custom/self-build plots.

In accordance with policy x, custom/self-build development is directed to settlements with development boundaries. Custom/self-build proposals in rural areas will be determined in line with other policies in this Local Plan.

#### Custom/self-build register

Since April 2016, the Authority has a register<sup>72</sup> in place where those wishing to build their own homes can register their interest. At the time of writing there were 41 individuals interested in building their own home. However, it is important to note that the register covers four Local Planning Authorities who are working together: South Norfolk, Breckland, King's Lynn and West Norfolk and the Broads Authority. When assessing the register it seems that, in the vast majority of cases, individuals have stated that they wish to develop in the Broads as well as in another district; there are few, if any, individuals expressing a desire to develop in the Broads alone.

#### Draft regulations

The Housing and Planning Act came into force in 2016 and sets out further clarifications and requirements in relation to self and custom build. One regulation that has come out of the Act (albeit in draft format at the time of writing) relates to the duty to grant planning permission within three years of a base period and the potential to charge fees for administering the register.

<sup>71</sup> At the time of writing, further work to look into the topic of housing for older people was being discussed across the Norfolk Local Planning Authorities. The Authority will seek to be involved and any progress will inform the publication version of the Local Plan.

<sup>72</sup> <http://www.broads-authority.gov.uk/planning/Other-planning-issues/self-build-and-custom-build-register>



Comments received as part of the Issues and Options consultation

**South Norfolk Council** prefers a combination of Option 2 and Option 3 – plots on allocated sites and requiring housing sites over a specified size to require a specified proportion of plots to be delivered as serviced plots for custom build. Bearing in mind the potential demand, even a twin track approach might not suffice to deliver sufficient plots.

Sustainability Appraisal Summary

Evidence used to inform this section

Monitoring Indicators

DRAFT

## 22 Design

### Policy PODM40: Design

All development will be expected to be of a high design quality. Development should integrate effectively with its surroundings, reinforce local distinctiveness and landscape character and preserve or enhance cultural heritage. Innovative designs will be encouraged where appropriate.

Proposals will be assessed to ensure they effectively address the following matters:

- a) **Siting and layout:** The siting and layout of a development must reflect the characteristics of the site in terms of its appearance and function.
- b) **Relationship to surroundings and to other development:** Development proposals must complement the character of the local area and reinforce the distinctiveness of the wider Broads setting. In particular, development shall respond to surrounding buildings and the distinctive features or qualities that contribute to the landscape, streetscape and waterscape quality of the local area. Design shall also promote permeability and accessibility by ensuring ease of movement between homes, jobs and services and creating links to public transport services.
- c) **Mix of uses:** To create vitality and interest, proposals should incorporate a mix of uses where possible and appropriate.
- d) **Density, scale, form and massing:** The density, scale, form, massing and height of a development must be appropriate to the local context of the site and to the surrounding landscape/streetscape/waterscape character.
- e) **Appropriate facilities:** Development shall incorporate appropriate waste management and storage facilities, provision for the storage of bicycles and connection to communication networks.
- f) **Detailed design and materials:** The detailing and materials of a building must be of high quality and appropriate to its context. New development should employ sustainable materials, building techniques and technology where appropriate.
- g) **Crime prevention:** The design and layout of development should be safe and secure, with natural surveillance. Measures to reduce the risk of crime and antisocial behaviour must however not be at the expense of overall design quality.
- h) **Adaptability:** Developments shall be capable of adapting to changing circumstances, in terms of occupiers, use and climate change (including change in water level). In particular, dwelling houses should be able to adapt to changing family circumstances or ageing of the occupier in accordance with 'Lifetime Homes' standards and commercial premises should be able to respond to changes in industry or the economic base.
- i) **Flood Risk and Resilience:** Development shall be designed to reduce flood risk but still be of a scale and design appropriate to its Broads setting. Traditional or innovative approaches may be employed to reduce the risks and effects of flooding.
- j) **Biodiversity:** The design and layout of development shall aim to protect, provide for, restore and enhance biodiversity.
- k) **Accessibility:** Applicants are required to consider if it is appropriate for their proposed dwelling/some of the dwellings they propose to be built so they are accessible and adaptable and meet Building Regulation standard M4(2) and M4(3). If applicants do not consider it appropriate, they need to justify this.
- l) **High quality landscaping.** A Landscaping Strategy is required to accompany applications for major development and for all other development where new floorspace is proposed which sets out the approach to landscaping which must be appropriate and relate to the location and setting.

### Reasoned Justification

Good design is vital for protecting and enhancing the special character of the Broads. It is also essential for achieving truly sustainable development. The design principles set out in this policy provide a high-level design framework for new development that supports the diverse nature of good design. All development

proposals should demonstrate compliance with the design principles in the policy. Where development proposals are required to be accompanied by a Design and Access Statement, it should be used to explain how the principles of good design, including the criteria set out in this policy, have been incorporated into the development.

Development proposals are not designed in isolation from their context. Although there is considerable variation in local architectural styles, buildings in the Broads are typically of simple construction, often from lightweight materials, and of a scale which blends with their natural surroundings. New development should take account of the characteristics of the site, as well as the distinctiveness of the wider Broads' setting, and make a positive contribution to the surrounding area. The density, scale and mix should be compatible with the character of the local area and avoid adverse impacts of development on views, vistas and skylines. In accordance with the NPPF and NPPG, the Authority considers design to be of great importance and development will not be acceptable if its design is inappropriate in its context, or fails to take opportunities available for improving the character and quality of an area and the way it functions. In the interests of sustainability and good design, it is also important to promote ease of movement, ensuring places are easy to move within and between, and to facilitate ease of movement between places where people live, work and use services and recreation.

Particular attention should be given to details in regard to the appearance of development in the Broads landscape. This should take into account the form, mass and scale of a building or structure, reference broads vernacular and local detailing and the texture, colour, pattern and durability of materials used. To improve the sustainability and local distinctiveness of new development, the use of locally sourced materials will be encouraged and materials recovered from demolished structures on site maybe re-used where it is feasible and appropriate. However, it is acknowledged that there will be instances when modern construction methods and design solutions may necessitate the use of other sustainable materials.

Appropriate facilities for users of new development should be integrated effectively into its design and layout to ensure that they can be accessed in a safe and convenient manner and do not detract from the overall appearance of the development. The nature of the facilities will vary depending on the development proposed, but should include waste management and storage facilities to aid recycling, provision for the safe, secure and user friendly storage of bicycles in locations convenient to the cyclist, with good natural or CCTV surveillance to help reduce cycle theft and connection to communication networks (telephone and broadband).

The safety and security of the users of new development is an important consideration at an early stage in the design process. The attributes of good design include safer places; well-designed development will create safe, sustainable and attractive places to live and work. It is therefore important that new development is designed to minimise both the opportunity for crime and the perception or fear of crime, while ensuring that other planning and design objectives are not compromised.

With regards to adaptable dwellings, the Authority refers to the 16 criteria relating to Lifetime Homes<sup>73</sup>. The Authority encourages new housing to be built to the Lifetime Homes standard, which makes it easier for people to remain in their own homes as their mobility needs change, through encouraging homes to be built in a way in which rooms can be used flexibly over time. The criteria in policy x also contribute towards the creation of safe, functional and well-designed communities as aspired to by the Government's Lifetime Neighbourhoods<sup>74</sup> ambitions.

<sup>73</sup> Lifetime Homes Standards Homes that are accessible to everybody and where the layout can be easily adapted to meet the needs of future occupants. <http://www.lifetimehomes.org.uk/>

<sup>74</sup> <https://www.gov.uk/government/publications/lifetime-neighbourhoods--2>

Assessment of design quality for major applications for residential development will be made using the Building for Life 12<sup>75</sup> criteria and applicants will be expected to demonstrate that the scheme positively addresses relevant categories. The Building for Life criteria (see Appendix x) are reflected in policy x design and therefore addressing the specific requirements of Building for Life will contribute towards meeting the requirements of policy x.

The Authority also encourages the provision of some dwellings, in appropriate locations, to be designed to be accessible and accommodate wheelchairs. The details are set out in the Building Regulations part M<sup>76</sup>. The Census 2011 shows that the Broads Authority Executive Area has an ageing population and older people could benefit from more accessible dwellings. The NPPG<sup>77</sup> is clear, however, in saying that '*Local Plan policies should also take into account site specific factors such as vulnerability to flooding, site topography, and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable. Where step-free access is not viable, neither of the Optional Requirements in Part M should be applied*'. The Authority acknowledges that this standard may not be appropriate in some locations or for some schemes, but applicants are required to justify reasons for not including dwellings that are accessible and adaptable.

In relation to the layout of the development, it is important that proposals are able to accommodate access by emergency service vehicles and waste disposal vehicles.

When designing new development, consideration should also be given to the design implications set out in other policies in this plan. Of particular relevance are the policies on: Landscape and Trees; Water Quality and Resources; Historic Environment; Energy Generation and Efficiency; Accessibility on Land; Accessibility to Water; Amenity and Development on Sites with a High Probability of Flooding. Regard should also be had to the Biodiversity Enhancements Guide and the Planning for Waterside Properties Guide.

Landscaping is part of the design response to mitigate and/or enhance a proposal. Some types and forms of hard surfaces and structures or soft landscaping (planting) can have biodiversity, amenity and recreation benefits and are more appropriate in the Broads Executive Area than others. What is suitable on a site would reflect the location and setting. The landscape design proposals should reflect the key positive characteristics of the locality and its setting.

Development proposals should normally be accompanied by:

- An ecological and topographical surveys as required by the nature and scale of the proposal;
- A landscaping scheme that details new planting and including, when appropriate, replacement trees of a value commensurate or greater to that which is lost, boundary treatments, external structures and proposals for ecological enhancement;
- An arboricultural assessment detailing the measures to be put in place to protect trees and hedgerows during construction works and providing justification for the removal of any trees or hedgerow;
- Details of landscaping management and maintenance arrangements; and

Linked to this policy is Policy X on land raising and Policy X on disposal of excavated material.

<sup>75</sup> <http://www.designcouncil.org.uk/resources/guide/building-life-12-third-edition>

<sup>76</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/506503/BR\\_PDF\\_AD\\_M1\\_2015\\_with\\_2016\\_amendments\\_V3.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/506503/BR_PDF_AD_M1_2015_with_2016_amendments_V3.pdf)

<sup>77</sup> <http://planningguidance.communities.gov.uk/blog/guidance/housing-optional-technical-standards/accessibility-and-wheelchair-housing-standards/>

Landscaping proposals, both hard and soft, should normally form an integral part of development proposals. The Authority will, however, seek appropriate conditions and/or planning obligations to secure the implementation of landscaping schemes and the replacement of trees, hedgerows or other natural features or their protection during the course of development. Payment for the maintenance and management of new landscaping may be sought and controlled via a planning obligation. On certain schemes the submission of a landscape strategy would be acceptable with the detailed landscape proposals conditioned

Landscaping proposals, in particular those involving hard landscaping, should ensure that they do not damage geodiversity and geological conservation interests. Proposals should aim to maintain, and enhance, restore or add to geodiversity and wherever possible incorporate geological features within the design.

Comments received as part of the Issues and Options consultation:

**South Norfolk Council** would support the inclusion of a landscaping policy in the Broads Local Plan. **IWA considers** a guide offers the potential to truly help developers and reach better solutions. However this will depend on how the guide is written and implemented. **Norfolk County Council** commented that a policy would clarify the difference between landscape character and landscaping, and could be underpinned by guidance for applicants.

Alternative Options

Sustainability Appraisal Summary

Evidence used to inform this section

Monitoring Indicators

## 23 Sport and Recreation Venues/Buildings

### **Policy POSP13: New Community Facilities**

New community facilities will be supported where there is a proven need identified and location within the Broads is fully justified.

### **Policy PODM41: Visitor and Community Facilities and Services**

Applications for the change of use or redevelopment of an existing community, visitor or recreational facility or service that meets a local need or contributes to the network of facilities through the Broads will only be permitted where:

- a) There is an equivalent facility available or one is made available prior to the commencement of redevelopment, to serve the same need in an equally accessible and convenient location; or
- b) It can be demonstrated through a viability assessment that the current use is economically unviable.

Development of new buildings, the extension of existing buildings or the use of land to meet a need for local community uses and facilities will be permitted provided that:

- c) An assessment can demonstrate a need for the facility and that it will support the social viability of a community;
- d) Locating the facility within the Broads can be justified;
- e) It would not adversely affect protected species or habitat, nor have an unacceptable impact on landscape character; and
- f) The facility is in a sustainable location, accessible by a choice of transport modes.

In addition to the above, new village halls or community centres will be permitted provided that:

- g) It is designed in a way so as to keep running and maintenance costs (including appropriate water and energy efficiency measures) to a minimum; and
- h) A long term funding (minimum 10 years), maintenance and management plan is produced to identify how the facility will generate sufficient income to ensure self-financing to assure the Broads Authority of the proposed facility's financial sustainability. This could include an appropriate permanent usage for part of the facility (e.g. health or social care).

Facilities which are educational in nature or relate to the promotion of the conservation of the Broads environment will be supported.

### Reasoned Justification

The economy of the Broads is underpinned by tourism. Policy x seeks to support, widen and strengthen this tourism base by encouraging a network of tourism and recreational facilities, protecting against the loss of existing services and supporting the diversification of tourism where economically and environmentally sustainable. Development proposals that would result in the loss of existing visitor facilities will therefore be expected to robustly demonstrate that the business is no longer economically viable through the submission of relevant financial information.

Community facilities such as shops, post offices, libraries, public houses and primary schools provide essential services that contribute to the sustainability of communities. The loss of such facilities would result in people having to travel further to meet their everyday needs, which can have a particularly adverse impact on those who do not have the ability to travel easily, such as the elderly. Serving both residents and visitors, they can contribute significantly to the quality of experience. Furthermore, many of the employment generating businesses within the Broads serve the visitor as well as the resident market, for example shops and pubs, and their loss can have a wider than local impact. In order to maintain a level of local servicing, the Authority will therefore seek to protect existing community facilities and services and will



only approve proposals which would lead to their loss where it can be robustly demonstrated that the facility is no longer suitable or viable for its community use. Only then will alternative uses be permitted, again subject to demonstrating that the existing uses would be unviable. Applications should be accompanied by a statement completed by an independent chartered surveyor which demonstrates that current uses are not viable. This statement should provide an assessment of the current and likely future market demand for the site or property, attempts to market it during the previous 12 months and its value. The level of detail and type of evidence and analysis presented should be proportionate to the scale and nature of the site and/or property in question. Of Particular relevance is policy x relating to pubs in the Broads.

The policy supports new community facilities provided there can be an operational and locational justification. The quality of the natural environment is an important resource which is also vitally important to the wellbeing of the tourism industry and, by extension, the economy of the Broads. It is therefore essential that proposals for new community facilities do not impinge on the natural beauty, ecological value and local distinctiveness of the Broads or other people's enjoyment of it. The policy therefore requires proposals for new facilities that are likely to attract large numbers of people to be located where they are accessible by a choice of means of transport. Applicants are required to justify the sustainability of the location for the proposed development. Development proposals will also be expected to be accompanied by a needs assessment that demonstrates the demand for the proposed facility and why an alternative site outside the Broads could not accommodate the development.

The ongoing maintenance and management that ensures the longevity of community centres or village halls is an important early consideration. The primary purpose of these buildings is to provide a community meeting space. However there should be the scope to accommodate appropriate ancillary uses, some of which may be permanent. Some examples of acceptable permanent uses include a café, outreach health and social care or a community enterprise. Applicants are required to provide information that explains how the village hall or centre will be used and how its longevity can be assured.

It should be borne in mind that the Authority boundary is drawn tightly around the settlements and much of the built development within a village, and the land potentially available for development is outside the Authority boundary. In order to achieve the provision of facilities that is beyond the Authority area but that would benefit whole communities, it would be necessary to work in close co-operation with the adjoining Districts.

To aid in the interpretation of this policy, the Authority considers these to be examples of the facilities referred to:

- Community facility – for example post office, cemeteries, pubs (see policy x), libraries, village halls, sports facilities (also see policies x and x)
- Visitor facility – car parks, visitor moorings, bike stands, slipways.

Please note that proposals relating to play areas, sports fields, open space and allotments are addressed in policy x.

In terms of the location of any development, the Authority acknowledges that this will vary depending on the facility being replaced and the location, but accessibility by a variety of modes of transport will be an important factor.

If a proposal is considered 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.

Localism act and community rights

The Localism Act (2011) aims to facilitate the devolution of decision-making powers from central government control to individuals and communities. Of particular relevance to this policy is the Community Right to Bid, where community groups have the opportunity to nominate land or buildings (assets) in their area which they think are of 'community value' to be included on a list held by the Council.

Adding an Asset of Community Value on to the list triggers a stand still period to allow community groups to plan and assemble funds which would allow them to bid for the asset should it be placed on the market for sale by their owners; assets can be owned by a council or have private owners.

Assets of Community Value can include buildings or land which promotes the social interests or wellbeing of the area (e.g. cultural, recreational, shopping or sporting) or which have had such a use in the recent past, for example libraries, community centres, pubs and shops.

The power to list an asset does not mean the owner must sell to the community group.

Please note that the Broads Authority does not hold or maintain a list as it is a function that our constituent districts undertake. Please contact them directly for further information or to find out how to nominate an asset. More information is provided at:

<http://mycommunity.org.uk/>

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/5959/1896534.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5959/1896534.pdf)

Comments received as part of the Issues and Options consultation:

***South Norfolk Council and Sport England consider there should be a generic criteria based policy relating to indoor sports facilities to safeguard their continued use, guide future development and to provide a policy for which changes of use could be considered. In addition the Local Plan could also include site specific policies for key sports facilities in the Broads area where there are particular aspirations, constraints or specifications for the site which could not be covered by a more generic policy.***

**Alternative Options:**

**Sustainability Appraisal Summary**

**Evidence used to inform this section**

**Monitoring Indicators**

## 24 Health and Wellbeing

### Policy PODM42: Designing Places for Healthy Lives

Development proposals that support healthy choices, healthy behaviours and reduce health inequalities will be supported.

All new housing, commercial and recreational development) will be expected to demonstrate that appropriate steps have been taken through design, construction and implementation to avoid or mitigate potential negative effects on the health of the population.

New or replacement homes and non-residential development of less than 1,000m<sup>2</sup> are required to explain how their development facilitates enhanced health and well-being through the provision of conditions supportive of good physical and mental health.

Developments of more than 10 dwellings or 1,000m<sup>2</sup> non-residential development are required to complete and submit alongside planning applications the Norfolk designing places for healthy lives checklist.

#### Reasoned Justification

The link between planning and health has been long established. The built and natural environments are major determinants of health and wellbeing. The Health Map shows how individual determinants, including a person's age, sex and hereditary factors, are nested within the wider determinants of health such as lifestyle factors, social and community influences, living and working conditions and general socio-economic cultural and environmental conditions.

The Government is clear about the role of health and wellbeing in planning, stating that *'local planning authorities should ensure that health and wellbeing, and health infrastructure are considered in local and neighbourhood plans and in planning decision making'* (NPPG).

There are six themes which planning applications for new or replacement homes are expected to address to provide *'conditions supportive of good physical and mental health'*. Developments of ten dwellings or fewer are required to produce a statement saying how their proposal addresses these themes:

- Partnership and inclusion, including engagement and integration.
- Vibrant neighbourhoods, including access to social infrastructure, access to local food shops and the public realm.
- Active lifestyles, including access to green space and active travel.
- Healthy environment, including construction, equality, noise, open space, renewable energy, biodiversity, local food growing, flood risk and overheating.
- Healthy housing, including accessible housing, healthy living, and housing mix and affordability.
- Economic activity, including local employment and healthy workspaces.

The Norfolk checklist is to be completed for development of more than ten dwellings. It has been developed to provide a practical tool to assist developers and agents in preparing development proposals; to assist local



planning authorities in planning policy-making and as part of planning application process; and to assist public health service when considering health and well-being impact of development plans and planning application. The Norfolk Checklist seeks to answer two questions:

- 1) What are the health effects of the urban development policy, plan or proposal?
- 2) How can the policy, plan or proposal be improved to provide better health outcomes?

While the checklist is used by Norfolk Local Planning authorities and has been produced by the Norfolk Public Health Team, it also applies to proposals within the Waveney/Suffolk part of the Broads Authority Executive Area.

It is important to note that other sections of this Preferred Options document are all relevant to a healthy community. For example tranquillity, amenity, sport and recreation, pollution and housing need all have an impact on individual health and wellbeing.

Comments received as part of the Issues and Options consultation:

*If the idea of a checklist was to be pursued **South Norfolk** would be keen to work with the Broads Authority to ensure there are no adverse impacts from a South Norfolk Council perspective. South Norfolk went on to say that we will need to work together with the Broads Authority under the Duty to Cooperate to ensure that the distribution of growth across the Greater Norwich area, including the Broads Authority does not have an adverse impact on the provision of health facilities. **Inland Waterways Association** commented that work by NHS and others seems likely to produce the basis of such a checklist at some point in the future, and until then there is little to be gained by trying to create one without any evidence. **Norfolk County Council** Public Health would like to see reference to the Broads as a health promoting environment in this section and are continuing work on the shared engagement protocol and checklist for designing places for healthy lives.*

Alternative Options:

Sustainability Appraisal Summary

Evidence used to inform this section

Monitoring Indicators

## 25 Safety by the Water

### Policy PODM43: Safety by the Water

Proposals for development that have a water frontage or direct access to water must address water safety. For such developments a Water Safety Plan must be produced to accompany planning applications. The Water Safety Plan must give consideration to the following:

- a) What are the risks of someone falling into the water and who is likely to be exposed to the risk as a direct result of the proposed development?
- b) How is this risk to be minimised?
- c) What is the water depth and speed of flow?
- d) What design and safety features will be incorporated into the development to ensure that anyone in the water can get out safely? Consideration must be given to the landscape impact and the impact on any Heritage Asset of any water safety feature to be used.
- e) How will the safety features be maintained?

If new development increases the risk of difficulty of getting out of the water, either by new quay heading or raising current levels then these risks are required to be mitigated even if there is no public access on the site but there is boating activity on the adjacent water body.

### Reasoned Justification

Being a primarily water-based area where many people enjoy being in, on or around the water, we need to consider the issue of safety by the water. Sadly, on occasion, people die in the Broads each year in the water and many more people fall in. On a hot day, the cool water of the Broads is often an attraction to those who want to have a quick swim to cool down. The area is also popular for organised wild and open water swimming groups. People sail on the broads using stand-up paddle boards, canoes, sailing boats and motorised cruisers. People also walk alongside waterways in the Broads and enjoy the many open spaces or pubs and cafes next to water. Accessible safety equipment such as lifebuoys and throw lines are essential in case they are needed to help someone in the water. Furthermore there are also a large number of waterside buildings such as pubs and homes.

There were a total of 381 drownings and water-related deaths from accidents or natural causes across the UK in 2013<sup>78</sup>. As in previous years, more than half of the deaths (227) in 2013 were in inland waters, such as tidal and freshwater rivers, lakes and reservoirs, while fatalities at sea, on the beach or shoreline accounted for nearly a third (115). A further 22 deaths happened at harbours, docks, marinas and inland or coastal ports. Eight deaths occurred in the bath and six in swimming pools, while three happened in areas that are not normally watercourses such as marsh and flooded land.

In the Broads over the last 15 years there have been on average 5 deaths per year, 26 of which were related to boating and 48 deaths that were non-boating related. It should be noted that some of these deaths were not accidental and this policy seeks to influence accidental water related incidents. Over the same period, there were 264 near drownings or people falling in. This figure does not include people engaged in water sports where they expected to enter the water. The near drowning events were those reported to or witnessed by Broads Authority staff, and the true figure is likely to be much larger due to under reporting.

The National Water Safety Forum has produced the UK Drowning Prevention Strategy<sup>79</sup> which aims to reduce accidental drowning fatalities in the UK by 50% by 2026, and reduce risk amongst the highest risk populations, groups and communities. A target of the Strategy that is particular relevant to this policy is to

<sup>78</sup> Taken from <http://www.rosipa.com/media-centre/press-office/press-releases/detail/?id=1276>

<sup>79</sup> <http://www.nationalwatersafety.org.uk/strategy/info/uk-drowning-prevention-strategy.pdf>

increase awareness of everyday risks in, on and around the water. The strategy asks communities to develop a risk assessment for the area and to put in place Water Safety Plans at a community level.

By submitting a Water Safety Plan with relevant planning applications, applicants will be required to consider the risks of people falling in the water as well as consider and put in place ways of helping people while they are in the water and ensuring there is a safe way to get out of the water. A Guide will be produced to assist applicants in preparing a Water Safety Plan and identifying the most appropriate risk control measures and safety features for their proposed development.

For development near to Heritage Assets or in Conservation Areas, bright plastic covers on life rings for example may detract from the scenery or setting. Less visually intrusive, but equally usable and functional forms of safety equipment can be provided in such locations.

