

Appendix 1

Broads Authority Local Plan Schedule of main modifications.

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1. Explanation

- The proposed changes below are expressed in the form of a red ~~striketrough~~ for deletions and blue underlining for additions of text.
- Other instructions or explanations are set out in *italics*.
- The page numbers and paragraph numbering below refer to the publication local plan as published, and do not take account of the deletion or addition of text.
- All tables are ordered by page number of the Publication version of the Local Plan.

2. Main modifications

Ref.	Page No. (From Broads Local Plan Pre- Submission)	Policy/ Para. No. (From Broads Local Plan Pre- Submission)	Main Modification
M1	New Policy	New Policy	<i>New policy allocating residential moorings at Horning – would be HOR9. See Appendix B. Monitoring indicator included as well.</i>
M2	New Policy	New Policy	<i>New policy allocating residential moorings at Somerleyton – would be SOM1. See Appendix C. Monitoring indicator included as well.</i>
M3	New Policy	New Policy	<i>New generic Retail Policy – would go in section 31. See appendix J. Monitoring indicator as well.</i>
M4	New Policy	New Policy	<i>New Major Development Policy – would be new DM1 in the Sustainable Development section. See Appendix S. Also includes monitoring indicator.</i>
M5	New Appendix	New Appendix	<i>Add map and table at Appendix T showing the districts and parishes in the Broads</i>
M6	New Appendix	New Appendix	<i>See Appendix H of this Main Modification document.</i>
M7	New Appendix	New Appendix	<i>See Appendix I of this Main Modification document.</i>
M8	12	4.7	4.7 The biodiversity Natural Environment of the Broads In relation to geodiversity, there are five nationally-designated sites (SSSIs covering Pleistocene geology and active coastal processes), but many other local sites of interest have been identified in the Norfolk Geodiversity Audit.
M9	23	8.2, Objective 4	The rich and varied habitats and wildlife are natural environment is conserved, maintained, enhanced and sustainably managed.
M10	27	PUBDM1	The Authority encourages proposals to consider the use of constructed reed beds as a filtration system to remove nutrients before the waste water from small sewage treatment plants and package treatment works and septic tanks enters waterbodies.

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M11	30	PUBDM2 supporting text	The policy requires commercial operations to have the facilities in place to prevent anti-fouling paint from entering the watercourse. The Green Blue Guide to Boat Wash Down provides more information and gives detailed advice and guidance on wash down systems. <u>There is a range of ways to tackle the issue of anti-fouling paint entering the water at a range of costs and the Authority can provide advice. The best practice measures are expected to be taken in accordance with the scale of the wash down operation, the type of work to be undertaken and its impact on the water environment.</u> Applicants are required, as part of their application, to address the issue of boat-wash down and justify the chosen system. If this requirement could affect the viability of an operation, evidence is required that proves installing a wash down facility could make an operation unviable. This statement will then be independently reviewed, entirely at the applicant's expense.
M12	33	PUBDM4	<i>Replace existing policy and reasoned justification with that shown at Appendix N.</i>
M13	35	PUBDM5	i) Use a risk assessment on treatment stages to reflect the type of proposed development and how surface water run-off and drainage will affect the receptor. <u>A 1.2m clearance between the base of infiltration SuDS and the peak seasonal groundwater levels is required;</u>
M14	35	PUBDM5	The surface water run-off runoff rates that will occur as a consequence of the development are <u>is</u> required to be no more than the <u>existing pre development</u> greenfield rate for the equivalent event for runoff rate. <u>Brownfield sites should aim to reduce runoff as close to greenfield sites or, if the site is brownfield, then rates as possible. The discharge rate for brownfield sites should be</u> no more than the rates s prior to <u>any new</u> development. However, applicants <u>Applicants</u> are encouraged to seek betterment in surface water run-off runoff as part of their proposals <u>for brownfield sites. The runoff rate should be agreed with the Local Planning Authority, in conjunction with the Lead Local Flood Authority and where relevant sewerage undertaker.</u>
M15	36	PUBDM5	<u>Types of SuDS</u> ...of the landscape. <u>The most effective form of water management is a naturally functioning floodplain and development proposals should aim to maximise opportunities to restore a naturally functioning floodplain where possible.</u>
M16	39	PUBDM6	<i>Add this text as new c) i)</i> <u>Are subject to a prior groundwater protection risk assessment in accordance with Environment Agency Guidance: Assessing Groundwater Pollution for Cemetery Developments (or successor document or advice);</u>

Ref.	Page No. (From Broads Local Plan Pre- Submission)	Policy/ Para. No. (From Broads Local Plan Pre- Submission)	Main Modification
M17	39	PUBDM6	Development that would result in the loss of existing sport, recreational, allotment or amenity open space as identified on the policies maps <u>and identified by the Authority's constituent district councils in their evidence base</u> will only be permitted if it can be demonstrated (through a local assessment) that'
M18	41	PUBDM7 supporting text	<u>The Authority intends to produce guidance relating to ecological networks and the Broads. In the interim, the Waveney Green Infrastructure Study, the Broads Integrated Access Strategy and Norfolk Strategic Planning Framework Ecological Networks Study will be used to assist in the implementation of this policy.</u>
M19	47	PUBDM9	<ul style="list-style-type: none"> i) There is not a 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) Enhancement of biodiversity outweighs the carbon loss; and v) The peat is disposed of in a way that will limit carbon loss to the atmosphere. <p><u>Development that seeks to enhance biodiversity but may result in some peat removal will still need to demonstrate the criteria i) to iv) and that the biodiversity benefit will outweigh carbon loss.</u></p>
M20	48	PUBDM9 supporting text	On occasion, for nature conservation benefits, peat can be removed to create shallow turf ponds or scrapes (areas of temporary open water) on areas of fen or scrub habitat to maximise the biodiversity value and hold back succession to woodland habitat. The removal of peat can also be necessary for conservation management – for example, the most biodiverse areas of UK fen occur on areas where the turf has been stripped and vegetation subsequently grown back. <u>This policy allows for such operations, provided they can justify the proposal against the criteria set out in the policy.</u>
M21	50	PUBSP5 supporting text	<u>The only conservation area at risk in the Broads is the Halvergate Marshes Conservation Area. The reason for this is the condition of the numerous mill structures within it being poor and also continuing (in the main) to deteriorate. There has recently been a slight improvement in condition with some structures receiving attention. One of the primary outcomes of the Water Mills and Marshes project is the improvement in condition of a number of the structures. This in turn should mean that within 5 years the conservation area will have improved enough to come off the 'at risk' register.</u>
M22	52	PUBDM10	<i>Change point c viii) to say:</i> Satisfactory provision is made for the evaluation, excavation, recording, and interpretation, dissemination and archiving of the remains <u>and then interpretation, dissemination and archiving</u> before the commencement of development.

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M23	54	PUBDM11	<u>b) The proposal is of a high quality design, retaining the external and/or internal features that contribute positively to the character of the building, including original openings and materials, and with minimal intervention to the original form and fabric of the building (e.g. new openings);</u>
M24	55	PUBDM11	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 <u>excluding</u> holiday accommodation for short stay occupation on a rented basis) will be the next preference. Conversion to residential uses, <u>which includes holiday accommodation</u> , where the building would be used as a second home for the main residence of the occupiers , will only be permitted where employment, recreation or <u>other</u> tourism uses of the building are proven to be unviable.
M25	55	PUBDM11 supporting text.	<u>Where the original use of the building was residential, any application will also be subject to the policy requirements.</u> <u>For conversions or re-use of buildings that are not historic buildings (designated or non-designated), please refer to PUBDM47.</u>
M26	57	Section 16	16. Biodiversity <u>Natural Environment</u>
M27	57	PUBSP6 supporting text	<u>Policy DM7 on Green Infrastructure is also of relevance and so too are the Waveney Green Infrastructure Study, the Broads Integrated Access Strategy and Norfolk Strategic Planning Framework Ecological Networks Study as well as future guidance on ecological networks.</u>
M28	57	PUBDM12	<i>Replace existing policy and reasoned justification with that shown at Appendix Q.</i>
M29	63	PUBDM14 supporting text.	The NPPG- NPPF 2019 (paragraph 154 footnote 49) says 'in the case of wind turbines, a planning application should not be approved unless the proposed development site is an area identified as suitable for wind energy development in a Local or Neighbourhood Plan' . The Authority does not intend to allocate any sites in the Broads for wind turbines. More information can be found in the Renewable Energy Topic Paper. <u>'Except for applications for the repowering of existing wind turbines, a proposed wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan; and, following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing'.</u>

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			<p><u>The Landscape Sensitivity Study concluded that</u> wind turbines are tall structures and that have the potential to detract from the mainly open and low-lying character of the Broads landscape, particularly when they are in large groups or sited in prominent locations. <u>The Renewable Energy Topic Paper (link) assesses the potential for wind turbines in the Broads and does not identify specific areas of suitability within the Broads Authority Executive Area for wind turbines and as such no areas are identified in this Local Plan.</u></p> <p>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 and Landscape Sensitivity Study will be used to help assess the impact of individual proposals.</p> <p>The operation of the turbines can also adversely affect ecological interests, particularly birds and bats. If a proposal is considered likely to have an effect on internationally designated sites, it will need to be considered in the context of the Conservation of Habitats and Species Regulations 2010 (the Habitats Directive) and a project level Appropriate Assessment undertaken. Development that could affect the integrity of a local, international or European site would not be in accordance with Policy PUBDM12 of this Local Plan.</p>
M30	67	PUBDM16 supporting text	i) It can serve to divert flood water onto neighbouring land, particularly in areas primarily affected by fluvial flooding, <u>so the flood risk policy must also be adhered to. Land raising is not permitted within Flood Zone 3b Functional Floodplain unless it is to reinstate previously sunken land, as this would prevent the floodplain from functioning.</u>
M32	68	PUBDM18	c) There is no adverse impact on the character of the locality, the wider landscape, <u>character and significance of the historic environment</u> and the amenity of neighbours;
M33	72	PUBDM21	a) There is no permanent external lighting within Dark Sky Zone category 1 as identified on the policies maps <u>is protected from permanent illumination;</u>
M34	73	PUBDM21 supporting text.	<u>Dark Sky Zone Category 1 is the darkest area within the Broads Authority Executive Area reaching over 21 magnitudes per arc second. In this zone, permanent illumination is not allowed in order to protect the darkness of the sky. On occasions, there may be a need to have external lighting for short periods of time but the design of this lighting is expected to not add to light pollution when used and not expected to be lit for long periods of time. The design of any lighting is expected to meet tests that follow.</u>

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			Dark Sky Zone Category 2 is the second darkest area within the Broads reaching over 20 magnitudes per arc second, but less than 21. These skies are still intrinsically dark and as stated in the NPPF the impact from artificial light needs to be limited. As such, the design of any lighting is expected to not add to light pollution and meet the tests that follow.
M35	76	PUBDM22 supporting text	Traffic congestion is a problem in parts of the Broads. To minimise the impact of new development on congestion, proposals should incorporate measures that enable the development to be accessed by a choice of transport modes and that provide adequate levels of parking. Discussions will be had with the relevant district and relevant county council about the parking standards to apply (some districts have their own parking standards). See Appendix X for details of the standards in place at the time of adopting this Local Plan.
M36	79	PUBSP10 Reasoned justification	<i>Removal of A1 from policies and reasoned justification in these policies.</i>
M37	80	PUBDM24	ii) Proposals do not have an adverse impact on landscape character, designated sites and biodiversity or the historic environment.
M38	80	PUBDM24	<i>Removal of A1 from policies and reasoned justification in these policies.</i>
M39	82	PUBDM25 reasoned justification	<i>Removal of A1 from policies and reasoned justification in these policies.</i>
M40	84	PUBDM27 policy and supporting text	<i>Replace existing policy and reasoned justification with that shown at Appendix K.</i>
M41	87	PUBDM28 policy and supporting text	<i>Replace existing policy and reasoned justification with that shown at Appendix L.</i>
M42	89	PUBDM29	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.

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M43	89	PUBDM29	h) Proposals are of a scale compatible with their location and setting.										
M44	92	PUBDM30	Developments that support and encourage the use of waterways, including the provision of supporting infrastructure for navigation such as the construction of moorings, jetties and walkways and the provision of electric hook up points, will be permitted (subject to other policies in this local plan) provided that they:										
M45	92	PUBDM30	Proposals incorporating staithes or slipways will be permitted (subject to other policies in this local plan) where:										
M46	93	PUBDM31	k) The site is within an established settlement Where piling/ quay heading is part of the character of the area; or										
M47	93	PUBDM31	Development proposals that include riverbank stabilisation will be permitted (subject to other policies in this local plan) where the need can be fully justified and it can be demonstrated, through the submission of the Riverbank Stabilisation Checklist74 for Design, that the proposal has been designed to take account of:										
M48	95	PUBDM32	p) Provide an appropriate range of services and ancillary features , ancillary facilities on site (for example potable water, wastewater pumpout, and electricity) unless there is access to local facilities within walking distance.										
M49	95	PUBDM32 part m	<div>Provide, manage, maintain and advertise and maintain new short stay moorings (visitor, tidal, or de-masting moorings as appropriate) at not less than 10% of total new moorings provided, with a minimum provision of two berths provided at nil cost to the Broads Authority as follows. These moorings shall be provided on-site, but in exceptional circumstances the Authority may consider off-site contributions to any type of mooring.</div> <table><tr><th>Size of scheme – no. of moorings proposed</th><th>Number/% provided and managed for short stay visitor moorings</th></tr><tr><td>2-9</td><td>1 permanent mooring</td></tr><tr><td>10-19</td><td>2 permanent moorings</td></tr><tr><td>20-29</td><td>3 permanent moorings</td></tr><tr><td>30 or more</td><td>15% permanent moorings, rounded to the nearest whole number (less than 0.5, round down, more than or equal to 0.5, rounded up.</td></tr></table>	Size of scheme – no. of moorings proposed	Number/% provided and managed for short stay visitor moorings	2-9	1 permanent mooring	10-19	2 permanent moorings	20-29	3 permanent moorings	30 or more	15% permanent moorings, rounded to the nearest whole number (less than 0.5, round down, more than or equal to 0.5, rounded up.
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M50	96	PUBDM32 supporting text	With regards to the requirement to provide short stay visitor moorings as set out in part m of the policy for 10% or two short stay mooring berths (whichever is greater) , the preference is to deliver these short stay moorings on site. ‘On site’ does not have to be part of the development site; it could be elsewhere in an appropriately accessible and suitable part										

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			<p>of the marina or boatyard. Indeed, the applicant may wish to provide these moorings in a location easily accessible by novice helms to minimise the potential for accidental damage. It is expected that these moorings will be appropriately advertised, perhaps on websites or signed on the river (in accordance with policy PUBDM48).</p> <p>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 <u>in line with the standards set out in the policy</u> of 10% or two mooring berths would be equal to the cost of delivering the same amount of moorings as part of that scheme. This reflects that it would cost the Broads Authority this amount to deliver an equivalent provision in the same location.</p> <p>To support the delivery of the mooring berths contributions, the Authority is willing to consider seasonal usage of moorings. A boatyard or marina may have moorings they only need for their own use in the off peak season (November to March) and could therefore allow to be used for short stay moorings, as per the policy requirements, in the peak season only (April to October). If this is the case, the Authority would <u>consider this approach subject to agreeing an appropriate and deliverable approach to operating, monitoring, managing and advertising the seasonal moorings and would expect more short stay moorings than set out in part m to be provided</u> provision of 15%/three mooring berths contributions in the peak season’.</p> <table><tr><th>Policy number</th><th>Delivery mechanism</th><th>Milestones</th><th>Organisations involved</th><th>Monitoring indicator</th></tr><tr><td>PUBDM32: Moorings, mooring basins and marinas</td><td>If appropriate to a scheme, policy used to help determine application.</td><td>None-identified/on-going</td><td>EA, businesses, landowners</td><td>2/10% moorings delivered on site off-site contributions. <u>Number/percentage of short stay visitor moorings delivered on site or via off-site contributions in line with part m in Policy PUBDM32.</u></td></tr></table>					Policy number	Delivery mechanism	Milestones	Organisations involved	Monitoring indicator	PUBDM32: Moorings, mooring basins and marinas	If appropriate to a scheme, policy used to help determine application.	None-identified/on-going	EA, businesses, landowners	2/10% moorings delivered on site off-site contributions. <u>Number/percentage of short stay visitor moorings delivered on site or via off-site contributions in line with part m in Policy PUBDM32.</u>
Policy number	Delivery mechanism	Milestones	Organisations involved	Monitoring indicator													
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M51	98	PUBSP15	<i>Replace existing policy and reasoned justification with that shown at Appendix O.</i>
M52	102	PUBDM33 policy and supporting text	<i>Replace existing policy and reasoned justification with that shown at Appendix R.</i>
M53	107	PUBDM34 Supporting text	The Authority also regards other areas sites as suitable for residential moorings that are not adjacent to Development Boundaries. These sites, which are allocated in the Local Plan , are in Brundall (MODBRU6), Horning (policy MODHOR7 and MODHOR9), Loddon and Chedgrave (MODLOD1 and MODCHE1) Beccles (MODBEC2), Somerleyton (MODSOM1) and Stalham (policy MODSTA1). While the areas sites covered by these policies are not deemed suitable for Development Boundaries to reflect constraints on the land, they are still accessible to services and facilities that make them suitable for residential moorings.
M54	108	PUBDM35	d) Are on brownfield (previously developed) land;
M55	108	PUBDM35	Development proposals for the provision of permanent or transit accommodation, or temporary stopping places, to meet the needs of Gypsies and Travellers and Travelling Show People will be supported where they meet an identified need . a proven need, as identified by a Gypsy and Traveller Accommodation Assessment.
M56	108	PUBDM35 supporting text	According to the Gypsy and Traveller Accommodation Needs Assessment (2017) there is no identified need for sites or pitches within the Broads Authority Executive area. The Government's Planning Policy for Traveller Sites document states 'where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward. Criteria based policies should be fair and should facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community'. The policy refers to there being an identified need in order for sites to be considered within the Broads. This need could be identified through a local survey or through liaison with the district's housing team.
M57	109	PUBDM35 supporting text	National planning policy encourages planning policies and decisions to encourage the effective use of land by re-using previously developed land (brownfield land), provided that it is not of high environmental value. As the Authority does not have a need for Gypsy and Traveller sites or pitches, there is no need for greenfield sites to be developed. The Authority encourages the use of brownfield land for development ahead of greenfield land. Other policies in the Local

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			<u>Plan may be of relevance in this regard such as landscape character impact, impact on peat and high quality agricultural land.</u>
M58	110	PUBDM36	<i>Replace existing policy and reasoned justification with that shown at Appendix M.</i>
M59	117	PUBDM40	When assessing the suitability of sites and/or Proposals for the development of or change to elderly or specialist needs housing, the Authority will have regard to: <u>will be supported if they are located within a development boundary and they have regard to:</u> <ul style="list-style-type: none"> i) The local need for the accommodation proposed; ii) The ability of future residents to access essential services, including public transport, GPs and shops; iii) Whether the proposal would result in an undue concentration of such provision in the area; and iv) Impact upon amenity, landscape character, the historic environment and protected species or habitats.
M60	118	PUBDM40 supporting text	The Authority considers it important for this accommodation to be <u>within development boundaries (See DM34) so they are</u> close to services and facilities to provide benefits to residents, staff who work there and visitors. In the Broads, these locations will be those with Development Boundaries as set out elsewhere in this Local Plan.
M61	120	PUBDM42 – combine h) and k).	h) Accessibility and adaptability: <u>Developments shall be capable of adapting to changing circumstances, in terms of occupiers, use and climate change (including changes in water level). In particular, dwelling houses should be able to adapt to changing family circumstances or ageing of the occupier(s) in accordance with ‘Lifetime Homes’ standards and commercial premises should be able to respond to changes in industry or the economic base.</u> Applicants are required to consider if it is appropriate for their proposed dwelling/ some of the dwellings to be built so they are accessible and adaptable and meet Building Regulation standard M4(2) and M4(3). If applicants do not consider it appropriate, they need to justify this. For developments of more than 20 dwellings, 5% <u>5 dwellings or more, 20%</u> will be built to meet Building Regulation Standard M4(2).
M62	122	PUBDM42 Supporting Text	With regard to adaptable dwellings, the Authority refers to the 16 criteria relating to Lifetime Homes¹. We encourage new housing to be built to the Lifetime Homes standard, which makes it easier for people to remain in their own homes as their mobility needs change, through encouraging homes to be built in a way in which rooms can be used flexibly over time. The criteria in this policy also contribute towards the creation of safe, functional and well-designed communities as aspired to by the Government’s Lifetime Neighbourhoods² ambitions.