#### Alternative Options

- No policy – in response to the recently launched UK Drowning Prevention Strategy, on reflection of the number of people who drown locally and nationally as well as recognition that the Broads is a primarily water based area, the Authority considers that having no policy is not a reasonable option.
- A more detailed and prescriptive policy – as worded, the preferred policy gives flexibility to reflect local circumstances such as water depths and speed of flow of water as well as number and type of people likely to be at risk. Having a prescriptive policy could not reflect such local characteristics.

#### Comments received as part of the Issues and Options consultation:

*One comment emphasised the need for safe thinking and leading by example in relation to activity near water. Another comment supported the policy saying it is important to provide reasonable safety systems and support for incidents around the water as well as emphasise the importance of maintenance.*

#### Sustainability Appraisal Summary

Preferred Option: Positive

No policy: Unsure as safety features could be still put in place following negotiations at the planning application stage.

More detailed and prescriptive policy: Positive.

#### Evidence used to inform this section

Broads Authority monitoring data.

#### Monitoring Indicators

Relevant schemes providing adequate safety features on site.



## 26 Developer Contributions/Planning Obligations

### Policy POSP14: Developer Contributions

Developer contributions and management agreements will be sought if deemed necessary to deliver the policies/objectives in the Local Plan and for the provision of infrastructure via planning obligations and/or conditions.

### Policy PODM44: Planning Obligations and Developer Contributions

The Authority will seek appropriate contributions from developers in order to serve the development and its occupants.

Where the development is of a type that will introduce additional pressure on the Broads area, including for permanent moorings, contributions will be sought towards the appropriate provision of social facilities and benefits including affordable housing, biodiversity enhancement, recreational, community and navigation facilities and to achieve sustainable development.

Contributions may be sought towards:

- a) Affordable housing (as detailed in policy x);
- b) Community infrastructure (including police and fire service provision, community halls, sports facilities, education facilities and libraries);
- c) Green infrastructure and biodiversity/geodiversity on-site mitigation, management, off-site compensation and/or enhancement;
- d) Open space and children's play facilities;
- e) Landscaping, landscape enhancement and management;
- f) Public footpaths, rights of way, green-links, signing and maintenance;
- g) Waste management and recycling facilities;
- h) Highway works and/or improved public transport facilities and funding for the implementation of Travel Plans;
- i) Flood management/mitigation;
- j) Dredging to maintain navigation;
- k) Administrative costs;
- l) Visitor or de-masting moorings; and
- m) Conservation or enhancement of heritage assets.

Other contributions may be sought in appropriate circumstances. Where appropriate, the standards and thresholds adopted by the relevant authority will apply, including Housing Authorities. Contributions may be pooled with others from outside the Broads area, in order to fund wider community infrastructure.

Reduced contributions, where necessary (for example due to the exceptional costs of redeveloping a particular site) will be negotiated on an 'open book' basis based on the financial viability of the scheme.

#### Reasoned Justification

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

S106 contributions are private agreements negotiated between local planning authorities and developers to mitigate the impact of development. For example, planning obligations might be used to prescribe the nature of development (e.g. by requiring that a given proportion of housing is affordable); or to secure a contribution from a developer to compensate for loss or damage created by a development (e.g. loss of open space); or to mitigate a development's impact (e.g. through increased public transport provision).

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

The nature and scale of any contribution sought for this purpose will be related to the development proposed and its potential impact upon the surrounding area. It is important to consider the following in relation to Developer Contributions:

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

The Authority will seek contributions towards transport, police and fire service provision, education facilities, libraries and social service provision where appropriate, utilising Planning Obligations standards prepared by Norfolk and Suffolk County Councils. The Authority will also apply the standards and thresholds adopted by the relevant constituent District Council to calculate the contributions to be sought. Contributions to affordable housing will be sought in accordance with the approach set out in policy x and Open Space as per policy x.

In relation to the protection of the waterways and navigation, contributions will be sought from development, where appropriate, towards dredging. The dredging and proper disposal of sediment from the bed of the rivers and broads is the largest cost in the maintenance of the navigation area. The required level of contribution will be calculated on a site-by-site basis using the Authority's latest available dredging costings. Additionally, the Authority will seek an administrative contribution to cover the cost of arranging and monitoring developer obligations.

Any monies falling due as a result of planning obligations will be held by the Authority until agreement is reached with the providing body for the relevant facilities to be provided. In the event that agreement is not reached or the infrastructure is not constructed, those moneys will be returned to the developer after a period of 10 years. Maintenance sums will be sought for the first ten years of the life of a facility where relevant (15 years for highways maintenance in relation to bridges or other highway structures, for lifetime replacement – 120 years).

#### The Broads Authority and CIL

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

#### Comments received as part of the Issues and Options consultation:

*Suffolk County Council* priorities would be for infrastructure that supports growth both in the Broads and South Norfolk. **Environment Agency** suggested that through a coordinated approach, there may be opportunities for the measures required to make the development acceptable to also make a contribution to those actions. **IWA** believes these should be used in part to provide and maintain moorings and staithes, including provision of power and similar services. **RSPB** commented that The Authority needs to ensure that it receives sufficient funds from development to manage pressures on Natura 2000 and other designated sites. There were many varied suggestions on how to spend Developer Contributions ranging from more parking to schools and moorings.

Alternative Options

Sustainability Appraisal Summary

Evidence used to inform this section

Monitoring Indicators

DRAFT

## 27 Other Development Management Policies

### Policy PODM45: Conversion of Buildings

The re-use, conversion or change of use of buildings and structures to employment, tourism (including holiday accommodation for short stay occupation on a rented basis), recreation and community uses will be supported where:

- a) The building makes a positive contribution to the landscape of the Broads to make it worthy of retention;
- b) The building can be redeveloped without an adverse effect on the character of the Broads landscape or its setting and the redevelopment takes the opportunity to make a positive contribution to the appearance of the locality;
- c) A structural survey demonstrates that the building is structurally sound and capable of conversion without major rebuilding and/or substantial extension;
- d) The proposal is of a high quality design, retaining the external and/or internal features that contribute positively to the character of the building, including original openings and materials, and with minimal intervention to the original form and fabric of the building (e.g. new openings).
- e) The nature, scale and intensity of the proposed use are compatible with, and would not prejudice, surrounding uses and the character of the locality;
- f) The highway network is able to accommodate safely the demands resulting from the proposed use;
- g) The design and details of conversion will maintain, and enhance, restore or add to biodiversity; and
- h) it incorporates measures to enhance the environmental performance of the building, where appropriate.

For proposals outside development boundaries the above criteria will apply as well as:

- i) The building is in a sustainable location with adequate access to services and facilities.

The conversion of a building or structure to a residential use outside a development boundary, where the building would be used as a second home or for the main residence of the occupiers, will only be acceptable when it is clearly demonstrated that employment, recreation, tourism and community uses would be unviable.

### Reasoned Justification

The re-use of buildings in the countryside can support the vitality of rural communities and help minimise the need for new built development that has the potential to detract from the special landscape character of the Broads. The Authority is therefore generally supportive of the re-use of appropriately located and suitably constructed buildings in the countryside. Nevertheless, certain buildings may not be suitable for conversion and re-use.

The building must be of a sufficient quality to warrant retention. Large, modern agricultural and industrial buildings will generally be considered to be unsuitable for conversion. Generally, the Authority will consider the appearance and architectural value of the building as well as how it contributes to the Broads' landscape, as well as the street scene, both prior to and following conversion.

The term 'holiday accommodation' means that which is permitted by policy **X**, e.g. short term holiday lets.

The conversion and re-use of buildings in the countryside will only be acceptable where a structural survey undertaken by an independent Structural Engineer demonstrates that the building is structurally sound and capable of conversion without major rebuilding or reconstruction.

To protect the character of the building and the surrounding landscape, all conversion works must be undertaken sensitively, utilising a high standard of design and good quality materials. The erection of

substantial extensions can have a detrimental impact on the original form of a building or group of buildings and on the openness and special character of the landscape, while the removal of external features, including original openings and materials, can erode the character of the building. It is expected that such conversion works should involve minimal intervention to the original form and fabric of the building (e.g. new openings).

Applicants should be aware that buildings in the countryside have the potential to provide important breeding and resting places for a number of species protected under a range of legislative provisions, including bats, barn owls or nesting birds. In accordance with policy **X**, if the presence of a protected species is suspected the applicant will be required to submit an appropriate protected species surveys. The policy also seeks to ensure that conversion works should aim to maintain, and enhance, restore or add to biodiversity. If a proposal is considered in the context of this policy to potentially have an effect on an internationally designated site then it will need to be considered against the Habitats Regulations and a project level Appropriate Assessment undertaken.

Proposals within a development boundary are deemed to have very good access to services and facilities. While it will not always be possible to apply the same standards of accessibility that would be applied in established settlements to proposals in the countryside, when assessing proposals to convert a building in the countryside regard will be given to the sustainability of the location and the impact the proposed use would have on the local highway network.

Residential conversions may be appropriate for some types of buildings and in certain locations, providing that it has been demonstrated that a commercial or community use of the building is unviable and that the building is of sufficient quality to merit retention by conversion. Applications to convert a building outside of a development boundary to residential use should be accompanied by a report undertaken by an independent Chartered Surveyor that demonstrates why employment, recreation, tourism and community uses would not be viable due to inherent issues with the building. This should include details of conversion costs, the estimated yield of the commercial uses and evidence of the efforts that have been made to secure economic, leisure and tourism re-use during the previous 12-month period. The Authority will need to verify the content of such a report and may need to employ external expertise to do so (The applicant will need to meet the cost of this).

Where a building is of historic or architectural merit, regard must be had to Policy **DPx** Re-use of Historic Buildings.

There are permitted development rights to change the use of existing buildings. These are, however, less permissive in the Broads than in other undesignated areas. A proposal may not require planning permission, but the applicant will be advised to check with Development Management Officers at the Broads Authority for advice.

#### Comments received as part of the Issues and Options consultation:

#### Alternative Options

#### Sustainability Appraisal Summary

#### Evidence used to inform this section

#### Monitoring Indicators

### **Policy PODM46: Advertisements and Signs**

Advertisements and signs should be sensitively designed and located having regard to the character of the building/structure on which they are to be displayed and/or the general characteristics of the locality.

Advertisements will only be permitted where the size, design, positioning, materials and degree of illumination of the advertisement would not have an adverse visual impact on the built or landscape character of the Broads or a detrimental effect on public safety on land or water.

The number of advertisements shall be kept to a minimum and amalgamated with existing signage. Cumulative impact in relation to other signage in the vicinity will also be an important consideration.

Particular regard should be had to any impact of proposals on conservation areas and the historic character of the frontage. Proposals which obscure features of architectural or historical interest, or are uncharacteristic of a building's design, will not be permitted.

Where an advertisement would have an unacceptable adverse impact on the special qualities of the Broads it will be refused.

#### Reasoned Justification

The Authority recognises that advertisements provide businesses with an important means of attracting customers and can play an important role in informing visitors to the Broads and supporting visitor trade. Nevertheless, by their very nature advertisements are designed to attract attention and are frequently displayed in prominent positions. The impact of advertisements and signs on the character and appearance of buildings, settlements and the landscape can, as a result, be significant. Illuminated advertisements can have a particularly significant visual impact and detract from the tranquillity of the Broads.

The Authority will therefore carefully consider proposals for advertisements to ensure that they are sympathetic to the special character of the Broads and do not have an unacceptable impact on public safety on land and water. The design of an advertisement, together with its size, positioning and materials, can determine how well it fits into or stands out from the surrounding area. To reduce unnecessary visual intrusion, the number of advertisements will be kept to a minimum and an advertisement or sign should complement existing architecture and the local context.

Some types of advertisement are exempted from detailed control, and other specific categories do not require express consent from the Local Planning Authority and instead qualify for 'deemed consent' provided they conform to stated conditions and limitations for each category. Further information on advertisement control can be found in the NPPG<sup>80</sup>.

Please note that the entire area of the Broads is an area of Special Advert Control<sup>81</sup>. An area of special control order places additional restrictions on the display of advertisements.

#### Comments received as part of the Issues and Options consultation:

Alternative Options

Sustainability Appraisal Summary

Evidence used to inform this section

Monitoring Indicators

#### **Policy PODM47: Leisure plots and mooring plots**

<sup>80</sup> <http://planningguidance.communities.gov.uk/blog/guidance/advertisements/>

<sup>81</sup> [http://planningguidance.communities.gov.uk/blog/guidance/advertisements/additional-restrictions-on-the-display-of-advertisements/#paragraph\\_055](http://planningguidance.communities.gov.uk/blog/guidance/advertisements/additional-restrictions-on-the-display-of-advertisements/#paragraph_055)



New leisure plots will not be permitted.

The use of mooring plots will be restricted to the mooring of boats and uses incidental to that activity. Mooring plots will be kept generally free of buildings and above ground structures. Provision of unobtrusive moorings, steps, ramps, renewable energy generating equipment to provide energy for electric hook up points and small scale storage lockers, for use incidental to the enjoyment of the moorings may be appropriate in some locations where they would be consistent with the objectives of protecting and conserving the Broads landscape character and ecology and with other policies of the Development Plan.

For leisure and mooring plots, permission will not normally be granted for the erection of buildings, enclosures or structures and the permanent or seasonal occupation of the land, vehicles, boats, etc., or the stationing of caravans, will not be permitted. The provision and maintenance of additional shrub or tree planting will be encouraged having regard to limiting wind shadow on the river in the interests of sailing.

#### Reasoned Justification

Leisure plots often result in the creation of a suburban appearance, with associated domestic paraphernalia, which detracts from the landscape character of the Broads and the visual quality of the waterscape. Consequently, the creation of new leisure plots will not be supported by the Authority.

The erection of structures on existing leisure plots, such as sheds, summerhouses, caravans and fences to demarcate the plots, has the potential to not only detract from the character and appearance of sensitive parts of the Broads landscape but also damage areas of wildlife importance. For this reason, the Authority will control development on existing plots to ensure that development only takes place where it is incidental to the mooring of boats and is consistent with the other policies in the Plan.

For the purpose of this policy, the term 'leisure plot' describes a plot resulting from the sub-division of land and its use for leisure purposes (such as quiet enjoyment of the plot and scenery and informal recreation use). These may have small scale storage lockers for use incidental to the enjoyment of moorings, or modest sized single room day huts, storage sheds and boat sheds.

Within the Broads, leisure plots are often established in waterside locations, in which case they are termed 'mooring plots'. This is an area of land associated with moorings and may have boundary treatments, but limited other paraphernalia other than that incidental to the enjoyment of the moorings.

Comments received as part of the Issues and Options consultation:

Alternative Options

Sustainability Appraisal Summary

Evidence used to inform this section

Monitoring Indicators

## 28 Site-Specific Policies

### Introduction

There are some policies that have been rolled forward from the Sites Specifics Local Plan 2014 to the new Local Plan. Some have changes to the policy and/or the reasoned justification. The changes are not highlighted in this document as the Authority would like consultees to consider the policy as a whole. If you wish to see tracked changed versions then please look at the Planning Committee reports from April to September 2016<sup>82</sup>. Please also note that no comments were received relating to these policies at the Issues and Options stage of the Local Plan, as they were not part of that document.

### Flood risk and the Site Specific Policies

The underlying principle of development and flood risk is summarised in the NPPF (100): *'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere'*. A sequential test has been completed on all of these allocations<sup>83</sup>.

### Environment Agency permit or rules for works near to a main river or flood defence

Under the Environmental Permitting (England and Wales) Regulations 2010, an environmental permit may be required for works in, under, over or within 8m of a main river or flood defence; or within 16m of a tidal main river or flood defence. 'Flood Risk Activities' may require the Environment Agency to issue a bespoke permit, or may be covered by a standard rules permit which includes a set of fixed rules. Activities identified as lower risk may be excluded from the need for a permit or may need to be registered as an exempt activity and comply with certain rules.

- Further information on Flood Risk Activity permits is available from: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>
- To apply or seek further advice, contact the Environment Agency by email: [floodriskactivity@environment-agency.gov.uk](mailto:floodriskactivity@environment-agency.gov.uk) or by telephone: 03708 506 506.

### Permission in Principle

### ACLE

#### **Policy POACL1: Acle Cemetery Extension**

##### **Inset Map 1**

Land to the rear of the existing cemetery is allocated as an extension to the cemetery. This development will be

- subject to a prior archaeological assessment;
- subject to a prior groundwater protection risk assessment in accordance with Environment Agency Guidance: Assessing Groundwater Pollution for Cemetery Developments<sup>84</sup>;
- integrated into the wider surroundings by a landscaping scheme including boundary hedge and tree planting; and
- coordinated with any adjacent proposed playing field extension in terms of design and boundary treatment.

<sup>82</sup> The majority of the policies are in this report: [http://www.broads-authority.gov.uk/data/assets/pdf\\_file/0003/766542/BLP-June-Bite-Size-Appendix-F.pdf](http://www.broads-authority.gov.uk/data/assets/pdf_file/0003/766542/BLP-June-Bite-Size-Appendix-F.pdf) and others can be found on this webpage: <http://www.broads-authority.gov.uk/broads-authority/committees/planning-committee>

<sup>83</sup> XXXX

<sup>84</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/290462/scho0404bgla-e-e.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/290462/scho0404bgla-e-e.pdf)

Constraints and features

- Archaeological interest in vicinity.
- Outside identified high flood risk areas (zone 1 by EA mapping).
- As a minimum, a basic Tier 1 risk screening assessment is required for all cemetery extensions (as set out in guidance on the EA website).

Reasoned Justification

The existing cemetery at Acle is close to capacity. Acle Parish Council has, over a period of time, actively sought a site to accommodate further burials. Following a search of potential locations around the village, this is its preferred site and is understood to have widespread local support. The location adjacent to the existing cemetery makes practical sense, and the use can be satisfactorily accommodated here, subject to the considerations outlined in the policy. The Parish Council has yet to secure ownership of the site but has indicated its firm intention to do so, and is negotiating with the owner to achieve this.

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

The site lies wholly in Flood Zone 1 by both EA mapping and SFRA 2007 mapping and therefore there are no flood risk issues constraining the development. However, the EA wish to ensure that any risk of risk of pollution to groundwater is adequately assessed before any planning permission is granted, and the policy reflects this. The EA are content with the allocation for the proposed use on the basis of the results of preliminary investigations by the Parish Council. Testing to provide the more detailed information required by the EA to support a planning application EA licence is planned, by the Parish Council, to be undertaken once it has acquired the site.

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

Alternative OptionsSustainability Appraisal SummaryEvidence used to inform this sectionMonitoring Indicators**Policy POACL2: Acle Playing Field Extension****Inset Map 1**

Land is allocated for an extension to the playing fields at Acle Recreation Centre. This development will be

- subject to a prior archaeological assessment;
- integrated into the wider surroundings by a landscaping scheme including boundary hedge and tree planting; and
- coordinated with any adjacent proposed cemetery extension in terms of design and boundary treatment.

Any floodlighting shall be designed to minimise light spillage into the wider Broads landscape, and avoid adverse effects on neighbouring residents' amenity.

Constraints and features

- Outside identified high flood risk areas (zone 1 by EA mapping).
- Archaeological interest in vicinity.
- Partially on safeguarded minerals (sand and gravel) resource.

Reasoned Justification

The area concerned is 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.

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 (largely outside the Broads area) by about 10% (they are currently around 4ha (10 acres)).

The Recreation Centre is a well-used local resource. The Trust which runs this has identified a need for additional playing field capacity. The provision of additional playing fields adjacent to the existing facilities makes practical sense, and this location also enables coordination and landscaping with the proposed cemetery extension adjacent. The scheme has the active support of Acle Parish 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 scheme is supported, in principle, by Sport England and Broadland District Council.

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

Alternative OptionsSustainability Appraisal SummaryEvidence used to inform this sectionMonitoring Indicators**BECCLES****Policy POBEC1: Former Loaves and Fishes, Beccles****Inset map x**

The authority supports the retention of the building and the resumption of its use as a public house or other tourist facility.

The Authority would not support conversion to residential.

Proposals will need to address each of these criteria:

- i) Careful consideration will be given to the design, scale and layout of any proposals and potential additional impacts on nearby land uses.
- ii) Proposals must enhance the appearance of the area including the public realm.
- iii) The site is at risk of flooding and the type, siting and layout of development will need to take account of this in conformity with national policy.
- iv) Appropriate measures to manage any risk of water pollution arising from development are required to be put in place.

#### Constraints and features

- Within flood risk zone 3.
- Within the Beccles Conservation Area
- There is a dike that leads up to the west end of the site.
- Next to the popular quay where boats are moored.
- Residential development surrounds the former pub.
- Interesting features of a courtyard and balcony.
- Limited availability for on street parking.

#### Reasoned Justification

This Local Plan seeks to address some redundant/underutilised or derelict sites around the Broads Authority Executive Area. Such sites can have a negative impact on the landscape, townscape or waterscape and if brought into an appropriate use in an appropriate well, can then become an important asset to the area. The Authority would support appropriate proposals which will bring this pub back into use.

#### Alternative Options

#### Sustainability Appraisal Summary

#### Evidence used to inform this section

#### Monitoring Indicators

### **Policy POBEC2: Beccles Residential Moorings (H. E. Hipperson's Boatyard)**

#### **Inset Map x**

**Development Management policy DP25 (New Residential Moorings)** will apply as the boatyard will be treated as if it were adjacent to the development boundary. Proposals for Residential Moorings will be allowed in this area if they are not at a scale which would compromise existing business on the site as well as meeting the criteria in policy x and policy x of the Local Plan. Proposals must ensure no adverse effects on the conservation objectives and qualifying features of the nearby SSSI (site is within SSSI Impact Zone).

#### Constraints and features

- In a SSSI Impact Zone
- Flood Zone 3 (EA Mapping)

#### Reasoned Justification

The BA would support around five of the moorings at the H.E. Hipperson Boatyard being converted to residential moorings. The benefits of a regular income as well as passive security that residential moorings can bring are acknowledged. However, in accordance with other Local Plan policies, the conversion of an entire business to residential moorings would not be supported. The H.E. Hipperson Boatyard has good access by foot to every day services and facilities provided in Beccles (such as a supermarket, pharmacy, school and Post Office). Bus stops to wider destinations are also within walking distance from these areas.

[Alternative Options](#)  
[Sustainability Appraisal Summary](#)  
[Evidence used to inform this section](#)  
[Monitoring Indicators](#)

## **BRUNDALL RIVERSIDE**

### **Policy POBRU 1: Riverside chalets and mooring plots**

#### **Inset Map x**

The area of riverside chalet and mooring plots will be managed to retain its contribution to the enjoyment and economy of the Broads, and to the river scene.

Further development will be limited by the area's vulnerability to flooding and the retention of its semi-rural and holiday character.

Permission will not be granted for

1. new permanent residential dwellings;
2. new holiday homes;
3. the use as permanent dwellings of buildings restricted to holiday or day use;
4. the use for holiday or permanent occupation of buildings constructed as day huts, boatsheds or temporary buildings; or
5. the stationing of caravans.

Extensions to existing buildings, and replacement buildings, will be permitted provided

- a) the building and use proposed comply with policies for development in areas of flood risk;
- b) the design, scale, materials and landscaping of the development:
  - i) contributes positively to the semi-rural and holiday character of the area,
  - ii) pays appropriate regard to the amenity of nearby occupiers,
  - iii) the extent of hard surfacing does not dominate the plot and where provided is permeable;
  - iv) provides additional landscape planting where practicable and having regard to navigation interests;
- c) Care is to be taken to avoid over-development of plots, and in particular:
  - i) a significant proportion of the plot area (excluding mooring areas) should remain un-built;
  - ii) buildings should not occupy the whole width of plots;
  - iii) buildings should be kept well back from the river frontage;
  - iv) buildings should be of single storey of modest height. This may limit room heights where floor levels need to be raised to meet flood risk mitigation requirements.

#### **Constraints and features**

- Whole area at serious risk of flooding (zones 2 & 3 by EA mapping and zone 3b by SFRA 2007 mapping).
- Road access is via a railway level crossing, limited in width and alignment, and at risk of flooding.
- Area is just across river from Site of Special Scientific Interest.
- Article 4 Direction (1954) – removes all PD Rights.

#### **Reasoned justification**

The chalets make an important contribution to the enjoyment of the Broads and to the local economy, but the management of incremental development of the Riverside Estate area, including that covered by this policy, have been contentious and problematic since at least the 1950s.



Further development of the area is largely constrained by national flood risk policies, together with landscape and visual amenity considerations. The Policy continues the attempt to facilitate adaptation and updating of the existing chalets and retain its best features, while avoiding increases in flood risk, but seeks to make the purpose and application of this clearer.

Proposals will need to meet the requirements of policy x as the Brundall riverside area generally has good dark skies.

The Environment Agency supports the intention to keep buildings back from the river frontage. While 'well back' is difficult to define and depends on particular local circumstances, in general setting the building back by a third of a plot could be appropriate. Being hard up or too close to the water's edge could enclose the river and be overbearing. Setting of buildings with an undeveloped area in front will also allow architectural interest of buildings to be appreciated.

#### Alternative Options

- No policy. Experience of using this policy as part of the Sites Specifics Local Plan has been positive and the Authority considers its continued inclusion in the Local Plan to be important.
- No change to adopted policy. The proposed policy clarifies some elements of the adopted policy and includes stronger wording in some places.

#### Sustainability Appraisal Summary

- Preferred option: Positive against some of the environmental objectives.
- No policy: uncertain, but a policy gives more certainty.
- No change to adopted policy: Positive against some of the environmental objectives.

#### Evidence used to inform this section

- Policy rolled forward from Sites Specifics Local Plan and improved to reflect officer experience.

#### Monitoring Indicators

- Planning applications in accordance (or otherwise) with this policy.

### **Policy POBRU2: Riverside Estate Boatyards, etc., including land adjacent to railway line**

#### **Inset Map x**

In this area the development and retention of the boatyards and related uses will be encouraged, and Broads Policies xxx (General Employment) and xxx (Boatyards) will apply.

Full regard will be given to the limitations of the road access, avoidance of potential water pollution, and the risk of flooding to the site

Retention of existing, and provision of new or replacement landscape planting, including trees and nectar-mixes, will be encouraged. The type and location of planting should have regard to limiting wind shadow on the river in the interests of sailing.

Policy xxx (New Residential Moorings) will apply as the area will be treated as if it were adjacent to the development boundary. Proposals for residential moorings will be allowed in this area if they are not at a scale which would compromise existing business on the site as well as meeting the criteria in xxx and xxx.

#### Constraints and features

- The area is at serious risk of flooding (almost whole area in zones 2 & 3 by EA mapping; almost wholly in zone 3b by SFRA 2007 mapping).

- Road access is constrained, especially to the south-eastern portion of the area.
- Area is close to SSSI, SAC, SPA, Ramsar site.
- Article 4 Direction (southern portion only) (1954) – removes all PD Rights.

#### Reasoned Justification

The boatyards and associated developments contribute to navigation and to the character, enjoyment and skills of the Broads. The Policy seeks to encourage the retention and adaptation of the existing uses, providing scope for new development including diversification, which will help secure these important uses, while balancing these objectives with the flood risk and infrastructural limitations of the area.

The Environment Agency confirms that boatyard uses are compatible with the flood risk to the site. A small part of the area is outside the higher flood risk zones and potentially less constrained. The application of national flood risk policy would steer any vulnerable uses to this part of the site. However, any development which relied on this lower risk for acceptability would need to be supported by a site flood risk appraisal and take into account the higher flood risk to the surroundings, including the road access. The Environment Agency also highlights the need to address the risks of water pollution for waterside sites in industrial/boatyard use.

A measure of appropriate planting within the constraints of the business use of the site will help soften the visual impact of the buildings and boats on the local landscape, and strengthen the biodiversity of the Broads, within the constraints of the business use of the site.

The Authority would support perhaps one or two of the moorings at a boatyard being converted to residential moorings. The benefits of a regular income as well as passive security which residential moorings can bring are acknowledged. However, in accordance with policies xxx, conversion of an entire business to residential moorings would not be supported. These sites have good access by foot to every day services and facilities provided in Brundall (such as a supermarket, pharmacy, school and Post Office). Bus stops and railway stations to wider destinations are also within walking distance from these areas.

Proposals will need to meet the requirements of policy x as the Brundall Riverside area generally has good dark skies.

#### Alternative Options

- No policy. Experience of using this policy as part of the Sites Specifics Local Plan has been positive and the Authority considers its continued inclusion in the Local Plan to be important.
- No change to adopted policy. The proposed policy clarifies some elements of the adopted policy and includes stronger wording in some places.

#### Sustainability Appraisal Summary

- Preferred option: Positive against some of the environmental objectives.
- No policy: uncertain, but a policy gives more certainty.
- No change to adopted policy: Positive against some of the environmental objectives.

#### Evidence used to inform this section

- Policy rolled forward from Sites Specifics Local Plan and improved to reflect officer experience.

#### Monitoring Indicators

- Planning applications in accordance (or otherwise) with this policy.

**Policy POBRU3: Mooring Plots**  
**Inset Map x**

The continued use of this area for mooring of boats and uses incidental to that activity will be encouraged and the generally open character of the area retained.

The defined area will be kept generally free of buildings and above ground structures. Provision of unobtrusive moorings, steps, ramps and small scale storage lockers, for use incidental to the enjoyment of the moorings will be supported.

The provision and maintenance of additional shrub or tree planting will be encouraged having regard to limiting wind shadow on the river in the interests of sailing.

The permanent or seasonal occupation of the land, vehicles, boats, etc., or the stationing of caravans, will not be permitted.

#### Constraints and features

- The area is at serious risk of flooding (zone 3 by EA mapping; wholly in zone 3b by SFRA 2007 mapping).
- Road access is constrained.
- Area is close to SSSI, SAC, SPA, Ramsar site.
- An Article 4 Direction removes all PD Rights.

#### Reasoned Justification

The management of incremental development of the Riverside Estate area, including that covered by this Policy, has been an issue since at least the 1950s. This part of the Riverside area remains largely open and free of buildings and structures. The Policy seeks to retain this openness, the balance with the more developed parts of the riverside, and the contribution of this to the character of the wider area, while continuing the moorings uses which support the local economy and the enjoyment and navigation of the Broads.

Use of the area for moorings, and the presumption against permanent or seasonal occupation and the stationing of caravans, is supported by the Environment Agency on flood risk grounds.

Applicants are directed to the Authority's adopted Mooring Design Guidance<sup>85</sup>.

#### Alternative Options

- No policy. Experience of using this policy as part of the Sites Specifics Local Plan has been positive and the Authority considers its continued inclusion in the Local Plan to be important.
- No change to adopted policy. The proposed policy clarifies some elements of the adopted policy and includes stronger wording in some places.

#### Sustainability Appraisal Summary

- Preferred option: Positive against some of the environmental objectives.
- No policy: uncertain, but a policy gives more certainty.
- No change to adopted policy: Positive against some of the environmental objectives.

#### Evidence used to inform this section

- Policy rolled forward from Sites Specifics Local Plan and improved to reflect officer experience.

#### Monitoring Indicators

- Planning applications in accordance (or otherwise) with this policy.

<sup>85</sup> [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0005/703940/Mooring-design-guide.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0005/703940/Mooring-design-guide.pdf)

#### **Policy POBRU4: Brundall Marina**

##### **Inset Map x**

In this area:

- i) the development and retention of marina, boatyard and related uses will be encouraged;
- ii) Policy xxx (General Employment) and xxx (Boatyards) will apply; and,
- iii) Policy xxx (New Residential Moorings) will apply as the marina will be treated as if it were adjacent to the development boundary.

In order to retain the openness of the southern majority of the area (where vessels are moored), the development of buildings and large structures will be generally restricted to the northern portion of the site (where existing buildings are located), except where a specific locational need is demonstrated and the scale and design of the proposal are compatible with this objective.

In assessing development proposals full regard will be given to

- a) the flood risk;
- b) the limitations of the road access;
- c) management of risks of water pollution;
- d) increasing the amount of trees and other planting on the site (with due regard to avoiding creating wind obstruction near the riverside which might affect the sailing on the river); and
- e) providing permeable surfaces and controlled drainage

##### Constraints and features

- The area is at serious risk of flooding (zones 1, 2 & 3 by EA mapping; almost wholly in zone 3b by SFRA 2007 mapping).
- Road access is limited.
- Area is close to SSSI, SAC, SPA, Ramsar site.
- Potential archaeological interest.
- An Article 4 Direction removes all PD Rights in the area.

##### Reasoned Justification

The marina is an important resource for enjoyment and navigation of the Broads, and contributes to the local economy and the retention of marine skills in the area. The Policy seeks to encourage its retention and future development, while protecting and enhancing the best qualities of the area and within the constraints of the flood risk to the area.

The Environment Agency confirms that the uses supported by the Policy accord with national flood risk policy. The EA also highlights the need to address the risks of water pollution for waterside sites in industrial/boatyard use.

Policy xxx provides potential for residential moorings in certain circumstances in locations adjacent to development boundaries. Given the scale of the marina, and its close proximity to the public transport connections and extensive facilities of Brundall, it is considered that this marina should be specifically included within those provisions even though there is no development boundary immediately adjacent.

Proposals will need to meet the requirements of policy x as the Brundall Riverside area generally has good dark skies.

##### Alternative Options

- No policy. Experience of using this policy as part of the Sites Specifics Local Plan has been positive and the Authority considers its continued inclusion in the Local Plan to be important.
- No change to adopted policy. The proposed policy simply clarifies some aspects of the current policy.

#### Sustainability Appraisal Summary

- Preferred option: Positive against some of the environmental objectives.
- No policy: uncertain, but a policy gives more certainty.
- No change to adopted policy: Positive against some of the environmental objectives. The proposed policy simply clarifies some aspects of the current policy.

#### Evidence used to inform this section

- Policy rolled forward from Sites Specifics Local Plan and improved to reflect officer experience.

#### Monitoring Indicators

- Planning applications in accordance (or otherwise) with this policy.

#### **Policy POBRU5: Land east of the Yare public house**

##### **Inset Map x**

This land will be kept generally free of built development to help conserve its trees and contribution to the visual amenity and biodiversity of the area, provide a wildlife corridor between the Natura 2000 site to the east and the river to the west, and reflect flood risk to the area and retain flood capacity.

#### Constraints and features

- Flood risk (site includes zones 1, 2, & 3b by SFRA 2007 mapping; and zones 1, 2, & 3 by EA mapping).
- Adjacent SAC, SPA, SSSI, Ramsar site.
- Archaeological interest (brick kiln).
- Tree Preservation Order.

#### Reasoned Justification

This policy continues the long-term protection of this valuable semi-natural green area, providing a backdrop to the Riverside area, separation from the housing and other development to the north of the railway line, and a link with the marshland to the east, which has multiple national and international environmental designations.

The avoidance of built development of the area is supported by the Environment Agency on the grounds of flood risk.

#### Alternative Options

- No policy. Experience of using this policy as part of the Sites Specifics Local Plan has been positive and the Authority considers its continued inclusion in the Local Plan to be important.
- No change to adopted policy. The proposed policy simply clarifies some aspects of the current policy.

#### Sustainability Appraisal Summary

- Preferred option: Positive against some of the environmental objectives.
- No policy: uncertain, but a policy gives more certainty.
- No change to adopted policy: Positive against some of the environmental objectives. The proposed policy includes stronger wording in some places.

#### Evidence used to inform this section

- Policy rolled forward from Sites Specifics Local Plan and improved to reflect officer experience.

#### Monitoring Indicators

- Planning applications in accordance (or otherwise) with this policy.

### **Policy POBRU6: Brundall Gardens**

#### **Inset Map x**

Policy xxx (New Residential Moorings) will apply as the marina will be treated as if it were adjacent to the development boundary. Proposals for Residential Moorings will be allowed in this area if they are not at a scale which would compromise existing business on the site as well as meeting the criteria in xxx and xxx. Proposals must ensure no adverse effects on the conservation objectives and qualifying features of the nearby SSSI.

#### Constraints and features

- Area is just across river from Site of Special Scientific Interest. Yare Broads and Marshes SSSI is a component SSSI of Broadland SPA and Ramsar site and The Broads SAC
- Brundall Gardens Railway Station next to Marinas.
- Area in flood zone 3 (EA).

#### Reasoned Justification

The Authority would support perhaps one or two of the moorings at a boatyard being converted to residential moorings. The benefits of a regular income as well as passive security which residential moorings can bring are acknowledged. However, in accordance with Policies xxx, xxx and xxx, conversion of an entire business to residential moorings would not be supported.

These sites have good access by foot to every day services and facilities provided in Brundall (such as a supermarket, pharmacy, school and Post Office). Bus stops and railway stations to wider destinations are also within walking distance from these areas.

#### Alternative Options

- No policy. The Authority considers its continued inclusion in the Local Plan to be important.
- No change to adopted policy. The proposed policy simply clarifies and updates some aspects of the current policy.

#### Sustainability Appraisal Summary

- Preferred option: Positive against an environmental, social and economic objective.
- No policy: uncertain, but a policy gives more certainty.
- No change to adopted policy: Same as preferred option (which updates the policy)

#### Evidence used to inform this section

- Policy rolled forward from Sites Specifics Local Plan.

#### Monitoring Indicators

- Planning applications in accordance (or otherwise) with this policy.

### **CANTLEY**

### **Policy POCAN1: Cantley Sugar Factory**

#### **Inset Map 3**



This site is defined as an employment site for the purposes of Policy x (Protecting General Employment).

Development on this site which secures and enhances the sugar works' contribution to the economy of the Broads and wider area will be supported where this also -

- a) Protects or enhances wildlife and habitats (including the nearby Ramsar site, SPA and SAC);
- b) Protects or enhances the amenity of nearby residents;
- c) Avoids unacceptable adverse impact on highway capacity or safety;
- d) Improves the appearance of the works particularly in views from the river, through design, materials, landscaping;
- e) Reduces light pollution;
- f) Uses the disposition, bulk and location of buildings and structures to avoid extending the built-up part of the site into the open areas around or more prominent in the skyline;
- g) Can be demonstrated to be in conformity with national policy on flood risk; and
- h) Appropriately manages any risk of water pollution.

Renewed use of the railway or river for freight associated with the plant would be particularly encouraged, as would measures reducing carbon dioxide emissions.

Employment uses other than that associated with the sugar works will be supported only where they do not prejudice the future of that use (and associated waste operations) and also meet the above criteria.

#### Constraints and features

- Flood risk (zones 1, 2 & 3 by EA 2012 mapping; zones 1, 2 & 3b by SFRA 2007 mapping).
- Site is close to SPA, SAC, SSSI and Ramsar designated areas.
- Public footpaths cross the site.
- The policy area is within the consultation zone of a waste operation associated with the sugar works.

#### Reasoned Justification

The Cantley sugar works are a major contributor to the local economy, and help support jobs and agriculture (beet production) over a wide area. Around 120 people are employed on the site, but many more are employed seasonally and in the sugar beet supply chain.

The works are, though, a major emitter of carbon dioxide within the Broads, and the heavy road freight associated with the works has negative impacts on local residents' amenity, and highway safety and capacity.

The Policy continues the long-standing approach of supporting the continuation and upgrading of the works, while encouraging this to happen in a way that minimises adverse impacts and makes the most of opportunities for improving the local environment and amenities. Planning permission exists to develop the works to enable the processing of imported cane sugar, but this has yet to be implemented.

The potential for recommencing use of the river and or railway to transport freight to and from the site was explored in the Cantley Transport Feasibility Study. Although there is no immediate prospect of this being achieved, it remains an aspiration should circumstances permit.

The Habitats Regulations Assessment identified that any development on the site should be subject to site-level screening at the planning application stage. This is ensured by the Habitats Regulations and Local Plan policy x.

Parts of the site are vulnerable to flood risk (and have experienced flooding), but the precise extent of different levels of risk in the immediate area could not be ascertained by the Broads SFRA. Thus a site flood risk assessment will be needed to demonstrate the level of the risk associated with any future proposed development. The Environment Agency highlights the need to address the risks of water pollution for waterside sites in industrial use.

The Authority acknowledges the work undertaken to reduce light pollution (receiving an award for sky friendly night time exterior lighting and restricting light above the horizontal in 2010). The requirement to address light pollution remains in the policy to reflect the good dark skies in the area, particularly when further away from the works. The Authority would like to see further reduction in light pollution to improve the dark skies of the area as a whole.

#### Alternative Options

#### Sustainability Appraisal Summary

#### Evidence used to inform this section

- Policy rolled forward from Sites Specifics Local Plan.

#### Monitoring Indicators

- Planning applications in accordance (or otherwise) with this policy.

#### DILHAM

#### **Policy PODIL 1: Dilham Marina (Tyler's Cut Moorings)**

##### **Inset Map x**

The continued use of this area for mooring of boats and uses incidental to that activity will be encouraged, and the semi-natural quality of the area retained.

The defined area will be kept generally free of buildings and above ground structures. Provision of unobtrusive moorings, steps, ramps and small scale storage lockers, for use incidental to the enjoyment of the moorings will be supported.

A predominantly green and semi-natural appearance of the area will be retained. The management and renewal of trees and other planting will be supported in a way which gives due regard to navigation and facilitates security and the enjoyment of the moorings, while also supporting wildlife and enhancing the landscape and visual amenity of the area.

The permanent or seasonal occupation of the land, vehicles, boats, etc., or the long-term stationing of caravans, will not be permitted.

#### Constraints and features

- Flood risk (site partly in zone 3b by SFRA mapping).
- The area is close upstream from SSSI, SAC SPA, Ramsar site.

#### Reasoned Justification

This Policy is intended to retain the existing positive qualities and facilities of the area, and harmonise its policy treatment with that of some other similar mooring areas across the Broads. While it provides valuable mooring facilities, there is a perceived need to control ancillary development, and this is best achieved by applying a similar policy to those for other mooring areas in the Broads, but with specific reference to the importance of the semi-natural quality of this area.

The site is at risk of flooding but the Environment Agency supports both the current use and restriction on permanent and seasonal occupation.

Applicants are directed to the Authority's adopted Mooring Design Guidance<sup>86</sup>.

#### Alternative Options

- No policy. Experience of using this policy as part of the Sites Specifics Local Plan has been positive and the Authority considers its continued inclusion in the Local Plan to be important.
- No change to adopted policy. The proposed policy includes stronger wording in some places.

#### Sustainability Appraisal Summary

- Preferred option: Positive against some of the environmental objectives.
- No policy: uncertain, but a policy gives more certainty.
- No change to adopted policy: Same as Preferred Option. The proposed policy includes stronger wording in some places.

#### Evidence used to inform this section

- Policy rolled forward from Sites Specifics Local Plan and improved to reflect officer experience.

#### Monitoring Indicators

- Planning applications in accordance (or otherwise) with this policy.

#### DITCHINGHAM DAM

##### **Policy PODIT2: Maltings Meadow Sports Ground, Ditchingham Inset Map 5**

The continued use of the area for sports facilities will be supported.

Proposals to improve existing and provide new facilities will be supported if:

- It retains the general character of the openness of the area
- It avoids adverse impacts on neighbouring occupiers
- Particular care is taken to consider the landscape impacts of fencing, lighting columns and other structures
- They are of high standards of design, materials and landscaping
- Steps are taken to reduce light pollution where possible
- New lighting installations do not contribute to light pollution
- Proposals manage flood risk on the site and do not increase flood risk elsewhere
- Any demand for additional car parking is addressed.

Before any further development is permitted here, whether it would generate additional traffic or maintain existing levels, the operators of the Sports Ground will be required to produce and implement a robust travel plan for the entire site.

Any 'assembly and leisure' uses which are otherwise acceptable under this policy will be restricted to those parts of the site demonstrated to have a lower than 1 in 20 year return flood risk.

<sup>86</sup> [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0005/703940/Mooring-design-guide.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0005/703940/Mooring-design-guide.pdf)

The site lies on a safeguarded mineral resource (sand and gravel) and any development proposals will need to address this (see Norfolk County Council's Core Strategy Policy CS16 - Safeguarding mineral and waste sites and mineral resources).

#### Constraints and features

- Risk of flooding (almost wholly zone 3 by EA mapping; zones 1, 2, 3a & 3b by SFRA 2007 mapping).
- Minerals (sand and gravel) safeguarding area.

#### Reasoned Justification

The site provides valuable sports and recreation facilities for a wider area. The policy is intended to facilitate the continuation of this, while ensuring the interests of the landscape, neighbour amenity and flood risk are appropriately addressed.

This policy is intended to provide clarity and consistency in the approach to future development of the area, and in particular to stress the importance of the landscape sensitivity of this area of floodplain and grazing marshes, and potential impacts on neighbours' amenity.

The Authority is aware of the management committee's aspirations for the venue to improve the layout of the venue and provide further sport and recreation facilities, both indoors and outdoors. This policy generally supports appropriate improvements to the facility that would benefit the health and wellbeing of the community as well as appropriate amendments to enable greater and improved social use of the site.

On the issue of transport and access to the venue, the requirement of the policy for a robust travel plan that is deliverable will assist the venue in accommodating demand for parking, especially at peak times. Such a travel plan needs to address the usage of the entire site. The aim being to seek modal shift away from single occupancy car use thus reducing the demand for car parking spaces.

The Bungay and Ditchingham area is one of the darkest areas of the Broads with readings typically over 20.5 Arc Magnitudes per Second. As part of any proposals there could be opportunities to address current external lighting. New lighting proposals should be line with **Policy x** on light pollution.

The restriction of the location of any 'assembly and leisure' uses is made on the advice of the Environment Agency and in furtherance of national policy on flood risk, recognising that these are not appropriate in those parts of the site at a higher degree of risk where outdoor sports and recreation, and essential facilities such as changing rooms may be.

#### Alternative Options:

- No policy. This venue is an important asset to the local community and so the Authority would like to support the right kind of change.
- As per current policy with no amendments. Preferred Option addresses sustainable transport and light pollution.

#### Sustainability Appraisal Summary

- Preferred option. Positive score on many objectives.
- No policy: Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty
- As per current policy with no amendments: Same as Preferred Options, less the positive score on sustainable transport and light pollution.

#### Evidence used to inform this section

- Policy rolled forward from Sites Specifics Local Plan 2014. Changes suggested as a result of meeting the management of the site as well as to reflect the Dark Skies study 2016.

#### Monitoring Indicators

- Planning Applications permitted in accordance with (or otherwise) this policy)

#### **Policy PODIT3: Ditchingham Maltings Open Space, Habitat Area and Alma Beck**

##### **Inset map x**

The areas defined on the policies maps (including Alma Beck) shall be protected as open space and habitat area.

The area allocated as open space will be kept open because of its contribution to amenity, townscape and recreation as well as providing an important pedestrian link from Ditchingham Dam through the site to the crossing of the A143 into Ditchingham.

The habitat area will be conserved and enhanced for its contribution to the landscape, its wildlife and openness.

#### Constraints and features

- New development nearby (Ditchingham Maltings)
- Path runs through open space
- Alma Beck is an IDB drain.
- As per policy, habitat area and open space on site.
- Beck and surrounding area classed as flood zone 2 (EA mapping)

#### Reasoned justification

The habitat and open space areas were provided as part of the Ditchingham Maltings major development, completed in 2016. Both areas contribute to the character of the area, with the open space providing space for residents and visitors to play and use for informal recreation. The open space also acts as an important pedestrian link through the site linking Ditchingham Dam to Ditchingham and the services and facilities the village offers.

The habitat area benefits wildlife on the site by retaining, enhancing and creating habitats and maintaining favourable conservation status of bat species. Much of this habitat area falls outside of the Broads Authority Executive Area and South Norfolk District Council have been contacted with regards to allocating the rest of the habitat areas in their future Local Plan.

Alma Beck forms part of the open space and habitat area allocation because of its contribution to the amenity, recreation and biodiversity value of the area. It is an Internal Drainage Board drain maintained for its drainage function and enhanced for its importance to wildlife.

#### Alternative Options

- No policy. The Authority considers the open space and habitat area to be an important asset to the development and the Broads so wished to see it protected.

#### Sustainability Appraisal Summary

- Preferred option: rates positively against most of the environmental objectives and against some of the social objectives, in particular health.

- No policy: the effect is uncertain as there may not be proposals to change the open space and habitat area. A policy gives more protection.

#### Evidence used to inform this section

- The Ditchingham Maltings planning application.

#### Monitoring Indicators

- Applications which change the habitat area and open space.

#### **FLEGGBURGH**

##### **Policy POFLE1: Broadland Sports Club**

The continued use of the area for sports facilities will be supported.

Proposals to improve and provide new facilities will be supported if:

- They are of high standards of design, materials and landscaping;
- Steps are taken to reduce light pollution where possible
- New lighting installations do not contribute to light pollution
- Proposals manage flood risk on the site and do not increase flood risk elsewhere;
- Proposals avoid adversely impacting designated nature sites; and
- Any demand for additional car parking is addressed.

Before any further development is permitted here, whether it would generate additional traffic or maintain existing levels, the operators of the Broadland Sports Club will be required to produce and implement a robust travel plan for the entire site.

#### Constraints and features

- Part in flood zone 2 and 3 (EA mapping)
- Adjacent to the Trinity Broads SSSI and the Broads SAC

#### Reasoned Justification

The Authority supports the continued use of the Sports Club to reflect the benefits it provides to health and wellbeing of the community. The Authority is aware of the aspirations of the Club to improve the venue and raise the standard of the facilities it offers so as to be a regionally important area for racquet sports, and to improve the swimming pool provision and storage to expand the exercise offer.

The venue is however subject to some constraints such as flood risk and proximity to a Site of Special Scientific Interest. Broadland Sports Club is also fairly remote from significant areas of population and attracts people from as far away as Winterton on Sea. These will be particularly important considerations for future proposals.

On the issue of transport and access to the venue, the requirement of the policy for a robust travel plan that is deliverable will assist the venue in accommodating demand for parking, especially at peak times. Such a travel plan needs to address the usage of the entire site. The aim being to seek modal shift away from single occupancy car use thus reducing the demand for car parking spaces.