¹ Lifetime Homes Standards Homes that are accessible to everybody and where the layout can be easily adapted to meet the needs of future occupants. www.lifetimehomes.org.uk/

² Government’s Lifetime Neighbourhoods www.gov.uk/government/publications/lifetime-neighbourhoods--2

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			<p>The Authority also encourages the provision of some dwellings, in appropriate locations, to be designed to be accessible and accommodate wheelchairs. In schemes of over 20⁵ dwellings <u>or more</u> it requires <u>20</u>5% to meet Building Regulations part M4(2). The details are set out in the Building Regulations part M³.</p> <p><u>The justification for this requirement is discussed in the Design policy requirement relating to Building Regulations M(4)2 Topic Paper (2018) (insert footnote and link). In summary:</u></p> <ul style="list-style-type: none"> • The Census 2011 shows that the Broads Authority Executive Area has an ageing population, with 30% <u>of the population being</u> over 65, and 23% of people saying their daily activities are limited. • <u>The age profile of the Broads is likely to change in a similar manner to our districts. That is to say that the relative proportions of those aged 65 and over and 85 and over will increase by 2035/36. Older people may experience health and mobility issues and it is these issues which the Building Regulations M4(2) seeks to help address.</u> • <u>Turning to viability, the 2018 Viability Assessment concludes that for new build, the requirement can be designed in from the start at little or no cost. If sites are on steep hills, the cost could increase; but it is recognised that there are very few steep hills in the Broads. For conversions, there could be a slight cost increase but that depends on the level of works to the structure being converted. Generally the 2018 Viability Assessment concludes that additional base costs of complying with M4(2) are capable of being absorbed and that schemes of 5+ dwellings would be viable.</u> <p>The NPPG⁴ is clear, however, in saying that ‘<i>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</i>’. 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.</p>
M63	124	PUBDM43	<p>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:</p> <p>a) It can be proven that there is no community need for the service/facility; or</p> <p>b) It can be demonstrated through a viability assessment that the current use is economically unviable. and</p>

³ Building Regulations part M: www.gov.uk/government/uploads/system/uploads/attachment_data/file/506503/BR_PDF_AD_M1_2015_with_2016_amendments_V3.pdf

⁴ NPPG: planningguidance.communities.gov.uk/blog/guidance/housing-optional-technical-standards/accessibility-and-wheelchair-housing-standards/

Ref.	Page No. (From Broads Local Plan Pre- Submission)	Policy/ Para. No. (From Broads Local Plan Pre- Submission)	Main Modification
			<p>c) Details of consultation with the community regarding the change of use of redevelopment are provided; and d) There is an equivalent facility available or one is made available prior to the commencement of redevelopment, to serve the same need in an equally accessible and convenient location.</p> <p><u>In all instances, details of consultation with the community regarding the change of use or redevelopment need to be provided.</u></p>
M64	125	PUBDM43 supporting text.	Furthermore, many of the employment generating businesses within the Broads serve visitors as well as the resident market, such as shops and pubs (<u>although pubs are not covered in this policy</u> , see policy PUBSSPUBS), and their loss can have a wider than local impact.
M65	126	PUBDM43 supporting text.	<p>Examples are:</p> <ul style="list-style-type: none"> Community facility – post offices, cemeteries (see policy PUBACL1 and PUBDM6), pubs (see policy PUBSSPUBS), libraries, village halls, shops, sports facilities (also see policies PUBDIT2 and PUBFLE1). <u>Please note that pubs are addressed in their own policy, PUBSSPUBS.</u>
M66	130	PUBDM46	<i>Replace existing policy and reasoned justification with that shown at Appendix E.</i>
M67	132	PUBDM47 supporting text	<u>For re-use or conversions of historic buildings (designated or non-designated), please refer to PUBDM11.</u>
M68	133	PUBDM47	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);
M69	139	PUBBEC1	ii) Proposals must enhance the appearance <u>and character</u> of the area including the public realm;
M70	139	PUBBEC1	<p>The Authority supports the retention of the building and the resumption of its use as a public house or other tourist facility. <u>The Authority would also support the building being used as follows:</u></p> <ul style="list-style-type: none"> a) <u>Employment uses, particularly B1.</u> b) <u>Retail uses (A1, A2, A3) but only where proposals have been subject to the sequential test and any evidence base or Beccles retail policy produced by Waveney District Council.</u> c) <u>Potentially for live/work units whereby residential use is on the upper floors, subject to the policies in this Local Plan on flood risk.</u> <p>The Authority would not support conversion <u>of the lower floor</u> to residential <u>on flood risk grounds</u>.</p>

Ref.	Page No. (From Broads Local Plan Pre- Submission)	Policy/ Para. No. (From Broads Local Plan Pre- Submission)	Main Modification
M71	139	PUBBEC2	Policy MODDM36 (New Residential Moorings) will apply as the boatyard will be treated as if it were adjacent to a development boundary. Proposals for <u>up to a maximum of five</u> residential moorings will be supported...
M72	139	PUBBEC2	<u>Development should preserve or where opportunities arise enhance the character or appearance of the Conservation Area and its setting.</u> <u>Project Level Habitats Regulation Assessments will be needed to assess implications on sensitive European Sites. Measures to mitigate for the effects of new growth may be required, such as the provision of good quality on-site green infrastructure to mitigate for recreational disturbance.</u> <u>A management plan for the site and a register of those who live on boats will be required and will be covered by a planning condition imposed on any planning permission granted.</u>
M74	140	PUBBEC2 supporting text	It is anticipated that the moorings will be place within a few years of adoption of the Local Plan <u>after 2025</u> , possibly by the end of 20 <u>20</u> <u>30</u> .
M75	142	PUBBRU2	Policy PUBDM36 on new residential moorings will apply as the area will be treated as if it were adjacent to a development boundary. Proposals for residential moorings will be permitted in this area if they are at a scale which would not compromise existing business on the site and would meet the criteria in Broads Local Plan policies on general employment and boatyards.
M76	142	PUBBRU2 supporting text	The Authority would support perhaps one or two of the moorings at a boatyard being converted to residential moorings. The benefits of a regular income, as well as passive security that residential moorings can bring, are acknowledged. However, in accordance with policy PUBDM36, conversion of an entire business to residential moorings would not be supported. These sites have good access by foot to every day services and facilities in Brundall (such as a supermarket, pharmacy, school and post office). Bus stops and railway stations to wider destinations are also within walking distance from these areas. <u>Norfolk County Council as Highways Authority has indicated that because of the access constraints (the road and level crossing) they would not support residential moorings at this site.</u>
M77	143	PUBBRU4	iii Policy PUBDM36 (New residential moorings) will apply, as the marina will be treated as if it were adjacent to a development boundary.

Ref.	Page No. (From Broads Local Plan Pre- Submission)	Policy/ Para. No. (From Broads Local Plan Pre- Submission)	Main Modification
M78	144	PUBBRU4 supporting text	Policy PUBDM36 provides potential for residential moorings in certain circumstances in locations adjacent to development boundaries. Given the scale of the marina, and its close proximity to the public transport connections and extensive facilities of Brundall, it is considered that this marina should be specifically included within those provisions, even though there is no development boundary immediately adjacent. <u>Norfolk County Council as Highways Authority has indicated that because of the access constraints (the road and level crossing) they would not support residential moorings at this site.</u>
M79	145	PUBBRU6	Policy MODDM36 (New Residential Moorings) will apply as the boatyard will be treated as if it were adjacent to a development boundary. Proposals for <u>up to a maximum of five</u> residential moorings will be supported...
M80	145	PUBBRU6 supporting text.	The Authority would support perhaps one or two <u>up to five</u> of the moorings at a <u>the</u> boatyard..
M81	145	PUBBRU6	<u>Project Level Habitats Regulation Assessments will be needed to assess implications on sensitive European Sites. Measures to mitigate for the effects of new growth may be required, such as the provision of good quality on-site green infrastructure to mitigate for recreational disturbance.</u> <u>A management plan for the site and a register of those who live on boats will be required and will be covered by a planning condition imposed on any planning permission granted.</u>
M81a	145	PUBBRU6 supporting text	It is anticipated that the moorings will be place within a few years of adoption of the Local Plan <u>towards the end of the plan period</u> , perhaps by the end of 2020 <u>around 2030</u> .
M82	145	PUBCAN1	d) Improves the appearance of the works, particularly in views from the river and other receptors in the locality, through design, materials and landscaping <u>and have regard to the setting of the nearby designated heritage assets.</u>
M83	146	PUBCAN1 Constraints and features	<u>The discovery of artefacts and the sites of two drainage mills within the area of the sugar factory, plus the recovery of Iron Age to medieval objects in the wider area, suggests some areas of the sugar factory have potential to contain undisturbed archaeological remains.</u>
M84	147	PUBCHE1	<u>A management plan for the site and a register of those who live on boats will be required and will be covered by a planning condition imposed on any planning permission granted.</u>

Ref.	Page No. (From Broads Local Plan Pre- Submission)	Policy/ Para. No. (From Broads Local Plan Pre- Submission)	Main Modification
M84a	147	PUBCHE1	Policy MODDM36 (New residential moorings) will apply as the boatyard will be treated as if it were adjacent to a development boundary. Proposals for residential moorings of up to a maximum of five will be allowed in this area if they are not at a scale which would compromise existing business on the site, as well as meeting the criteria in Broads' policies on general employment and boatyards.
M85	147	PUBCHE1 supporting text	<u>The policy requires a management plan for the site as well as a register of those boats being lived on within the marina. These will be required through conditions on planning application(s). The management plan will help ensure the site as a whole is appropriately managed. This would normally cover things like noise, waste, deliveries times etc. and would have contact details of who to contact if the management requirements of the site are not adhered to. A breach of this management plan would then be a breach of condition and could be enforced. The register of who lives on which boat will be maintained at all times.</u>
M86	147	PUBCHE1	<u>Project Level Habitats Regulation Assessments will be needed to assess implications on sensitive European Sites. Measures to mitigate for the effects of new growth may be required, such as the provision of good quality on-site green infrastructure to mitigate for recreational disturbance.</u>
M87	152	PUBGTY1	Careful consideration will be given to the design, scale and layout of any redevelopment, its potential additional impacts on nearby residents <u>and setting of the Halvergate Marshes Conservation Area</u> , and its role as a landscape buffer between the Bure Park and more urban areas.
M88	152	PUBGTY1	<u>An archaeological assessment may be required as part of any application.</u>
M89	157	PUBHOR6	The land identified on the Adopted Policies Map will be subject to policies in the economy section of the Local Plan, and for the purposes of MODDM37 (New residential moorings) will be treated as if adjacent to a development boundary. <u>it meets the locational criteria of MODDM37 (in relation to being treated as though adjacent to a development boundary/within walking distance to at least three key services set out in that policy) to enable the delivery of a cumulative maximum of 10 residential moorings in this area through the use of existing private mooring spaces. Any residential moorings should be located a minimum of 15 metres from the sewage pumping station.</u> <u>No moorings on the banks of the SPA/SAC site over the river from MODHOR6 will be allowed.</u>
M90	157	PUBHOR6 supporting text	The policy gives certainty to the application of industrial and boatyard policies to the area. It has been further considered that it may be appropriate to permit residential boat moorings here, given the scale and character of the area and the availability of nearby services. Even though the area does not abut a development boundary, the relevant policy is applied to it (and to a limited number of boatyards elsewhere). <u>To reflect highways access concerns of Norfolk</u>

Ref.	Page No. (From Broads Local Plan Pre- Submission)	Policy/ Para. No. (From Broads Local Plan Pre- Submission)	Main Modification
			<p><u>County Council, a cap of a maximum of ten residential moorings is applied to the entire area covered by this policy – that is to say that the cumulative total of residential moorings in this area will be ten (not ten per boatyard/operator).</u></p> <p>Of particular importance to this area is the policy on surface water (PUBDM5) <u>and PUBDM1 in relation to Horning Knackers Wood Water Recycling Centre capacity issues.</u></p>
M91	157	PUBHOR6 Constraints and features	<u>Sewage pumping station in this area.</u>
M91x	158	PUBHOR7	New residential moorings or houseboats will not be permitted. The area will be treated as <u>not meeting the locational criteria</u> adjacent to a development boundary for the purposes of Policy MODDM37.
M92	160	PUBHOV3	<u>Project Level Habitats Regulation Assessments will be needed to assess implications on sensitive European Sites. Measures to mitigate for the effects of new growth may be required, such as the provision of good quality on-site green infrastructure to mitigate for recreational disturbance.</u>
M93	161	PUBHOV3	<u>vii) Development proposals will conserve and where appropriate enhance the setting of the nearby Wroxham Bridge Scheduled Monument</u>
M94	161	PUBHOV3 supporting text	The housing element could be completed sooner, perhaps by the end of 2019 <u>2023</u> .
M95	162	PUBHOV3 supporting text	<u>Potential scale of residential development</u> <u>The Authority has presumed in its housing trajectory that the Waterside Rooms could accommodate around 6 dwellings, although across the three sites, there could be scope for more dwellings.</u>
M96	167	PUBHOV5 policy and Map of Hoveton Town Centre	<i>Replace existing policy and reasoned justification with that shown at Appendix F. A map has been produced to replace the map on page 167 as it shows the boundary of the two Local Planning Authorities. See Appendix F.</i>
M97	168	PUBL0D1	<u>A management plan for the site and a register of those who live on boats will be required and will be covered by a planning condition imposed on any planning permission granted.</u>

Ref.	Page No. (From Broads Local Plan Pre- Submission)	Policy/ Para. No. (From Broads Local Plan Pre- Submission)	Main Modification
M98	168	PUBL0D1	<u>Project Level Habitats Regulation Assessments will be needed to assess implications on sensitive European Sites. Measures to mitigate for the effects of new growth may be required, such as the provision of good quality on-site green infrastructure to mitigate for recreational disturbance.</u>
M98a	168	PUBL0D1	Policy MODDM36 (New residential moorings) will apply as the boatyard will be treated as if it were adjacent to a development boundary.
M99	168	PUBL0D1 supporting text	<u>The policy requires a management plan for the site as well as a register of those boats being lived on within the marina. These will be required through conditions on planning application(s). The management plan will help ensure the site as a whole is appropriately managed. This would normally cover things like noise, waste, deliveries times etc. and would have contact details of who to contact if the management requirements of the site are not adhered to. A breach of this management plan would then be a breach of condition and could be enforced. The register of who lives on which boat will be maintained at all times.</u>
M100	169	PUBNOR1	<i>Replace existing policy and reasoned justification with that shown at Appendix P.</i>
M101	172	PUBOUL1 Constraints and features	<u>Site is within Suffolk's minerals consultation area for sand and gravel. However, the site is heavily constrained by flood risk, heritage and nature designations, dark sky areas, access and amenity, so is likely not economically viable as a mineral extraction site.</u>
M102	173	PUBOUL2	vii) <u>Preserve or enhance the character or appearance of the Oulton Broad Conservation Area</u> Take account of the site being within the Conservation Area; and
M103	173	PUBOUL2 supporting text	Please note that this allocation received planning permission in 2012 ⁵ <u>for 76 market dwellings, office accommodation and moorings.</u> The policy is being carried forward from the Site Specific Policies Local Plan 2014 because the permission is yet to be built out. It is anticipated that the dwellings will be delivered by the end of 2020 <u>2024</u> .
M104	174	PUBOUL3	<u>New Town Centre Use Development (falling within use classes A1, A2, A3, A4, A5, C1, D2 and B1a) will be permitted within the Oulton Broad District Centre where the scale and function of the development is consistent with the role of the District Centre and would not impact on the vitality and viability of Lowestoft Town Centre.</u> Within the Oulton Broad District Shopping Centre proposals for changes of use of ground floor premises from use classes A1 (retail) and A2 (financial and professional services) to other non-retail uses will not be permitted <u>A4 (drinking establishments), A5 (hot food takeaways) and other non-A Class uses will not be permitted.</u>

⁵ The Planning Application is BA/2012/0271/FUL

Ref.	Page No. (From Broads Local Plan Pre- Submission)	Policy/ Para. No. (From Broads Local Plan Pre- Submission)	Main Modification
			<p>The following changes of use <u>of ground floor premises</u> will only be permitted where either cumulatively or individually they have no significant adverse impact on the character, retail function and vitality and viability of the centre, residential amenity including noise, fumes, smell and litter, highway safety, parking and community safety:</p> <ul style="list-style-type: none"> i. From use classes A1 (retail) and A2 (financial and professional services) to A3 (restaurants and cafés). ii. Other premises <u>From any use other than use classes A1 (retail) or A2 (financial and professional services)</u> in the Oulton Broad District Shopping Centre to use classes A3 (restaurants and cafés), A4 (drinking establishments) and A5 (hot food takeaways).
M105	176	PUBPOT1 supporting text	<u>Of particular relevance to changes in this area will be the Generic Retail Policy DMxx.</u>
M106	179	PUBSOL2	<i>Delete policy.</i>
M107	180	PUBSTA1	The land identified on the Adopted Policies Map will be subject to the policies in the economy section of the Local Plan, and for the purposes of MODDM37 (New residential moorings) will be treated as if adjacent to a development boundary. <u>it meets the locational criteria of MODDM37 (in relation to being treated as though adjacent to a development boundary/within walking distance to at least three key services set out in that policy).</u>
M107 a	180	PUBSTA1	The availability of these facilities, together with the scale of the boatyard, meets the intention <u>locational criteria</u> of Policy MODDM37 despite the absence of an adjacent development boundary. This policy therefore explicitly applies that policy to the area.
M108	181	PUBSTO1	Land at Tiedam, Stokesby is allocated for <u>up to a maximum of four dwellings</u> for residential development.
M109	182	PUBSTO1 supporting text	It is anticipated that the dwellings could be delivered by the end of 2019 <u>2021</u> .
M110	183	PUBTSA2	<i>Replace existing policy and reasoned justification with that shown at Appendix D.</i>
M111	187	PUBTHU1	iii) A layout, form and design which strengthens the rural character of the village and its location in a national park equivalent area, and which reinforce local distinctiveness and landscape character and take into consideration <u>the setting and significance of</u> nearby listed buildings;
M112	189	PUBTHU1 supporting text.	At the time of writing the Local Plan, this allocation had received planning permission <u>for 16 dwellings; 6 market dwellings and 10 holiday homes</u> . It is anticipated that the dwellings could be delivered by the end of 2019 <u>from 2022</u> .
M113	196	PUBSSPUBS	Policy PUBSSPUBS: Waterside Pubs network

Ref.	Page No. (From Broads Local Plan Pre- Submission)	Policy/ Para. No. (From Broads Local Plan Pre- Submission)	Main Modification
M114	200	PUBSSLGS	Development proposals that would have an unacceptable adverse impact on the use, function and appearance of these local green spaces or would result in their loss will not be permitted other than in exceptional <u>very special</u> circumstances.
M115	200	PUBSSLGS supporting text	<u>The 2019 NPPF at paragraph 101 says that 'policies for managing development within a Local Green Space should be consistent with those for Green Belts'. The NPPF 2019 goes on to say that inappropriate development can harm green belt (and therefore local green space) and should only be approved in very special circumstances. The NPPF 2019 then goes on to provide clarification of this by saying 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations..</u>
M116	201	PUBSSA47	Replace policy and supporting text with the policy at Appendix G.
M117	219	Monitoring indicator for SP15	<ul style="list-style-type: none"> <u>Housing delivery against target.</u> <u>Five year land supply against housing trajectory.</u>
M118	223	Monitoring indicator for PUBHOV5	Vacant units. <u>Land use of each unit.</u>
M119	224	Monitoring indicator for PUBOUL3	Vacant units. <u>Land use of each unit.</u>
M120	234	Appendix K	Amend residential dwellings trajectory. See Appendix A.
M121	235	Appendix K	Add amended residential moorings trajectory. See Appendix A.
M122	237	Appendix M	<ul style="list-style-type: none"> Waveney SFRA (2017<u>8</u>) This particular SFRA does not model flooding itself; but brings together the many flood model outputs that have been completed around Norfolk <u>and Suffolk</u>. The Environment Agency say the model will be available for use in summer 2019<u>21</u>. <u>This is a precautionary approach.</u> To reflect this very issue, a Joint Position Statement has been produced with the Environment Agency and can be found here: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0011/958286/SFRA-Position-Statement-June-2018.pdf The SFRA identifies flood zones 2, 3a, 3b and Indicative 3b <u>in Norfolk and 3 and 3b in Waveney</u> as described above. <u>The modelled 3b layer is in areas with an accurately modelled 1:20 overtopping/undefended outlines. The indicative</u>

Ref.	Page No. (From Broads Local Plan Pre- Submission)	Policy/ Para. No. (From Broads Local Plan Pre- Submission)	Main Modification
			<p>3b layer reflects Flood Zone 3a as a precautionary approach in areas which do not have modelled 1:20 overtopping/undefended outlines.</p> <ul style="list-style-type: none"> Some areas are in flood zone 2, 3a, modelled 3b and indicative 3b in Norfolk and 3 and 3b in Waveney. This reflects that a particular model has been created to look at a particular flooding type (for example tidal) but no other flood types (such as not looking into fluvial flooding). So the modelled 3b area reflects the modelling but the indicative 3b layer in Norfolk and flood zone 3 in Waveney reflects flood zone 3a as a precautionary approach to reflect the type of flooding not modelled.

Appendix A: Proposed amended residential moorings and dwellings trajectory

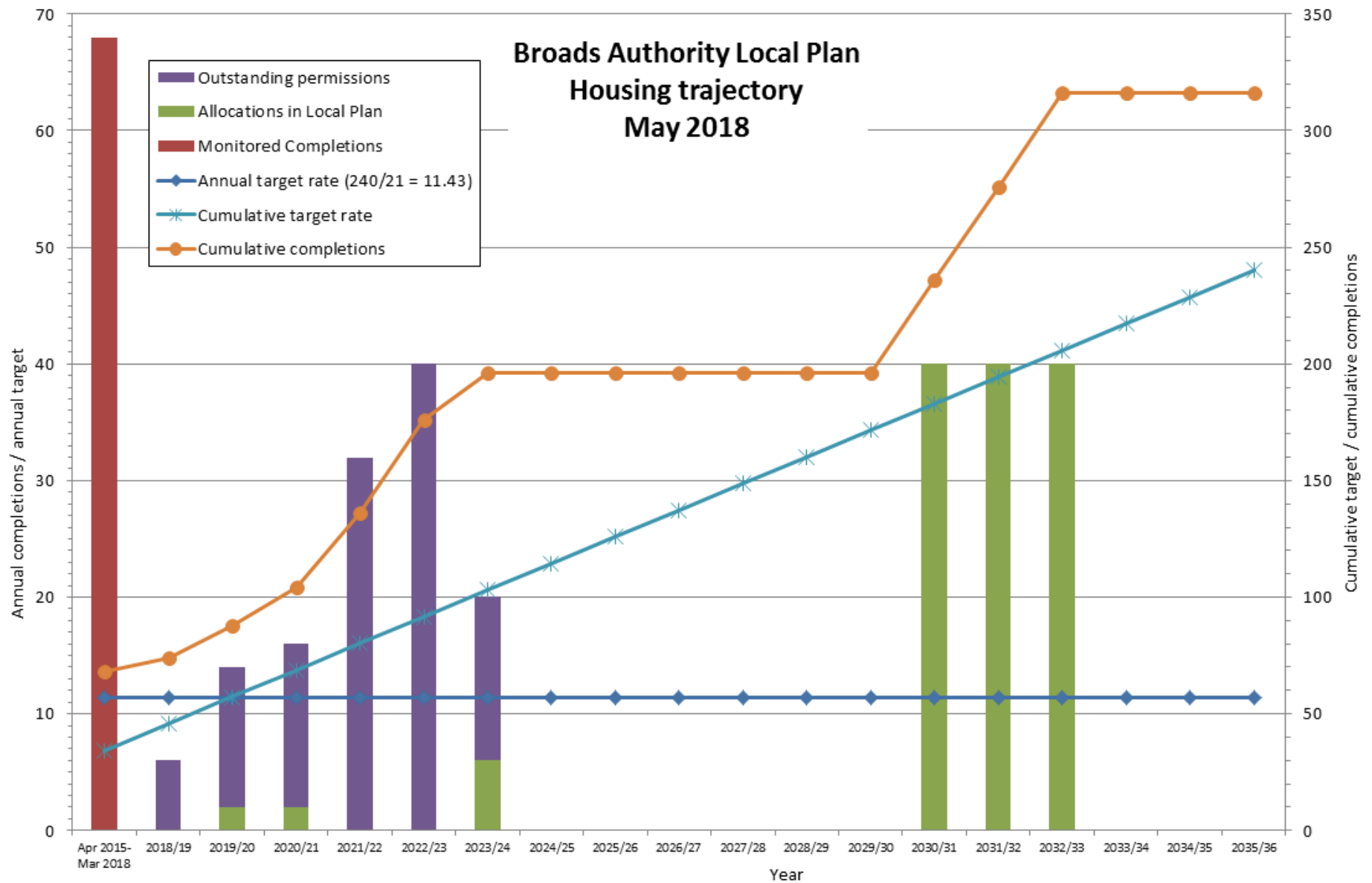
The Central Norfolk SHMA identified housing need from 2015 to 2036 and that is why the trajectory starts at 2015.

The following table shows the delivery of the sites allocated in the Local Plan (indicated in green in the graph on the next page) which amount to 130 dwellings. The allocations at Oulton Broad and Thurne are not included in this table; as they have planning permission they are included in the permissions table below.

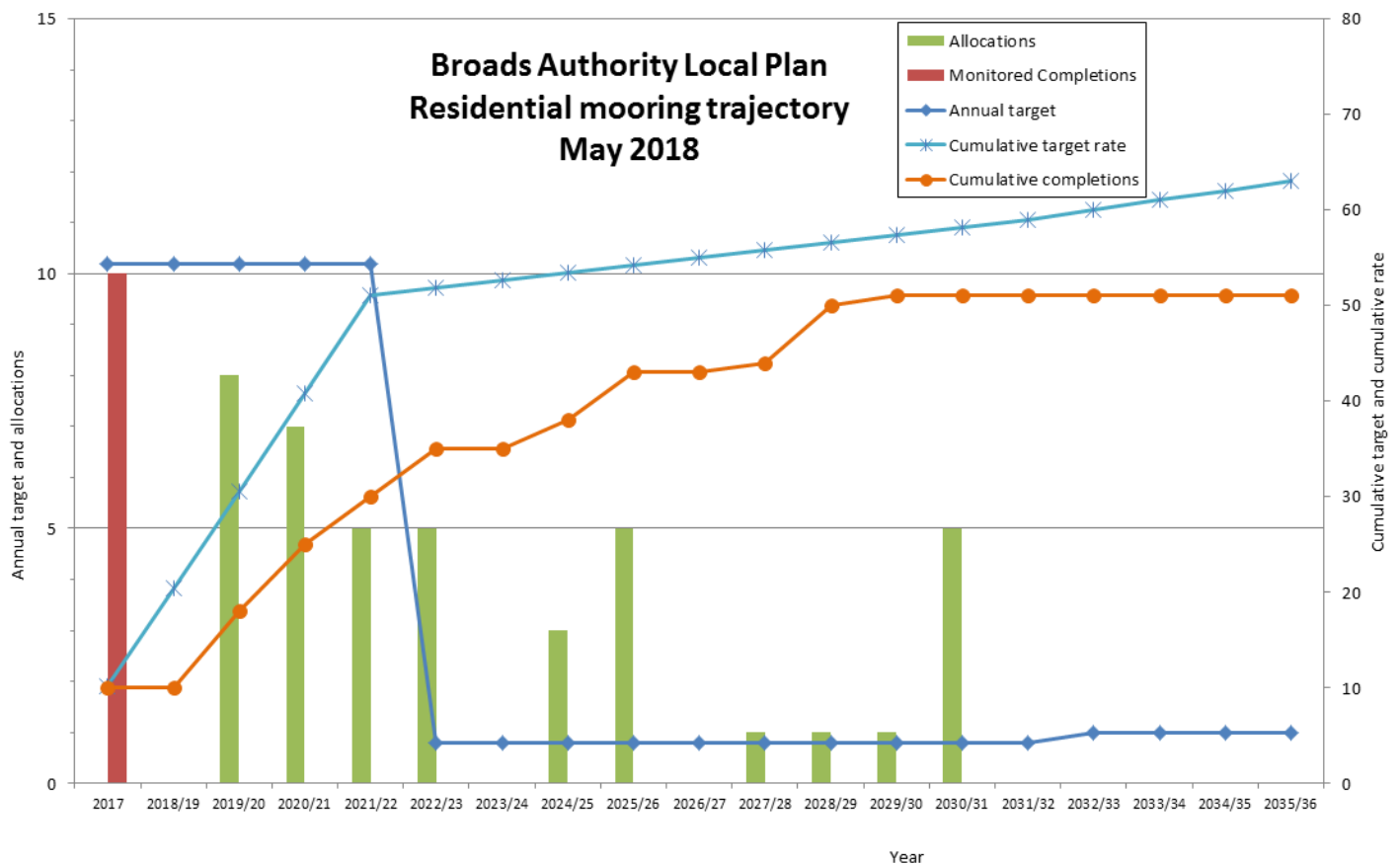
Site	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	Total
MODHOV3						6													6
MODNOR1													40	40	40				120
MODSTO1		2	2																4
Total		2	2			6							40	40	40				130

The following table shows the delivery of the sites with extant planning permission (indicated in purple in the graph on the next page) which amounts to 118 dwellings. Please note that this table includes the allocations at Thurne and Pegasus which have planning permission.

Site	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	Total
MODOUL2 BA/2012/0271/FUL BA/2016/0151/COND BA/2017/0037/NONMAT			10	30	30	6													76
MODTHU1 BA/2017/0103/OUT					8	8													16
BA/2017/0383/FUL		1																	1
BA/2015/0426/FUL	2	2																	4
BA/2005/1567/HISTAP BA/2013/0242/COND BA/2015/0256/COND BA/2017/0498/COND		2	2	2	2														8
BA/2013/0381/CU BA/2012/0382/LBC			1																1
BA/2015/0246/FUL		2																	2
BA/2017/0151/FUL		1																	1
BA/2017/0191/FUL		1																	1
BA/2017/0208/FUL			1																1
BA/2017/0457/FUL	1																		1
BA/2017/0474/FUL	2																		2
BA/2017/0311/FUL		1																	1
BA/2016/0444/FUL		1																	1
BA/2008/0172	1	1																	2
Total	6	12	14	32	40	14	0	0	0	0	0	0	0	0	0	0	0	0	118



Outstanding permissions: 118 dwellings. Allocations in Local Plan: 130 dwellings. Monitored completions: 68 dwellings.



Allocations: 41 residential moorings. Monitored completions: 10 residential moorings.

The following table provides the detail for the allocation part of the trajectory (indicated in green in the graph above) which amounts to 41 residential moorings. Please note that this table includes allocations at Horning and Somerleyton which are proposed changes to the submitted Local Plan.

Site	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	Total
MODBEC2								2		1	1	1							5
MODBRU6													5						5
MODCHE1		3	2																5
MODLOD1		5	5																10
MODHOR8							3	3											6
MODSOM1				5	5														10
Total		8	7	5	5		3	5		1	1	1	5						41

Appendix B: New policy allocating residential moorings at Horning.

Policy HOR8: Horning Residential Moorings (Ropes Hill)

Inset Map x

Proposals for up to 6 Residential Moorings will be supported in the area marked on the policies map subject to:

- a) Adequate capacity at Horning Knackers Wood Water Recycling Site for foul water being proven in line with policy DM1 (Water Quality and Foul Drainage);
- b) Peat assessment, recoding and disposal or re-use in line with policy DM9 (Peat Soils);
- c) It being satisfactorily demonstrated that the proposal would meet the criteria in the Policy DM36 (New Residential Moorings) which will apply as the site will be treated as if it were adjacent to a development boundary;
- d) No adverse effects on trees, water quality and the conservation objectives and qualifying features of the nearby SSSI (site is within SSSI Impact Zone);
- e) Car parking provision set back from the river frontage with a suitable surface and landscaping treatment; and
- f) Careful consideration of the location and design of a small associated amenities block.

Conditions will be used to restrict the number, scale and size of boats using the residential moorings.

Project Level Habitats Regulation Assessments will be needed to assess implications on sensitive European Sites. Measures to mitigate for the effects of new growth may be required, such as the provision of good quality on-site green infrastructure to mitigate for recreational disturbance.

A management plan for the site and a register of those who live on boats will be required and will be covered by a planning condition imposed on any planning permission granted.

Constraints and features

- Horning Knackers Wood Water Recycling Centre constraints.
- Likely to be on peat soils.
- Residential and mooring land uses are characteristic of the area.
- Car parking areas exist but likely to need formalising.
- Highways considerations including surfacing of track and visibility splays.
- Near to sailing club.
- Adjacent to the existing Horning Conservation area and this is in the process of being reviewed.
- Accessed using a private road.
- Off main navigation channel.
- In a SSSI Impact Zone (Bure, Broads and Marshes SSSI).
- Flood Zone 3 (EA Mapping) and most 3a and some modelled 3b (SFRA 2017).
- Trees on site.
- Existing moorings are timber quay heading.

Reasoned Justification

The Authority would support around six residential moorings at Ropes Hill Dyke, Horning. The site has good access by foot to everyday services and facilities in Horning (such as a shops and a school). Bus stops to wider destinations are also within walking distance from the site.

One major constraint to the development of residential moorings at this site is the capacity for foul water at the Horning Knackers Wood Water Recycling Centre. The Joint Position Statement between the Environment Agency and Anglian Water shows a general presumption against development that would result in increased foul water flows. The Authority is aware of ongoing work by Anglian Water to resolve this issue, and as such, the site is allocated to

come forward when this issue is resolved. It has been presumed in the residential mooring trajectory (Appendix X) that this will be from around 2024.

The scheme promoter has indicated that they would make a new mooring cut to accommodate the first three residential moorings. With the peat map at Appendix X indicating that this area could be peat, the requirements of policy DM9 will need to be met. The cutting of new moorings will trigger the need for archaeological monitoring of any excavation (in line with policy DM10 Heritage Assets) particularly involving peat. A condition requesting an archaeological watching brief would be the minimum requirement in these circumstances. Furthermore, any quay heading and decking will need to be in timber in line with the surrounding area.

Proposals must also take into consideration the SSSI and Conservation Area near to this boatyard.

Whilst informal parking areas exist, there may be a need to formalise the parking areas. Parking should be set back from the river frontage, as not cause visual sprawl of the concentration of riverbank activities. Surfacing for the car parking would need to be carefully considered. Woodchip is used extensively in the area and this would be an appropriate solution in this instance. Boundary treatments and planting to the site boundaries should be considered to ensure that residential amenity is maintained and / or enhanced for existing residencies.

Cabinets and storage of any kind should be kept to a minimum and sensitively designed. Any amenity building to provide toilets, showers and storage could be acceptable, subject to detailed design and location considerations. The removal of permitted development rights might be an appropriate way of controlling undesirable build-up of domestic paraphernalia.

Any future application should be accompanied by an appropriate arboricultural assessment to BS5837 and make provision for special construction techniques / mitigation as appropriate.

In the interests of residential amenity impacts, the number, size and scale of boats using the moorings will be controlled using conditions attached to future planning permissions.

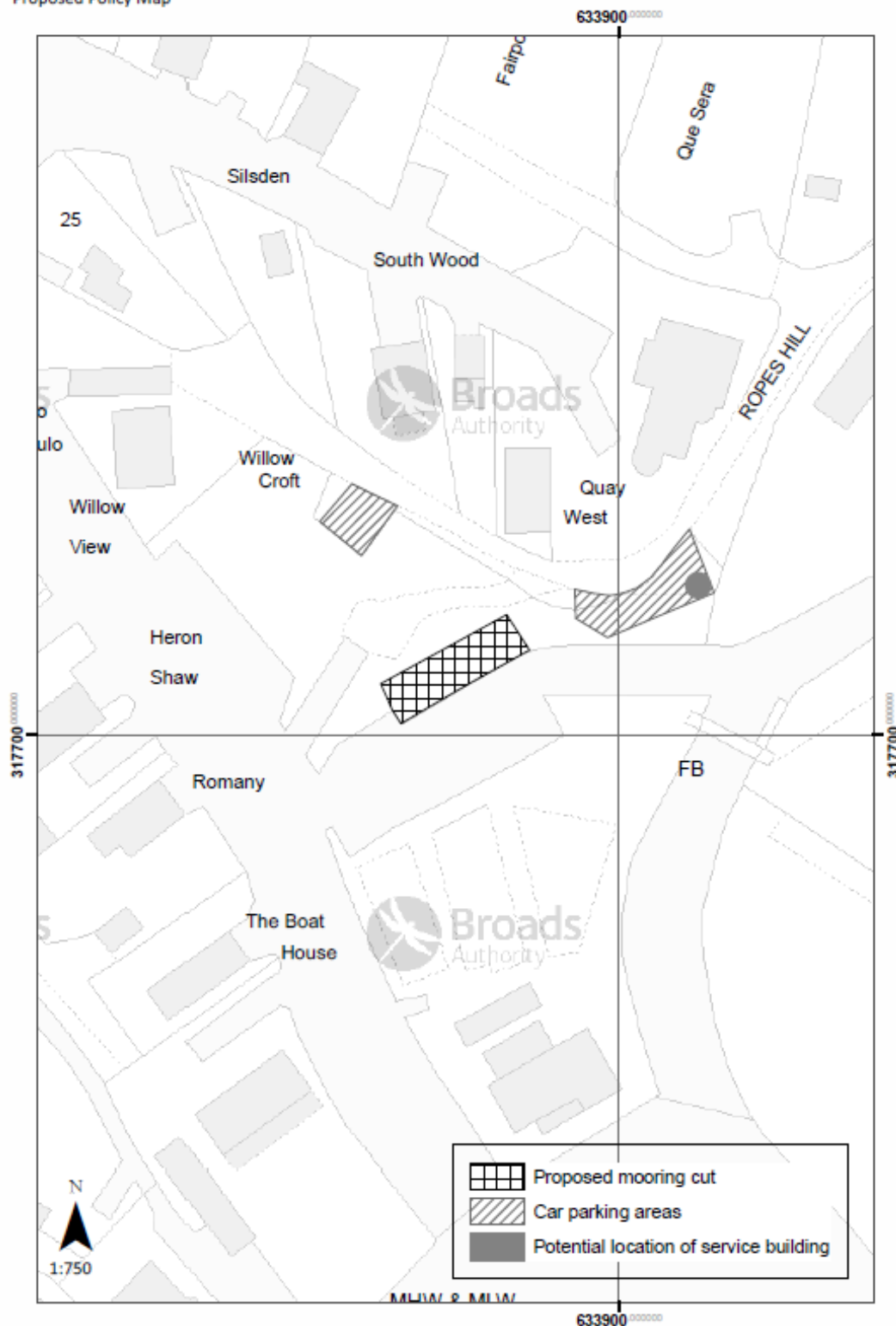
Proposals will also need to show that there are adequate facilities for water supply, electricity and pump out.

The Horning area is an area of good dark skies – see policy DM21.

Evidence used to inform this policy

- Residential moorings assessment (2018)
www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan

<u>Policy number</u>	<u>Delivery mechanism</u>	<u>Milestones</u>	<u>Organisations involved</u>	<u>Monitoring indicator</u>
<u>Policy MODHOR9: Horning Residential Moorings (Ropes Hill)</u>	<u>Allocation in Local Plan. Planning Application then subsequent delivery on site.</u>	<u>Delivered after provision of wastewater infrastructure, anticipated to be 2024.</u>	<u>Those who moor their boats here</u>	<u>Residential moorings provided as per policy.</u>



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Appendix C: New policy allocating residential moorings at Somerleyton.

Policy SOM1: Somerleyton Marina Residential Moorings

Inset Map

Proposals for residential moorings in the area marked on the policies map of up to a maximum of ten will be allowed in this area subject to:

- a) It being satisfactorily demonstrated that the proposal would meet the criteria in the Policy DM36 (New Residential Moorings) which will apply as the site will be treated as if it were adjacent to a development boundary;
- b) Not being at a scale which would compromise existing business on the site, as well as meeting the criteria in Broads' policies on general employment and boatyards;
- c) No adverse effects on trees, water quality and the conservation objectives and qualifying features of the nearby SSSI (site is within SSSI Impact Zone);
- d) Car parking provision only in the area of the existing boatyard buildings with a suitable surface and landscaping treatment;
- e) Quay heading upgraded to a satisfactory standard of a design in keeping with the local character, prior to use as residential moorings;
- f) Particular care relating to lighting in line with DM21 (Light Pollution and Dark Skies); and
- g) An assessment of the foul sewerage network to demonstrate that capacity is available or can be made available in time to serve the development.

Conditions will be used to restrict the number, scale and size of boats using the residential moorings.

Project Level Habitats Regulation Assessments will be needed to assess implications on sensitive European Sites. Measures to mitigate for the effects of new growth may be required, such as the provision of good quality on-site green infrastructure to mitigate for recreational disturbance.

A management plan for the site and a register of those who live on boats will be required and will be covered by a planning condition imposed on any planning permission granted.

Constraints and features

- Part of Somerleyton in Waveney District Council's Planning Area set for a development boundary and two sites allocated for residential development.
- Planning permission for a shop locally.
- Located within marina.
- County Wildlife Site nearby.
- Marina and moorings used for private rented moorings.
- Area for car parking near to the existing buildings likely to need formalising.
- Highways considerations including width of track and visibility splays.
- Adjacent to the existing Somerleyton Conservation area.
- Accessed using a private road.
- In a SSSI Impact Zone.
- Flood Zone 3 (EA Mapping) indicative 3b (SFRA 2017).
- Office could be converted to amenity block.
- Strong sense of tranquillity.
- Quay heading in parts is in need of repair.

Reasoned Justification

Whilst the entire marina of Somerleyton Marina is allocated, the Authority would support up to ten of the moorings at Somerleyton Marina being converted to residential moorings in line with policy PUBDM36. The benefits of a regular income as well as passive security that residential moorings can bring are acknowledged. However, in accordance with other Local Plan policies, the conversion of an entire business to residential moorings would not be supported. It is anticipated that the moorings will be place within five years of adoption of the Local Plan perhaps by the end of 2023.

The site has good access by foot to the school and train station. There is planning permission for a local shop.

Residential moorings would increase the parking demand in the context of continued parking requirements for existing boat users of the marina. The track to the north of the existing marina is unlikely to be suitable for developing car parking as it is exposed to views, and there may not be enough space here to formalise parking and allow for turning without making significant interventions. The Marina owners have indicated that car parking could be provided through re-arrangement of how the land is used near to the existing buildings where boats are stored. Subject to detailed design considerations such as surfacing and detailed location, car parking nearer to the buildings is the Authority's preference.

The Marina owners have stated that the existing office building would likely be converted to an amenity block for use by those living at the residential moorings, potentially containing storage, showers and toilets. Cabinets and storage of any kind nearer to the moorings, if required, should be kept to a minimum and sensitively designed. The removal of permitted development rights might be an appropriate way of controlling undesirable build-up of domestic paraphernalia.

The provision of residential moorings here could lead to the temptation to increase lighting, however the impact of artificial light on local amenity, intrinsically dark landscapes and nature conservation should be minimised as the Somerleyton area is an area of good dark skies – see policy DM21.

Proposals must also take into consideration the SSSI and Conservation Area near to this boatyard.

In the interests of residential amenity impacts, the number, size and scale of boats using the moorings will be controlled using conditions attached to future planning permissions.

Proposals will need to show that there are adequate facilities for water supply, electricity and pump out. There should also be space within the site for waste bin storage and presentation so it is not left within the highway.

The quay heading and pontoons used to moor and access boats may be in need of improvements and any application should address this. Any quay heading and decking should be detailed in line with the surrounding area.

Access to the site should provide adequate visibility splays (in line with DMRB standards) and the access width should be adequate to allow two vehicles to pass and accommodate large service vehicles.

Anglian Water Services have identified the need for further details relating to the estimated flow and the proposed connection point(s) to the foul sewerage network be set out in the planning application.