The Trinity Broads area is one of the darkest areas of the Broads with readings typically over 20.5 Arc Magnitudes per Second. As part of any proposals there could be opportunities to address current external lighting. New lighting proposals should be in line with Policy x on light pollution.

#### Alternative Options:



- No policy. This venue is an important asset to the local community and so the Authority would like to support the right kind of change.

#### Sustainability Appraisal Summary

- Preferred option. Positive score on many objectives.
- No policy: Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.

#### Evidence used to inform this section

- Policy reflects meeting the management of the site as well as to reflect the Dark Skies study 2016 and other constraints nearby (using mapping).

#### Monitoring Indicators

- Planning Applications permitted in accordance with (or otherwise) this policy)

### **GREAT YARMOUTH**

#### **Policy POGTY 1: Marina Quays (Port of Yarmouth Marina)**

##### **Inset Map 6**

The reuse and enhancement of existing facilities at Marina Quays for river and other leisure users, or appropriate redevelopment, will be encouraged where this is compatible with the flood risk to the site.

Careful consideration will be given to the design, scale and layout of any redevelopment, its potential additional impacts on nearby residents, and its role as a landscape buffer between the Bure Park and more urban areas.

Any boatyard/marina uses will need to address the risk of water pollution.

#### Constraints and features

- River frontage with riverside footpath passing through;
- adjacent to Bure Park;
- petrol station and main road (Caister Road) adjacent.
- Flood risk (zone 3 by EA 2012 mapping).
- Some areas of the river are not the required depth for safe mooring and dredging is likely to be required. Dredging immediately in front of the Quay heading would be the responsibility of the landowner or operator. Discussions with the Broads Authority, in order to obtain a works licence, would be required.
- River in this area is tidal and water flow can be quite fast.

#### Reasoned Justification

*This version of GTY1 is the same as the 2014 Sites Specifics Local Plan version. We would welcome your views on it. At the time of writing, discussions were ongoing with the owner with regards to their ambitions for the site. Further work was going to be undertaken by the owner and this work would inform further discussions. There is potential for the policy to be amended to seek regeneration of the area in a way that also meets the ambitions of the owners, but that would depend on detailed understanding of the various constraints. The Authority will work with the landowner in a transparent way to hopefully come up with a policy that will enable improvements to the site.*

The marina, public house, and public toilets on this site are currently closed and boarded up. While their reuse and upgrading would be welcome, it is uncertain whether this will be achieved. The policy wording reflects this situation, and also supports alternative redevelopments which will bring the area back into use

while addressing the need to ensure appropriate regard is given to neighbouring uses and occupiers. Any such development would be subject to the Natural Environment policy and required to demonstrate no likely adverse impact on the integrity of Natura 2000 sites, including Breydon Water.

The Environment Agency advises that more recent evidence indicates the flood risk to the area is greater than that suggested by the Broads Strategic Flood Assessment, and while this may limit the potential for other development, the continued use for boating and for outdoor leisure is likely to be compatible with flood risk policies. The EA also draws attention to this site in relation to the potential for water pollution from boatyard or industrial uses in waterside sites.

## **HORNING**

### **Horning – Knackers Yard Water Recycling Centre**

To ensure the protection of designated sites, no new development requiring connection to the public foul drainage system within the Horning Catchment should take place until it is confirmed capacity is available within the foul sewerage network and at the Water Recycling Centre to serve the proposed development.

### **Policy POHOR2: Car Parking**

#### **Inset Map x**

The continued use of this land for car parking for visitors will be supported. Improved cycle parking provision, in a more prominent and useful location will also be supported.

Environmental improvements and landscaping will be encouraged to improve its contribution to the character and appearance of the Conservation Area and to visual amenity.

### **Constraints and features**

- Within Horning Conservation Area.
- Not far (across river) from SSSI.
- Flood risk (zones 1, 2 & 3 by EA mapping).

### **Reasoned Justification**

Horning is a popular location for its views, boating, shops, public houses, river boat trips and more. Most visitors and residents arrive by car (public transport is limited and distances and routes to other centres do not encourage cycling and walking.) The car parks in the village are important to the village's economy and to the value of the area for enjoyment of the Broads. The existing pay and display car/coach park does intrude somewhat into the village scene close to the riverside, but it would be very difficult to find a satisfactory alternative of similar capacity, given the layout and sensitivity of the locality.

There is a second important parking area near the staithe. This is also protected in this car parking policy.

Proposals will need to meet the requirements of policy x as the Horning area generally has good dark skies.

### **Alternative Options**

### **Sustainability Appraisal Summary**

### **Evidence used to inform this section**

### **Monitoring Indicators**

### **Policy POHOR3: Horning Open Space (public and private)**

#### **Inset Map x**

This area of open space is conserved for its contribution to the character and landscape of Horning, and the amenity of residents and visitors.

The area marked on the policies map will be retained as private open space for its contributions to the character and appearance of the village.

#### Constraints and features

- Within Horning Conservation Area.
- Just across river from SSSI.
- Flood risk (zones 1, 2 & 3 by EA mapping).

#### Reasoned Justification

This is a well-used and appreciated open space, contributing to the amenity of residents and visitors to the area, to the setting of nearby historic buildings, and to the wider landscape of the area. Although there are many other spaces around Horning which contribute in various ways to the appearance and amenities of the area, this is perhaps the most characteristic and important to its sense of place and role as a focus for visitors.

Specifically identifying this as open space is intended to complement the development boundary shown for other parts of Horning, and also to clarify that the various types of development which the Local Plan would normally permit adjacent to or outside a development boundary would not be acceptable in the defined area.

At the time of writing, the area marked as 'private open space' is a pub garden. As such, this is not public open space as access onto this private land is only for paying customers of the pub. This landscaped open space does add to the character and attractiveness of the staithe, and will be retained in this generally open and attractive state for the benefit of pub users as well as for the quaint appearance of this area to those on both land and water.

#### Alternative Options

- No policy. The Authority considers the open space be an important asset to the village and the Broads so wished to see it protected.
- **No change to the adopted policy.**

#### Sustainability Appraisal Summary

- Preferred option: rates positively against most of the environmental objectives and against the health objective.
- No policy: the effect is uncertain as there may not be proposals to change the open space. A policy gives more protection.
- No change to adopted policy: this rates the same as the preferred option, but the preferred option policy addresses the public and private open space elements.

#### Evidence used to inform this section

- Site Specifics Local Plan policy and site visits.

#### Monitoring Indicators

- Applications which change the open space.

### **Policy POHOR4: Waterside plots**

**Inset Map x**

The designated area of waterside plots will be protected from over-intensive development and suburbanisation (including from the character of moorings and boundary treatments). The maintenance or upgrading of existing buildings will be encouraged and their replacement permitted where this is consistent with the openness and the low key and lightweight forms of building (which is generally characteristic of the area) and policies on flood risk.

Development should contribute where feasible to:

- a) an upgrading of private sewerage systems, and
- b) an increase in the amount of trees and other planting in the area (with due regard to avoiding creating wind obstruction near the riverside which might affect sailing on the river).

Constraints and features

- Parts close to (across river) SAC, SPA, Ramsar, SSSI.
- Flood risk (zone 3 by EA mapping).

Reasoned Justification

The Policy follows the preceding Local Plan's general approach of seeking to balance updating and redevelopment of the waterside plots, while retaining the best characteristics of the area and discouraging suburbanisation and over-intensive development. The wording of the policy seeks to clarify what the Authority is trying to achieve, and focus on the key qualities to be addressed in any development.

The sailing club is excluded, and is subject of a separate policy (HOR 5).

Proposals will need to meet the requirements of policy x as the Horning area generally has good dark skies.

Applicants are directed to the Authority's adopted Mooring Design Guidance<sup>87</sup>.

Alternative OptionsSustainability Appraisal SummaryEvidence used to inform this sectionMonitoring Indicators**Policy POHOR5: Horning Sailing Club****Inset Map x**

Continued use of the island for sailing facilities will be supported.

Maintenance and upgrading, or replacement, of existing buildings for this use will be supported where this is consistent with the character of the riverside area and policies on flood risk. Dwellings, business uses and holiday accommodation will not be permitted.

Development proposals in this area will be required to:

- i) Be of high standards of design;
- ii) limit the height, bulk and extent of building to retain the general openness of the area in which the club is located;
- iii) provide permeability of hard surfaced areas and sustainable drainage systems (SUDS);
- iv) avoid impacting the amenity of nearby occupiers; and

<sup>87</sup> [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0005/703940/Mooring-design-guide.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0005/703940/Mooring-design-guide.pdf)

v) avoid impacting navigation and nature conservation (including designated Natura 2000 sites).

The continued use of the land south of the footbridge for car parking associated with the sailing club is supported, but built development here would not be acceptable.

#### Constraints and features

- Lies within Horning Conservation Area.
- Just across river from SSSI, SAC, SPA, Ramsar Site.
- Flood risk (zone 3 by EA mapping).

#### Reasoned Justification

In reviewing the Local Plan policy HOR1, it was considered that it would be preferable to treat the sailing club separately from the holiday and residential waterside plots around it. This allows the encouragement of the continuation of this valuable use in the location, and allows the Policy wording to be better focused on the particular likely redevelopment issues relating to a sailing club and to its immediate surroundings. The land off the island is considered suitable for car parking associated with the sailing club, but built development here would reduce the area's contribution to the openness of the area in general and the adjacent public open space in particular.

The Habitats Regulations Assessment identified the potential for future developments at the club to have adverse effects on the nearby Natura 2000 sites. The Habitats Regulations and Broads Development Management Policy DP1 require that this potential is assessed and avoided in respect of any future planning application.

Proposals will need to meet the requirements of policy x as the Horning area generally has good dark skies.

#### Alternative Options

#### Sustainability Appraisal Summary

#### Evidence used to inform this section

#### Monitoring Indicators

#### **Policy POHOR6: Crabbett's Marsh**

##### **Inset Map x**

This area will be protected for its landscape and nature conservation value. It is also recognised that the access here is a major constraint.

All forms of new built development will be firmly resisted, as will the stationing of vehicles, caravans and boats. (In this context the stationing of boats excludes short-term halts of waterborne craft in the course of navigation.)

Acceptable uses are likely to be those which are compatible with its semi-natural and undeveloped state, such as intermittent and very low level private leisure use.

#### Constraints and features

- Tree preservation order for this and adjacent area, which also forms an important backdrop to Horning.
- Alder Carr woodland is a Broads Biodiversity Action Plan priority habitat.
- Not far (across river) from SAC, SPA, Ramsar, SSSI.
- Article 4 Direction (1972) removes permitted development rights for gates, fences, walls and enclosures; temporary use of land under '28 day rule'; etc.

- Flood risk (predominantly zone 3 by EA mapping, with small areas of zones 1 & 2).

#### Reasoned Justification

Attempts to control the incremental development of this area go back to at least the early 1970s, and have been complicated by the sale and purchase of individual 'leisure plots' without always sufficient regard to the lawful uses of the land. During that time a very limited amount of development has either been granted planning permission or become immune from enforcement action, but more generally the Authority (and its predecessors as local planning authority) has sought to resist built development and engineering works such as the building of roads and the cutting of mooring basins.

The proposed Policy continues the Local Plan's approach seeking to resist the erosion of the area's landscape and nature conservation value, and recognising the limitations of the road access, while revising the wording to clarify what the Policy is seeking to achieve and the acceptable range of possibilities.

When referring to built development, this includes sheds and similar structures; and such engineering works as raised ground levels, road building, creation of moorings, cuts, paved tracks, hard-standings or moorings.

The stated protection of this site, and the restriction on caravans, etc., is supported by the Environment Agency on flood risk grounds.

#### Alternative Options

#### Sustainability Appraisal Summary

#### Evidence used to inform this section

#### Monitoring Indicators

### **Policy POHOR7: Horning - Boatyards, etc. at Ferry Rd. & Ferry View Rd.**

#### **Inset Map x**

The land identified on the Adopted Policies Map will be subject to policies xxx (General Employment) and xxx (Boatyards), and for the purposes of xxx (New Residential Moorings) will be treated as if adjacent to the development boundary.

Developments should include

- appropriate measures to manage any risk of water pollution arising from development; and,
- significant landscape planting to help soften the appearance of the area, integrate it into the wider landscape, and support wildlife and biodiversity (e.g. by use of nectar mixes), but subject to avoiding the creation of additional wind shadowing of the river affecting its sailing value.

The range of potential development will be constrained by the high flood risk to most of this area and the application of national and local policies on flood risk.

#### Constraints and features

- Close to SAC, SPA, Ramsar site, SSSI, NNR.
- Flood risk (predominantly zone 3 by EA mapping, with small areas of zones 1 & 2).

#### Reasoned Justification

The area is somewhat separate from the heart of the village but provides an important range of boating and ancillary services and of moorings. Significant development has taken place in recent years. The boat and related services contribute to the character of Horning, the local economy, and sustaining marine skills.



The Policy gives certainty to the application of industrial and boatyard policies to the area. It has been further considered that it may be appropriate to permit residential boat moorings here, given the scale and character of the area, and the availability of nearby services, even though the area does not abut a development boundary, so the relevant policy is specifically applied to it (as it is to a limited number of other boatyards elsewhere).

The Environment Agency highlighted that almost all the area is in flood risk zone 3b, and the need to address the risks of water pollution for waterside sites in boatyard use.

Proposals will need to meet the requirements of policy x as the Horning area generally has good dark skies.

#### Alternative Options

#### Sustainability Appraisal Summary

#### Evidence used to inform this section

#### Monitoring Indicators

### **Policy POHOR8: Woodbastwick Fen moorings**

#### **Inset Map x**

This area will be conserved for the green and semi-natural backdrop it gives to Horning village while providing a significant number of moorings for navigable craft. Improvements to the appearance of the area will be sought, and, if opportunities arise, the removal of houseboats and residential moorings.

Particular care will be taken to protect the landscape, environmental and wildlife value of Woodbastwick Fen, including the adjacent internationally protected wildlife site.

The defined area will be kept generally free of buildings and above ground structures. Provision of unobtrusive moorings, steps, ramps and small scale storage lockers, for use incidental to the enjoyment of the moorings will be supported. External storage, and extensive hard paving or boardwalks, will not be acceptable.

No new moorings will be permitted on the river frontage, in order to avoid further restriction of the navigable area of the river.

New residential moorings or houseboats will not be permitted. The area will be treated as not being adjacent to a development boundary for the purposes of Policy xxx.

#### Constraints and features

- Immediately adjacent to (and slightly overlaps) SSSI, SAC, SPA, Ramsar site.
- Part of setting of the Horning Conservation Area on the opposite bank of the river.
- Flood risk (zones 2 & 3 by EA mapping).

#### Reasoned Justification

The area is an important boating resource, but very sensitive in terms of landscape, wildlife and habitats, and also with potential to impinge on navigation in this, one of the busiest stretches of water in the Broads. Woodbastwick Parish Council has specifically sought restrictions to development in the parishes so as to retain the natural landscape where important habitats have evolved.

The area excludes the less developed western extent of moorings, which is now considered best treated as open countryside for planning purposes.

The Policy's restriction on buildings, and intended removal of houseboats and residential moorings if opportunities arise, are supported by the Environment Agency on flood risk grounds.

The houseboats and residential moorings give rise to parking problems in the village and reduce the use of the staithe by the public. They also have limited, if any, facilities such as water, and tend to look unsightly.

Applicants are directed to the Authority's adopted Mooring Design Guidance<sup>88</sup>.

#### Alternative Options

#### Sustainability Appraisal Summary

#### Evidence used to inform this section

#### Monitoring Indicators

### **Policy POHOR9: Land on the Corner of Ferry Road, Horning**

See map x

The existing live/work units shall be retained for the contribution they make to small business and the local economy. The ground floors shall be used for A1, A2, A3, B1 and B2 uses (use classes order 1987 as amended). Such uses shall be capable of being carried out without detriment to the amenity in the area. The upper floors shall be used as residential for persons solely or mainly employed in the management or operation of the business activity on the ground floor below.

#### Constraints and features

#### Reasoned Justification

The live/work units are a unique offer in the Broads. They offer business space, residential accommodation, off-street-parking and have moorings associated with them. Each unit is relatively small and provides an opportunity for small-scale and new businesses to become established with reduced overheads as the operators can live onsite.

These units remained vacant for some time following construction and detracted from the appearance and experience of this part of Horning. The objective of this policy is to retain the units in beneficial use and ensure their contribution to the local economy and community is maintained long term.

Any business use must not affect the amenity of nearby land uses in line with policy x.

The site is outside of a development boundary and therefore dwellings would not normally be permitted. However, residential use is restricted to the upper floors only and must be used only by staff (and family) associated with the business operating on the ground floor.

Alternative uses will only be considered in line with policy x if it can be satisfactorily demonstrated these uses are not financially viable and the proposed new use is compatible with flood risk, protecting amenity and the location outside a defined development boundary and other policies in this Local Plan. The Authority will need to verify the content of any viability report and may need to employ external expertise to do so (The applicant will need to meet the cost of this).

<sup>88</sup> [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0005/703940/Mooring-design-guide.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0005/703940/Mooring-design-guide.pdf)

Alternative Options

Sustainability Appraisal Summary

Evidence used to inform this section

Monitoring Indicators

**HOVETON AND WROXHAM**

**Policy POHOV2: Green Infrastructure**

**Inset Map x**

The identified significant areas of green infrastructure will be retained for their combined and respective contributions to the character and appearance of the village, the amenity of visitors and local residents, flood water capacity and nature conservation.

Constraints and features

- Parts lie within the Wroxham Conservation Area.
- Most at serious risk of flooding, according to SFRA.
- Flood risk (zones 1, 2 & 3 by EA mapping).

Reasoned Justification

This Policy seeks to protect a number of areas of open space/green infrastructure. It is important to recognise that it is protecting their openness and not specifically promoting public access to them. Parts of the proposed area have public access, but others are private and do not.

The area has four distinct parts.

1. The first area is off Brimblelow Road, much of which is private garden and mooring, but makes an important contribution to the landscape and amenity of the vicinity, a visual and wildlife link to the open land (marshes and woodland) close to the east, and where significant development would not, in any case be acceptable because of flood risk and access/highway limitations.
2. The second area comprises the extensive gardens of properties in Beech Road. The inclusion of the area in this policy is intended to provide greater clarity about what the Authority wishes to see here, and to avoid some recent developments creating a precedent.
3. The third area is the public open areas along the riverside between Granary Quay (included) and stretching up past the pub, moorings, Visitor Centre, Railway Bridge and a little beyond. Hoveton Parish Council have previously stated that they wished to see Granary Staithe kept open and accessible to the public for the enjoyment of both residents and visitors and as an asset on the northbound entry into Hoveton, and that this view is widely supported by feedback they have had from residents.
4. The fourth area is the public staithe, Trafford Memorial Ground, Caen Meadow area off Church Road, as proposed by Wroxham Parish Council. The area is remote from the development boundaries in this plan but very close to those of the Broadland Local Plan just across the road and outside the Broads boundary.

The wording of the Policy is intended to highlight their common and combined value and treatment, while recognising the differences in their qualities and access.

Alternative Options

Sustainability Appraisal Summary

Evidence used to inform this section

**Monitoring Indicators****Policy POHOV3: Station Road car park  
Inset Map 8**

This area will be retained in use for car parking. Environmental improvements and landscaping will be encouraged to improve its contribution to the character and appearance of the area.

Constraints and features

- Flood risk (zones 1, 2 & 3 by EA mapping).

Reasoned Justification

The availability of sufficient parking is a major factor in the continued success of businesses in the area and to the vitality of Wroxham and Hoveton. Given the nature of the hinterland, car use is the primary means of access to facilities for most people. The availability of the present level of parking is important to maintain that access. The concentration of car parking (here and elsewhere around the village) also helps reduce the clutter of cars in the wider townscape.

Alternative OptionsSustainability Appraisal SummaryEvidence used to inform this sectionMonitoring Indicators**Policy POHOV5: Brownfield land off Station Road, Hoveton  
Map x.**

The following sites are allocated for the following uses:

- A: Former Broads Hotel Cottage site is allocated for A3 and A4 land uses (land use class order 1987 as amended). Retail and an element of residential, in particular affordable housing, may be acceptable.
- B: Former Waterside Rooms is allocated for A3 and A4 land uses (land use class order 1987 as amended). Retail and an element of residential, in particular affordable housing, may be acceptable.
- C: Building next to the King's Head pub is allocated for holiday accommodation.

With regards to the former Waterside Rooms and the building next to the King's Head, the Authority would welcome a comprehensive scheme that covers both areas in order to deliver a mixed use scheme that makes takes advantage of this waterside location within the centre of the village and offers environmental and visual improvements.

Proposals for these sites off Station Road will need to address each of these criteria:

- v) Careful consideration will be given to the design, scale and layout of any redevelopment and potential additional impacts on nearby land uses.
- vi) Proposals must enhance the appearance of the area including the public realm.
- vii) Part of the sites are at risk of flooding and the type, siting and layout of development will need to take account of this in conformity with national policy.
- viii) Appropriate measures to manage any risk of water pollution arising from development are required to be put in place.
- ix) Proposals to provide car parking must be thoroughly justified and if the need is proven, must be well designed.

### Constraints and features

- Near to Wroxham Bridge, which is a Scheduled Monument.
- Land next to the King's Head pub is partly in flood risk zones 2 and 3.
- Former Waterside Rooms and Former Broads Hotel Cottage site are partly within flood zone 2.
- Station Road and the footpath along the river run either side of these sites. These sites are en route from the car parks at Hoveton as well as the railway station.
- Popular area for boats to be moored.
- Successful King's Head pub nearby.
- Former Broads Hotel site is in North Norfolk (this site has been cleared of buildings, but vegetation seems to have grown back)

### Reasoned Justification

This Local Plan seeks to address some redundant/underutilised or derelict sites around the Broads Authority Executive Area. Such sites can have a negative impact on the landscape, townscape or waterscape and if brought into an appropriate use in an appropriate well, can then become an important asset to the area.

The three sites that are allocated in Hoveton are close to each other along Station Road. Two of the sites are either derelict or have been demolished and the third site is underutilised and is also boarded up.

#### a) Former Broads Hotel Cottage site

This site was linked with the Broads Hotel over the road and was demolished soon after the hotel on behalf of North Norfolk District Council because it was unsafe. The policy requires the site to be used as food and drink with the potential for retail and residential use to reflect the central village location.

The Authority would wish to see food and drink on this site, but would consider retail and residential. Affordable housing in particular would be welcomed.

#### b) Former Waterside Rooms

This former public house has been derelict for some time and can be viewed from the water, thus detracting from what is otherwise a popular and well maintained area of Hoveton riverside. The policy seeks regeneration of this site. Demolition could be acceptable. Any scheme will need to be of the highest quality of design to reflect the prominent waterside location as well as the nearby collection of buildings associated with the King's Head Pub (also part of this policy). The Authority would wish to see food and/or drink premises in this location. The Authority would consider retail and residential. Affordable housing in particular would be welcomed.

#### c) Buildings next to the King's Head pub

This interesting building seems underused and has great potential to be improved and brought into better use. This site could provide some holiday accommodation to counter the loss of the Hotel on Station Road. The buildings are of heritage value and also make a significant contribution to both the street scene and riverside at Hoveton. The Authority seeks to retain and re-use them, allowing the positive visual and heritage contribution they make to be retained. This could be in isolation or as part of a wider scheme for the Station Road area.

This building and the Former Waterside Rooms are under the same ownership and a comprehensive scheme for the two sites considered together would be welcomed. This could also address the car parking at the pub and the courtyard could be brought into a better use that reflects its waterside location.

### Other considerations

The policy also lists some considerations that are relevant to the three sites and other policies of the Local Plan are likely to be of relevance.

This area is very prominent both from the river and Station Road. Many people walk pass these sites between the car park and station to the village centre, along the river or along the road. Design and how proposals fit with the public realm in the area is of great importance.

This end of the village has many car parking spaces with even more provided the other side of the railway. The Authority is aware that some would like to see more car parking in this area of the village. Any proposals for car parking must be thoroughly justified through a car park assessment undertaken at peak times over a suitable time period, assessing weekend and weekdays. Any proposals for car parking need to be well designed with safety being a key factor.

## **NORWICH**

### **Policy PONOR1: Utilities Site**

#### **Inset Map 9**

Redevelopment of this area will be sought to realise its potential contribution to the strategic needs of the wider Norwich area.