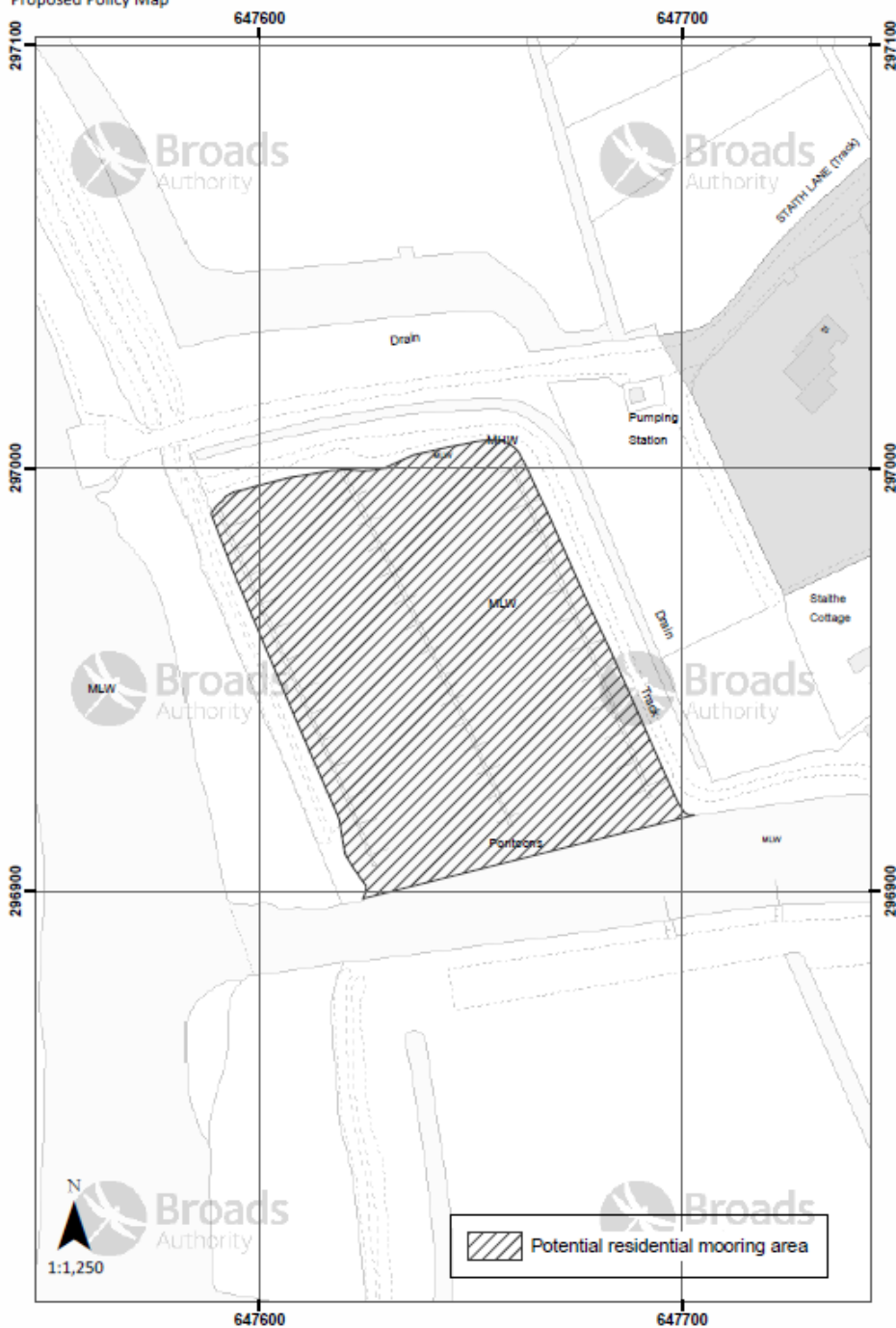
HSE Safety in docks ACOP (<http://www.hse.gov.uk/pubns/books/l148.htm>) which is applicable to Marinas and will set out the minimum standards expected in relation to the safety provision.

Evidence used to inform this policy

- Residential moorings assessment (2018)

www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan

<u>Policy number</u>	<u>Delivery mechanism</u>	<u>Milestones</u>	<u>Organisations involved</u>	<u>Monitoring indicator</u>
<u>Policy SOM1: Somerleyton Marina Residential Moorings</u>	<u>Allocation in Local Plan. Planning Application then subsequent delivery on site.</u>	<u>Delivered within five years of Local Plan adoption.</u>	<u>Those who moor their boats here</u>	<u>Residential moorings provided as per policy.</u>



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Appendix D: Amended policy PUBTSA2

Policy PUBTSA2: Thorpe Island

Thorpe Island Inset Map 12

Development on Thorpe Island will be managed to:

- 1) maintain and enhance:
 - i) the character and appearance of the Conservation Area;
 - ii) the visual amenity and the residential amenity of neighbouring occupiers;
 - iii) the contribution of the island to the wider landscape of the River Yare; and
 - iv) the navigational value of the Yare and the New Cut; and
- 2) avoid any significant increase in:
 - v) the intensity or extent of mooring use;
 - vi) the intensity or extent of on-shore development required to support any lawful mooring uses;
 - vii) vehicular traffic using the bridge;
 - viii) dinghy access likely to lead to the mooring or storage of dinghies (or other small craft) on the Thorpe shore, unless specific and satisfactory provision has been made for this;
 - ix) car parking in the Thorpe area, unless specific and satisfactory provision has been made for this;
 - x) risk of groundwater or river water pollution; and
 - xi) flood risk, and reduce flood risk where practicable.

For planning purposes, the island is split into three parts, to which the following criteria apply:

a) Eastern End of Thorpe Island

This part of the island is retained in boatyard usage. Well-designed upgrades or renewals to the existing boatyard buildings to facilitate the continued boatyard use and, which reflect this part of the island being in the conservation area and the urban/rural transition area, as well as being a gateway into Norwich, will be supported. Any proposals must also improve the landscaping of this part of the island. In relation to the private moorings along the river frontage, proposals which seek to give more order and improve the appearance of these moorings and the associated paraphernalia on the island itself will be supported. ~~Any proposals for permanent residential moorings will need to comply with the requirements of PUBDM36.~~

b) Central part of Thorpe Island

~~Continued use of this area for low key recreation and private amenity space is supported.~~ This part of the island will be retained in its current use with no significant extensions to the existing buildings and replacements on a like for like basis.

c) Western end of Thorpe Island (including the basin)

This part of the island will be ~~used for low key uses~~ retained as open in nature with no built development. Proposals which remove the poor quality structures and paraphernalia will be welcomed. Proposals shall make significant improvement to the visual appearance of the area and provide biodiversity enhancements.

Within the basin, the provision of private moorings for up to 25 vessels is acceptable, subject to the satisfactory provision of well-designed and screened on-site car parking, refuse storage and disposal, sewage disposal and upgrades to the bridge. Significant improvements will also be required to the landscaping. ~~These moorings shall be private moorings only, and not residential moorings.~~ Moorings shall be laid out in an informal configuration to avoid regimentation in appearance⁶. Proposals for the basin must include the removal and suitable disposal of the sunken vessels to improve the visual appearance of the area and enable safe usage of the basin.

~~Moorings will only be allowed within the basin and not along the river frontage.~~

⁶ This wording reflects the Inspector's decision. More detail and background can be found here: <http://www.broads-authority.gov.uk/news-and-publications/news/thorpe-island-full-facts>

No other development shall be permitted on the Western end of the Island.

Constraints and features

- Almost the whole of Thorpe Island is within the Thorpe St Andrew with Thorpe Island Conservation Area. (Only the railway line along the southern edge of the Island is excluded.)
- Almost the whole of the Island is in high flood risk zones (EA zone 3; SFRA 2017 most zone 2, 3a and [modelled 3b](#)).
- The Island is in an area of safeguarded minerals (sand and gravel) resources, but the Minerals Planning Authority has advised this is unlikely to constrain the type and scale of development supported by the policy.
- Bridges constrain types and size of vessels entering the river from the cut.
- For the Eastern and Central parts of the Island, there is no pedestrian or vehicular access from land; access is only by boat.
- Narrow vehicular access via a bridge to the Western end of Thorpe Island.
- Amenity of varying neighbouring uses.
- Limited utilities provision.
- Active railway line.
- Mooring basin.
- Sunken vessels within basin.
- Rural/urban transition area.
- Outside development boundary.
- River Green nearby (PUBTSA5).

Reasoned Justification

The semi-natural appearance that much of the Island provides is an important backdrop to views from River Green and its environs, and more generally to the character and appearance of the Conservation Area. It also provides a semi-natural view from the riverside path in Whitlingham Country Park, screening the traffic and urban development of Thorpe St. Andrew and helping provide a more tranquil and semi-rural character to the Park.

Since the closure of the hire boatyards that previously operated from the Island, a whole series of uses and operations, many unauthorised, have given rise to complaints from neighbouring occupiers and the Town Council, with successive enforcement actions by the Authority, decisions by the Planning Inspectorate and subsequent legal judgements by courts. The residential occupancy of the former boatyard office and the operation of a boatyard at the Eastern end of the Island are legitimate (Area A).

The Island has very limited access. A narrow bridge to the west does connect the Island to the shore but is very narrow, with poor alignment and emerging into a small residential estate, and is not a suitable route for significant traffic or heavy vehicles. There is a serious shortage of parking in the vicinity to serve local residents, local business, and visitors to the popular riverside area of River Green.

Significant development ~~or additional occupation~~ of the Island would give rise to additional pressure on this already limited capacity. Access to the Island is primarily by boat, but this too is constrained. Boat access to the north side of the Island from the main river (New Cut) is constrained by shoal water and the low air draught (clearance height) of the railway bridges at both ends of the Island, while the railway along the south edge of the Island rules out direct access to it from the main river. Therefore, further substantial development of the Island is not compatible with the very limited access to it, the lack of available car parking in the environs, the Island's contribution to the character and appearance of the Conservation Area, and the wider landscape.

The Environment Agency highlights that the site lies within its designated Source Protection Zone 1, and the importance here of avoiding the risk of pollution to the groundwater resources. It also emphasises the need to address the risks of water pollution for waterside sites in industrial/boatyard use.

The policy for the **eastern end of the Island** seeks the retention of the boat usage and allows for related improvements to the existing buildings. This reflects the flood risk to the site as well as there being no pedestrian or vehicular access. This is a prominent site at the gateway to Norwich. It is located in the Conservation Area, is within

the transition from rural to urban, and is prominent from River Green. Along the river are many long term moorings, with associated paraphernalia on the island itself. It is haphazard in layout and in a prominent location with views from River Green, and the Authority seeks improvements to the appearance of this area.

Turning to the **central part of the island**, the usage includes boatsheds for storing of craft, rowing facilities and amenity plots. The policy seeks to retain this low impact use.

Finally, the **western end of the island** has been the subject of many complaints, enforcement action, planning appeals and legal action. A summary may be found here: www.broads-authority.gov.uk/news-and-publications/news/thorpe-island-full-facts. The provision of appropriately surfaced and screened car parking spaces, an agreed method of waste storage and collection as well as provision for pump out all on the island will ensure that the impact of any mooring provision within the basin is minimal on the nearby community. Subject to detailed design this provision could be located to the west of the marina, close to the existing bridge.

Evidence used to inform this policy

- The policy wording reflects the most recent Planning Inspector's decision.

Appendix E: Amended policy PUBDM46

Policy PUBDM46: Planning obligations and developer contributions

The Authority will seek appropriate contributions from developers to serve the development and its occupants. Where the development is of a type that will introduce additional pressure on the Broads Authority Executive Area, including for permanent moorings, contributions will be sought towards the appropriate provision of social facilities and benefits including affordable housing, biodiversity enhancement, recreational, community and navigation facilities, and to achieve sustainable development.

~~Contributions may be sought towards, or commitments to provide:~~

- ~~a) Affordable housing (as detailed in policy PUBDM33);~~
- ~~b) Community infrastructure (including police and fire service provision, community halls, sports facilities, education facilities and libraries);~~
- ~~c) Green infrastructure and biodiversity/geodiversity on-site mitigation, management, off-site compensation and/or enhancement;~~
- ~~d) Open space and children's play facilities;~~
- ~~e) Landscaping, landscape enhancement and management;~~
- ~~f) Public footpaths, rights of way, green links, signing and maintenance;~~
- ~~g) Waste management and recycling facilities;~~
- ~~h) Highway works and/or improved public transport facilities and funding for the implementation of Travel Plans;~~
- ~~i) Flood management/mitigation;~~
- ~~j) Dredging to maintain navigation (any part of the operation);~~
- ~~k) Administrative costs;~~
- ~~l) Visitor or de-masting moorings; and~~
- ~~m) Conservation or enhancement of heritage assets.~~

~~Other~~ Contributions may be sought in appropriate circumstances. Where appropriate, the standards and thresholds adopted by the relevant authority, including Housing Authorities [and County Councils](#), will apply. Contributions may be pooled with others from outside the Broads area to fund wider community infrastructure.

Reduced contributions, where necessary (for example due to the exceptional costs of redeveloping a particular site), will be negotiated on an 'open book' basis, based on the financial viability of the scheme.

Reasoned Justification

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

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

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

- Developer contributions must be necessary to make the development acceptable in planning terms, be directly related to the development, and be fairly and reasonably related in scale and kind to the development.
- The combined total impact of contributions should not threaten the viability of the scheme.

- There are [currently](#) pooling restrictions on S106 contributions, whereby only five contributions can be sought towards generic types of infrastructure.

The Authority will seek contributions towards transport, police and fire service provision, education facilities, libraries, [health facilities](#) and social service provision where appropriate, using Planning Obligations standards prepared by Norfolk and Suffolk County Councils. The Authority will also apply the standards and thresholds adopted by the relevant constituent District Council to calculate the contributions to be sought ([for example in relation to play and open space and waste management](#)). Contributions to affordable housing will be sought in accordance with the approach set out in policy PUBDM33 on affordable housing and policy PUBDM6 on open space.

In relation to the protection [and use](#) of the waterways and navigation, contributions will be sought from development, where appropriate⁷, towards dredging [and provision of moorings \(see PUBDM32\)](#). The dredging and proper disposal of sediment from the bed of the rivers and broads is the largest cost in the maintenance of the navigation area. The required level of contribution will be calculated on a site-by-site basis, using the Authority's latest available dredging costings and reflecting site specific characteristics such as quantity, contamination and ease of disposal. ~~The Authority will seek an administrative contribution to cover the cost of arranging and monitoring developer obligations.~~

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

The Broads Authority and CIL

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

Evidence used to inform this section

- Policy rolled forward from Development Management DPD and Core Strategy.
- Amendments as a result of officer experience and changes to national policy.

⁷ The development may be in an area which is not usually dredged and might attract more vessels. Or might be in an area where larger boats are attracted so would need more dredging to increase the water depth.

Policy PUBHOV5: Hoveton Town Centre and areas adjacent to the Town Centre

Inset Map 11

For both areas identified on the Policies Map:

- a) Appropriate improvements to the quality of the public realm, in particular the river frontage and access to the river, will be supported.
- b) Residential uses will be supported only where they do not displace a potential retail, tourism or business frontage (e.g. at first floor level or on a non-business frontage).
- c) Particular care will be taken to ensure that:
 - i) developments do not significantly exacerbate traffic congestion and air quality problems in the [town centre, particularly in the](#) vicinity of the bridge, and
 - ii) the scale, massing and external treatments, including advertising, contribute to the enhancement of the area's appearance.

The Town Centre

Proposals in Hoveton will be considered in the context of the entire town centre and the policies of the relevant North Norfolk District Council Development Plan so that retail and main town centre uses proposals address the town centre in its entirety.

Hoveton Town Centre is identified as a medium town centre.

Proposals for [new retail and leisure growth](#), shop extensions, expansion and re use of vacant units for town centre uses will be supported as long as they:

- i) are of a scale appropriate to the size of Hoveton Town Centre;
- ii) enhance the appearance and respect the character of the centre including its retail function and historic interest;
- iii) enhance access to the Broads;
- iv) assist in maintaining the existing retail function; and
- v) contribute to the vitality and viability of the Town Centre.

Retail uses A1 to A5 (as per the land use class order 1987 as amended) will be concentrated in the Primary Shopping Area as defined on the policies maps [of both North Norfolk District Council and the Broads Authority](#). [Site selection for retail and other town centre uses should follow national policies and guidance.](#)

For Town Centre land uses outside of the Town Centre, a Sequential Test and Impact Assessment will be required. The Impact Assessment threshold for Hoveton Town Centre is locally derived and set at 500sq m gross.

In addition to the NPPF requirements of impact thresholds (see [2019 NPPF paragraph 89](#)), any impact assessment must include an assessment on locally important impacts such as, but not limited to, access to the river, traffic flows over the bridge, the safety of pedestrians crossing Norwich Road, and the impacts on the provision of surface car parking.

~~The 2017 North Norfolk District Council retail study identified limited potential to accommodate additional growth over the plan period, in the region of 1,234 gross Sgm. Proposals that seek to deliver additional retail A1-A5 will be supported in accordance with the identified floor space projections.~~

The areas adjacent to Hoveton Town Centre

Redevelopment of sites and buildings within this area will be supported where this provides retail, tourist or boating facilities that meet the requirements set out in a) to c) and i) to v).

The safety of pedestrians crossing Norwich Road, and the impacts on the provision of surface car parking, are other important considerations.

Constraints/Features

- Actual Town Centre [and Primary Shopping Area](#) spans North Norfolk District Council and Broads Authority boundaries
- Localised congestion in the town centre and over the bridge into Wroxham.
- Hoveton Town Centre is classed as a Medium Town Centre in the emerging North Norfolk District Council Local plan.
- Town centre is dominated by Roy's Department Store.
- Town Centre extends to near to the river and riverside area.
- Flood risk from SFRA 2017 mapping: part 2, 3a and [modelled](#) 3b.

Reasoned Justification

This policy has been produced in coordination with North Norfolk District Council in recognition that the Local Planning Authority boundary is arbitrary and the town centre needs to be considered as a whole. The following map shows the entire town centre, although the policies maps of North Norfolk District Council and the Broads Authority will show only that part of the Town Centre within their respective areas.

~~This policy only covers the area of the town centre and PSA within the Broads but in applying the sequential test/ impact tests consideration needs to be given to the entire town centre and the policies of North Norfolk District Council so that retail considerations address the town centre in its entirety.~~ [The intention of the policy approach is to ensure the town centre is considered as a whole. Proposals will need to consider the entire town centre and the policies of North Norfolk District Council so that retail considerations address the town in its entirety and cross boundary issues. This is especially important in applying the sequential and impact tests.](#)

The North Norfolk Retail and Main Town Centre Uses Study (2017) supports the policy approach for Hoveton Town Centre as the shops in Hoveton are identified as trading below national levels and there is a low retention rate, especially for comparison goods, resulting in people spending money in Norwich. That being said, the town's tourist role is equally important and a broad mix of retail establishments is seen as key to maintaining the whole town's vitality and viability. The shop vacancy rate in Hoveton ~~is also~~ [remains](#) low. ~~In terms of meeting the floor space requirements, this could be accommodated in vacant units and extensions.~~

The Retail Study recommends that Hoveton Town Centre should not have Primary or Secondary Frontages. This is because of the dominance of Roy's of Wroxham (i.e. a small number of large Class A1 units) and the predominance/scatter nature of tourist related facilities.

The **sequential test** [\(site selection process\)](#) for town centre uses outside of the town centre (NPPF2019 paragraph 86) needs to consider cross boundary policies and treat the town centre as a whole - and indeed Hoveton as a whole, rather than limited to the area within the Broads Authority. It may be prudent to also include Wroxham as the two settlements adjoin each other. This floor space requirement is for the town centre as a whole and could be met in either of the Local Planning Authority Areas (or through a combination of sites in both).

A locally set threshold of 500 sq.m gross for the **Impact Assessment** would be appropriate for retail and leisure development in Hoveton/Wroxham, reflecting the existing scale of the town centre and the floor space projections⁸.

The 2017 North Norfolk District Council retail study identified limited potential to accommodate additional growth over the plan period, in the region of 1,234 gross sqm. Since the study was completed, a permission was granted by North Norfolk District Council for 1357 sqm of A1 and 550 sqm of A3 in the Primary Shopping Area and Town Centre. This has effectively taken up identified available retail capacity in Hoveton Town Centre (as calculated in the retail study based on 2016 expenditure rates). Where necessary, further retail applications adjacent to and outside of the town centre are required to demonstrate if there is additional expenditure and capacity to support retail growth without significant impacts on other retail outlets in Hoveton Town Centre.

Policy MODDM51 is the generic retail policy for the Broads and may be of relevance to proposals in Hoveton Town Centre.

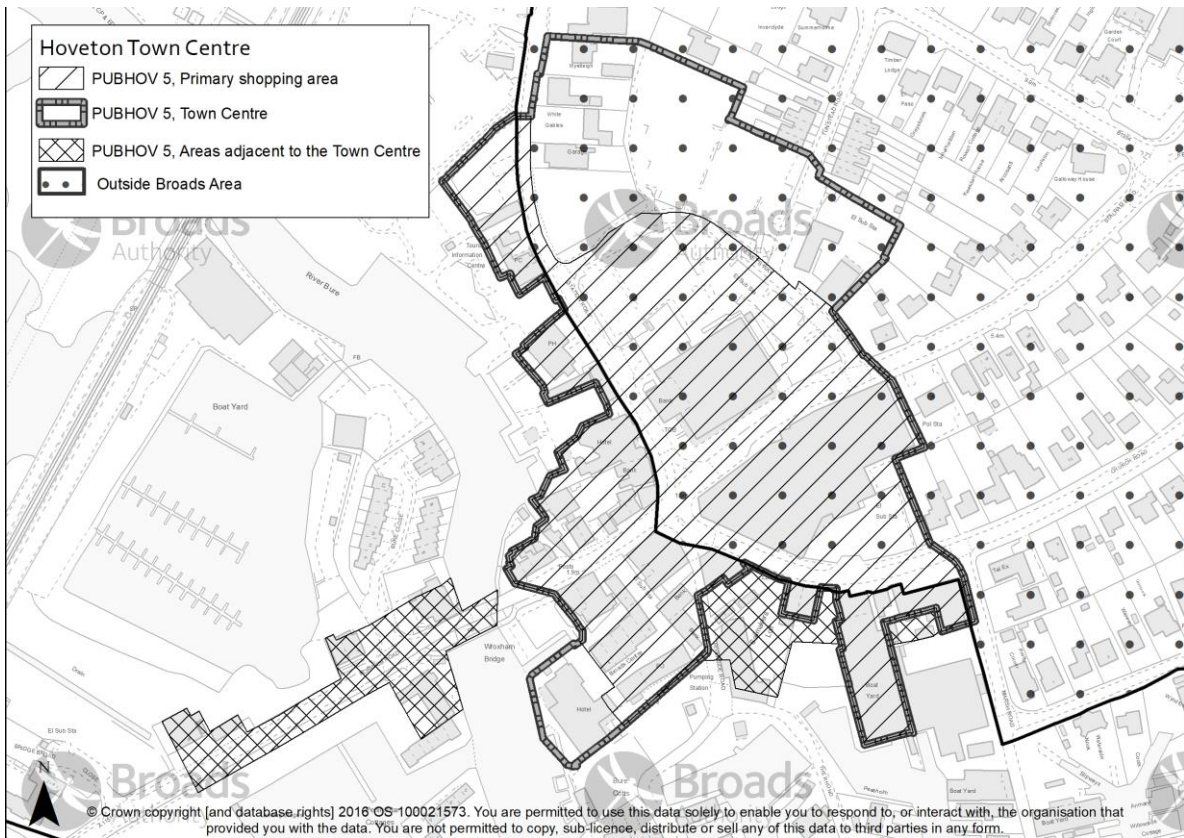
Areas Adjacent to the Town Centre

Outside the Town Centre the policy makes provision for enhancement of the visitor experience to Hoveton/ Wroxham and support will be given to redevelopment, in line with the policy requirements above, for the reuse and redevelopment in the identified adjacent areas . Although separated from the Town Centre and PSA, the areas adjacent to the Town Centre currently provide important visitor facilities and provide opportunities where investment could be directed.

Evidence used to inform this section

- The North Norfolk Retail and Main Town Centre Uses Study (2017)

⁸ A threshold of 2,500 sq.m gross is stated in the [2019 NPPF](#) (paragraph [89](#)). The retail study concluded that this would be significant in relation to the scale of existing retail provision in Hoveton/Wroxham and is more than double the total floor space projection over the plan period. A locally set threshold is therefore adopted.



Appendix G: Amended policy PUBSSA47

Policy PUBSSA47: Road schemes on the Acle Straight (A47T)

See Map: Appendix I: Acle Straight and considerations/constraints

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

Any proposed scheme will need to be justified. Proposed schemes need to consider the special qualities of the Broads and the fact that it is a protected landscape of national importance. Proposals will need to undertake comprehensive scoping of constraints and opportunities at the earliest stage to set out the nature and scale of any resultant impacts (negative or positive) from proposals, demonstrate how any negative impacts would be avoided, mitigated or compensated and take opportunities to enhance the special qualities of the area and people's enjoyment of them.

Transport infrastructure, including roads, accesses, bridges, lighting, signing, other street furniture and public transport infrastructure need to be balanced against the overall impact of the scheme on the special qualities of the Broads and carefully designed and maintained to take full account of the valued characteristics of the special qualities of an iconic and highly protected landscape.

The Authority acknowledges that schemes will be designed to national guidance and requirements. Proposals will need to ensure they consider and address potential impacts to the following locally important characteristics: wildlife, habitats and species, land management practices, landscape tranquillity and visual amenity, surface water (including pollution risk from spills), existing footpath/Public Right of Way networks and designated or undesignated heritage assets or their setting, including waterlogged archaeology and traditional dyke networks.

Lighting in any scheme needs to be kept to a minimum, thoroughly justified and well designed so as to not contribute to light pollution.

Schemes will need to consider the provision of a strategic walking and cycling route between Acle and Great Yarmouth and interpretation measures and opportunities to safely enjoy and appreciate the iconic views to the mills and over the marshes.

Constraints and features

- Entire length of Acle Straight in Flood Zone 3 (EA mapping) and indicative 3b using SFRA 2017 mapping.
- Western end: Damgate Marshes SSSI, Halvergate Marshes SSSI, Broadland SPA, Broadland Ramsar site and The Broads SAC.
- Eastern end: Breydon Water LNR, SSSI, Ramsar Site, SPA, Outer Thames Estuary SPA.
- Stracey Arms Drainage Mill (listed building) is next to the Acle Straight.
- Other listed buildings with a view towards the Acle Straight that can be viewed from the road.
- Halvergate Marshes Conservation Area.
- The Broads is a site identified by Historic England as having exceptional potential for waterlogged archaeology.
- Undesignated heritage assets that contribute to the cultural heritage of the area, such as the WW2 defences and assets identified on the Norfolk HER and Broads Local List.
- Numerous accesses to tracks, for example to farms.
- Numerous level crossings accessed from the Acle Straight.
- Branch Road junction.
- Little Whirlpool Ramshorn Snail (*Anisus vorticulus*) is a European protected species.
- The Acle Straight runs in between railway line and river.
- Open and flat landscape.
- Historic dyke networks with associated features.
- Rights of Way.
- Future changes resulting from the HLF project.

- Users of the Acle Straight experience congestion regularly.
- Serious accidents on the Acle Straight are higher than the national average (13%) and the average for Norfolk County (16%).

Reasoned justification

Background to the A47 and Acle Straight

The A47 Trunk Road passes through the Broads Authority area and this policy relates to the section of the A47 between Acle and Great Yarmouth, known as the Acle Straight.

The A47 is the main east-west connection in northern East Anglia. It links Lowestoft to Great Yarmouth and then with Norwich, King's Lynn and Peterborough to the A1, with connections to the Midlands and the north of England. At Great Yarmouth and Norwich, connections to Europe and beyond are available via the port and airport. New Anglia Local Enterprise Partnership's Economic Strategy considers this route of strategic importance.

The Acle Straight is a single carriageway with at-grade roundabouts at each end. This section of the A47 has high vehicle flows including a high use by HGVs resulting in longer and more unreliable journey times, as well as delays and congestion at junctions. The two-way Annual Average Weekday Flow (AAWF) on the A47 at Acle Straight is approximately 21,000 vehicles, including a significant HGV percentage of more than 17% in the AM peak period.

The Acle Straight has an accident rate above that of the national average, with a total of 59 personal injury accidents occurring in the past 5 years (2011-2016) including 3 fatal and 16 serious injuries. The proportion of fatal and serious accidents for this section of single carriageway road is significantly higher than the national average (13%) and the average for Norfolk County (16%). Accidents on the Acle Straight have also resulted in road closures, with traffic having to be diverted onto unsuitable alternative routes. Incident records show that the greatest delays in the area occur due to accidents, with the average delay exceeding over two hours.

What could happen to the Acle Straight and why

There is an ambition promoted by the A47 Alliance to dual the A47 for its full length, including the stretch between Acle and Great Yarmouth. The A47 Alliance brings together the business community, local authorities, MPs and stakeholders along the whole of the trunk road route between Peterborough and Lowestoft. Partners, including the Greater Cambridge Greater Peterborough and New Anglia LEs are working together to make the case for improvements and to secure the investment required to make it happen. This is a long-term ambition for post-2021.

In the medium term, Highways England plan to undertake safety improvements at key locations on the Acle Straight.

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

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

The Authority acknowledges that changes to the Acle Straight could bring benefits in relation to road safety, improved management of surface water and pollutants, and the economy of the local area in particular economic growth of the sub-region of Great Yarmouth and Lowestoft and wider region⁹ through reduced congestion and delays and more reliable journey times. There are also opportunities associated with schemes as mentioned in the policy, such as the potential for archaeological finds, a new route alongside a dualled road, and potential for interpretation of the Broads.

Determining applications relating to the Acle Straight

⁹ A47 Wider Economic Benefits (2012) www.a47alliance.co.uk/assets/AgendasMinutes/Wider-Economic-Benefits-A47.pdf

The Broads Authority would not determine any future planning application for dualling the Acle Straight. The scheme is likely to be determined as a Nationally Significant Infrastructure Project (NSIP) by the Planning Inspectorate, because the developable area could be over 12.5Ha and because the scheme could have environmental impacts¹⁰.

There is a possibility that the dualling of the Acle Straight will come forward during this Local Plan period and the purpose of this policy is to identify important issues and considerations in determining the suitability of any proposal.

Major Development

Some changes to the Acle Straight may be considered as Major Development for the purposes of the 2019 NPPF paragraphs 172 and 173 (and footnote 55) and policy DMx of this Local Plan which addresses major development in the Broads.

The Acle Straight and the Broads

The first statutory purpose of the Broads Authority is conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads. Section 17A of The Norfolk and Suffolk Broads Act 1988 imposes a statutory duty on authorities to have regard to the relevant statutory purposes when exercising their functions that can affect land in the Broads. For the avoidance of doubt, the special characteristics of the Broads are those set out at section 8.4. Furthermore, of particular importance and relevance in understanding the impacts of any scheme are the Broads Landscape Sensitivity Study and Broads Landscape Character Assessment. Areas 19, 24, 25 and 20 of these studies are the relevant areas for consideration.

The Authority acknowledges that schemes will be designed to national guidance and requirements; the policy and the following information highlights and explains locally important criteria that need addressing in any scheme. It is considered that the clear guidance the policy and supporting text provides will assist in the development and design of any future scheme.

Fundamentally, because of the potential adverse impacts that changes to the highway schemes/changes to the Acle Straight may have on the landscape, visual amenity, historic environment, ecology, habitats, access and special characteristics¹ of the Broads, of either a temporary or permanent nature, any changes to the Acle Straight will need to be designed to reduce and avoid such impacts in the first place. Only then can mitigation be considered. These specific criteria need to be considered and addressed as part of any scheme.

Wildlife and habitats

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

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

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

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

¹⁰ NSIP: www.legislation.gov.uk/uksi/2013/1883/pdfs/ukxi_20131883_en.pdf

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

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

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

Landscape and tranquillity

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

Notwithstanding the above, it is recognised that the current use of the road, which is often characterised by congestion, does not always positively contribute to a sense of tranquillity in the area and improvements to the road which better facilitate the movement of traffic could potentially result in benefits to tranquillity in the area.

Proposed highway options are likely to range in scale, nature and extent. A number of key characteristics have the potential to be affected through changes to the highway/schemes, through both the construction phase and as a result of the completed project. The significance of the effects on the landscape and visual amenity of the area (adverse or beneficial) of any option proposed will need to be assessed in accordance with current guidelines. Reference will need to be made to the current landscape character assessments for Local Character Areas 19, 24, 25 and 20 and the Conservation Area appraisal.

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

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

Surface water

Changes to the Acle Straight could result in more impermeable surfaces, leading to a greater volume of surface run off to wash more pollutants off the road surface. The sensitive habitats nearby could be adversely affected by pollutants.

Any changes to the Acle Straight would need to address increased risk of flooding at that point and elsewhere by implementing sustainable drainage or SuDS, and by considering potential hazard to water quality from the surface runoff. Water may require additional treatment prior to disposal and adequate steps need to be put in place. Where any SuDS are proposed, it is important to demonstrate that the SuDS hierarchy (see policy PUBDM5) has been followed both in terms of:

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

The CIRIA SuDS Manual C753 (2015) looks at designing sustainable surface water drainage from highways, and designing for water quality issues. Additional measures to address accidental spills will also need to be considered.

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

The Environment Agency should also be consulted with regard to water quality and any particularly sensitive receptors nearby as well as in relation to strategic flood risk and any mitigation required to compensate for any floodplain affected. The Environmental Permitting (England and Wales) Regulations 2010 may be of relevance as well.

Light pollution

The Authority's Dark Sky Report (2016) shows that the Acle Straight has good quality dark skies, with the western end in particular having very good quality dark skies¹¹. Any schemes need to be assessed in line with policy PUBDM21 Light pollution and dark skies.

Walkers, cyclists and horse riders

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

Interpretation and appreciation

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

HLF scheme¹²

The Broads Landscape Partnership has received a grant of £2.6m from the Heritage Lottery Fund (HLF) through its Landscape Partnership (LP) programme for the Water, Mills and Marshes project. The project aims to enrich and promote heritage sites in the area between Norwich, Great Yarmouth, Lowestoft, Acle and Loddon, unlock the benefits of this distinctive landscape for local people and give them the skills to protect it as a legacy for future generations. Iconic drainage mills on Halvergate marshes, an area which boasts one of the greatest concentrations in Europe, will be documented and renovated through a Heritage Construction Skills training scheme.

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

¹¹ 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.

¹² Water, Mills and Marshes: www.broads-authority.gov.uk/looking-after/projects/water,-mills-and-marshes

Heritage assets

The listed Stracey Arms Drainage Mill is located immediately adjacent to the Acle Straight. The impacts of changes on this heritage asset will need to be addressed. There are many other intervisible (seen from each perspective) drainage mill structures, both nationally and locally listed, collectively forming the largest grouping in the UK. All of them contribute to the historic character of the drained marshland. The Norfolk HER contains many records relating to the area both in terms of archaeology and built form, an example being the World War 2 defences that remain in situ on the marshes.

The special historic interest of Halvergate marshes is particularly significant as a constantly evolving cultural landscape. That evolution is illustrated by numerous remnant structures, landscape and archaeological features, that collectively contribute to the historic significance of the area. Historic England has recognised this significance in terms of undiscovered archaeology and identified the Broads as an area of *exceptional potential for waterlogged heritage*. See policy PUBDM10 Heritage Assets, which relates to archaeology.

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

The Authority would expect that the historic significance, including the potential archaeological significance of the area, is fully assessed and analysed in any proposal for changes to the Acle Straight. The historic environment is a finite resource and once lost cannot be replaced. The Authority therefore expects that any adverse impact on the historic environment, either built, landscape or archaeological, is kept to an absolute minimum, and that any adverse impact resulting from change is fully assessed and can be justified in line with the tests set out in section 12-16 of the 2019 NPPF. Where justification for harm can be made, any impact or harm should be mitigated, including improvements to existing features.

Practicalities

The current route has various pinch points bounded by river on one side and railway on the other. Further, numerous farm accesses and the road towards Halvergate will need to be accommodated. This may mean that any scheme cannot be fitted 'on-line' and a wider route choice corridor has to be considered. This could have immense implications on the landscape, heritage and ecology and could alter the attitude of the Authority to any proposals. Constraint scoping needs to be undertaken very early in the process.

Evidence used to inform this section includes

- [Broads Dark Skies Report \(2016\): www.broads-authority.gov.uk/_data/assets/pdf_file/0007/757402/Broads-Authority-Dark-Skies-Study-March-20161.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0007/757402/Broads-Authority-Dark-Skies-Study-March-20161.pdf)
- [Halvergate Marshes conservation area appraisal: Not on line](#)
- [Landscape Character Assessment \(2017\).](#)
- [Landscape Sensitivity Study \(2012\)](#)
- [Feasibility study on the translocation of the little whirlpool ramshorn snail \(AECOM 2015\) www.gov.uk/government/uploads/system/uploads/attachment_data/file/454014/Feasibility_Study_Lesser_Whirlpool_Ramshorn_Snail_DRAFT_Redacted.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/454014/Feasibility_Study_Lesser_Whirlpool_Ramshorn_Snail_DRAFT_Redacted.pdf)
- [Broads Plan 2017](#)
- [Rights of Way/Access Improvement Plans](#)

Appendix H: New Appendix - Parking Standards in place at the time of adoption of this Local Plan.

These standards were correct as at xxxxx. They may change over time. Please contact the Broads Authority Planning Team for advice.

Broadland District Council have a policy on parking guidelines; TS4 of the Development Management DPD https://www.broadland.gov.uk/download/downloads/id/1118/development_management_dpd_adopted.pdf. This effectively advocates a case by case basis.

Great Yarmouth Borough Council and South Norfolk District Council use the published Norfolk County Council standards: go to the bottom of this webpage: <https://www.norfolk.gov.uk/rubbish-recycling-and-planning/planning-applications/highway-guidance-for-development/publications>

North Norfolk District Council currently has their standards set out in the Core Strategy at policy CT6 and Appendix C: https://www.north-norfolk.gov.uk/media/1370/3-core_strategy_-_incorporating_development_control_policies-adopted_2008_updated_2012.pdf

Norwich City Council provides detail relating to the design and has standards for different uses: https://www.norwich.gov.uk/info/20221/development_management_policies/1649/standards_for_transportation_requirements_within_new_developments

Waveney District Council has adopted Suffolk County council's standards. Please go here for details: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/parking-guidance/>

Appendix I: New Appendix - Open Space standards in place at the time of adoption of this Local Plan.

The following table provides information on the approach to open space standards and thresholds of our districts. They may change over time as our Districts progress their Local Plans or related documents. Please contact the Broads Authority Planning Team for advice in the first instance.

Council	Policy	Document and link
Broadland District Council	Policy EN3 Green Infrastructure and Policy RL1 Provision of formal recreational space.	Broadland District Council Development Management DPD 2015: www.broadland.gov.uk/downloads/download/161/development_management_dpd
Great Yarmouth Borough Council	HOU7	Saved Borough-Wide Local Plan (2001)
	CS14 and CS15	Core Strategy (2015). www.great-yarmouth.gov.uk/article/2489/Current-Local-Plan
North Norfolk District Council	Policy CT 2- Developer Contributions. Appendix A in the Core Strategy sets Open Space Standards.	North Norfolk Local Development Framework, Core Strategy, (September 2008). www.north-norfolk.gov.uk/tasks/planning-policy/core-strategy/ Interim Practice Guide to Core Strategy Open Space Standards (September 2008), which provides advice on the implementation of Policy CT2. www.north-norfolk.gov.uk/media/1359/open_space_standards_practice_guide_2008.pdf
Norwich City Council	Policy DM8 Planning effectively for open space and recreation	Norwich's Development Management Policies Plan (2014): www.norwich.gov.uk/info/20199/adopted_local_plan/1457/development_management_policies/8
South Norfolk Council	Policy DM3.15 'Outdoor Play Facilities & Recreational Space'.	South Norfolk Development Management Policies Document. www.south-norfolk.gov.uk/sites/default/files/Development_Management_Policies_Document_0.pdf Policy DM3.15 is expanded through the GUIDELINES FOR RECREATION PROVISION IN NEW RESIDENTIAL DEVELOPMENTS Supplementary Planning Document (SPD). https://www.south-norfolk.gov.uk/residents/planning-and-building/planning-policy/supplementary-planning-documents-and-advice-notes
Waveney Council	Policy DM25 Existing and Proposed Open Space	Development Management Policies. www.eastsuffolk.gov.uk/assets/Planning/Waveney-Local-Plan/Adopted-Development-Management-Policies/Adopted-Development-Plan-Documents.pdf

Appendix J: New - Draft Generic Retail Policy and indicator for monitoring.

New policy – retail development in the Broads

Proposals for retail uses outside of town centres and across the Broads Authority Executive Area will be considered in accordance with:

- i. The sequential test requirements as set out in national policy; and
- ii. The relevant policies and retail hierarchy of the local plan of the district in which the proposal is located, including in particular the relevant adopted floorspace threshold if there is one¹³; and
- iii. The most up to date retail evidence of the District Council within which area the proposal is located; and
- iv. Relevant development plan policies.

Retail development within settlements will only be permitted in line with i to iii above and where:

- a) It is of a scale commensurate with the size of that settlement; and
- b) There would be, either individually or cumulatively, no significant adverse impact on the retail function, viability and vitality of centres (whether in or out of the Broads Authority Executive Area); and
- c) The proposal is in accordance with other policies of the development plan.

The catchment area used to assess impacts (including which centres within this catchment area which are to be assessed) will be agreed with the Authority on a case by case basis depending on the scale and type of the proposal and its location relative to other centres¹⁴. The sequential test set out in the NPPF will cover the whole of the identified centre and the entire settlement¹⁵.

Development outside of settlements will only be supported where it will help to sustain an existing business, including farm diversification schemes (see policy PUBDM26) and it meets the requirements of the other policies in the development plan.

Reasoned justification

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

¹³ If there is not a locally set impact threshold see 2019 NPPF Paragraph 89. 2019 NPPF paragraph 88 may also be of relevance for small scale rural development.

¹⁴ Due to the nature of the Broads Authority Executive Area boundary, in particular its shape and limits on development the Area does not form its own retail catchment, hence the case by case approach.

¹⁵ Settlements in the Broads tend to be partly within the Broads and partly within the Local Planning Authority area of the constituent district.

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

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

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

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

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

- PUBHOV5 relates to the part of Hoveton Town Centre within the Broads Authority Executive Area;
- PUBOUL3 relates to the part of Oulton Broad District Centre within the Broads Authority Executive Area; and
- PUBPOT1 relates to Potter Heigham Bridge.

Monitoring Indicator

<u>Policy number</u>	<u>Delivery mechanism</u>	<u>Milestones</u>	<u>Organisations involved</u>	<u>Monitoring indicator</u>
<u>New Policy – retail development in the Broads.</u>	<u>If appropriate to a scheme, policy used to help determine application.</u>	<u>None identified/ongoing</u>	<u>District Councils.</u>	<u>Planning applications in accordance (or otherwise) with this policy and the relevant district council's policy.</u> <u>Total amount of retail gaining planning permission.</u> <u>Loss of retail.</u>

Appendix K: Amended policy PUBDM27.

Policy PUBDM27: Development on waterside sites in employment or commercial use, including boatyards

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

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

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

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

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

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

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

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

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

- d) It is demonstrated that the use of the existing building(s) to be re-used is no longer required for its most recent or other former purpose;
- e) The proposed use is an employment or commercial use that is complementary in scale and kind with existing waterside uses on adjacent sites;
- f) The proposed use would not prejudice a return to boatyard use.

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

- g) It is demonstrated that the existing use is not viable;

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

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

In all cases, development proposals should, as far as practicable, ensure that waterside **employment and** commercial uses, including construction activity, avoid increased sedimentation and disturbance to the waterways¹⁶.

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

Reasoned Justification

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

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

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

For the purposes of this policy, the definition of waterside sites is not limited only to the waterside buildings within which these activities take place, but will include surrounding land and ancillary buildings which are currently used (or were last used) in connection with the enterprise. The reason for this is that a boatyard or other waterside site in a commercial use will need land for associated uses such as storage, hardstanding and parking to support the commercial use. This land does not need to be immediately adjacent to the water, however it does need to be close and convenient to the main business and usually forms part of the main site. The change of use of this land to other non-related purposes or development will reduce the capacity and resilience of the boatyard site and cumulative incremental change can reduce viability as the site becomes too small and/or constrained to function effectively. In order to protect boatyard and other waterside sites in commercial use, therefore, any proposal for change of use will need to demonstrate robustly that the land which is being proposed for the new use is no longer required for boatyard, employment or commercial use.

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

¹⁶ Pollution prevention for businesses www.gov.uk/guidance/pollution-prevention-for-businesses

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

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

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

Waterside sites in commercial use may be affected by flooding. Policy PUBDM4 on flood risk will be of particular importance in determining applications to change the use.

Policy PUBDM36 on residential moorings states that boatyards and marinas (subject to the locational and other criteria within that policy) could be suitable areas for residential moorings.

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

[It is also important to note that works near a main river may require an environmental permit. Further information is provided in paragraph 32.3.](#)

Appendix L: Amended policy PUBDM28.

Policy PUBDM28: Sustainable tourism and recreation development

a) General Location of Sustainable Tourism and Recreation Development

New tourism and recreational development (including holiday accommodation) will be permitted where it:

- i) Is within or adjacent to a defined development boundary; or
- ii) Is closely associated with an existing visitor attraction/tourism site, group of holiday dwellings, boatyard or established sailing or similar club.

For all proposals it should be demonstrated that the use of brownfield sites has been considered.

In all cases the development must be ~~Can be~~ satisfactorily accessed by sustainable means, which could include public transport, walking, cycling, horse riding or by water.