Redevelopment proposals will only be supported where they:

- a) Do not prejudice a comprehensive and deliverable mixed use scheme for the whole of the Deal Ground/Utilities Sites Core Area (including those parts outside the Broads boundary)
- b) Protect and enhance natural assets;
- c) Provide a high quality local environment;
- d) Balance scale and massing of development having regard to its location on the fringe of the countryside, and make a positive contribution to the views between the river and the site;
- e) Do not impede the navigation of the rivers Yare and Wensum;
- f) Manage flood risk on the site and does not increase this elsewhere;
- g) Provide sustainable access, including the pedestrian and cycle links through the site and linking to the wider network;
- h) Provide public access to the length of the Yare riverfront;
- i) Are energy and water efficient;
- j) Identify, and provides remediation of, any existing ground contamination;
- k) Manage any risk of pollution of groundwater or river water arising from the proposed uses; and
- l) Make appropriate use of the safeguarded sand and gravel resources on the site where practicable (see Norfolk County Council's Core Strategy Policy CS16 - Safeguarding mineral and waste sites and mineral resources)

The Authority will also expect the following to be delivered as part of the overall scheme unless it is demonstrated this cannot be achieved:

- i) A pedestrian/cycle link across the Wensum and Yare between the City Centre and Whitlingham Country Park
- ii) Improved opportunities for recreation
- iii) Improved facilities for recreational boating.

#### **Constraints and features**

- Close to Norfolk County Wildlife Site – Carey's Meadow.
- Likely to be of archaeological interest (Roman and WW2 finds in vicinity).
- Flood risk (zone 2 by EA mapping).
- Contributes to the urban/rural transition.
- Semi natural habitat on the edge of Norwich.



### Reasoned Justification

The site is part of a much wider area of industrial land, now largely redundant, and stretching across the planning boundaries of the Broads Authority, Norwich City Council and South Norfolk District Council. This wider area is seen as having strategic development potential, but bringing development forward is complicated by access problems and the number of different landowners.

The wording for this Policy reflects, but simplifies and adds to, the content of the 'East Norwich Joint Statement' produced by Norwich City Council in association with the Broads Authority and South Norfolk DC.

The Environment Agency:

- supports the reference to the need to address flood risk issues, and highlights the need for Flood Defence Consent from the Agency for development and trees in proximity to the river;
- highlights the importance of protection against water pollution, that the site lies over groundwater resources and within Source Protection Zone 1, and the potential risks of water pollution from waterside sites in any industrial/boatyard uses; and
- draws attention to the potential of contaminated land.

Norfolk County Council identifies that the site includes a safeguarded minerals (sand and gravel) resource.

### Alternative Options

#### Sustainability Appraisal Summary

#### Evidence used to inform this section

#### Monitoring Indicators

### **Policy PONOR2: Riverside walk and cycle path**

#### **Inset Map x**

Land will be safeguarded for a riverside walk and cycle path along the Wensum/Yare, and implemented in a way which links to the wider network of public access in the area.

Development of the walkway will need to address the archaeological and minerals potential of the area.

### Constraints and features

- Likely archaeological interest in the area (Roman wharfs, WW2 structures found in vicinity).
- Flood risk (zone 2 by EA mapping).

### Reasoned Justification

Public access to the riverside along this stretch of the Yare (from the confluence of the Yare and Wensum to the railway bridge over the Yare) has long been a policy objective. This is included in the aspirations for the development of the 'Utilities Site', but is proposed as an additional, separate Policy so that this is clearly indicated as an intention even if the adjacent site is developed later, or in a way different to that envisaged by that policy.

The Environment Agency highlights the need for Flood Defence Consent from the Agency for development and for any trees in proximity to the river.

The Safety by the Water policy requirements will be of particular importance to this riverside path.

### Alternative Options

#### Sustainability Appraisal Summary

#### Evidence used to inform this section

## Monitoring Indicators

### ORMESBY ST. MICHAEL

#### **Policy POORM1: Ormesby waterworks**

##### **Inset Map x**

Ormesby water treatment works will be protected from development which adversely affects the proper functioning of the waterworks and its contribution to the landscape and visual amenity of the locality.

Development reasonably required for the operation of the water treatment works, and the operator's statutory duties as a water supply undertaker, will be supported where this

- is designed to make a positive contribution to the local landscape or to minimise any negative visual impact, particularly when viewed from Ormesby, Ormesby Little, and Rollesby Broads; and
- where the tree coverage of the site, which makes an important contribution to the character and appearance of the area is retained, and also protected during construction works;
- reduces light pollution; and
- has no adverse impact on the adjacent Special Area of Conservation and Site of Special Scientific Interest.

#### Constraints and features

- Site adjacent to and slightly overlapping with, SAC and SSSI.
- Flood risk (zones 1, 2 & 3 by EA mapping).

#### Reasoned Justification

Ormesby Waterworks, run by Essex & Suffolk Water, provides the public water supply for a large area around Great Yarmouth. The company is also involved in improvements to water quality in the Trinity Broads as part of the Trinity Broads Partnership.

The Policy is intended to continue to provide encouragement for the maintenance and upgrading of the works, while ensuring that the sensitivities of the area are fully addressed in any development.

Proposals will need to meet the requirements of policy x as the Trinity Broads generally has very good dark skies.

## Alternative Options

## Sustainability Appraisal Summary

## Evidence used to inform this section

## Monitoring Indicators

### OULTON BROAD

#### **Policy POOUL2: Boathouse Lane Leisure Plots**

##### **Inset Map x**

The rural and semi-natural character of the area, its contribution to the views from the broad, and flood water capacity will be protected.

Development will be strictly limited to support these aims, and in view of the poor road access and the serious risk of flooding affecting significant parts of the policy area.

The provision of...

- a) small scale storage lockers for use incidental to the enjoyment of moorings, or
- b) modest sized single room day huts, storage sheds and boat sheds

...will generally be permitted provided

- i) the plot within which they are located remains predominantly open;
- ii) the number of buildings does not lead to an over-developed site (usually one building is acceptable);
- iii) in the case of day huts and storage sheds these are sited well back from the waters edge and not prominent in views from the broad; and
- iv) the design and materials are not intrusive in the area or in views from the broad.

The raising of ground levels will not generally be acceptable, in order to retain flood capacity.

The permanent or seasonal occupation of the land, vehicles, boats, etc., or the stationing of caravans, will not be permitted.

In the light of the potential for archaeological remains in the area an archaeological survey may be required in advance of any grant of planning permission.

#### Constraints and features

- Within Oulton Broad Conservation Area. Near (across broad) SAC, SPA, SSSI.
- Article 4 Direction (1981) – removes permitted development rights for walls, gates, enclosures, etc.
- Flood risk (zones 1, 2 & 3 by EA mapping; mainly zones 3a & 3b, and some zone 2, by SFRA 2007 mapping).

#### Reasoned Justification

The area features some long-established leisure plots accessed by a narrow unmade lane. The area forms an important part of the setting of Oulton Broad and the trees and shrubbery contribute to a semi-natural appearance. Maintaining an appropriate balance between the lawful use of the land and the control of additional buildings, structures and vehicles that owners often want to install on their plots has been a challenge for many years.

The policy seeks to clarify what the Authority is trying to achieve, and permit a basic level of built development in support of the plots' lawful uses while minimising adverse impacts on the scenic beauty of the broad and on the flood water capacity of the area.

The Environment Agency supports the intention to keep buildings back from the river frontage. While 'well back' is difficult to define and it depends on particular local circumstances in general setting the building back by a third of a plot could be appropriate. Being hard up or too close to the water's edge could enclose the river and be overbearing. Setting of buildings with an undeveloped area in front will also allow architectural interest of buildings to be appreciated.

#### Alternative Options

#### Sustainability Appraisal Summary

#### Evidence used to inform this section

#### Monitoring Indicators

**Policy POOUL3: Oulton Broad - Former Pegasus/Hamptons Site**  
**Inset Map x**

This site is allocated for

- a) a boatyard use,
- b) and (optionally) housing, recreation, entertainment, or employment use (or uses) where compatible with the boatyard use, road access, neighbouring uses and flood risk.

Development of the site will be required to:

- i) Be of high standards of design;
- ii) Have high quality landscaping
- iii) Fully assess the impact of the development on the surrounding road network and demonstrate adequate capacity to meet the likely traffic demands and demonstrate adequate capacity or provision of adequate mitigation to meet the likely traffic demands of the site;
- iv) Incorporate appropriate measures to manage any risk of water pollution arising from the development;
- v) Incorporate appropriate measures to mitigate or remedy any ground contamination; and
- vi) Provide evidence, including a site flood risk assessment, to confirm that any development will be consistent with national and local policy in terms of both on-site and off-site flood risks.
- vii) Provide appropriate and safe access to the water (slipways, moorings) and facilitate views of the water.

In the light of the potential for archaeological remains in the area an archaeological survey may be required in advance of any grant of planning permission.

#### Constraints and features

- Adjacent to Oulton Broad Conservation Area.
- Opposite (across broad) SAC, SPA, SSSI.
- Flood risk (zones 1, 2 & 3 by EA mapping).

#### Reasoned Justification

This is a visually prominent site on the Broad, now largely derelict. The Authority has long sought redevelopment of the site. It recognises that it is unlikely that the whole of it will remain in boatyard use, but seeks to retain boatyard use and the availability of moorings, etc. at the waterside because of its importance to the local economy and to the recreational value of the wider area. This policy sets out the Authority's approach to achieving such redevelopment, and reflects the essentials of earlier adopted Supplementary Planning Guidance for the site published jointly with Waveney District Council.

A particular local issue is the congestion north of Mutford Lock, as set out in the Local Transport Plan, which may be impacted upon by development of this site. Any transport assessment under this policy should include this constraint. Suffolk County Council may seek contributions from this development, to mitigate any impacts on the highway network.

The Environment Agency highlights the need to address the risks of water pollution for waterside sites in industrial/boatyard use, and the need to deal with the risk of existing ground contamination.

#### Alternative Options

#### Sustainability Appraisal Summary

#### Evidence used to inform this section

#### Monitoring Indicators

#### POTTER HEIGHAM BRIDGE

#### **Policy POPOT2: Waterside plots**

#### **Inset Maps x**

The rural and 'holiday' character of the area of waterside plots will be conserved.

a) CHALET PLOTS

Existing waterside chalet plots will be protected from over-development and suburbanisation, while allowing the maintenance and upgrading or appropriate replacement of existing buildings where this maintains the openness and the low key, lightweight and sometimes whimsical forms of building generally characteristic of the area, and is consistent with policies on flood risk.

Particular care will be taken to

- i) retain or reinstate an open margin, clear of buildings, to the river frontage;
- ii) retain open areas around and between buildings, and views and glimpses between the river and the land behind the chalets;
- iii) limit the height, bulk and extent of buildings to approximately their present levels, and generally to a maximum of around (i) 70% of the plot width (excluding mooring basins coverage), and (ii) plot coverage of 70%, subject to the particulars of the site and its surroundings;
- iv) encourage the retention or provision of lawn, and flower or shrubbery planting;
- v) exploit any opportunities to reduce flood risk through the development;
- vi) reduce light pollution; and
- vii) consider the implications of any proposed development on navigation and nature conservation.

Additional dwellings or holiday accommodation will not be permitted, neither will permission be granted for permanent residential occupancy of holiday chalets.

b) MOORING PLOTS

Development will not be permitted other than appropriate moorings, and the provision of small scale storage lockers incidental to the mooring use of the plot.

c) UNDEVELOPED PLOTS

Development will not be permitted on undeveloped plots.

Constraints and features

- High flood risk – outside defences (zones 2 & 3 by EA mapping; zone 3b by SFRA 2007 mapping).
- Close to, and in places adjacent to, SAC, SPA, Ramsar site, SSSI.
- Parts close to Potter Heigham Bridge, which is both a Grade II\* Listed Building and Scheduled Ancient Monument.

Reasoned Justification

This option continues the general approach of the Local Plan, but the changed wording rolls together what were two separate policies, and clarifies what it is trying to achieve and the way that development proposals will be judged.

Proposals will need to meet the requirements of policy x as the area covered by this policy generally has very good to excellent dark skies.

Alternative Options

Sustainability Appraisal Summary

Evidence used to inform this section

Monitoring Indicators

### **Policy POPOT3: Green Bank Zones**

#### **Inset Maps x**

Development will not be permitted within the 'green bank zones' defined on the Adopted Policies Map, in order to conserve the remaining openness and rural character of the area in the vicinity of the Thurne waterside plots and chalets.

#### Constraints and features

- High flood risk – outside defences (zones 2 & 3 by EA mapping; zone 3b by SFRA 2007 mapping).
- Close to, and in places adjacent to, SAC, SPA, Ramsar site, SSSI.
- Parts close to Potter Heigham Bridge, which is both a Grade II\* Listed Building and a Scheduled Ancient Monument.

#### Reasoned Justification

Further spread of riverside plots would erode the landscape and special character of the locality, add to flood risk, threaten water quality and lead to further demand for car parking provision and utilities infrastructure.

#### Alternative Options

#### Sustainability Appraisal Summary

#### Evidence used to inform this section

#### Monitoring Indicators

### **ST. OLAVES**

### **Policy POSOL1: Riverside area moorings**

#### **Inset Map x**

The defined area will be kept generally open, and uses limited to the mooring of boats and uses incidental to that activity. Particular care will be taken to ensure that any development is sensitively designed, landscaped and, where appropriate, screened from river views.

Provision of unobtrusive access track, parking areas, moorings, steps, ramps and small scale storage lockers, for use incidental to the enjoyment of the moorings will be supported.

The permanent or seasonal occupation of the land, vehicles, boats, etc., or the stationing of caravans, will not be permitted.

#### Constraints and features

- Article 4 Direction (1990) – removes wall/gate/enclosure PD Rights.
- Area at high risk of flooding (zones 2 & 3 by EA mapping; zones 2, 3a & 3b by SFRA 2007 mapping).

#### Reasoned Justification

Management of a potential proliferation of development in this area has been an issue going back some years. The Policy continues the approach of the Local Plan, but the wording has been refined to clarify what it is trying to achieve.

Applicants are directed to the Authority's adopted Mooring Design Guidance<sup>89</sup>.

<sup>89</sup> [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0005/703940/Mooring-design-guide.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0005/703940/Mooring-design-guide.pdf)



Alternative Options

Sustainability Appraisal Summary

Evidence used to inform this section

Monitoring Indicators

**Policy POSOL2: Land adjacent to A143 Beccles Road and the New Cut (Former Queen's Head Public House)**  
**Inset Map x**

Refurbishment, replacement or removal and landscaping of the former public house on this land will be encouraged, in order to improve the visual amenity of the area.

Proposals for reuse or replacement of the premises will need to address the risk of flooding.

Constraints and features

- Flood risk (zones 2 & 3 by EA mapping; mainly zone 3b, some 3a, by SFRA 2007 mapping).
- Halvergate Marshes Conservation Area adjacent but separated visually from the site by elevated road and bridge.

Reasoned Justification

These public house premises and adjacent land have been unused for a considerable time. The continuing unsightly appearance of the buildings and surrounds are of concern to Fritton and St. Olaves Parish Council (the site actually lies in Halvergate Parish, but is visually part of the settlement of St. Olaves).

Although a reopening of the public house premises would be welcome, the policy would permit a range of different redevelopment options, subject to the constraints of the flood risk to the site.

Proposals will need to meet the requirements of policy x as the St Olaves area generally has very good dark skies.

Alternative Options

Sustainability Appraisal Summary

Evidence used to inform this section

Monitoring Indicators

**STALHAM**

**Policy POSTA1: Land at Stalham Staithe (Richardson's Boatyard)**

**Inset Map x**

The land identified on the Adopted Policies Map will be subject to policies DPx (General Employment) and DPx (Boatyards), and for the purposes of DPx (New Residential Moorings) will be treated as if adjacent to the development boundary.

The peninsula of land between the river and the mooring basins should be kept clear of buildings and large structures, and landscape planting should be provided on this peninsula to protect and enhance views from the river. The type of planting will need to avoid the creation of additional wind shadowing of the river affecting its sailing value

Measures to control any risk of water pollution arising from new development will be required.

An archaeological assessment is likely to be required as part of any application for any operational development.

#### Constraints and features

- Adjacent to Stalham Staithe Conservation Area (re-appraised in 2016).
- Part of site within Barton & Sutton Broad Archaeological area.
- Close upstream of SAC, SPA, Ramsar, SSSI.
- Flood risk (zones 1, 2 & 3 by EA mapping).

#### Reasoned Justification

Richardson's Boatyard is one of the largest in the Broads. Local Plan Policy xx provides the potential for residential moorings in boatyards adjacent to development boundaries. Although there is no development boundary immediately adjacent to the boatyard, it is close to a significant range of facilities available in Stalham. The availability of these facilities, together with the scale of the boatyard, is considered to meet the intention of Policy xx despite the absence of an adjacent development boundary. This Policy therefore explicitly applies that policy to the area. It also confirms the application of the general employment and boatyard development policies of the Local Plan Policies (xx and xx), steers built development away from the part of the boatyard that forms a prominent river bank in the river approach to Stalham, and seeks to encourage trees and other planting in this area.

The EA also highlights the need to address the risks of water pollution for waterside sites in industrial/boatyard use.

#### Alternative Options

#### Sustainability Appraisal Summary

#### Evidence used to inform this section

#### Monitoring Indicators

#### **THORPE ST. ANDREW**

#### **Policy POTSA1: Carey's Meadow** **Inset Map x**

Land at Carey's Meadow will be conserved and enhanced for its contribution to the landscape, its wildlife and openness, and the appropriate recreation use by visitors and local residents.

#### Constraints and features

- Carey's Meadow is a Norfolk County Wildlife Site, part of which lies within the Thorpe St. Andrew with Thorpe Island Conservation Area.
- Flood risk (mainly zone 2 and some zone 1 by EA mapping; mainly zone 2, and some zones 1 & 3 by SFRA 2007).

#### Reasoned Justification

Carey's Meadow is a valuable site for wildlife and popular open space for the local community. The policy signals the Authority's continuing commitment to its protection and improvement. The river can also be accessed and viewed from the Meadow. In 2015, canoe access points were put in place.

Alternative Options

Sustainability Appraisal Summary

Evidence used to inform this section

Monitoring Indicators

**Policy POTSA3: Griffin Lane – boatyards and industrial area**

**Inset Map 9**

Environmental and landscape improvements to this area will be sought, while protecting the existing dockyard and boatyard uses under policies x (General Employment) and x(Boatyards).

Development in the area will not be permitted except where this furthers these objectives and is compatible with the restricted road access to the area and other highway constraints.

Any change, in line with the requirements of this policy, should take account of the Listed Grade II building and its setting. Furthermore, in the light of the potential for archaeological remains in the area an archaeological survey may be required in advance of any grant of planning permission.

Constraints and features

- Listed Grade II building within area.
- Area likely to be of archaeological interest.
- Just across river from Whitlingham Marsh Local Nature Reserve.
- Flood risk (mainly zone 3 by EA mapping; zones 2, 3a & 3b, by SFRA 2007 mapping, and some outside its coverage).
- This area contains safeguarded minerals (sand and gravel) resources, but the Minerals Planning Authority has advised this is unlikely to constrain the type and scale of development supported by the Policy.

Reasoned Justification

The policy seeks to support the value of the boatyards and dockyard, while ensuring that full regard is given to the desirability of achieving environmental improvements, and to the constrained road access to the area.

**Policy POTSA4: Bungalow Lane – mooring plots and boatyards**

**Inset Map x**

Further development will be limited by the area's vulnerability to flooding, the retention of its semi-rural character, and the poor road access.

The existing tree cover will be retained. Additional tree and other planting will be encouraged, subject to avoiding the creation of additional wind shadowing of the river affecting its sailing value.

Permission will not be granted for

1. permanent dwellings;
2. the use as permanent dwellings of buildings restricted to holiday or day use;
3. the use for holiday or permanent occupation of buildings constructed as day huts, boatsheds or temporary buildings; or
4. the stationing of caravans.

Extensions to existing buildings, and replacement buildings, will be permitted provided

- a) the building and use proposed complies with policies for development in areas of flood risk;

- b) the design, scale, materials and landscaping of the development contributes positively to the semi-rural and holiday character of the area, and pays appropriate regard to the amenity of nearby occupiers;
- c) Care is to be taken to avoid over-development of plots, and in particular –
  - i) a significant proportion of the plot area (excluding mooring areas) should remain unbuilt;
  - ii) buildings should not occupy the whole width of plots;
  - iii) buildings should be kept well back from the river frontage;
  - iv) buildings should be of single storey of modest height, with floor not raised excessively above ground level.
- d) Development of new or replacement buildings within existing boatyards to meet essential operational needs will be permitted provided that no significant increase in traffic on Bungalow Lane would result.

#### Constraints and features

- Just across river from Whitlingham Marsh Local Nature Reserve.
- Flood risk (zones 2 & 3 by EA 2012 mapping; zone 3b by SFRA 2007 mapping).
- The site is in an area of safeguarded minerals (sand and gravel) resources, but the Minerals Planning Authority has advised this is unlikely to constrain the type and scale of development supported by the Policy.

#### Reasoned Justification

This is a small riverside area of mooring plots, chalets and boatyards. Road access is poor, being a narrow track with an unmanned level crossing of the railway, and with a very restricted junction onto the main road. The aim is to avoid any increase in road traffic, any consolidation or extension of built development along the river frontage, or any increase in flood risk.

The Environment Agency supports the intention to keep buildings back from the river frontage. While 'well back' is difficult to define and it depends on particular local circumstances in general setting the building back by a third of a plot could be appropriate. Being hard up or too close to the water's edge could enclose the river and be overbearing. Setting of buildings with an undeveloped area in front will also allow architectural interest of buildings to be appreciated.

#### Alternative Options

#### Sustainability Appraisal Summary

#### Evidence used to inform this section

#### Monitoring Indicators

### **Policy POTSA 6: River Green Open Space**

#### **Inset Map x**

The area of River Green, as defined on the Adopted Policies Map is allocated as open space and will be kept open for its contribution to amenity, townscape and recreation.

#### Constraints and features

- Area is within Thorpe St. Andrew Conservation Area.
- Flood risk (zone 2 by EA 2012 mapping; zones 2, 3a & 3b by SFRA 2007 mapping).
- River Green includes safeguarded minerals (sand and gravel) resources, but the Minerals Planning Authority has advised this is compatible with the open space designation, subject to no permanent buildings being erected.

#### Reasoned Justification

River Green is an important amenity, part of the local street-scene, and component of the Thorpe St. Andrew Conservation Area. It also provides public access to the riverside and views of the river and Thorpe Island within easy reach of a large population. Continued protection of this area is thus warranted.

#### Alternative Options

#### Sustainability Appraisal Summary

#### Evidence used to inform this section

#### Monitoring Indicators

### **THURNE**

#### **Policy POTHU1: Tourism development at Hedera House, Thurne Inset Map 16**

Land at Hedera House is allocated for tourism- uses, with a proportionate amount of general market housing as enabling development. Development proposals on this site shall provide the following:

- i) The majority of the site to be retained in holiday accommodation available as short-stay lets;
- ii) The proportion of the site to be developed for general market housing shall be only that required to deliver satisfactory redevelopment, renovation or upgrading of the existing holiday accommodation. This shall be demonstrated to the satisfaction of the Broads Authority, in a viability assessment of the proposed development which shall be prepared by an independent chartered surveyor;
- iii) A layout, form and design which strengthens the rural character of the village and its location in a national park equivalent area and reinforce local distinctiveness and landscape character;
- iv) Retention of mature hedgerows and provision of suitable boundary landscaping and areas of open space to retain a spacious and 'green' approach within the site appropriate for a rural village;
- v) Demonstration that there is adequate capacity in water recycling centre (sewage treatment works) and the foul sewerage network to serve the proposed development and that proposals demonstrate they will not have an adverse impact on surface or ground water in terms of quality and quantity;
- vi) Protect the amenities of nearby residents;
- vii) Adequate vehicular access compatible with the above criteria; and
- viii) Proposals must ensure no adverse effects on the conservation objectives and qualifying features of the nearby SSSI.

The inclusion of ancillary facilities (for example the retention of the swimming pool and/or games room) for the benefit of visitors or residents would be welcomed, subject to it not compromising the provision of a suitable scheme.

#### Constraints and features

- EA 2013 Flood Risk Zone 2 and 3.
- Riverside pub nearby.
- SAC, SPA, Ramsar site to the north of the Staithe. Shallam Dyke Marshes SSSI is a component SSSI of Broadland SPA and Ramsar site and The Broads SAC.
- A low density site with boundary hedges, specimen trees and high levels of planting.

#### Reasoned justification

Thurne is an attractive settlement in the Broads, centrally located and easy to access from the water, and as such is very popular with visitors. Tourism is an important part of the local economy and existing visitor facilities should be protected and enhanced

Within the centre of the village there is a holiday complex (Hedera House), comprising 11 detached bungalows and a 7 bedroomed house which are all used for holiday hire, plus a heated swimming pool and games room for the use of guests. The properties are rundown and do not meet modern standards for holiday accommodation, consequently the site is increasingly becoming unviable. The Hedera House complex has the potential to make a significant contribution to the tourism economy, but its redevelopment will be required.

As Hedera House is a tourist accommodation offer in such an attractive location, but is rundown and offering 'old fashioned' tourist accommodation (and running at a loss to the owners), this policy seeks the retention of holiday accommodation on the site, while taking a pragmatic approach with regards to viability by allowing a proportionate element of enabling development.