Tourism and recreational facilities in all other areas not covered by (i) and (ii) will be permitted only where there is a clear and demonstrable need for the facilities to be situated in the proposed location and where:

- iii) They are in accordance with the policies in this Local Plan;
- iv) They do not involve a significant amount of new build development. New build development will only be of a scale that is compatible with the location and setting; and
- v) They do not adversely affect and wherever possible and appropriate contribute positively to water quality, dark skies, the landscape character, historic environment, protected species or habitats; ~~and~~
- ~~vi) The demand for the proposed tourism or recreation facility is not already met in more sustainable locations.~~

~~The Authority requires applicants to consider first using brownfield sites for tourism and recreation development, in line with the location framework set out above.~~

The requirement to demonstrate a need to be located in areas other than (i) or (ii) does not apply to farm diversification development to provide tourist accommodation.

Intensive tourism and leisure uses, including static caravans, will not normally be permitted on greenfield sites.

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:

- vii) There is proven sufficient capacity of the highway network;
- viii) Sufficient car and cycle parking can be provided on site;
- ix) They do not adversely affect - and wherever possible enhance - dark skies, the landscape character, historic environment, protected species or habitats;
- x) Proposals are of a high quality design and are suitable for the setting;
- xi) Navigation is not adversely affected; and
- xii) Proposals are of a scale compatible with their location and setting.

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

Reasoned Justification

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

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

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

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

Appendix M: Amended policy PUBDM36.

Policy PUBDM36: New residential moorings

The Authority will endeavour to enable delivery to meet its assessed need of 63 residential moorings.

Applications for permanent residential moorings will be permitted provided that the mooring:

- a) Is in a mooring basin, marina or boatyard that is within or adjacent to a defined development boundary or 800m/10 minutes walking distance to three or more key services (see reasoned justification) and the walking route is able to be used and likely to be used safely, all year round or is in Norwich City Council's Administrative Area ~~and if more than one residential mooring is proposed, the proposal is commensurate with the scale of development proposed for that settlement (as a whole).~~
- b) ~~Furthermore, that the mooring basin, marina or boatyard.~~ Provides an adequate and appropriate range of ~~services and~~ ancillary facilities on site to meet the needs of the occupier of the residential moorings (for example potable water, wastewater pumpout (see i below), and electricity) or provides adequate access to ~~local~~ these ancillary facilities in the vicinity of the residential mooring;
- c) Would not result in the loss of moorings available to visitors/short stay use;
- d) Would not impede the use of the waterway;
- e) Would not have an adverse impact upon:
 - i) the character ~~or~~ and appearance of the site or the surrounding area arising from the moorings and the use of adjacent land incidental to the mooring;
 - ii) protected species, priority habitats and designated wildlife sites;
 - iii) the amenities of neighbouring occupiers; or
 - iv) bank erosion.
- f) Provides safe access between vessels and the land without interfering with or endangering those using walkways;
- g) Has adequate car parking and makes provision for safe access for service and emergency vehicles and pedestrians;
- h) Would not prejudice the current or future use of adjoining land or buildings;
- i) Makes adequate provision for waste, sewage disposal and the prevention of pollution; and
- j) Provides for the installation of pump-out facilities (where on mains sewer) unless there are adequate facilities in the vicinity.

If more than one residential mooring is proposed, the proposal must be commensurate with the scale of development proposed for that settlement (as a whole).

Converting an entire basin, marina or boatyard to residential moorings would be judged on a case by case basis to assess and take account of the impact on infrastructure in the area (such as highways) and the impact on neighbouring uses.

Whilst the policy contains a general presumption in support of residential moorings in Norwich, the cumulative impact resulting from any proposal will be considered, along with the impact on the infrastructure and amenity of the area.

The economy policies of the Local Plan will also be of relevance and in Norwich, so too will the City Council's policies for proposals in Norwich.

Conditions will be used to restrict the number, scale and size of boats using the residential moorings. A management plan for the site and a register of those who live on boats will be required and will be covered by a planning condition imposed on any planning permission granted.

Proposals need to set out how provisions will be made for facilities associated with residential uses (such as rubbish, amenity space, external storage and clothes drying for example).

All such development will meet the requirements of the Water Framework Directive.

(Note: Refer to www.gov.uk/guidance/pollution-prevention-for-businesses for information on pollution prevention measures)

Reasoned Justification

The Authority acknowledges that the high environmental quality of the Broads and wide range of opportunities it offers for boating make the area a popular location. As a consequence, there is a significant associated demand for residential moorings. The provision of residential moorings must, however, be carefully managed to make sure the special qualities of the Broads and their enjoyment are protected.

Tourism makes a valuable contribution to the local economy, and a statutory purpose of the Broads is to provide opportunities for the understanding and enjoyment of the special qualities of the area by the public. To make sure there are sufficient facilities to allow visitors to enjoy the Broads, the Authority will resist proposals for permanent residential moorings where they would result in the loss of visitor/short term moorings or boatyard services.

To ensure that people living on boats have access to adequate facilities and services such as education, recreation, and domestic waste collection, and to minimise impact of new development on landscape character, the Authority will require new residential moorings to be directed to mooring basins, marinas or boatyards [within walking distance of at least three of the key services listed below or](#) in or adjacent to defined development boundaries (which could be within the Broads Authority Executive Area or in the planning area of our constituent districts). [Residential moorings may also be appropriate on parts of the river in Norwich, subject to other policy considerations in particular the impact on neighbouring uses and impact on navigation of the river.](#) Proposals for residential moorings will be expected to be commensurate in scale with the size of the settlement and the level of residential development proposed for the settlement by the relevant Local Planning Authority. [Furthermore, converting an entire marina, basin or boatyard, or in Norwich the entirety of the river banks, may not be appropriate because of the potential impact on neighbouring uses and infrastructure in the area, as well as the consequences of the loss of the facility for non-residential boaters; the Authority will consider such proposals on a case by case basis.](#)

[The key services referred to in the policy could be three or more of the following. These key services reflect the Housing and Economic Land Availability Assessment methodology:](#)

- [A primary school](#)
- [A secondary school](#)
- [A local healthcare service \(doctors' surgery\)](#)
- [Retail and service provision for day to day needs \(district/local shopping centre, village shop\)](#)
- [Local employment opportunities which are defined as follows, which reflect areas with potentially a number of and variety of job opportunities:](#)
 - [Existing employment areas allocated/identified in our districts' Local Plans; or](#)
 - [City, Town or District Centre as identified in the Local Plan for the Broads or our District's Local Plan. We note that this means such centres count towards two of the three key services test. Or](#)
 - [These sites that are allocated in the Local Plan for the Broads: MODBRU2, MODBRU4, MODCAN1, MODHOR6, MODPOT1, MODSTA1, MODTSA3.](#)
- [A peak-time public transport service to and from a higher order settlement \(peak time for the purposes of this criterion will be 7-9am and 4-6pm\)](#)

Residential moorings that have the potential to affect a protected site or species will only be permitted where a project level Appropriate Assessment (under the Habitats Directive) can successfully demonstrate that there are no adverse effects on qualifying features on the site or a detrimental impact on the species.

Where permission is granted for a new permanent residential mooring, planning conditions and/or obligations will be used to secure agreements for the management of the mooring and surrounding land. This will be done to protect visual and residential amenity and make sure the use of residential moorings does not compromise public safety. The use of surrounding land for incidental purposes such as storage and seating can have a negative impact if incorrectly managed. Proposals will need to set out how they will address areas for the drying of clothes and amenity space, as well as any other related facilities for those living on the boats. The Authority does not expect marinas and boatyards to subdivide or demarcate areas of land to be associated with residential moorings.

Policy PUBDM49 provides guidance on the forms of development permissible on the adjacent waterside environment associated with a mooring.

For the purposes of this policy, a 'residential mooring' is a mooring where someone lives aboard a vessel (capable of navigation), where the vessel is used as the main residence, and where the vessel is moored in one location for more than 28 days in a year. The vessel may occasionally/periodically go cruising and return to base.

For the purposes of this policy, it should be noted that there is an expectation that the moorings will be occupied by a vessel of standard construction and appearance and which is conventionally understood to be a boat. For the avoidance of doubt, the policy does not apply to houseboats. Houseboats are considered to be structures without means of independent propulsion and will be dealt with on a case by case basis due to their potential impact on character of the area.

The policy requires a management plan for the site as well as a register of those boats being lived on within the marina. These will be required through conditions on planning application(s). The management plan will help ensure the site as a whole is appropriately managed. This would normally cover things like noise, waste, delivery times etc. and would have contact details of who to contact if the management requirements of the site are not adhered to. A breach of this management plan would then be a breach of condition and could be enforced. The register of who lives on which boat will be maintained at all times.

Proposals for residential moorings must ensure they have adequately considered the following:

- a) The technique/method of mooring the vessel. The Flood Risk Assessment (FRA) should show how the boat will be moored to prevent it being too tight or too loose. If the vessel is moored too tightly it could list, and by being too loose it could float onto the landside of the quay heading or be cast adrift at times of flooding. Both scenarios have safety concerns for occupiers, possessions and other objects or vessels that could be hit by a loose boat, and should be addressed within the FRA.
- b) A Flood Response Plan needs to be produced. While it is acknowledged that residential boats will float, the access to the boat could be disrupted at times of flood, causing the occupier to be stranded on board the boat. The Flood Response Plan needs to advise what the occupier should do at times of flood to ensure their safety - whether they should evacuate the boat in advance of flooding or take refuge in the boat and therefore have supplies to help them sit out the flood.
- c) Finally, the FRA should include consideration of how the boat moored at the residential mooring will be monitored at times of flood to make sure it does not cause damage to other vessels, and to prevent damage to the belongings on board and the boat itself.

The Authority intends to produce a guide for residential moorings as well as a template to assist with the production of management plans. The Authority is aware of guidance being produced by other organisations on residential moorings and we will ensure we are involved with those guides and reflect them in our own guide.

Development proposals for residential moorings should provide a biodiversity net gain as a result of the development as there are likely to be significant opportunities for waterside biodiversity enhancement.

Meeting the need for ~~'houseboats'~~ residential moorings

The Accommodation Needs Assessment completed in 2017 identifies a need for 63 residential moorings. This figure needs to be interpreted with some caution, as it is based on limited interviews with boat dwellers and on anecdotal estimates rather than a comprehensive count or survey of the people who live on boats.

The study also indicates that those living on boats do so from choice, rather than from an ethnic background, and that most are single people or childless couples.

The Local Plan seeks to address the need for ~~houseboats through the provision of~~ residential moorings. ~~The Authority does this~~ in several ways:

- ~~Four sites have been allocated for residential moorings amounting to around 25 residential moorings.~~
- ~~Policy PUBDM36 is a criteria-based policy that sets out the framework within which the Authority considers it reasonable to deliver residential moorings.~~
- Ten residential moorings have been permitted on appeal at Waveney River Centre and ~~Four~~ six sites have been allocated for residential moorings amounting to around ~~25~~ 41 residential moorings. See Appendix K for the residential moorings trajectory which shows the total identified supply as 10 residential moorings.
- Some areas of the Broads have been identified in this Local Plan as suitable in principal for residential moorings and these are policies MODDMSTA1 and MODMHOR6. Although they are potentially suitable in principle, deliverability is not confirmed, therefore they are not allocated in the Plan and do not appear in the identified supply figures.
- The Authority also intends to meet with marinas and boatyards that meet the locational criteria of the policy to discuss the potential for residential moorings.

The Residential Moorings Topic Paper¹⁷ (revised 2017) has more information on meeting the need for ~~houseboats~~ residential moorings.

¹⁷ Residential Moorings Topic Paper: <http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base>

Appendix N: Amended policy PUBDM4.

Policy PUBDM4: Development and flood risk

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

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

The Site Specific Flood Risk Assessment will need to meet the requirements of the NPPG and demonstrate or assess:

- a) That the development is safe for its lifetime, taking into account the vulnerability of its users and climate change;
- b) Whether the proposed development will make a significant contribution to achieving the objectives of the Local Plan;
- c) Whether the development involves the redevelopment of previously developed land or buildings and would result in environmental improvements over the current condition of the site;
- d) Whether appropriate measures to ensure resilience to potential flooding have been incorporated into the development;
- e) Whether appropriate measures to reduce the risk of flooding (on and offsite), including sustainable drainage systems, have been incorporated;
- f) Where the proposal involves the replacement of an existing building, whether the replacement building is located and/or designed without increasing flood risk and, where possible, to reduce the risks and effects of flooding;
- g) Whether an acceptable flood risk and/or suitable flood protection mitigation measures are incorporated into the proposals, where necessary, which can be satisfactorily implemented;
- h) Whether the risk of flooding is not increased elsewhere and, wherever possible, is reduced;
- i) That the integrity of existing coastal and river defences are not undermined;
- j) That the development does not reduce the potential of land used for current or future flood management;
- k) Compatibility with the appropriate Catchment Flood Management Plan or Shoreline Management Plan;
- l) Use of development to reduce the risk of flooding through location, layout and design and incorporate sustainable drainage systems to minimise surface water run-off and avoid pollution (see PUBDM5);
- m) That sites at little or no risk of flooding are developed in preference to areas at higher risk;
- n) There is safe access and egress from the site;
- o) There are management and maintenance plans for flood protection/mitigation measures, including arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime;
- p) That the development would not negatively impact on water quality of surface water and ground water; and
- q) There is a Flood Response Plan (FRP).

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

- r) The vacated site would be reinstated as naturally functioning flood plain;
- s) The benefits of flood risk reduction outweigh the benefits of leaving the proposed new site undeveloped; and

- t) The development of the proposed new site is appropriate when considered against the other policies of the Local Plan.

In the case of the replacement of an existing residential property in flood zone 3a, the replacement dwelling must be on a like-for-like basis, with no increase in the number of bedrooms, on the same sized footprint¹⁸ and wherever possible being relocated in a less vulnerable part of the site.

Any required additional or enhanced flood defences should not conflict with the purposes and special qualities of the Broads.

Reasoned Justification

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

Flood Zones refer to the probability of river and sea flooding, ignoring the presence of defences. They are shown on the Environment Agency’s Flood Map for Planning (Rivers and Sea)¹⁹ and defined in the NPPG. They are also shown in a Strategic Flood Risk Assessment (see later text).

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

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

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

¹⁸ The “footprint” is the aggregate ground floor area of the existing on site buildings, including outbuildings which affect the functionality of the floodplain but excluding temporary buildings, open spaces with direct external access between wings of a building, and areas of hardstanding.

¹⁹ See the flood maps here: maps.environment-agency.gov.uk/wiyby/wiybyController?x=357683.0&y=355134.0&scale=1&layerGroups=default&ep=map&textonly=off&lang=en&opic=floodmap

development. The checklist set out in the NPPG²⁰ should be used to produce an FRA, but the FRA should also address the additional considerations set out in the policy.

To help the preparation of FRAs for householder development and other minor extensions in Flood Zones 2 and 3 the Broads Authority and Environment Agency have produced a Ticksheet template²¹.

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 aggregate ground floor area of the existing on site buildings, including outbuildings that affect the functionality of the floodplain, but excluding temporary buildings, open spaces with direct external access between wings of a building, and areas of hardstanding.

Part (n) requires the FRA to demonstrate safe access and egress from the site. Where it has been demonstrated that this would not be possible due to unsafe flood depths on or surrounding the site, the safety of occupants will need to be managed through a Flood Response Plan (FRP) (see Dry Island section below). The FRP should demonstrate that occupants will be kept safe and not exposed to flood hazards. This may be through evacuation in advance of a flood and/or remaining in situ within an appropriate refuge. The Authority has produced a Flood Response Plan template²² for applicants. The acceptability of the plan and its ability to keep occupants safe will be assessed as part of the planning application.

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

Sustainable Drainage Systems (SuDS) are an alternative to traditional drainage systems that attempt to reduce the total amount, flow and rate of surface water run-off. There is a range of possible SUDs techniques that can be used, although not all techniques will be appropriate for individual development sites. Surface water run-off proposals should address the requirements of the Flood and Water Management Act 2010. See policy PUBDM5: Surface water run-off.

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

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

Dry Islands

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

²⁰ NPPG: planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/site-specific-flood-risk-assessment-checklist/

²¹ Broads Authority's Flood Risk Tick Sheet: www.broads-authority.gov.uk/_data/assets/word_doc/0006/917862/Appendix-F-Flood-Risk-Assessment-Tick-Sheet.doc

²² Flood Response Plan Template: www.broads-authority.gov.uk/_data/assets/pdf_file/0007/917863/Appendix-D-Flood-Response-Plan-Guidance-and-Structure.pdf

for development in dry islands. When looking at the flood risk of a proposal, it will be important to assess the wider area as well as on the site.

~~Environmental Permitting Regulations 2010~~ Other consents that may also be required

Applicants should be aware that in accordance with the Environmental Permitting Regulations 2010 there is a need to obtain an Environmental Permit²³ from the Environment Agency for flood risk activities for work or structures in, under, over or within 16m from a main river and from any flood defence structure or culvert. The works may fall under one or more of the following categories: Exemption, Exclusion, Standard Rules Permit, Bespoke permit. Anyone carrying out these activities without a permit where one is required is breaking the law.

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

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

The Broads Authority has a Flood Risk Supplementary Planning Document (SPD)²⁴. This is based on Development Management Policy DP29, which this policy replaces; therefore, on adoption of this Local Plan, the SPD is out of date. The Authority will review the SPD immediately after adoption of the Local Plan, but in the meantime (between adoption of the Local Plan and adoption of the revised SPD) will still refer to the SPD guidance, as it contains important and relevant detail relating to flooding.

Strategic Flood Risk Assessment (SFRA)

SFRAs are important for the production of Local Plans. The Broads is covered by four separate SFRAs completed in 2017/~~2018~~²⁵. However, a large area of the Broads Authority Executive Area ~~will not be~~ has not been assessed as part of this work as the model needs to be purchased, updated and run by the Environment Agency to produce SFRA equivalent information. It is intended that this will be completed by around ~~mid-2019~~ the end of 2021 and there could therefore be adjustments to flood zone 3 as a result - see the Position Statement between the Broads Authority and Environment Agency²⁶ produced in July 2018 for more information. It is accepted that there is uncertainty about the precise boundaries of the functional flood plain (flood zone 3b) and the Environment Agency work should contribute to the understanding of this area. It is also accepted that due to natural processes and other activities, the functional flood plain can change over time. Where detailed modelling is not available, Indicative Flood Zone 3b has been used in the Norfolk part of the Broads. A similar approach has been used in the Waveney SFRA but on those maps, flood zones are 3b where modelled and 3 elsewhere. Due to the nature of flooding in the Broads, it is expected that Flood Zone 3a and Flood Zone 3b have similar extents so Indicative Flood Zone 3b/flood zone 3 is precautionary but reasonable. As set out in national policy, planning applications for schemes in flood zones 2 and 3 require site-specific flood risk assessments and these will determine the precise detail of flood risk on site. Also see Appendix M for more information on SFRAs.

²³ New forms and further information can be found at: www.gov.uk/guidance/flood-risk-activities-environmental-permits.

²⁴ Flood Risk SPD: www.broads-authority.gov.uk/_data/assets/pdf_file/0006/917844/Broads-Flood-Risk-SPD-Final-March-2017.pdf

²⁵ The SFRAs can be found here: <http://www.broads-authority.gov.uk/planning/planning-policies/sfra/sfra>

²⁶ SFRA Joint Position Statement: www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2

Appendix O: Amended policy PUBSP15.

Policy PUBSP15: Residential development

a) Meeting the Objectively Assessed Housing Need

The Authority will endeavour to enable housing delivery to meet its objectively assessed housing need throughout the Plan period which is 286 dwellings. The Broads is within 3 housing market areas and the need within each HMA is as follows:

- Central Norfolk HMA: 163
- Waveney District HMA: 57
- Great Yarmouth Borough HMA: 66

The Authority will allocate land in the Local Plan to provide around 146 net new dwellings²⁷. To meet the remaining requirement of ~~39~~38 dwellings to 2036, which falls within that part of the Broads in the Borough of Great Yarmouth, the Authority will work with Great Yarmouth Borough Council to address housing need.

A contribution from housing development towards the provision of affordable housing will be sought.

b) The type of new homes

The size and type of homes for each proposal will be based on up-to date evidence of local needs. A suitable mix will be determined through liaison with housing authorities and rural housing enablers where applicable. The size of dwellings will be commensurate with the latest Strategic Housing Market Assessment.

c) Protecting European Sites

Project Level Habitats Regulation Assessments will be needed to assess implications on sensitive European Sites. Measures to mitigate for the effects of new housing growth may be required.

d) Spatial Strategy

The Authority will direct development to meet the amount of housing as set out in this policy to the following locations:

- i) Development proposals will be located to protect the countryside from inappropriate uses to achieve sustainable patterns of development, by concentrating development in locations with local facilities, high levels of accessibility and where previously developed land is utilised; or
- ii) Brownfield sites at Pegasus in Oulton Broad, Utilities Site in Norwich, sites off Station Road in Hoveton and Hedera House in Thurne, and the greenfield site at Stokesby, as detailed in the site allocation section of this Local Plan; or
- iii) In relation to windfall, those areas within development boundaries as detailed in policy PUBDM34; or
- iv) Housing will only be permitted elsewhere where it is necessary, and subsequently retained, in connection with rural enterprises (PUBDM37), replacement dwellings (PUBDM39) or to provide affordable housing where local need has been demonstrated in District Councils' or local housing needs surveys.

Reasoned Justification

²⁷~~The objectively assessed housing need for the Broads is 286 dwellings. 156 net new dwellings have been permitted or completed between April 2015 and April 2017. The Local Plan allocates land for 146 dwellings. So as a whole, the objectively assessed housing need for the Broads has been met. But the Broads is in three housing market areas. In two of these housing market areas, the need is met and exceeded~~

- Meeting the Objectively Assessed Housing Need

The NPPF states at paragraph 47: *‘to boost significantly the supply of housing, local planning authorities should (inter alia) use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period’.* The 2012 NPPF required local planning authorities to meet housing need in the housing market areas. As such, the evidence base used to inform this policy as well as the policy itself were prepared in line with the 2012 NPPF’s requirements.

The Broads Authority Executive Area is part of three separate Housing Market Areas (HMAs):

Housing Market Area	Districts in the HMA	Strategic Housing Market Assessment (SHMA) progress
Central Norfolk	North Norfolk, South Norfolk, Norwich, Broadland, Breckland	Completed 2017
Great Yarmouth	Great Yarmouth	Completed 2013
Waveney	Waveney	Completed 2017

As most of the Broads Authority Executive Area is within the Central Norfolk Housing Market Area, the Central Norfolk Strategic Housing Market Assessment²⁸ (SHMA) calculated the Objectively Assessed Housing Need for the entire Broads area, and this is shown in the following table. The Housing Need Topic Paper²⁹ gives more detail on the methodology and findings of the study. The OAN is for the period 2015 to 2036.

Part of the Broads in...		Objectively Assessed Housing Need	Annual average from 2015 to 2036	Total Need per HMA
Housing Market Area	District			
Central Norfolk HMA	Broadland	50	2.63 2.38	163
	North Norfolk	70	3.68 3.33	
	Norwich	3	0.16 0.14	
	South Norfolk	40	2.10 1.90	
Great Yarmouth HMA	Great Yarmouth	66	3.47 3.14	66
Waveney HMA	Waveney	57	3 2.71	57
Total:		286	13.6	286

For the avoidance of doubt, each element of the Broad’s Objectively Assessed Need identified in the table above for each of the six districts also forms part of each district’s Housing Market Area objectively assessed need and is not additional to.

The need for the Broads Authority Executive Area part of each HMA is as follows:

- Central Norfolk HMA: 163
- Waveney District HMA: 57
- Great Yarmouth Borough HMA: 66

The NPPF at Para 47 says Local Planning Authorities should meet the need unless policies in the 2019 NPPF provide a strong reason for not doing so or adverse impacts significantly outweigh benefits when policies in the NPPF 2019 are considered. *‘as far as is consistent with the policies set out in this Framework’.* It is important to note that the 2019 NPPF places great weight on the status of the Broads:

²⁸ A SHMA is a study which identifies housing need for an area. The 2017 version of the Central Norfolk SHMA can be found www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2

²⁹ Housing Topic Paper, Revised July 2017: www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2

- Paragraph 14: Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless... specific policies in this Framework indicate development should be restricted.
- Paragraph 11 b) 'strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas⁵, unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁶;

Footnote 9: For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion. Footnote 6: The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.

The Housing Target for the Local Plan for the Broads and how this will be met

The Authority must balance the demands of meeting the housing needs and protecting the special qualities of the Broads. The Housing Target for the Broads is 286 net new dwellings as set out in PUBSP15. The Broads is within 3 housing market areas and the need within each HMA is as follows:

- Central Norfolk HMA: 163
- Waveney District HMA: 57
- Great Yarmouth Borough HMA: 66

As such, the housing need for the Broads is met in the following ways. As the Housing Need Topic Paper shows, the housing need has been exceeded in the Central Norfolk and Waveney Housing Market Areas.

i) Completions and permissions between April 2015 and April 2017

District	Housing Market Area	Net completions	Net permissions
Broadland	Central Norfolk	5	2
North Norfolk	Central Norfolk	1	9
Norwich	Central Norfolk	0	0
South Norfolk	Central Norfolk	54	5
Great Yarmouth	Great Yarmouth	4	20
Waveney	Waveney	4	82
		68	118
		186	

ii) Allocations within this Local Plan

Policy	Location	Housing Market Area	Approx. number of dwellings
Policy PUBNOR1: Utilities Site	Norwich	Central Norfolk	120
Policy PUBOUL2: Pegasus Site	Oulton Broad	Waveney	Included in permissions

Policy PUBTHU1: Hedera House	Thurne	Great Yarmouth	16
Policy PUBSTO1: Land at Tiedam	Stokesby	Great Yarmouth	4
Policy PUBHOV3: Brownfield land off Station Road, Hoveton	Hoveton	Central Norfolk	(at least) 6
Total			146

i) Completions and permissions between April 2015 and April 2017 as well as allocations in this Local Plan

HMA	District	Completions	Outstanding permissions	Allocations	District Totals	HMA Totals
Central Norfolk HMA	Broadland	5	2	0	7	202
	North Norfolk	1	9	HOV3: (at least) 6	16	
	Norwich	0	0	NOR1: 120	120	
	South Norfolk	54	5	0	59	
Great Yarmouth HMA	Great Yarmouth	4	20	THU1 Included in permissions STO1: 4	28	28
Waveney HMA	Waveney	4	82	OUL2 Included in permissions	86	86
Totals		68	118	130	316	

ii) Cooperating with Great Yarmouth Borough Council

~~As the Housing Need Topic Paper shows, the housing need has been exceeded in the Central Norfolk and Waveney Housing Market Areas. However~~ There is a residual need in the Great Yarmouth Housing Market Area for ~~39~~38 dwellings. Great Yarmouth Borough Council, in their representations to the Local Plan Issues and Options consultation, stated that they do not consider it appropriate for the Broads to be obliged to meet the housing need in the Great Yarmouth area because of the special qualities of the Broads. They have already included the whole of the Borough, including that part within the Broads, in their assessment of the Borough's housing needs.

The Great Yarmouth Borough area of the Broads Authority is constrained from flood risk and European designated sites. Furthermore there are more sustainable locations, subject to fewer constraints, outside of the Broads Authority Executive Area where it is more prudent to develop land for residential dwellings.

They are keen for the signed Memorandum of Understanding to stay in place, and to continue the arrangement that, while the Borough will endeavour to meet the whole of its needs outside the Broads, any housing development coming forward in the Broads part of the Borough is counted towards delivery against the Borough's needs. Through the Duty to Cooperate, Great Yarmouth Borough Council will deliver the residual ~~44~~ 38 dwellings.

- Affordable housing

The provision of affordable housing is a key issue in local communities, particularly in rural areas where sites appropriate for development may be limited or may fail to meet sustainability criteria. In the Broads, this is exacerbated by the limited availability of land due to flood risk and the demand for second/holiday homes that inflates land and property prices, and is a disincentive for the provision of lower cost housing.

The requirement for a percentage of properties within a development to be 'affordable' is an established mechanism used by planning authorities to achieve provision of social housing (see Developer Contributions section of the Local Plan). This mechanism, however, is not easily applied within the Broads,

as development is of a small-scale and is often individual properties, and larger sites that trigger such a requirement come forward rarely. See Policy PUBDM33 for more information.

Developers are encouraged to use Rural Housing Enablers to carry out Local Housing Needs Surveys where affordable housing contributions for local need will be sought.

- Type

Because the Broads Authority is not the Housing Authority for its planning area, it will work closely with its districts who undertake this function to determine the type of housing that needs to be delivered in a certain area.

- Project level HRA

Project level Habitats Regulations Assessments (HRA) will need to consider implications for European sites arising from their scheme, for example through increased recreation pressure. There may be a need for adequate mitigation, such as adequate green infrastructure. HRAs should be evidence based and draw on available information, such as the Norfolk wide visitor survey work undertaken by Footprint Ecology³⁰.

- Location of development

The policy approach will be to prevent residential development beyond settlements other than in exceptional circumstances, or which accords with the Authority's statutory purposes. Development within settlements will be permitted only where it meets criteria covering issues such as flood risk, satisfactory provision of infrastructure, and design.

If needed, the criteria used to assess settlements in the Settlement Study³¹ as well as that relating to access to services and facilities in the Housing and Economic Land Availability Assessment (HELAA)³² will be used to determine sustainable patterns of development.

In most cases, settlements in the Broads straddle the Broads boundary, and the greater part of the settlement lies within the neighbouring local planning authority's jurisdiction. Because of the national protection afforded to the Broads and the vulnerability to flooding of most of the Broads area (the boundary generally follows the edge of the flood plain), it will usually be the case that both the greatest need and greatest opportunity for development in any settlement straddling the boundary will be in that part of it outside the Broads.

The spatial strategy aims to ensure that communities across the Broads continue to thrive and are economically resilient, environmentally sustainable, socially mixed and inclusive. The spatial strategy is the overall framework for guiding development across the Broads, determining in what general locations and settlements different kinds of development will be encouraged or restricted. It offers the most sustainable way to accommodate housing in the Broads as:

- it makes the best use of previously developed land;
- it places new residents in close proximity to jobs, shops, leisure and cultural facilities and public transport nodes to support sustainable lifestyles; and
- it regenerates some of the more run down areas around the Broads.

- Housing trajectory

The housing trajectory gives an estimated time line of when various developments could come forward over the Plan period - see [Appendix K: Broads Local Plan Housing and Residential Mooring Trajectory](#). [The following table shows the detail of the trajectory and when extant permissions and allocations in this Local Plan are anticipated to come forward.](#)

³⁰ Norfolk Recreation Impact Study: www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base

³¹ Settlement Study: www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base

³² HELAA: www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base

	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36
<u>Allocations in Local Plan</u>	0	2	2	0	0	6	0	0	0	0	0	0	40	40	40	0	0	0
<u>Outstanding permissions</u>	6	12	14	32	40	14	0	0	0	0	0	0	0	0	0	0	0	0

- Five year land supply on adoption of the local plan

As a result of the anticipated timeline for the delivery of extant planning permissions and allocations in the Local Plan, the Authority confirms it will have a five year lands supply in place using both the Liverpool and Sedgfield methodology as follows. A buffer of 5% has been used in calculating the five year land supply. Completions in the Broads Authority have far exceeded the number of dwellings that should have been completed since April 2015 when using the annual average objectively assessed housing need as set out in the Central Norfolk SHMA. Subsequently, there is no shortfall to take into account, rather an over-provision of housing delivery.

<u>Area</u>	<u>Liverpool</u>	<u>Sedgfield</u>
<u>Broads Authority Executive Area</u>	<u>11.41 years</u>	<u>16.17 years</u>

<u>Broads Five Year supply</u>	<u>Liverpool approach + 5% buffer</u>	<u>Sedgfield approach + 5% buffer</u>
(a) <u>Housing need total 2015-2036</u>	<u>240</u>	<u>240</u>
(b) <u>Housing need annualised (240/21 years)</u>	<u>11.43</u>	<u>11.43</u>
(c) <u>Housing need April 2015 to 31 March 2019 (11.43 x 4)</u>	<u>45.72</u>	<u>45.72</u>
(d) <u>Completions between 1 April 2015 and 31 March 2019</u>	<u>68</u>	<u>68</u>
(e) <u>Shortfall since 2015³³ (c – d)</u>	<u>-22.28</u>	<u>-22.28</u>
(f) <u>Revised shortfall using the Liverpool approach (e/17 years³⁴ x 5 years)</u>	<u>-6.55</u>	<u>n/a</u>
(g) <u>OAN 2019/2020 to 2023/24</u>	<u>57.15</u>	<u>57.15</u>

³³ Negative implies an over provision.

³⁴ As this statement is produced as if it were 2019/20, there are 17 years left in the plan period.

<u>Broads Five Year supply</u>	<u>Liverpool approach + 5% buffer</u>	<u>Sedgefield approach + 5% buffer</u>
<u>(11.43 x 5 years)</u>		
<u>(h) NPPF 5% buffer</u> <u>(g x 0.05)</u>	<u>2.86</u>	<u>2.86</u>
<u>(i) Total 5 Year requirement 2019/2020 to 2023/24</u> <u>(Liverpool = f+ g + h/Sedgefield = e + g + h)</u>	<u>53.45</u>	<u>37.73</u>
<u>(j) Predicted supply 2019/2020 to 2023/24</u>	<u>122</u>	<u>122</u>
<u>(k) Surplus (j-i)</u>	<u>68.55</u>	<u>84.27</u>
<u>Supply in years</u> <u>(Predicted supply/Total requirement x 5)</u>	<u>11.41 years</u>	<u>16.17 years</u>

Appendix P: Amended policy PUBNOR1.

Policy PUBNOR1: Utilities Site

Inset Map 12

Redevelopment of this area will be sought to realise its potential contribution to the strategic needs of the wider Norwich area. [The site is allocated for mixed use development which could include around 120 dwellings.](#)

Redevelopment proposals will only be supported where they:

- a) Do not prejudice a comprehensive and deliverable mixed use scheme for the whole of the Deal Ground/Utilities Sites Core Area (including those parts outside the Broads Authority Executive Area boundary);
- b) Protect and enhance natural assets [and the historic environment and setting of heritage assets](#);
- c) Provide a high quality local environment through high quality design and landscaping;
- d) Balance scale and massing of development, having regard to its location on the urban fringe, and make a positive contribution to the views between the river and the site;
- e) Do not impede the navigation of the Rivers Yare and Wensum;
- f) Provide evidence, including a site flood risk assessment, to confirm that any development will be consistent with national and local policy in terms of both on-site and off-site flood risks;
- g) Provide [a suitable and appropriate solution to the constrained access to the site for all modes of transport](#) ~~sustainable access~~, including the pedestrian and cycle links through the site and linking to the wider network;
- h) Provide public access to the length of the Yare riverfront;
- i) Are energy and water efficient;
- j) Identify, and provides remediation of, any existing ground contamination;
- k) Manage any risk of pollution of groundwater or river water arising from the proposed uses; and
- l) Make appropriate use of the safeguarded sand and gravel resources on the site where practicable (see Norfolk County Council's Core Strategy Policy CS16 - Safeguarding mineral and waste sites and mineral resources).

The provision of serviced self-build/custom build plots is encouraged.

Project Level Habitats Regulation Assessments will be needed to assess implications on sensitive European Sites. Measures to mitigate for the effects of new growth may be required, such as the provision of good quality on-site green infrastructure to mitigate for recreational disturbance.

The Authority will also expect the following to be delivered as part of the overall scheme, unless it is demonstrated this cannot practically be achieved:

- i) Improved opportunities for recreation on site;
- ii) Improved facilities for recreational boating on the river frontage; and
- iii) A pedestrian/cycle link across the Wensum and Yare between the City Centre and Whitlingham Country Park.

A proportionate developer contribution will be required to address any increased demand on services and facilities in Whitlingham Country Park arising from the creation of this link.

Constraints and features

- Close to Norfolk County Wildlife Site – Cary's Meadow.

- Likely to be of archaeological interest. Contains a range of heritage assets, including evidence for Roman settlement, a possible Roman wharf, and possible World War Two features and structures. Potential for archaeological remains associated with the use of the adjacent River Yare.
- Flood risk - zone 2 by EA mapping and small parts in zone 2, 3a and [modelled](#) 3b by SFRA 2017 mapping. When EA climate change allowance of 65% added, site is affected.
- Contributes to the urban/rural transition.
- Semi natural habitat on the edge of Norwich.
- Future growth could have an impact on the foul sewerage network capacity.
- [Access to the site is particularly constrained for all modes of transport.](#)
- [This site is in close proximity to a number of designated heritage assets including the Grade II listed of Ruins of Trowse Newton Hall, the Thorpe Ridge Conservation Area and the Grade II listed Registered Park and Garden \(RPAG\) of Crown Point.](#)

Reasoned Justification

[The site sits to the East of Norwich, yet on the urban rural fringe. In this area there is much brownfield redundant land that Norwich City Council and Norfolk County Council \(in liaison with Broadland District Council, South Norfolk District Council and the Broads Authority\) are keen to see redeveloped and realise their potential.](#) The [Utilities](#) site is part of a much wider area of industrial land, now largely redundant, stretching across the planning boundaries of the Broads Authority, Norwich City Council and South Norfolk District Council. [Over the river, to the south west, is the 'Deal Ground' site which has extant outline planning consent for a mixed use development including 670 dwellings, a local centre, restaurant/dining quarter, flood risk management and landscape measures, a new access road, and an access bridge over the river Yare. To the West of the Deal Ground is the Carrow Works which is currently occupied by Brtvic/Unilever but which is likely to become vacant early on in the plan period and may have potential for redevelopment.](#) This wider area is seen as having strategic development potential, but bringing development forward is complicated by access problems and the number of different landowners. [The Joint Core Strategy \(adopted 2011 with amendments 2014\) identifies the East Norwich area as having major physical regeneration opportunities for mixed use development and enhanced green linkages from the city centre to the Broads. The Greater Norwich Local Plan is being produced and could potentially allocate land at the Utilities Site, Deal Ground and Britvic/Unilever site and those policies will be of great relevance to any scheme that comes forward on the Utilities Site. Indeed the Norwich City Council Site Allocations and Site Specific Policies Plan \(adopted December 2014\) has the following policies currently in place: R9: The Deal Ground, Trowse \(residential led mixed use development\) and R10: Utilities Site, Cremorne Lane \(mixed use development\).](#)

The wording for this policy reflects, but simplifies and adds to, the content of the East Norwich Joint Statement produced by Norwich City Council in association with the Broads Authority and South Norfolk District Council.

[The access constraints referred to in the policy reflects that the site is bounded by railway lines and a river. Whilst there are two ways to get to the site, the bridge over the railway to Cremorne Lane is not designed to cater for traffic that could arise from the redevelopment of this site and the access by the river uses a tunnel under the railway bridge which again is not designed to cater for more traffic. The likely solution would be the provision of a bridge over the river that would connect the Utilities Site \(in its entirety, not just the part within the Broads\) to the Deal Ground site.](#)

The Environment Agency:

- supports the reference to the need to address flood risk issues, and highlights the need for Flood Defence Consent from the Agency for development and trees in proximity to the river;
- highlights the importance of protection against water pollution, that the site lies over groundwater resources and within Source Protection Zone 1, and the potential risks of water pollution from waterside sites in any industrial/boatyard uses; and
- draws attention to the potential of contaminated land.

Norfolk County Council identifies that the site includes a safeguarded minerals (sand and gravel) resource.

There may be a requirement for an evidence based, project level HRA to assess the impact of this development on European Protected sites. Mitigation measures could be required, such as adequate daily recreation and dog walking facilities to meet need.

There may be potential for serviced plots to be provided for people to build their own homes as part of any residential element of the scheme.

It is anticipated that the dwellings will be delivered after 2030 ~~between 2021 and 2025~~. The Authority considers that the site could potentially accommodate 120 dwellings.

In relation to the potential new link to Whitlingham Country Park, there could be more use of the park by residents living at the Utilities Site. The Authority appreciates that this link would make the Park more directly accessible to more visitors and that it benefits the wider existing community in the area, not just the residents of the Utilities Site. As such, an assessment of the increased number of visitors likely to visit the Park from the Utilities Site development will be needed. This will then determine the developer contribution required to enable the park to accommodate the additional visitors and demand on the services and facilities. The developer contributions sought would only reflect the visitors arising from Utilities Site development.

Evidence used to inform this section

- Policy rolled forward from Site Specific Policies Local Plan.
- East Norwich Joint Statement

Appendix Q: Amended policy PUBDM12.

Policy PUBDM12: Natural Environment

All development shall:

- a) Protect biodiversity value and minimise the fragmentation of habitats;
- b) Maximise opportunities for restoration and enhancement of natural habitats;
- c) Incorporate beneficial biodiversity and geological conservation features where appropriate which are positively managed; and
- d) Include green infrastructure where appropriate (see policy PUBDM7).

Proposals on previously developed/brownfield land may require surveys to determine if the site has open mosaic habitat of intrinsic biodiversity value³⁵. If ~~the assessment concludes that the site is of high environmental value, this habitat is found on the site~~, the design of the scheme is required to protect and enhance these areas and/or to design appropriate compensation and off site mitigation measures in order to secure a net gain for biodiversity³⁶.

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

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

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

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

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

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

³⁵ For more information go here www.buglife.org.uk/sites/default/files/Identifying%20open%20mosaic%20habitat.pdf and here jncc.defra.gov.uk/pdf/UKBAP_BAPHabitats-40-OMH-2010.pdf.

³⁶ Biodiversity Net Gain Good practice principles for development: https://www.cieem.net/data/files/Publications/Biodiversity_Net_Gain_Principles.pdf.

terms of its contribution to biodiversity, scientific and educational interest, geodiversity, visual amenity and recreational value.

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

- h) The development is necessary for reasons of overriding public interest; and
- i) There are no satisfactory alternatives, in terms of the form of, or location for, the development, that would have a lesser impact on the species or habitats.

Reasoned Justification

- Protected sites and species

Protecting and enhancing the natural environment is a statutory purpose of the Broads Authority. The Authority also has a legal duty under the Natural Environment and Rural Communities Act 2006³⁷ and the Wildlife and Countryside Act 1981³⁸ to protect and enhance biodiversity. Development proposals will therefore be expected to consider the protection and enhancement of biodiversity from the outset. In particular, proposals should take opportunities for the restoration and enhancement of priority habitats and species identified in the Broads Biodiversity Action Plan (BAP), the Broads Biodiversity and Water Strategy and the Norfolk Ecological Network Mapping Report³⁹ (under preparation at the time of writing) and incorporate appropriate beneficial biodiversity conservation features.

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

³⁷ **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.

³⁸ 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.

³⁹ The aims of the project are to make the 'connections' between GI and growth, providing LPAs with a deliverable approach to addressing green infrastructure matters to enable and support growth, map the green infrastructure Network of Norfolk, maximising the benefits it brings to the communities of Norfolk, to identify deficiency in GI provision and identify opportunities for enhancement. The work is being coordinated by Norfolk County Council.

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)⁴⁰ it will also be necessary to demonstrate that any harm to the species is justified by reasons of overriding public interest (IROPI). For SACs, where priority habitats and species will be affected, only factors relating to public health, public safety and beneficial consequence of primary importance to the environment would constitute IROPI. The IROPI test can only be considered once all alternative solutions that would be less environmentally damaging have been assessed. Developments for which IROPI could apply will be exceptional.

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

Existing and future developments can provide habitat for species such as bats and birds. The Authority has produced a Biodiversity Enhancements guide⁴¹ to help applicants provide beneficial biodiversity features.

- Geodiversity

Geodiversity is the variety of rocks, fossils, minerals, landforms and soils, along with the natural processes that shape the landscape that forms the earth heritage resource. ~~There is no designated Regionally Important Geological or Geomorphological Sites (RIGS) in the Broads, but one SSSI, Bramerton Pits, is designated for its geological interest. Local geodiversity interest is:~~ There are no designated Local Sites of geodiversity interest (RIGS, County Geodiversity Sites, County Geosites) in the Broads area. There are however two SSSIs designated for their geodiversity features: Bramerton Pits for their Norwich Crag exposures and Winterton-Horsey Dunes for their coastal dunes. The geodiversity of the Broads area may be summarised as 'Holocene peatland and marine alluvium giving rise to open water, fen and carr habitats; broads developed in former early Mediaeval peat diggings; rivers including lower reaches of Bure, Waveney and Yare and their tributaries including Ant, Chet and Thurne. There are also significant exposures of early and middle Pleistocene marine and glacial sediments'⁴². New development has the potential to result in the loss of geodiversity, including the valuable biodiversity and carbon stores supported by peat soils (see Policy PUBDM 9), through operations such as landfill, destruction of geomorphology (landform) and mineral extraction. However, there is also potential to enhance geodiversity by recording sediments exposed during development and by the retention of geological sections. The Authority will make sure development is managed to protect this important asset.