Of particular importance to Hedera House are the issues of the potential for flood risk as well as the quality in the design and landscaping of any scheme to reflect Thurne's attractiveness. These factors will be taken into consideration during the viability assessment of the tourist accommodation redevelopment proposals. Proposers are encouraged to engage early with the Broads Authority on the issues of mix of uses, site layout and design and, with regards to flood risk, a site-specific flood risk assessment will be required to accompany proposals.

Proposals will need to meet the requirements of policy x as the Thurne area generally has good to very good dark skies.

#### Alternative Options

#### Sustainability Appraisal Summary

#### Evidence used to inform this section

#### Monitoring Indicators

### **TROWSE AND WHITLINGHAM**

#### **Policy POWHI1: Whitlingham Country Park Inset Map 9**

Whitlingham Country Park will continue to be managed to provide recreation and quiet enjoyment on land and water, supported by scenic landscape and wildlife habitat.

Further development of buildings and facilities and sustainable recreation and visitor uses which contribute to these aims will be supported where they:

- a) Are of high quality design and materials
- b) Contribute positively to the river valley landscape and the setting of the Crown Point Registered Park and Gardens;
- c) Avoid a proliferation of buildings in the area, and provide for shared use of these buildings where practicable;
- d) Improve provision for cycling and pedestrians;
- e) Do not generate levels or types of traffic which would have adverse impacts on safety and amenity on Whitlingham Lane and the wider road network.
- f) Have assessed and addressed the impact of the proposal on existing uses, users or activities (on land and water) and on the quiet enjoyment of the area;
- g) Provide bio-security measures;
- h) Provide biodiversity enhancements;
- i) Contribute to the health and wellbeing of users; Improve the visitor experience; and
- j) Support the sustainable management of the Park.



Any proposals that affect car parking in the area need to be thoroughly justified and based on assessment of the use of the car parks.

#### Constraints and features

- Area is adjacent to the Whitlingham Marshes Local Nature Reserve.
- Flood risk (mainly zone 3, some zones 1 and 2, by EA mapping; mainly zone 3b, some 1, 2 & 3a, by SFRA 2007 mapping).
- Much of the land area is a registered park and garden
- Adjacent and close to the Deal Ground and Utilities Site which are areas allocated for development and change by Norwich City Council and the Broads Authority.

#### Reasoned Justification

The Country Park provides an area for quiet recreation, despite being so close to Norwich. Typical activities include walks, cycle rides, sailing, supervised open water swimming, play areas and a visitor centre and café in the Barn.

This Policy reflects the importance of the Whitlingham Country Park to the Broads and the community and encourages further future enhancement of its facilities, but sets out the constraints and considerations that this would need to address.

Biosecurity means taking steps to make sure that good hygiene practices are in place to reduce and minimise the risk of spreading invasive non-native species. The types of water uses at Whitlingham Country Park range from rowing boats to canoes. These boats can be removed from the water and taken to be used in other water bodies. Users should be aware of the good practice of 'check, clean and dry' to help stop the spread of invasive aquatic species. Of particular relevance is **policy x** on Boat Wash Down Facilities.

The Authority has a guide relating to types of biodiversity enhancements and this can be found here: **xxxx**

The Park is a unique recreation offer close to Norwich. It is accessed by Whitlingham Lane where there are residential dwellings and other recreation offers. The policy in the round seeks to ensure that levels of traffic will not impact on safety or amenity and goes on to seek improvements for pedestrians and cyclists to enable more people to walk or cycle to the Park. In relation to any changes to the car parking provision on site, proposals need to be fully justified using up to date assessments of the use of the existing car parks to determine the need for more car parking.

#### **NON-SETTLEMENT BASED POLICIES**

##### **Policy POXNS1: Trinity Broads** **Main Map x and Inset Maps x**

The Trinity Broads area defined on the Adopted Policies Map (but excluding existing built up areas other than where these abut, or provide access to, the broads' waters), and its special nature, character and tranquillity, will be conserved for quiet recreation and as a wild bird refuge. The volume, extent and nature of boating on these broads will be strictly controlled for these purposes.

Applicants for planning permission will need to demonstrate that proposed development is compatible with these aims.

Particular care needs to be made to lighting schemes in recognition of the area having very good dark skies.

Proposals in the existing built up areas of the Trinity Broads are also required to preserve the tranquillity of the area.

#### Parishes affected

Filby CP, Fleggburgh CP, Hemsby CP, Martham CP, Mautby CP, Ormesby St. Michael CP, Rollesby CP, Stokesby with Herringby CP.

#### Constraints and features

- Much of area in, variously, SAC, SPA, SSSIs, CWS, and or LNRs.
- Flood risk and open water (zones 1, 2 & 3 by EA mapping; zones 1, 2 & 3b by SFRA 2007 mapping).

#### Reasoned Justification

This area of the Broads, although not alone in either tranquillity or nature value, is especially susceptible to change.

Essex & Suffolk Water abstracts more than five million litres of water (on average) each day from Ormesby Broad, which helps to supply more than 80,000 people in the Great Yarmouth area. Good water quality is vital to this role. The Trinity Broads are separated from the main navigation so there is an absence of through boat traffic, and access and ownership restrictions limit the number and type of craft (for example, petrol and diesel powered craft are prohibited with the exception of safety vessels), and these factors contribute to the special tranquillity. The Trinity Broads Project (a partnership of Essex & Suffolk Water, the Broads Authority, Natural England and the Environment Agency) has, over a period of 16 years, been highly successful in restoring and managing the biodiversity of the area, improving water quality, managing recreation, and involving local people.

When considering planning applications in this area, the Authority will consider if a trial period with a temporary planning permission and a funded programme of monitoring is appropriate or necessary

This area of the Broads in particular has dark skies. In accordance with policy **x**, the darkness of the skies will therefore be maintained through addressing potential light pollution arising from proposals.

#### Alternative Options and Sustainability Appraisal Summary

- Preferred Option: Positive against many environmental objectives as well as wellbeing. A ? against tourism because on one hand the controlling of boating activity could be seen as a negative against this objective, but on the other hand, the policy seeks to protect the tranquillity which people may come to the Broads to experience.
- No Policy: Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty. With this area being so important for tranquillity, it is prudent to have a policy.

#### Evidence used to inform this section

#### Monitoring Indicators

#### **Policy POXNS2: Upper Thurne**

##### **Main Map x**

The Upper River Thurne area defined on the Adopted Policies Map (but excluding existing built up areas), and its special nature, character and tranquillity, will be conserved for quiet recreation and as a wild bird refuge. In support of these purposes, development likely to lead to a significant increase in the volume or extent of boating, or a change in its nature (particularly an increase in the proportion of motorised craft) in this area will be strictly controlled.

In recognition of the area being the darkest in the Broads, particular attention will be paid to lighting schemes in order to protect the dark skies of the Upper River Thurne area.

Proposals in the existing built up areas of the Upper River Thurne Area are also required to preserve the tranquillity of the area.

#### Parishes affected

Catfield CP, Hickling CP, Horsey CP, Ingham CP, Martham CP, Potter Heigham CP  
Repps with Bastwick CP, Sea Palling CP, Somerton CP, Winterton-on-Sea CP.

#### Constraints and features

- Much of area in, variously, SAC, SPA, SSSI, CWS.
- Flood risk, including serious risk of coastal inundation (zone 3, with some zones 1 & 2, by EA mapping; zone 3b by SFRA 2007 mapping).

#### Reasoned Justification

This area, although not alone within the Broads in either tranquillity or nature value, is especially susceptible to change. It is also likely to be in the forefront of climate change effects.

It differs from most other parts of the Broads in that there are relatively low levels of boat traffic (in part because of the restriction to navigation of the bridge at Potter Heigham). The water quality is vulnerable to change as limited water flow in this part of the network limits the dispersal of agriculture related pollution and the salinity arising from sea water intrusion through the ground.

This area of the Broads in particular has very dark skies with the majority of the area being the darkest in the Broads. In accordance with policy x, the darkness of the skies will therefore be maintained through addressing potential light pollution arising from proposals.

#### Alternative Options and Sustainability Appraisal Summary

- Preferred Option: Positive against many environmental objectives as well as wellbeing. A ? against tourism because on one hand the controlling of boating activity could be seen as a negative against this objective, but on the other hand, the policy seeks to protect the tranquillity which people may come to the Broads to experience.
- No Policy: Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty. With this area being so important for tranquillity, it is prudent to have a policy.

#### Evidence used to inform this section

#### Monitoring Indicators

#### **Policy POXNS3: The Coast**

##### **Main Map x**

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 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 p.d. rights for caravanning and camping, etc.
- High risk of tidal inundation from a breach of the coastal defences (Environmental Agency work ongoing to model such a breach).
- High risk of flooding (flood zone 3) (EA mapping), riverine flood risk (zone 3 by EA mapping; zone 3b (and part outside coverage) by SFRA 2007 mapping).
- Part of the England Coast Path (likely to be completed October 2016)
- Risk of coastal erosion.

#### Reasoned Justification

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

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

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

This policy approach is consistent with the vision, objectives and policies of Management Plan Strategy (2014-19) for the AONB.

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

According to the Shoreline Management Plan, in the short and medium term the present defences are to be maintained while a retired line option is fully investigated in terms of its social, economic and environmental consequences.

#### Alternative Options and Sustainability Appraisal Summary

- Preferred Option: Positive in relation to many environment objectives as well as wellbeing and tourism.
- No policy: Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty. With the coast being so important for people and wildlife it is prudent to have a policy.

#### Evidence used to inform this section

#### Monitoring Indicators

## **Policy POXNS4: Main road network**

### **Main Map x**

New development accessed by the Primary Route Network (directly or by a side road which connects onto it), or by a Main Distributor Route, will only be permitted if, taking into account any mitigation measures, any resulting increase in traffic would not have a significant adverse effect on:

- i) highway safety;
- ii) the route's traffic capacity;
- iii) the amenity and access of any neighbouring occupiers; and
- iv) the Primary Route Network's national and strategic role as roads for long-distance traffic.

In appropriate cases transport assessment or statements will be required to demonstrate that development proposals can be accommodated on the road network, taking into account any infrastructure improvements and travel plans proposed.

### Parishes affected

Acle CP, Beccles CP, Broome CP, Bungay CP, Coltishall CP, Ditchingham CP, Filby CP, Fleggburgh CP, Fritton and St. Olaves CP, Gillingham CP, Haddiscoe CP, Halvergate CP, Hoveton CP, Horning CP, Ludham CP, Mautby CP, Potter Heigham CP, Repps with Bastwick CP, Ormesby St. Michael CP, Rollesby CP, Smallburgh CP, Stalham CP, Upton with Fishley CP, Wroxham CP.

### Constraints and features

- Some of these routes are within or close to SAC, SPA, Ramsar sites, or SSSIs.
- Routes pass through high flood risk zones.

### Reasoned Justification

The highway authorities and Norfolk and Suffolk County Councils have recommended that the Authority continues the Local Plan approach of protecting these routes from development that undermines their wider purpose or highway safety.

This policy should be read in conjunction with Policy X relating to potential dualling of the A47 Acle Straight.

A Transport Assessment (TA) is a comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies what measures will be taken to deal with the anticipated transport impacts of the scheme and to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport. In some cases, the transport issues arising out of development proposals may not require a full TA to inform the process adequately and identify suitable mitigation. In these instances, it has become common practice to produce a simplified report in the form of a Transport Statement (TS). There will also be situations where the transport issues relating to a development proposal are limited, and no formal assessment is necessary.

Norfolk and Suffolk County Councils set thresholds for which a TA or TS are required. In general however:

- Transport Statement (TS): development that has relatively small transport implications.
- Transport Assessment (TA): development that has significant transport implications

The need for, and level of, formal transport assessment will be determined in consultation between the developer and the relevant authorities (LPA, LTA, LHA and HA). In cases where the development may also impact upon the Trunk Road network (A12 and A47) discussions should also take place with Highways England, who have a responsibility to maintain the Trunk Road network on behalf of the Secretary of State.

### Alternative Options and Sustainability Appraisal Summary

- Preferred Options: Positive in relation to traffic and roads, health and flourishing economy.
- No policy: Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty.

#### Evidence used to inform this section

#### Monitoring Indicators

#### **Policy POXNS5: Drainage Mills**

##### **Main Map (NE, NW, & S), and various Inset Maps**

The area's heritage of traditional drainage mills, and drainage mill remains, will be conserved.

Proposals that will maintain, restore and, in appropriate cases re-use standing mills will be judged against the following criteria: historic significance, survival of historically significant fabric (e.g. machinery, location, group value, fragility) and vulnerability of structure.

Any works to mills will be assessed for impacts on heritage, water (such as resource, quality and flow) and biodiversity. Works will, if necessary, be required to be timed to ensure no disturbance to breeding or wintering birds.

#### Constraints and features

- Many of the mills are listed buildings, Grades II and II\*.
- Some are in Conservation Areas.
- Many of the mills are in SAC, SPA, Ramsar, CWS, etc.
- Most of the mills are at high risk of flooding.

#### Reasoned Justification

Drainage mills are a defining feature of the historic landscape of the Broads and contribute significantly to the landscape character of the Broads, viewed from the land and from water. The mills vary in size and design but all had the fundamental purpose of draining water from the land to enable the fields to be grazed and then latterly to be used for other agricultural uses.

Of the 74 standing mills in the Broads, approximately 50 are listed and the rest are locally listed. Approximately 30 structures are currently neglected and require active conservation of fabric. Change of use is often a solution to the problem of neglect and can result in repair work being implemented, funded and enable a structure to have a sustainable future going forwards. However, work that will outweigh the benefit of bringing a structure into use by the amount of harm caused to historic fabric cannot be justified.

Redundancy, exposure to elements and vulnerability to vandalism mean a number of the mills are recorded locally as being 'at risk'. This is why Halvergate Marshes Conservation Area is currently the only Conservation Area in the Broads that is 'at risk' and is included on Historic England's Heritage at Risk Register.

The policy encourages restoration of standing mills. In cases where there are archaeological remains only, the relevant local and national policies will apply.

The mills are in varying conditions (according to the Drainage Mill Action Plan, Broads Authority). Hardley Mill, for example, has been restored and now has cap, sails and a full working mechanism. Black Mill has a temporary cap on to make it weather-tight and to protect the internal mechanism. Stone's Mill in Freethorpe is rated as being very fragile, vulnerable and highly at risk due to lack of maintenance since it became redundant. There is an action plan for the mills. This discusses improvements to each mill in the



short, medium and long term. In the short and medium term, the changes aim to make the mill safe and prevent any further loss or damage to the structure. The long term actions seek betterment such as restoring any missing elements such as masts. Owners of mills may refer to this Action Plan in developing proposals for repair, maintenance, restoration or re-use.



*Hardley Mill<sup>90</sup> was capable of raising twelve tons of water per minute via a twelve foot high vertical shaft, five feet in diameter. The mill was built in 1874. It operated until around 1950 when it was tail winded and badly damaged. It was abandoned by the Internal Drainage Board and, like most other drainage windmills, replaced by an electric drainage pump.*

Due to their isolated location, usually in areas at risk of flooding, as well as the extent of works required to restore some of the mills, proposals for restoration are not easy to develop and can be costly. The mills tend to be the largest and most obvious structures in the landscape, which is very flat and open. The Broads Authority supports the restoration of the mills or, in some cases, works that enable their neglect to be arrested, subject to the historic interest of the structure

not being compromised.

The Environment Agency highlights the potential need for a range of consents, and to avoid adverse impacts on fish, flooding and water flows.

The Authority is progressing its bid for Heritage Lottery Funding. A key aim of the project as a whole is to remove Halvergate Marshes Conservation Area from the Historic England “At Risk” register. Specific projects will include works to a number of Broads’ drainage mills, from weatherproofing and fabricating new caps and sails to halting their further decline, as well as developing a model for future management and maintenance of Broads drainage mills. The Heritage Construction Skills Training project seeks to embed heritage skills training into existing construction skills curricula at colleges and provide opportunities for students to specialise in heritage construction skills and achieve industry-recognised standards and qualifications.

Many mills are intrinsically historically significant and contain machinery which can represent innovation or be the last example of technology surviving. Many are remote and located in groups which are of significant visual amenity to, and epitomise the cultural landscape of, the Broads. Mills are now mainly of landscape value; they are in particularly vulnerable or fragile condition and could potentially be lost to the Broads

<sup>90</sup> [http://www.broads-society.org.uk/?page\\_id=2330](http://www.broads-society.org.uk/?page_id=2330)

<sup>91</sup> [http://www.hardley-windmill.org.uk/index\\_files/about.htm](http://www.hardley-windmill.org.uk/index_files/about.htm)

landscape. It is recognised that in some cases it may be acceptable to seek alternative uses for those mills which are more accessible, are of less historic and greater landscape importance, and contain little or no significant machinery. In such cases re-use may be appropriate, as long as the positive landscape contribution of such mills is retained and enhanced through their creative conservation.

#### Alternative Options and Sustainability Appraisal Summary

- Preferred Option: Positive against many environmental objectives as well as wellbeing and tourism. A ? against traffic and flood risk as mills tend to be isolated and in areas at flood risk but the effect will depend on the detailed proposal for the site. There are other policies relating to traffic and flood risk which will need to be considered.
- No Policy: Not having a policy does not mean that these issues will not be addressed. Mills are a prominent feature in the landscape of the Broads and of varying state of repair. It is prudent to have a policy on such locally important and appreciated structures.
- No change to XNS5: The general thrust of the original policy would score in a similar way to the Preferred Option. However the Preferred Option policy does clarify some elements of the existing policy.

#### Evidence used to inform this section

#### Monitoring Indicators

#### Policy POXNS6: Waterside Pubs Network

##### Main Map x

The following establishments, identified on the Adopted Policies Map, will be protected in their public house use as key parts of a network of community, visitor and boating facilities, as well as for their individual contribution to such facilities.

The Authority will support appropriate proposals which

- contribute to the viability of these businesses
- improve the visual impact
- provide benefits to river/water users (such as canoe slipways and electric charging points)
- provide well designed cycle parking facilities
- upgrade/improve foul drainage arrangements
- improve resilience to flood risk
- address light pollution

##### YARE

- Rushcutters, Thorpe Green
- River Garden, Thorpe Green
- Town House, Thorpe Green
- Woods End Water's Edge, Bramerton
- Ferry House, Surlingham
- Coldham Hall, Surlingham
- Yare, Brundall Riverside
- New Inn, Rockland
- Beauchamp Arms, Claxton
- Reedcutters, Cantley
- Reedham Ferry Inn, Reedham
- Lord Nelson, Reedham
- Berney Arms, Berney Arms
- The Ship, Reedham

##### ANT

- Cross Keys Inn, Dilham
- Wayford Bridge Hotel, Wayford Bridge
- Sutton Staithe Hotel, Sutton Staithe
- White Horse, Neatishead
- Dog, Johnson Street (Ludham Bridge)

##### THURNE

- Pleasure Boat, Hickling
- Broadshaven Hotel, Potter Heigham Bridge
- Lion, Thurne

##### TRINITY

- The Boathouse, Ormesby
- Filby Bridge Inn, Filby

**BURE**

- Norfolk Mead Hotel, Coltishall
- King's Head, Coltishall
- Rising Sun, Coltishall
- King's Head, Hoveton
- Hotel Wroxham, Hoveton
- Swan, Horning
- New Inn, Horning
- Ferry Inn, Horning
- Bridge Inn, Acle
- Hermitage, Acle
- Ferry Inn, Stokesby
- Maltsters, Ranworth

**WAVENEY**

- Locks Inn, Geldeston
- Waveney House Hotel, Beccles
- Waveney Inn, Burgh St. Peter
- Duke's Head, Somerleyton
- Bell Inn, St Olaves
- Fisherman's Bar, Burgh Castle

**OULTON BROAD**

- Wherry Hotel, Oulton Broad
- Commodore, Oulton Broad
- Ivy House Hotel, Oulton Broad

Parishes affected

Acle CP, Beccles CP, Bramerton CP, Brundall CP, Burgh Castle CP, Burgh St. Peter CP, Cantley CP, Carleton St. Peter CP, Coltishall CP, Dilham CP, Fritton and St. Olaves CP, Geldeston CP, Halvergate CP, Hickling CP, Horning CP, Hoveton CP, Ludham CP, Ormesby St. Michael CP, Potter Heigham CP, Reedham CP, Rockland St. Mary CP, Rollesby CP, Somerleyton, Ashby and Herringfleet CP, Stalham CP, Stokesby with Herringby CP, Surlingham CP, Sutton CP, Thorpe St. Andrew CP, Thurne CP, Woodbastwick CP, (and also Oulton Broad, not parished).

Constraints and features

- Almost all these premises are in zones of high flood risk.
- Some are in conservation areas, or areas of archaeological interest. Some are themselves of historic interest, including listed buildings.
- Some are within or close to SAC, SPA, SSSI, Ramsar, CWS, etc.

Reasoned Justification

The waterside pub network is very important, especially for recreational boating but also to local communities and non-boating visitors. While this can be said about a very wide range of establishments and locations public houses, for a variety of reasons, have been especially vulnerable to closure in recent years.

The loss of any particular pub (or other establishment) can sometimes be difficult to resist. Specifying in the Local Plan that these are part of a defined network will strengthen the planning case against any individual closure. Importantly, it will also signal the planning stance and help ensure owners and prospective developers receive consistent messages about the identified establishments to guide their own plans.

The policy seeks the retention of the pubs as public houses and gives support to appropriate improvements to the pub that will ensure it stays viable. Such improvements could include the appearance of the pub as well as provision of specific facilities for water and road users (such as canoe slipways and well-designed and located Sheffield Stand cycle parking).

Due to the seasonality, proximity to the watercourse, and the nature of the effluent that can pose a significant local risk to the water environment, drainage is an issue this policy seeks to address. Ensuring there is no deterioration in water quality is an important requirement under the Water Framework Directive, which applies to all surface water bodies and groundwater bodies.

As set out in policy x, addressing light pollution in the Broads is an important aspect of the Local Plan. These establishments can be in rural areas, sometimes away from or on the edge of settlements, and any external lighting can have a significant impact on the tranquillity of the area. Proposals need to address light pollution.

In cases where owners wish to pursue other forms of use of the public houses, they will be required to submit a report undertaken by an independent Chartered Surveyor that meets the tests as set out in the CAMRA Public House Viability Test<sup>92</sup> with any planning application.

#### Alternative Options and Sustainability Appraisal Summary

- Preferred Option: Positive against many environmental objectives as well as economy ones. A ? against health as on one hand pubs could enable unhealthy lifestyles but on the other hand are a place to socialise.
- No policy: Not having a policy does not mean that these issues will not be considered or addressed. A policy does however provide more certainty. With pubs an essential element to the tourist network in the Broads it seems prudent to have a policy.

#### Evidence used to inform this section

#### Monitoring Indicators

#### **Policy POXNS10: Railway stations/halts**

##### **Map x**

The following railway stations/halts, identified on the Adopted Policies Map, will be protected in their railway station use as key parts of the local railway network:

- i) Berney Arms rail halt
- ii) Haddiscoe rail halt
- iii) Somerleyton southern platform
- iv) Buckenham Station
- v) Hoveton and Wroxham Station

The Authority will support appropriate and well-designed proposals which:

- a) contribute to their continued/improved use
- b) improve the visual impact
- c) address light pollution
- d) aid interpretation of the local area
- e) provide improved facilities for passengers
- f) improve access by sustainable modes of transport

#### Constraints

- Flood zone 2 and 3 (EA Mapping) (except Hoveton and Wroxham Station)
- Buckenham Station: near to Mid Yare National Nature Reserve, Broadland Ramsar Site, Yare Broads and Marshes SSSI, The Broads SAC, Broadland SPA.
- Berney Arms Halt: Halvergate Marshes SSSI, Breydon Water SPA, Breydon Water Ramsar Site

#### Reasoned Justification

There are five railway stations/halts (or parts of) within the Broads Authority Executive Area and these are shown on the policies map. These are:

- Berney Arms rail halt

<sup>92</sup> <http://www.camra.org.uk/documents/10180/36197/PHVT/725c3a01-9c07-4b2b-b263-a1842bef09b7>

- Haddiscoe rail halt
- Somerleyton southern platform
- Buckenham Station
- Hoveton and Wroxham Station

While some stations are used by more passengers than others, all are important to the local community and visitors to the area. The more remote stations/halts offer a unique opportunity for visitors to access the wilder parts of the Broads without the need for a private car.

The policy seeks retention of railway stops as well as supporting appropriate improvements to the facilities that reflect, but do not impact on, the special qualities of the Broads.

With regard to improving access by sustainable modes of transport, example improvements could include the provision of well-designed and located secure cycle parking facilities and electric charging points for electric vehicles.

Comments received as part of the Issues and Options Consultation.

*Issue not included in the Issues and Options.*

Alternative Options and Sustainability Appraisal Summary

- Preferred option: rates positively against some environmental objectives as well as in relation to tourism.
- No policy: uncertain effect as while not having a policy does not mean that the stations will change, a policy gives protection. The Authority considers the halts and stations important and therefore has included a policy.

Evidence used to inform this section

- Maps showing stations in the Broads.

Monitoring Indicators

- Stations/halts changed in line or not in line with this policy.

**Policy POXNS11: Former rail trackways**

**Map – see appendix x**

That part of the former railway track beds identified on the Adopted Policies Map will be protected for their potential for walking, cycling, or horse-riding routes. Development which could prevent such a use would not be permitted while use for walking, cycling or horse-riding remains a potential.

Path or route creation must avoid harm to:

- the sensitive designated habitats and species in the vicinity; and
- the landscape

Any route signage or interpretation is expected to be well designed, kept to a minimum and positioned to ensure a minimal landscape impact.

Any foot/cycle path or bridleway could make a deviation from the rail route if convenient provision of similar convenience and amenity to users is guaranteed.

Constraints and features

- Flood risk (zones 2 & 3 by EA mapping; zone 3b by SFRA 2007 mapping).

- Parts within CWS and adjacent to SPA, SAC and Ramsar site.

#### Reasoned Justification

The routes are:

- Haddiscoe to Beccles
- Beccles to Ditchingham
- Great Yarmouth to Fritton

The Integrated Access Strategy has identified the potential that remnant disused railway lines can add to the access provision in the Broads, particularly with regard to improving cycle route links and bridleway routes (there are only 17km of bridleways in the Broads Authority Executive Area). Lines include Haddiscoe to Aldeby, Beccles to Ellingham and Great Yarmouth to Fritton. Establishing routes for walkers, cyclists and horse riding on these disused railways, which are linked to the rural road network, would improve opportunities for recreation and enjoyment of the Broads. Cycling will help deliver the Government's cycling ambition in the National Parks Programme, which seeks to improve access to and in and around national parks by cycle.

The recreational potential of these routes (or parts of them) has long been noted, and Norfolk and Suffolk County Councils support their protection for these purposes. In view of the importance of recreation to the Broads (including the statutory purpose of enjoyment), and the desirability of developing the tourism and recreational potential of the southern Broads, these routes are protected.

Please note these routes are no longer protected for future rail use. Both County Councils, as the transport authorities for the area, have advised there is no realistic prospect of this happening in the foreseeable future.

It is important to note that sections of these routes are outside the Broads Authority Executive Area. The relevant authorities have been asked to consider protecting the routes in their Local Planning Authority areas, in a similar way to this policy. Such routes will benefit from the presence and proximity of various wildlife and habitat associated designations (the line passes through the Beccles Marshes Suffolk County Wildlife Site, and is adjacent to SAC, SPA, and Ramsar site), but will need to have regard to their sensitivities in the creation, alignment and management of such routes. Impact of any changes to these routes on the landscape of the Broads is also an important consideration.

The Authority would welcome well designed art and interpretation. However, the provision of signage and interpretation should only be that which is necessary to promote and direct along the route, but not impact on the landscape of the Broads. See policy [X](#) re linking to the past.

#### Comments received as part of the Issues and Options Consultation.

*Issue not included in the Issues and Options.*

#### Alternative Options and Sustainability Appraisal Summary

- Preferred Option: Rates positively against many environmental objectives as well as against tourism and health objectives.
- No policy. Whilst not having a policy does not mean that the potential for using these trackways in the future will be lost because of development and change, a policy that identifies these local trackways is prudent. The Integrated Access Strategy in particular emphasises the importance of these former rail trackways.
- Continue with allocating the Haddiscoe track only. Rates the same as the Preferred Option, but the Preferred Option includes two more. The Authority has identified other such tracks which could benefit recreation in the area.



Evidence used to inform this section

- Officer knowledge relating to the tracks.

Monitoring Indicators

- Development encroaches on the tracks.

**Policy POXNS12: Local Green Space**

See **map x.**

Development proposals that protect or enhance Local Green Spaces and which comply with other relevant policies will be permitted. Development proposals that would have an unacceptable adverse impact on these Local Green Spaces or would involve in their loss will not be permitted other than in very special circumstances.

Reasoned Justification

Local green spaces are green spaces that are demonstrably special to a local community. The preparation of local and neighbourhood development plans offers the opportunity to designate local green spaces and provide extra protection to them that rules out new development other than in very special circumstances.

The Broads community was asked to nominate areas to be considered as Local Green Space. Two calls for nominations were undertaken, the first as part of the Issues and Options consultation and the second via a letter to Parish Councils in early summer 2016.

Local Green Space must be reasonably close to the community it serves; have demonstrable local significance and interest; be local in character; and not cover an extensive tract of land.

The nominated sites were visited and assessed against the criteria set out in the NPPF at Paragraph 77. The following table summarises the main Local Green Space Assessment Report and shows which nominations have been allocated as areas of Local Green Space.

Nomination.	Decision	Reason
Bridge Green, Potter Heigham	Allocate as Local Green Space	The green space complements the medieval bridge and riverside location well. It is a fairly unique area in the Broads and allows appreciation and use of the river. It is very significant to the community and visitors.
Former Bridge Inn, Potter Heigham	Do not allocate as Local Green Space.	The site is not a green space but a brownfield site currently used as a car park. While this use may be significant to local people, the Authority does not consider its allocation as a Local Green Space reasonable or justified. With its prominent location and brownfield nature as well as its historic significance, the Authority considers that the site could be brought into another use over the plan period
Area of land stretching from the rear of Church Close to Pits, Chedgrave	Allocate as Local Green Space (but amend area of allocation)	In general, the area seems a reasonable proposal for Local Green Space. However it is proposed to remove the garden area from the site as well as part of the boat storage area. See following map.
Waveney Meadow, Puddingmoor, Beccles	Allocate as Local Green Space	Important to the community and well used. Meets all the requirements of being a Local Green Space.
Land surrounding	Allocate as Local	Area is tranquil in nature with marsh/wet woodland which

Nomination.	Decision	Reason
Beccles Rowing Club, Off Puddingmoor, beccles	Green Space (but amend area of allocation)	is important for biodiversity.
St Mary's Paddock, Off Bungay Road/Puddingmoor, Beccles	Not in the Broads Authority Executive Area.	
The Dell, Off Bungay Road/Ringsfield Road, Beccles	Not in the Broads Authority Executive Area.	
Beccles Marsh Trail, off Norwich Road (A146), Beccles	Do not allocate as Local Green Space.	According to maps, the route is a footpath so is protected in planning already.
Beccles Quay, The Quay, Beccles	Not allocated as Local Green Space but allocated as Open Space.	
Area abutting the river on the Norfolk side of the River bank spanning the Beccles Boundary to the North and South	Do not allocate as Local Green Space.	According to maps, the route is a footpath so is protected in planning already.
Green Space off Lowestoft Road, Beccles (opposite Beccles Primary academy)	Not in the Broads Authority Executive Area.	
Firing Range within Waveney Forest TG457/005 , next to Fritton	Do not allocate as Local Green Space.	Already protected as on the Local List.
Fritton Woods Car Park and Picnic Site	Not in the Broads Authority Executive Area.	
Part of Fritton Woods near bridge	Do not allocate as Local Green Space.	Already protected as on the Local List.
The Stone Pit, Station Road, Geldeston	Allocate as Local Green Space (but amend area of allocation)	The space is near to the 'playing field' site so could provide linked biodiversity benefits. While it cannot be accessed, it seems important to the community in its current form.
The playing field, Station Road, Geldeston	Allocate as Local Green Space (but amend area of allocation)	The space is clearly important to the Local Community who have planned and continue to care for the site.

Comments received as part of the Issues and Options Consultation.

*These sites were nominated for assessment.*

Alternative Options

- Preferred Option: Rates positively on two environmental objectives as well as health and wellbeing.

- No policy. No policy does not mean these areas will not be protected and will be lost. But these sites have been nominated by the community as areas important to them and therefore it is prudent to have this policy.

Further areas could be allocated. Two calls for Local Green Space sites has been undertaken. A number of allocations have been received and assessed. It is not intended to complete a third call for sites. Furthermore, some important spaces are protected as Open Space.

Evidence used to inform this section

- Local Green Space Nominations and Assessment, July and August 2016

Monitoring Indicators

- Local Green Space allocations affected by development.

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## 29 Conclusion

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## Appendix A: Climate-Smart Checklist

### How to complete the checklist

Consider the development as a whole, and in terms of its constituent parts including groundworks, construction (low and high level), height of items, water flow on and off the site, proximity to external risk factors (including sea, rivers, streams, ditches, trees, other construction).

We suggest you initially consider your development against current average weather conditions. Then consider recent weather extremes, and what those impacts might do to your development. For example, could it cope with sudden, very intense rain showers? Would a week of mid-30°C temperatures melt anything?

You should then consider future climate projections (relevant to how long you think your development will last). As these are only projections, first consider how likely things are to happen, and at what rate (for example, if you think greenhouse gas emissions will decline quickly, the chances of the highest level projections being reached are slim, and vice versa).

You should also consider what level of risk you could live with (for example, if you think that tolerating significant fluctuations in temperature is an unacceptable risk, you may choose to incorporate certain adaptive features in your development). You may also want to think about potential future occupiers and how attractive 'climate-smart' features would be to them.

Looking to the future will help you consider whether your development needs to be more resilient or adapted to cope more effectively with climate impacts (for example, moving to a different part of the site where there will be more shade for the house, or tree planting to provide shade).

It is particularly important to consider the potential changes in extreme weather conditions. Projections are that such extremes may become more frequent, as well as reaching new highs or lows, such as more intense bursts of rainfall due to increased thunderstorms.

### Additional information and advice

To support this checklist, the Broads Authority has a range of additional guidance on getting the best from your development proposals:

- Sustainable Development Guide. Produced in 200<sup>x</sup>, this gives comprehensive advice across a range of development types on incorporating a sustainable approach. The Guide will be reviewed every 3 years to see if a revision is required
- Broads Community advice: Produced through the Broads Climate Partnership, giving more detailed suggestions for farmers, businesses and local communities on adapting to climate change.
- Broads Climate Adaptation Plan: Produced in 2015, the Plan introduces current thinking about climate adaptation for the Broads, setting out the favoured 'climate-smart' approach.

### Explanatory notes

Remember that, just as now, there will be chances of extremes at both ends of the weather spectrum (e.g. heavy snow fall, winter heatwaves, freak hailstorms, flash flooding, extreme heat), for which you should already be making allowances according to your assessment of risk.

**Sea level rise:** Current projections for sea level rise range from 37cm to over 1m by the end of the 21<sup>st</sup> century. A rising sea increases the threat of over-topping defences or stopping heavy rainfall from running out to sea. It is also likely to mean salty water is pushed further up the rivers (altering wildlife distribution and perhaps increasing corrosion) and could mean air draught under bridges at high tide is likely to be

reduced. Higher initial levels could also worsen impacts when surge conditions (strong winds and depressions) combine to push water inland.

**Surface water flooding:** With more impermeable surfaces due to development, heavy rainfall can overwhelm drains and ditches and give rise to a higher threat of surface water flooding. By keeping land permeable to rainfall, having overflow areas that can hold excess water, or incorporating flood barriers into the building, the risk can be lowered.

**Increased water temperature in watercourses:** Increased temperatures alongside high nutrients may increase the probability of blue-green algal blooms (which can be toxic) or excessive aquatic vegetation growth. Furthermore, the increased river/lake temperature may affect the overall distribution of species with knock on effects, e.g. on recreation interests.

**Heatwaves:** Periods of high temperature caused by trapping energy in the atmosphere, along with more cloud free days, could see the prolonged periods of sunshine melting certain materials or causing human health issues. Developing ways to shade living and working spaces (such as window shutters or tree planting) may provide improved tolerance.

**Drought:** Longer periods of no rainfall could put stress on water levels. This may affect the environment and wildlife (e.g. low flow in rivers, ponds drying out) but could also decrease the amount available for people to use.

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What will happen to the development and/or the users or occupiers if there is...?

		Impact level. Put an x to indicate impact.				Why do you think this? What can you do to reduce this impact level? How have you designed the development to address this?
		Small	Medium	Significant	Extreme	
Higher summer temperatures (average and maximum)						
Longer periods of drought during the summer						
Longer periods of cloud free days						
Water (river, stream and lake) temperatures increased through year especially the summer						
Rainfall coming in more intense bursts	Greater potential for surface water flooding					
	More potential for higher ditch, stream and river levels					
Fewer frosty days						
More frequent storms – the effect of rain and wind						
More extreme / intense storms – the effect of rain and wind						
Rise in sea level						
Increase in salinity in the rivers						
Surge conditions in the North Sea						

#### Next steps

According to your acceptance of risk, you may wish to make more a detailed exploration and assessment when your self-assessment reaches a certain impact level (e.g. for all 'significant' and above impacts).

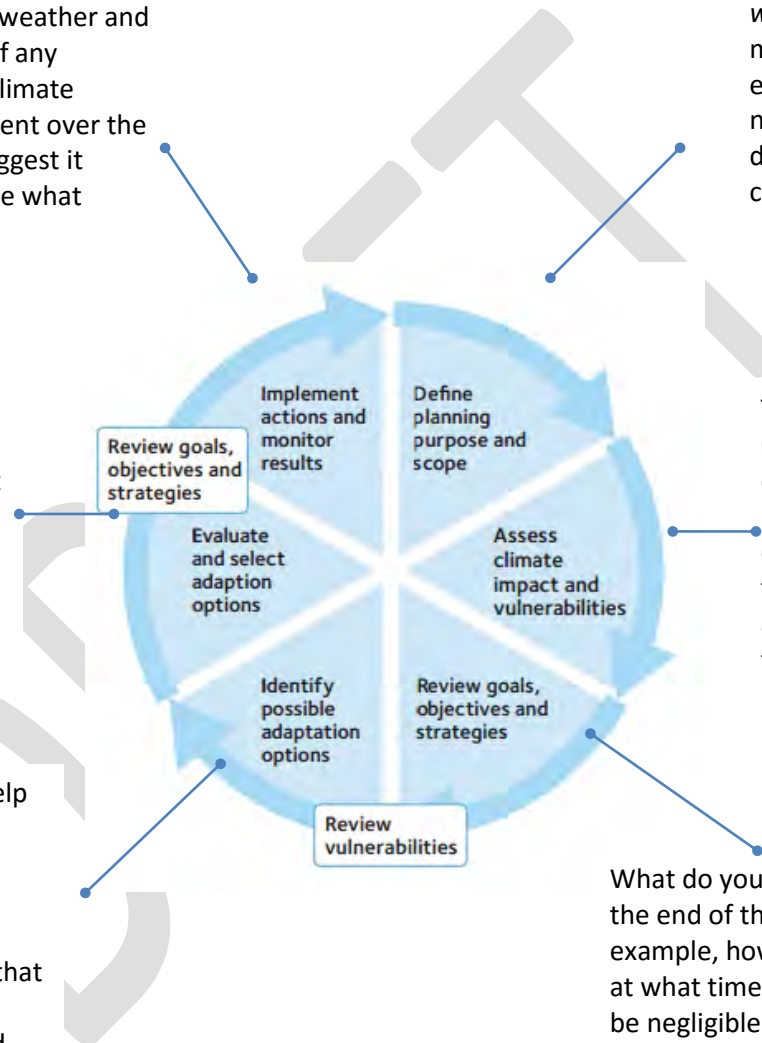
## Appendix B: Climate-smart planning cycle

It may be sensible to keep an accurate record of your options and decisions, so you can go back to the assumptions made if the adaptation choice is not working. The changes in the weather and climate can be recorded to give an accurate picture of any changes. Keep informed of changing predictions for climate change and monitor what happens to your development over the years. Different results to what was expected may suggest it would be sensible to go through the steps again to see what needs to, or could, be modified.

Climate change predictions are based on what *could* happen, rather than knowing precisely what *will* happen. As such, do you want to consider the most likely changes, or be prepared for the most extreme conditions just in case? You probably need to understand the lifetime of your development (see section xx) and how things could change over that timescale.

Make the choice about which option to follow. This may be immediate action, or you can identify 'triggers' as to when you are going to act (e.g. you are willing to live with the driveway being flooded a few times a year at very high tides, but when it's happening monthly it will be time to act).

Are there actions you can implement now that would help you cope with a new climate regime? Can you alter construction or management choices that minimise any risks? Can what you construct be altered easily in the future if predictions and/or on site experience is worse than you planned for? Are there different technologies that could be applied to lessen risks? If no options seem possible, you may wish to go back through the steps and modify your goals or objectives.



Taking the preferred projections (See the Met Office/UKCIP09 projections website for details) consider what the climate differences are likely to be and how they may impact on the proposed development. List, and possibly rank, the likely things that could create an adverse impact, as well as any opportunities a changing climate might offer for your development and how it is used.

What do you want to achieve? What will you have at the end of the timescale being considered? For example, how often will you use the development and at what time of year? Perhaps the flood impacts will be negligible or not manifesting themselves in the short-term. Be clear about what you would prefer to have in the future – for example, a development that never floods or one that floods a few times a year.

## Appendix C: Light Pollution and Dark Skies – map of zones

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## Appendix D: Current constituent district policies relating to affordable housing

District	Document	Policy
Great Yarmouth	Core Strategy (2015)	<ul style="list-style-type: none"> <li>Sub area 1: 20% on sites of 5 or more.</li> <li>Sub area 2: 10% on sites of 5 or more</li> <li>Sub area 3: 10% on sites of 15 or more</li> </ul>
North Norfolk	Core Strategy (2008)	<ul style="list-style-type: none"> <li>10 or more dwellings or sites of more than 0.33 hectares in Principal and Secondary Settlements, not less than 45%.</li> <li>2 or more units or on sites larger than 0.1 hectares in Service Villages and Coastal Service Villages, not less than 50%</li> </ul>
Broadland	Joint Core Strategy (2011 and 2014)	<p>The proportion of affordable housing, and mix of tenure sought will be based on the most up to date needs assessment for the plan area. At the adoption of this strategy the target proportion to meet the demonstrated housing need is:</p> <ul style="list-style-type: none"> <li>on sites for 5-9 dwellings (or 0.2 – 0.4 ha), 20% with tenure to be agreed on a site by site basis (numbers rounded, upwards from 0.5)</li> <li>on sites for 10-15 dwellings (or 0.4 – 0.6 ha), 30% with tenure to be agreed on a site by site basis (numbers rounded, upwards from 0.5)</li> <li>on sites for 16 dwellings or more (or over 0.6 ha) 33% with approximate 85% social rented and 15% intermediate tenures (numbers rounded, upwards from 0.5)</li> </ul>
Norwich		
South Norfolk		
Waveney	Development Management Policies (2011)	<ul style="list-style-type: none"> <li>From the start of 2015 planning applications for 5 to 14 dwellings inclusive shall provide 35% affordable housing on-site or provide an equivalent off-site financial contribution for affordable housing elsewhere.</li> <li>Outside the Area Action Plan area of Lake Lothing planning applications for proposals of 15 or more dwellings shall provide a minimum of 35% on-site affordable housing.</li> </ul>

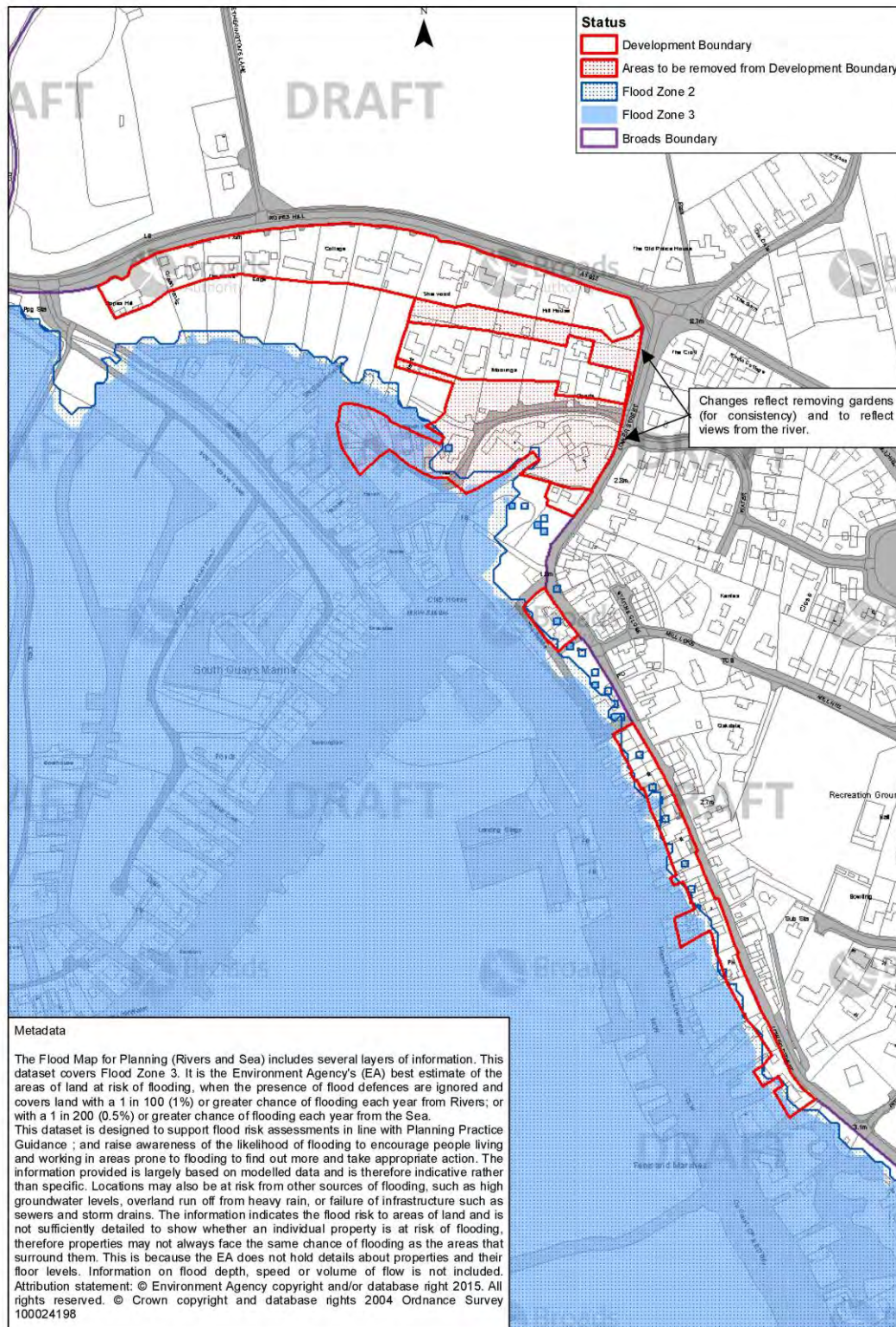
The Central Norfolk SHMA has calculated the need for Affordable Housing for four of the Authority's constituent districts. Waveney and Great Yarmouth have not been calculated as part of this study. Waveney District Council will produce their affordable housing figure as part of their SHMA, which is being produced at the time of writing. The previous table shows that Great Yarmouth BC has recently adopted its Core Strategy. These figures are not adopted.