- Brownfield Sites

⁴⁰ These animal and plant species are listed on Annex IV of the **Habitat Directive**. The animals (not birds) are protected under Regulation 41 of the Habitats and Species Regulations 2010 and are listed on Schedule 2 of these Regulations; plants are protected under Regulation 45 of the Habitats and Species Regulations 2010 and are listed on Schedule 5. The European Protected Species Guidance note advises developers and planners of their responsibilities towards European Protected species.

⁴¹ Biodiversity Enhancements guide www.broads-authority.gov.uk/planning/Planning-permission/design-guides.

⁴² National Parks and NNRs. Norfolk Geodiversity Partnership, online <https://sites.google.com/site/norfolkgeodiversity/action-ngap/3-protecting/protected/parks-nnrs/> [accessed December 2017]

Brownfield Sites ([Previously Developed Land](#)⁴³) ~~–defined as any piece of land that has been altered by human activity–~~ can be havens for wildlife, supporting some of the UK’s most threatened species. Brownfield sites are listed as a Priority Habitat in Section 41 of the Natural Environment and Rural Communities Act 2006 (NERC Act), as ‘open mosaic habitat on previously developed land’. These habitats can be extremely diverse, supporting a wide range of terrestrial and aquatic habitats.

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

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

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

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

- Planning conditions

Wherever a proposed development may have an adverse impact on biodiversity or geodiversity, conditions and/or planning obligations will be used to ensure that appropriate mitigation and enhancement measures are implemented. See policy PUBDM46.

- Green Infrastructure and Ecological Networks

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

Evidence used to inform this section

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

⁴³ The NPPF 2019 defines previously developed land as ‘land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape’.

Appendix R: Amended Affordable Housing Policy.

Policy PUBDM33: Affordable housing

a) Delivery of affordable housing

~~Contributions towards affordable housing provision will be sought in accordance with the full requirements of the adopted standards and policies of the relevant District Council, including thresholds, level (%) of contribution, house types/mix and tenure and phasing arrangements.~~

Developments of 10 or more dwellings will be required to provide affordable housing in accordance with the requirements of the adopted standards and policies of the relevant District Council⁴⁴, including proportion (%) of contribution, house types/mix and tenure and phasing arrangements.

Developments of 6-9 dwellings will be required to contribute a commuted sum (off-site contribution) towards the provision of affordable housing. This contribution will be calculated in accordance with the full requirements of the adopted standards and policies of the relevant District Councils. The commuted sum will be calculated in relation to thresholds and proportion of dwellings which should, subject to viability, be affordable. The commuted sum should reflect the subsidy required to deliver the affordable housing requirement off site (to include the cost of land and construction).

The following table summarises the approach to affordable housing set out in this policy:

<u>Size of scheme</u>	<u>Approach</u>
<u>10 or more dwellings</u>	<u>All schemes expected to provide on-site requirement as per policy of district</u>
<u>6 to 9 dwellings</u>	<u>All schemes expected to provide off-site contributions</u>

The Authority will only consider reducing the requirement for the proportion of affordable housing on a particular development site, or amending the tenure mix from the relevant District Council's Policy requirement, where:

- i) The applicant has submitted a site-specific viability appraisal (which has been assessed independently) and it has been concluded by the Authority that it is not viable to deliver the full policy requirement of affordable housing and an alternative provision has subsequently been agreed; or
- ii) The applicant has submitted a site specific viability appraisal (which has been assessed independently) and it has been concluded by the Authority that it is not viable to deliver the required tenure mix and the alternative tenure mix has subsequently been agreed; and
- iii) The resultant affordable housing provision would ensure that the proposed development is considered sustainable in social terms through its delivery of housing mix.

b) Provision outside development boundaries (rural exception sites),

Affordable housing developments outside development boundaries as defined on the Proposals Map, will be permitted where:

- iv) There is an identified local need for affordable housing;
- v) The need cannot be met within the boundaries of the adjoining local authority's part of the Broads settlement;

⁴⁴ This is the constituent council – Broadland, Great Yarmouth, North Norfolk, Norwich, South Norfolk, Waveney Council.

- vi) The location of the proposed development complies with the relevant District Council's criteria for rural exception sites; and
- vii) Development will be of a scale that is suitable and appropriate for the size of the site and settlement. Proposals need to avoid over development and reflect the character of the area.

A small proportion of the dwellings proposed may be market dwellings if this is fully justified and the market dwellings are the number required to cross subsidise the delivery of the required affordable housing as demonstrated through a site-specific viability assessment to the satisfaction of the Authority and the relevant Council.

The size (number of bedrooms), type (flat, house) and tenure of affordable homes for each proposal will be based on up-to-date evidence of local housing needs in accordance with the requirements of the relevant Council.

c) Planning Obligations

To secure all affordable housing in perpetuity, the Authority will seek a planning obligation from the developer to ensure that:

- viii) The permitted dwellings are affordable in perpetuity by being offered for initial and successive occupation at an affordable or social rent or affordable home ownership;
- ix) The control of occupation of the dwellings is undertaken by a local authority, Registered Provider or other suitable body such as a parish or village trust as approved by the Authority; and
- x) Initial and successive occupation of the permitted dwellings is prioritised for people with strong local connections for all rural exception sites.

Reasoned Justification

The NPPG notes that affordable housing need is based on households *“who lack their own housing or live in unsuitable housing and who cannot afford to meet their housing needs in the market”*.

It is accepted that the Broads Authority defers to the affordable housing policy of its constituent District Councils, as this gives consistency across a district. As the Authority is not the Housing Authority, it works closely with its constituent District Councils who undertake the housing function for the Broads Authority Executive Area.

The NPPF definition of affordable housing will apply in implementing this policy.

• Delivering affordable housing in the Broads

There is a very limited supply of suitable sites in the Broads for housing to meet local affordable housing need due to the protected landscape of the area, and to the extent and severity of flood risk. In addition, the high demand for second/holiday homes inflates land and property prices and provides a disincentive for the provision of lower cost housing.

In recent years, applications for dwellings have tended to be in the region of 1.94/4.12 dwellings per application⁴⁵ (according to an assessment of the Authority's planning applications as set out in the Housing Topic Paper). ~~A new Government policy states that affordable housing and tariff style contributions should not be sought on sites of 10 units or less, and which have a maximum combined gross floor space of 1,000 square metres.~~ The NPPF2019 says that 'Provision of affordable housing should not be sought for residential

⁴⁵ If all applications are included (including the large scale allocations at Hedera House, Pegasus, Ditchingham Maltings and the Utilities Site) the average number of dwellings per application is: 4.12 dwellings. If the large applications are removed and we focus on windfall (unallocated sites) then the average number of dwellings per application is: 1.94 dwellings.

developments that are not major developments [For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more], other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer)'. Presuming that the current trend of size of housing applications continues (windfall), it is unlikely that affordable housing will be delivered through windfall schemes.

With regard to seeking commuted sums on 6-~~10~~9 dwellings, the Broads part of North Norfolk is designated as a rural area and so, according to the NPPG, it can seek planning obligations and affordable housing commuted sum contributions from schemes of that size. The policy goes further to apply the commuted sums approach to all 6-~~10~~9 dwelling sized schemes in the entire Broads area. This is because the opportunities for schemes of ~~10~~9+ dwelling are significantly diminished by the rural character of the area and the environmental constraints. However, there is a clear need for affordable housing and all possible reasonable measures should be taken to address the deficiency.

To be clear, the policy goes further than the NPPF by requiring off-site contributions to affordable housing for schemes of 6 to 9 dwellings. None of the districts relevant to the Broads seek affordable housing on schemes of 9 or below (other than Great Yarmouth Borough Council⁴⁶) and their policies will reflect this⁴⁷.

The policy applies to all net new homes (excluding holiday accommodation with occupancy conditions⁴⁸) permitted anywhere in the Broads Authority Executive Area, in line with the thresholds set out in the policy and the districts' policies.

The Authority will use the relevant Council's approach/methodology for the calculation of affordable housing contributions. The ~~commuted sum would be likely to go to~~ Authority will liaise with the relevant Council to prioritise spend which will likely be first in the parish which generated the commuted sums, then to the adjoining parishes, and then to anywhere in the Council area and the Authority/District will have ten years to spend or commit the monies. The Authority will however have regard to the approach of the relevant district council in where the money is spent and for how long the money is held.

- Assessing viability

The independent review process will require the applicant to submit a site-specific viability appraisal (to include a prediction of all development costs and revenues for mixed use schemes) to the Authority's appointed assessor. They will review the submitted viability appraisal and assess the viable amount of affordable housing or the minimum number of market homes needed to cross subsidise the delivery of affordable housing on a rural exceptions site. This review shall be carried out entirely at the applicant's expense. Where little or no affordable housing would be considered viable through the appraisal exercise, the Authority will balance the findings from this against the need for new developments to provide for affordable housing. In negotiating a site-specific provision with the applicant, the Authority will have regard to whether or not the development would be considered sustainable in social terms.

- Information to accompany an application

Developers advancing specific proposals that incorporate an element of affordable housing should submit an affordable housing statement alongside their application. This should provide information on the number of affordable residential units, the mix of affordable units in terms of type, tenure (intermediate/ social or affordable rented) and size (number of bedrooms and gross floor space), and the arrangements for managing the affordable housing units.

⁴⁶ Great Yarmouth Borough Council has a policy in their Local Plan that uses a lower threshold and this was adopted pre-2018 NPPF.

⁴⁷ It is important to note that the part of North Norfolk that is in the Broads is a designated rural area. Whilst current North Norfolk District Council (NNDC) policy is not to introduce a lower threshold, the Council may do this in future. At the time of writing this Local Plan NNDC were reviewing their Local Plan.

⁴⁸ If the occupancy condition is removed from a holiday home, then this affordable housing policy will apply as per the thresholds set out within it.

This statement is also required to explain and justify the layout and location of the affordable housing element of a scheme. The Authority expects applicants to liaise with Registered Providers and the Housing Teams of the relevant district council to get advice and recommendations regarding the layout (although the Broads Authority will be the determining body).

- Rural exception sites

The applicant will be required to submit evidence showing how the proposed scheme meets local housing need. The Affordable Housing policy states that ‘*Some of the dwellings proposed may be market dwellings if this is fully justified...*’ when referring to affordable housing schemes outside of development boundaries. This is in keeping with the NPPF definition for rural exception sites ‘*small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority’s discretion. ~~Small numbers of market homes may be allowed at the local authority’s discretion,~~ for example where essential to enable the delivery of affordable units without grant funding’.*

How ‘small numbers’ is defined will reflect the specifics of the scheme, but will be a small proportion of the scheme. Applications need to fully justify the proposed market housing element (the split between market and affordable) of rural exception site schemes through the submission of a site specific viability appraisal. Only the minimum number of market homes required to provide the cross subsidy needed to deliver the affordable homes will be permitted. See ‘assessing viability’ section of the reasoned justification to this policy for more information.

- Using planning obligations

So that all affordable housing remains affordable to the local community in perpetuity, planning obligations will be sought to ensure that the initial and successive occupation of the dwellings is restricted to people with a housing need. In relation to exception housing sites, the planning obligations will include the requirement that the homes are prioritised for occupiers who have strong local connections, as demonstrated by the relevant Council’s local connection criteria for such schemes, and who need to live in the immediate area. This will include people who need to live in the Broads as a result of their current employment, and existing residents needing separate accommodation in the area (for example people in housing need due to sub-standard, overcrowded or otherwise unsuitable accommodation). Please note that starter homes will be delivered in line with specific regulations applicable at the time of application.

- Offsite provision

Financial contributions in lieu of on-site provision (for schemes of ten or more dwellings) will only be acceptable in exceptional circumstances, where the Authority is satisfied that an element of affordable housing either could not practically be accommodated on site, or if it can be demonstrated that on-site provision would be unviable. In all cases, planning obligations will be sought to ensure an appropriate contribution to affordable housing is secured.

Please note, however, the requirement for off-site contributions for developments of 6-~~10~~⁹ dwellings (as discussed in the policy and under ‘Delivering affordable housing in the Broads’ section of the reasoned justification to this policy).

- Starter Homes

According to the Housing and Planning Act (2016)⁴⁹ a ‘starter home’ means a building or part of a building that—

a) is a new dwelling,

⁴⁹ Housing and Planning Act (2016): www.legislation.gov.uk/ukpga/2016/22/pdfs/ukpga_20160022_en.pdf

- b) is available for purchase by qualifying first-time buyers only,
- c) is to be sold at a discount of at least 20% of the market value,
- d) is to be sold for less than the price cap, and
- e) is subject to any restrictions on sale or letting specified in regulations made by the Secretary of State (for more about regulations under this paragraph, see section 3).

The Act goes on to say that “*an English planning authority must carry out its relevant planning functions with a view to promoting the supply of starter homes in England*” and “*local planning authority in England must have regard to any guidance given by the Secretary of State in carrying out that duty*”. The Act also defines the various elements to starter homes.

Starter homes will be required in line with national policy, and will reflect the relevant Council’s policy requirement for such homes.

- Habitats Regulations Assessment

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

Appendix S: New Major Development Policy

Policy MODDM1: Major Development in the Broads

1. For the purposes of this policy, 'major development' is defined in this Local Plan as development which has the potential to have a significant adverse impact on the Broads and its special qualities due to the development's nature, scale and setting. 'Major development' may include the development covered by the definition set out in the NPPF, but is not restricted to that.
2. Applications for major development will not be permitted other than in exceptional circumstances and where applicants can demonstrate that the development is in the public interest.
3. Proposals for major development will need to demonstrate:
 - a) the need for the development, including in terms of any national considerations;
 - b) the impact of permitting or refusing the development upon the local economy and local communities and the extent to which it will provide a benefit to the Broads and wider area;
 - c) the cost of and scope for locating the development elsewhere outside the Broads, or meeting the need for it in some other way, and a justified explanation of why these options have been discounted;
 - d) that there are no adverse effects on proposed or designated European sites for nature conservation both within their boundaries and in areas that ecologically support the conservation objectives of the site. Project Level Habitats Regulation Assessments may be needed to assess implications on European Sites. Measures to mitigate for the effects of new development may be required.
 - e) any detrimental effect on the natural and historic environment, the landscape, and recreational opportunities, taking into account the special qualities of the Broads, and the extent to which any such effect could be moderated (through applying the avoidance, mitigation and compensation sequence of tests set out in clause 4 of this policy); and
 - f) that the cumulative impact of the development when viewed with other development proposals and types of development is acceptable.
4. Where the tests of clause 3 have been met, then every effort to avoid adverse effects will be required. Where adverse effects cannot be avoided, appropriate steps must be taken to minimise harm through mitigation measures. Appropriate and practicable compensation will be expected for any unavoidable effects that cannot be mitigated.

Reasoned Justification

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

This balance is of particular importance in those areas that have been designated for their special qualities, such as the National Parks and The Broads. These areas are identified in the NPPF as having the highest status of protection in relation to landscape and scenic beauty and where the conservation of wildlife and cultural heritage are important considerations (2019 NPPF paragraph 172). In respect of 'major development' the NPPF states (2019 NPPF paragraph 172) that the scale and extent of development within the Broads should be limited and planning permission should be refused for such development in these areas other than in exceptional circumstances and where public interest can be demonstrated. This policy seeks to apply this national test and provide local guidance.

Footnote 55 of the 2019 NPPF (that relates to paragraph 172) says that whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the Broads has been designated. So for the purpose of this policy it is considered to be development of a more than local scale and which could be considered to have potentially adverse impacts on the Broads and the delivery of the statutory purposes. The identification of major development will be context specific and a matter of planning judgement and the following criteria will be considered in the assessment:

- a) whether the development is Environmental Impact Assessment (EIA) development
- b) developments that fall within Schedule 2 of the EIA Regulations that after being screened by the Broads Authority, are considered as likely to have significant effects on the environment due to their nature, scale and setting and require an assessment
- c) the NPPF 2019 definition of major development in terms of the classification of planning applications (page 68 of NPPF)
- d) developments that require the submission of a Transport Assessment (see SSROADS),
- e) further information to consider as set out in the 2019 NPPF and in particular footnote 55, and
- f) the development’s impact on the purposes for which the Broads has been designated and/or the special qualities of the Broads.

The above will be relevant considerations and will be taken into account as part of the assessment by the Broads Authority as decision maker in accordance with paragraph 172 of the 2019 NPPF.

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

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

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

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

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

Policy number	Delivery mechanism	Milestones	Organisations involved	Monitoring indicator
<u>MODDM1: Major Development in the Broads</u>	<u>If appropriate to a scheme, policy used to help determine application.</u> <u>Strategic Policies</u>	<u>None identified/ongoing</u>	<u>Numerous and varied, depending on particular consideration.</u>	<u>Planning applications in accordance (or otherwise) with this policy.</u>

Policy number	Delivery mechanism	Milestones	Organisations involved	Monitoring indicator
	relevant to Neighbourhood Plans.			

Appendix T: New Appendix - Map and list of districts and parishes



As well as the map, the following lists show the parishes that are partly within the Broads and what District they lie within:

Parish/Town Council	District
Acle Parish Council	Broadland
Aldeby Parish Council	South Norfolk
Ashby St Mary Parish Council	South Norfolk
Ashby with Oby Parish Council	Great Yarmouth Borough
Ashby, Herringfleet and Somerleyton Parish Council	Waveney
Barnby Parish Council	Waveney
Barsham and Shipmeadow Parish Council	Waveney
Barton Turf and Irstead Parish Council	North Norfolk
Beccles Town Council	Waveney
Beighton Parish Council	Broadland
Belaugh Parish Council	Broadland
Belton with Browston Parish Council	Great Yarmouth Borough
Blundeston and Flixton Parish Council	Waveney
Bradwell Parish Council	Great Yarmouth Borough
Bramerton Parish Council	South Norfolk
Brampton Parish Council	Broadland
Broome Parish Council	South Norfolk
Brumstead Parish Council	North Norfolk
Brundall Parish Council	Broadland
Bungay Town Council	Waveney
Burgh Castle Parish Council	Great Yarmouth Borough
Burgh St Peter and Wheatacre Parish Council	South Norfolk
Caister-on-Sea Parish Council	Great Yarmouth Borough
Cantley Parish Council	Broadland
Carleton St Peter Parish Council	South Norfolk
Carlton Colville Parish Council	Waveney
Catfield Parish Council	North Norfolk
Chedgrave Parish Council	South Norfolk
Claxton Parish Council	South Norfolk
Coltishall Parish Council	Broadland
Crostown Parish Council	Broadland
Dilham Parish Council	North Norfolk
Ditchingham Parish Council	South Norfolk
Earsham Parish Council	South Norfolk
East Ruston Parish Council	North Norfolk
Ellingham and Kirby Cane Parish Council	South Norfolk
Filby Parish Council	Great Yarmouth Borough

Parish/Town Council	District
Fleggburgh Parish Council	Great Yarmouth Borough
Freethorpe Parish Council	Broadland
Fritton and St Olaves Parish Council	Great Yarmouth Borough
Geldeston Parish Council	South Norfolk
Gillingham Parish Council	South Norfolk
Haddiscoe and Toft Monks Parish Council	South Norfolk
Hales and Heckingham Parish Council	South Norfolk
Halvergate Parish Council	Broadland
Hemsby Parish Council	Great Yarmouth Borough
Hickling Parish Council	North Norfolk
Honing and Crostwight Parish Council	North Norfolk
Horning Parish Council	North Norfolk
Horsey Parish Council	North Norfolk
Horstead with Stanninghall Parish Council	Broadland
Hoveton Parish Council	North Norfolk
Ingham Parish Council	North Norfolk
Kirby Bedon Parish Council	South Norfolk
Kirby Cane & Ellingham Parish Council	South Norfolk
Langley with Hardley Parish Council	South Norfolk
Loddon Parish Council	South Norfolk
Lound Parish Council	Waveney
Ludham Parish Council	North Norfolk
Martham Parish Council	Great Yarmouth Borough
Mautby and Runham Parish Council	Great Yarmouth Borough
Mettingham Parish Council	Waveney
Neatishead Parish Council	North Norfolk
North Cove Parish Council	Waveney
Norton Subcourse Parish Council	South Norfolk
Norwich City	Norwich City
Ormesby St Margaret with Scratby Parish Council	Great Yarmouth Borough
Ormesby St Michael Parish Council	Great Yarmouth Borough
Oulton Broad Parish Council	Waveney
Oulton Parish Council	Waveney
Postwick with Witton Parish Council	Broadland
Potter Heigham Parish Council	North Norfolk
Reedham Parish Council	Broadland
Repps with Bastwick Parish Council	Great Yarmouth Borough
Rockland St Mary with Hellington Parish Council	South Norfolk
Rollesby Parish Council	Great Yarmouth Borough
Salhouse Parish Council	Broadland
Sea Palling and Waxham Parish Council	North Norfolk
Smallburgh Parish Council	North Norfolk
Somerton West/East Parish Council	Great Yarmouth Borough
South Walsham Parish Council	Broadland
Stalham Town Council	North Norfolk

Parish/Town Council	District
Stokesby with Herringby Parish Council	Great Yarmouth Borough
Strumpshaw Parish Council	Broadland
Surlingham Parish Council	South Norfolk
Sutton Parish Council	North Norfolk
Thorpe St Andrew Town Council	Broadland
Thurlton Parish Council	South Norfolk
Thurne Parish Council	Great Yarmouth Borough
Trowse with Newton Parish Council	South Norfolk
Upton with Fishley Parish Council	Broadland
West Caister Parish Council	Great Yarmouth Borough
Winterton-on-Sea Parish Council	Great Yarmouth Borough
Woodbastwick Parish Council	Broadland
Worlingham Parish Council	Waveney
Wroxham Parish Council	Broadland