	Broadland	North Norfolk	Norwich	South Norfolk
<b>Total Affordable Housing</b>	2,200	2,200	7,000	3,400
<b>Total Housing</b>	13,100	10,100	19,900	19,200
<b>Percentage</b>	16.79%	21.78%	35.18%	17.71%



## Appendix E: Development Boundaries

### HORNING DEVELOPMENT BOUNDARY



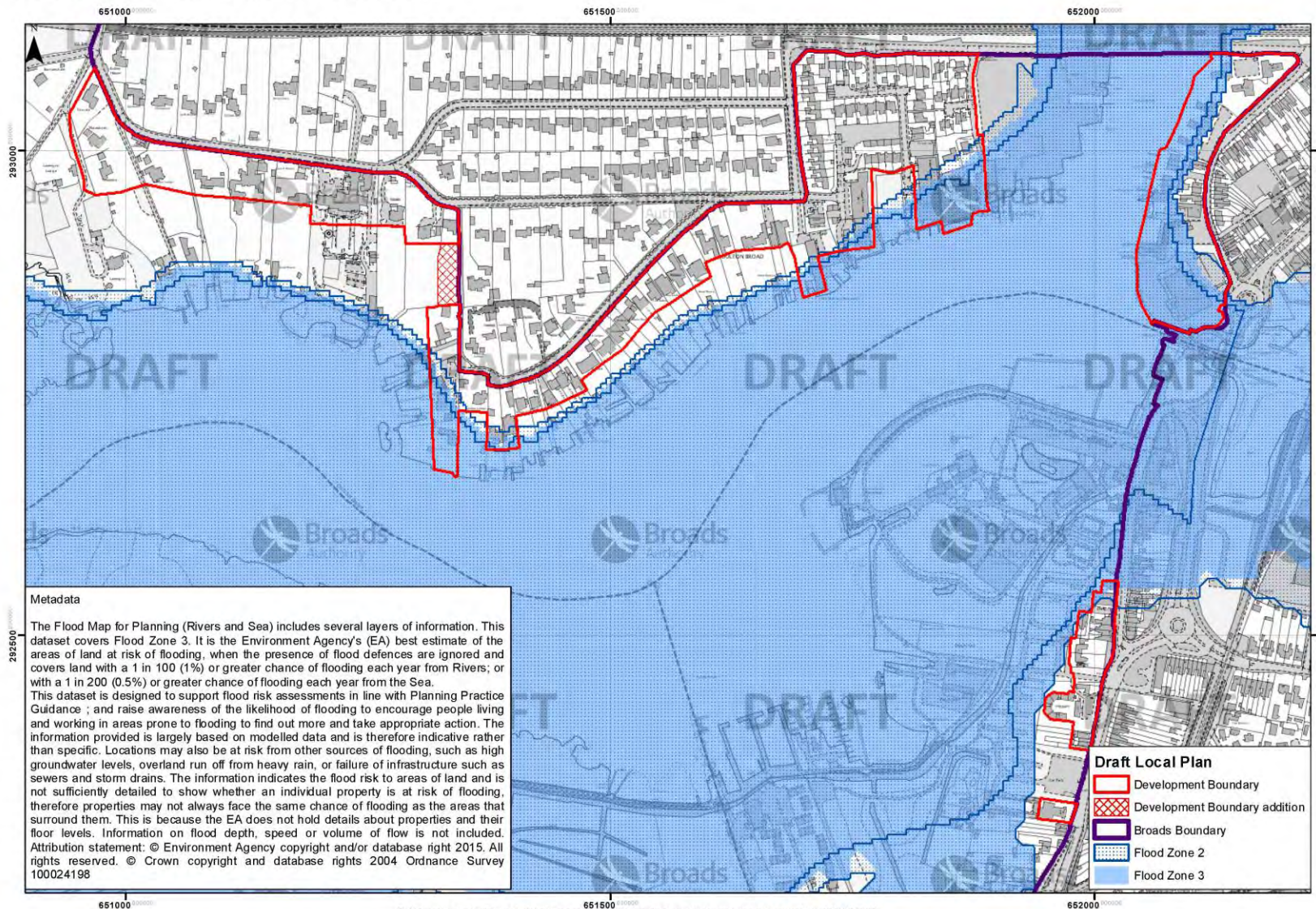
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## OULTON DEVELOPMENT BOUNDARY

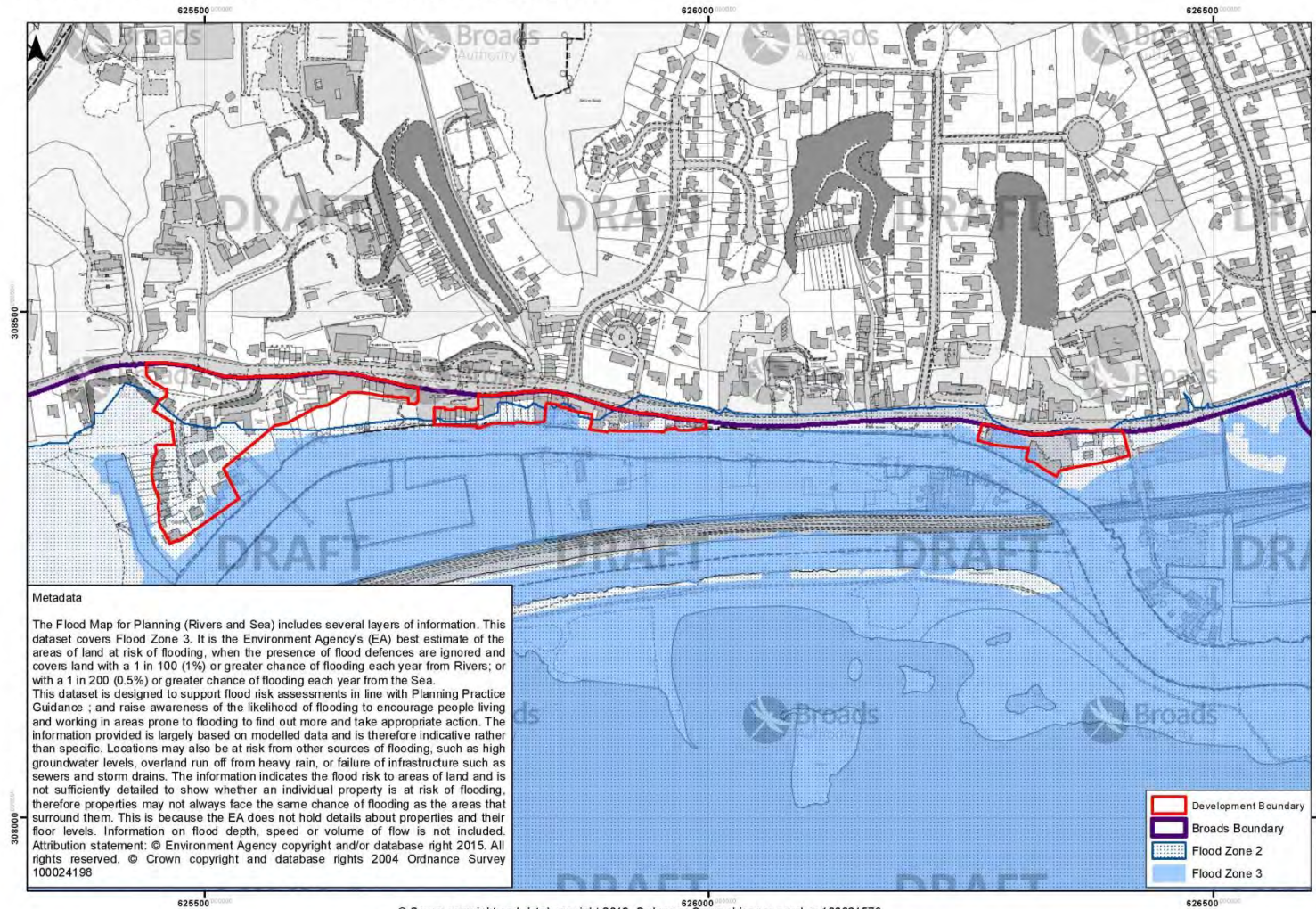


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The Broads Authority Boundary dataset is a representation indicating the location of the executive boundary at 1:10000. The definitive paper map is held by the Broads Authority which shows the legal boundary at 1:10000.



## THORPE ST ANDREW DEVELOPMENT BOUNDARY

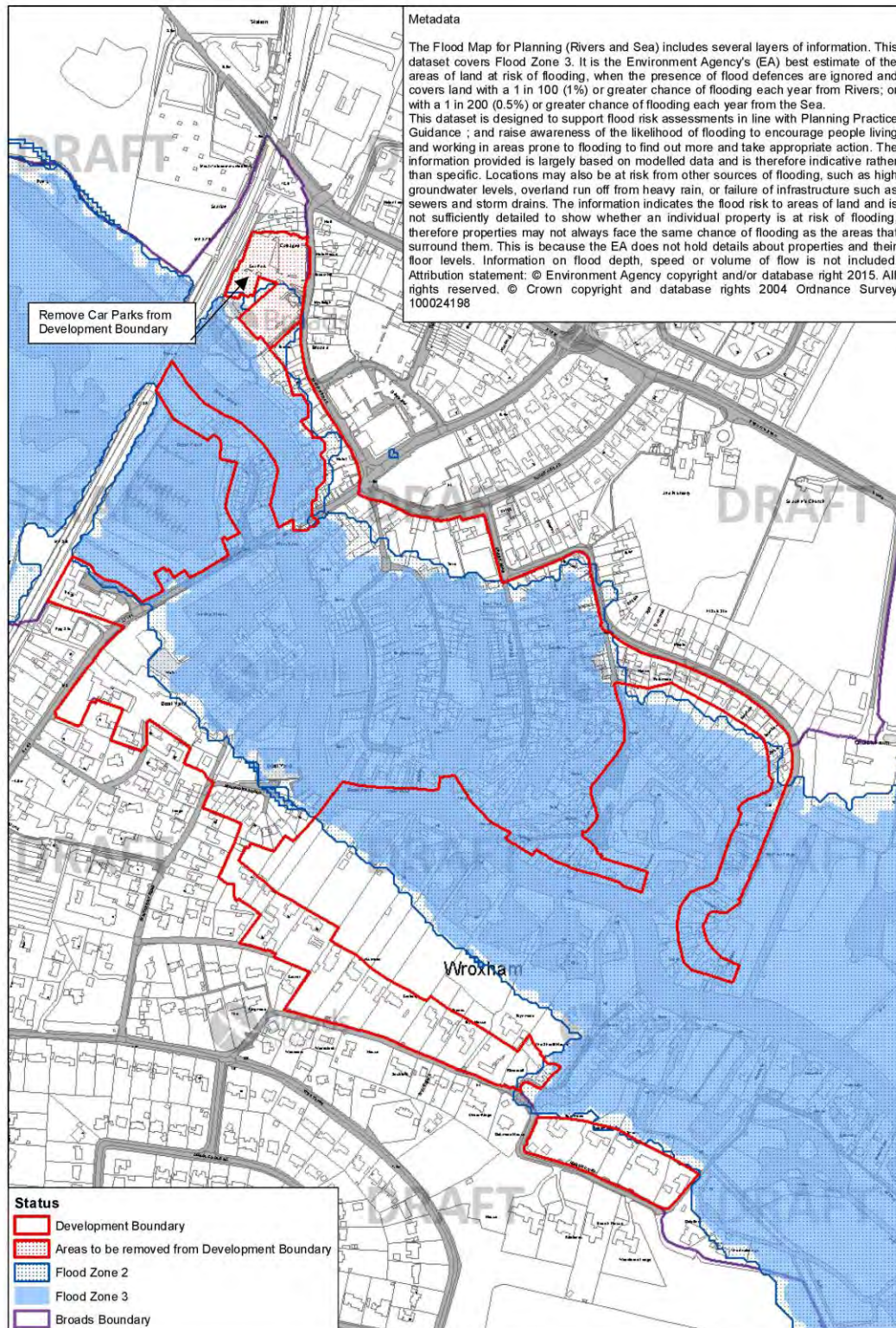


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## WROXHAM DEVELOPMENT BOUNDARY



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## Appendix F: Building for Life 12 – Assessment Criteria

### Integrating into the neighbourhood

- 1. Connections:** Does the scheme integrate into its surroundings by reinforcing existing connections and creating new ones, while also respecting existing buildings and land uses around the development site?
- 2. Facilities and services:** Does the development provide (or is it close to) community facilities, such as shops, schools, workplaces, parks, play areas, pubs or cafes?
- 3. Public transport:** Does the scheme have good access to public transport to help reduce car dependency?
- 4. Meeting local housing requirements:** Does the development have a mix of housing types and tenures that suit local requirements?

### Creating a place

- 5. Character:** Does the scheme create a place with a locally inspired or otherwise distinctive character?
- 6. Working with the site and its context:** Does the scheme take advantage of existing topography, landscape features (including water courses), wildlife habitats, existing buildings, site orientation and microclimates?
- 7. Creating well defined streets and spaces:** Are buildings designed and positioned with landscaping to define and enhance streets and spaces and are buildings designed to turn street corners well?
- 8. Easy to find your way around:** Is the scheme designed to make it easy to find your way around?

### Street and home

- 9. Streets for all:** Are streets designed in a way that encourage low vehicle speeds and allow them to function as social spaces?
- 10. Car parking:** Is resident and visitor parking sufficient and well integrated so that it does not dominate the street?
- 11. Public and private spaces:** Will public and private spaces be clearly defined and designed to be attractive, well managed and safe?
- 12. External storage and amenity space:** Is there adequate external storage space for bins and recycling as well as vehicles and cycles?



## Appendix G: Broads Local Plan Local Development Scheme 2016

[illegible]

## Appendix H: List of policies in the Local Plan

### Strategic Policies

Policy POSP1: DCLG/PINS Model Policy  
 Policy POSP2: Sustainable Development in the Broads  
 Policy POSP3: Air, water and waste  
 Policy POSP4: Flood Risk  
 Policy POSP5: Climate Change  
 Policy POSP6: Heritage assets  
 Policy POSP 7: Getting to the  
 Policy POSP8: Getting around the Broads  
 Policy POSP9: Sustainable Tourism  
 Policy POSP10: Navigable Water Space  
 Policy POSP11 Mooring Provision  
 Policy POSP12: Residential development  
 Policy POSP13: New Community Facilities  
 Policy POSP14: Developer Contributions

### Development Management Policies

Policy PODM1: Water Quality  
 Policy PODM2: Boat wash down facilities  
 Policy PODM3: Water Efficiency  
 Policy PODM4: Flood Risk  
 Policy PODM5: Surface water run-off  
 Policy PODM6: Open Space on land, play, sports fields and allotments  
 Policy PODM7: Staithes  
 Policy PODM8: Green Infrastructure  
 Policy PODM9: Climate Smart Checklist  
 Policy PODM10: Peat  
 Policy PODM11: Historic Environment  
 Policy PODM12: Re-use of Historic Buildings  
 Policy PODM13: Natural Environment  
 Policy PODM14: Energy demand and performance  
 Policy PODM15: Renewable Energy  
 Policy PODM16: Landscape  
 Policy PODM17: Land Raising  
 Policy PODM18: Excavated material  
 Policy PODM19: Utilities Infrastructure Development  
 Policy PODM20: Protection and enhancement of settlement fringe landscape character  
 Policy PODM21: Amenity  
 Policy PODM22: Light pollution and dark skies  
 Policy PODM23: Transport, highways and access  
 Policy PODM24: Changes to the Acle Straight (A47T)  
 Policy PODM25: Recreation Facilities Parking Areas  
 Policy PODM26: Sustainable Tourism and Recreation Development  
 Policy PODM27: Holiday Accommodation – New Provision and Retention  
 Policy PODM28: Access to the Water  
 Policy PODM29: Riverbank stabilisation  
 Policy PODM30: Moorings, mooring basins and marinas.  
 Policy PODM31: New housing in the Broads Authority Executive Area  
 Policy PODM32: Affordable Housing  
 Policy PODM33: Residential Development within Defined Development Boundaries

Policy PODM34: Gypsy, Traveller and Travelling Show People  
 Policy PODM35: New Residential Moorings  
 Policy PODM36: Permanent and Temporary Dwellings for Rural Enterprise Workers  
 Policy PODM37: Residential Annexes  
 Policy PODM38: Replacement Dwellings  
 Policy PODM39: Custom/self-build  
 Policy PODM40: Design  
 Policy PODM41: Visitor and Community Facilities and Services  
 Policy PODM42: Designing Places for Healthy Lives  
 Policy PODM43: Safety by the Water  
 Policy PODM44: Planning Obligations and Developer Contributions  
 Policy PODM45: Conversion of Buildings  
 Policy PODM46: Advertisements and Signs  
 Policy PODM47: Leisure plots and mooring plots

#### Sites Specific Policies

Policy POACL1: Acle Cemetery Extension  
 Policy POACL2: Acle Playing Field Extension  
 Policy POBEC1: Former Loaves and Fishes, Beccles  
 Policy POBEC2: Beccles Residential Moorings (H. E. Hipperson's Boatyard)  
 Policy POBRU 1: Riverside chalets and mooring plots  
 Policy POBRU2: Riverside Estate Boatyards, etc., including land adjacent to railway line  
 Policy POBRU3: Mooring Plots  
 Policy POBRU4: Brundall Marina  
 Policy POBRU5: Land east of the Yare public house  
 Policy POBRU6: Brundall Gardens  
 Policy POCAN1: Cantley Sugar Factory  
 Policy PODIL 1: Dilham Marina (Tyler's Cut Moorings)  
 Policy PODIT2: Maltings Meadow Sports Ground, Ditchingham  
 Policy PODIT3: Ditchingham Maltings Open Space, Habitat Area and Alma Beck  
 Policy POFLE1: Broadland Sports Club  
 Policy POGTY 1: Marina Quays (Port of Yarmouth Marina)  
 Policy POHOR2: Car Parking  
 Policy POHOR3: Horning Open Space (public and private)  
 Policy POHOR 4: Waterside plots  
 Policy POHOR5: Horning Sailing Club  
 Policy POHOR6: Crabbett's Marsh  
 Policy POHOR7: Horning - Boatyards, etc. at Ferry Rd. & Ferry View Rd.  
 Policy POHOR8: Woodbastwick Fen moorings  
 Policy POHOR9: Land on the Corner of Ferry Road, Horning  
 Policy POHOV2: Green Infrastructure  
 Policy POHOV3: Station Road car park  
 Policy POHOV5: Brownfield land off Station Road, Hoveton  
 Policy PONOR 1: Utilities Site  
 Policy PONOR 2: Riverside walk and cycle path  
 Policy POORM 1: Ormesby waterworks  
 Policy POOUL 2: Boathouse Lane Leisure Plots  
 Policy POOUL 3: Oulton Broad - Former Pegasus/Hamptons Site  
 Policy POPOT 2: Waterside plots  
 Policy POPOT 3: Green Bank Zones  
 Policy POSOL 1: Riverside area moorings  
 Policy POSOL 2: Land adjacent to A143 Beccles Road and the New Cut (Former Queen's Head Public House)  
 Policy POSTA 1: Land at Stalham Staithe (Richardson's Boatyard)



Policy POTSA 1: Carey's Meadow  
Policy POTSA 3: Griffin Lane – boatyards and industrial area  
Policy POTSA4: Bungalow Lane – mooring plots and boatyards  
Policy POTSA 6: River Green Open Space  
Policy POTHU1: Tourism development at Hedera House, Thurne  
Policy POWHI1: Whitlingham Country Park  
Policy POXNS 1: Trinity Broads  
Policy POXNS2: Upper Thurne  
Policy POXNS3: The Coast  
Policy POXNS4: Main road network  
Policy POXNS5: Drainage Mills  
Policy POXNS6: Waterside Pubs Network  
Policy POXNS10: Railway stations/halts  
Policy POXNS11: Former rail trackways  
Policy POXNS12: Local Green Space

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## Appendix I: Superseded Policies

REF	What has happened to policy	Reference Number in Preferred Options
DP1	Policy rolled forward with slight amendments.	PODM13
DP2	Policy rolled forward with slight amendments.	PODM16
DP3	Policy rolled forward with slight amendments.	PODM1
DP4	Policy rolled forward with slight amendments.	PODM40
DP5	Policy rolled forward with slight amendments.	PODM11
DP6	Policy rolled forward with slight amendments.	PODM12
DP7	Policy rolled forward with slight amendments.	PODM14
DP8	Policy rolled forward with slight amendments.	PODM15
DP9	Policy rolled forward with slight amendments- now utilities infrastructure	PODM19
DP10	Policy rolled forward with slight amendments.	PODM46
DP11	Policy rolled forward with slight amendments.	PODM23
DP12	Policy rolled forward with slight amendments.	PODM28
DP13	Policy rolled forward with slight amendments.	PODM29
DP14	Policy rolled forward with slight amendments.	PODM26
DP15	Policy rolled forward with slight amendments.	PODM27
DP16	Policy rolled forward with slight amendments.	PODM30
DP17	Policy rolled forward with slight amendments.	PODM47
DP18	Will be assessed following employment study completion.	See economy section
DP19	Will be assessed following employment study completion.	See economy section
DP20	Will be assessed following employment study completion.	See economy section
DP21	Policy rolled forward with slight amendments.	PODM45
DP22	Forms part of Development Boundary policy.	PODM33
DP23	Policy rolled forward with slight amendments.	PODM32
DP24	Policy rolled forward with slight amendments.	PODM38
DP25	Policy rolled forward with slight amendments.	PODM35
DP26	Policy rolled forward with slight amendments.	PODM36
DP27	Rolled forward with slight changes and combined with CS25.	PODM41
DP28	Policy rolled forward with slight amendments.	PODM21
DP29	Policy rolled forward with slight amendments.	PODM4
DP30	Policy rolled forward with slight amendments.	PODM44
CS1	Incorporated into a new sustainable development policy.	POSP2
CS2	Incorporated into a new sustainable development policy.	POSP2
CS3	Rolled forward with some slight amendments. Combined with CS13 and CS15.	POSP10
CS4	Incorporated into a new sustainable development policy.	POSP2
CS5	Policy rolled forward with slight changes. Combined with CS6	POSP6
CS6	Policy rolled forward with slight changes. Combined with CS5	POSP6
CS7	Policy rolled forward with slight changes	POSP3
CS8	Policy rolled forward with slight changes	POSP5
CS9	Combined into tourism strategic policies.	POSP9
CS10	Discarded. Approach no longer deemed necessary.	-
CS11	Combined into tourism strategic policies.	POSP9
CS12	Combined into tourism strategic policies.	POSP9

REF	What has happened to policy	Reference Number in Preferred Options
CS13	Rolled forward with some slight amendments. Combined with CS3 and CS15.	POSP10
CS14	Rolled forward with some slight amendments.	POSP11
CS15	Rolled forward with some slight amendments. Combined with CS3 and CS13.	POSP10
CS16	Rolled forward with some slight amendments.	POSP7
CS17	Rolled forward with some slight amendments.	POSP8
CS18	Rolled forward with some slight amendments. Combined with CS24.	POSP12
CS19	Combined into tourism strategic policies.	POSP9
CS20	Many changes to reflect changes in national flood risk policy since the core strategy.	POSP4
CS21	Combined into tourism strategic policies.	POSP9
CS22	Will be assessed following employment study completion.	See economy section
CS23	Will be assessed following employment study completion.	See economy section
CS24	Rolled forward with some slight amendments. Combined with CS18.	POSP12
CS25	Combined with DP27	PODM41
ACL1	Rolled forward with some slight amendments.	POACL1
ACL2	Rolled forward with some slight amendments.	POACL2
BRU1	Rolled forward with some slight amendments.	POBRU1
BRU2	Rolled forward with some slight amendments.	POBRU2
BRU3	Rolled forward with some slight amendments.	POBRU3
BRU4	Rolled forward with some slight amendments.	POBRU4
BRU5	Rolled forward with some slight amendments.	POBRU5
BRU6	Rolled forward with some slight amendments.	POBRU6
CAN1	Rolled forward with some slight amendments.	POCAN1
DIL1	Rolled forward with some slight amendments.	PODIL1
DIT1	Discarded. Development built out. New open space policy proposed (to follow)	-
DIT2	Rolled forward with some slight amendments.	PODIT2
GTY1	Rolled forward with some slight amendments.	POGTY1
HOR1	Forms part of Development Boundary policy.	PODM33
HOR2	Rolled forward with some slight amendments.	POHOR2
HOR3	Rolled forward with some slight amendments.	POHOR3
HOR4	Rolled forward with some slight amendments.	POHOR4
HOR5	Rolled forward with some slight amendments.	POHOR5
HOR6	Rolled forward with some slight amendments.	POHOR6
HOR7	Rolled forward with some slight amendments.	POHOR7
HOR8	Rolled forward with some slight amendments.	POHOR8
HOV1	Forms part of Development Boundary policy.	PODM33
HOV2	Rolled forward with some slight amendments.	POHOV2
HOV3	Rolled forward with some slight amendments.	POHOV3
HOV4	Policy relates to retail. Discussions ongoing with North Norfolk District Council regarding retail work as well as joined approach with regards to this town centre which is partly within NNDC and partly within BA.	See retail section
NOR1	Rolled forward with some slight amendments.	PONOR1
NOR2	Rolled forward with some slight amendments.	PONOR2
ORM1	Rolled forward with some slight amendments.	POORM1

REF	What has happened to policy	Reference Number in Preferred Options
OUL1	Forms part of Development Boundary policy.	PODM33
OUL2	Rolled forward with some slight amendments.	POOUL2
OUL3	Rolled forward with some slight amendments.	POOUL3
POT1	Retail element to reflect future retail work with NNDC. Potential for a masterplan being considered.	See retail section
POT2	Rolled forward with some slight amendments.	POPOT2
POT3	Rolled forward with some slight amendments.	POPOT3
SOL1	Rolled forward with some slight amendments.	POSOL1
SOL2	Rolled forward with some slight amendments.	POSOL2
STA1	Rolled forward with some slight amendments.	POSTA1
TSA1	Rolled forward with some slight amendments.	POTSA1
TSA3	Rolled forward with some slight amendments.	POTSA3
TSA4	Rolled forward with some slight amendments.	POTSA4
TSA5	Forms part of Development Boundary policy.	PODM33
TSA6	Rolled forward with some slight amendments.	POTSA6
THU1	Rolled forward with some slight amendments.	POTHU1
WES1	Discarded. Development built out.	-
WHI1	Rolled forward with some slight amendments.	POWHI1
XNS1	Rolled forward with some slight amendments.	POXNS1
XNS2	Rolled forward with some slight amendments.	POXNS2
XNS3	Rolled forward with some slight amendments.	POXNS3
XNS4	Rolled forward with some slight amendments.	POXNS4
XNS5	Rolled forward with some slight amendments.	POXNS5
XNS6	Rolled forward with some slight amendments.	POXNS6
XNS7	Rolled forward but combined with other 'new' routes.	POXNS11
XNS8	Rolled forward with some slight amendments.	POXNS8
XNS9	Forms part of Development Boundary policy.	PODM33
TSA2	Amended to update in light of various court decisions.	