

# **Broads Local Plan - Examination Stage**

## **Policy PUBDM36 (Matter 5, New Residential moorings) - additional consultation**

### **1. Shortfall of residential moorings**

- 1.1. There is a clear unfulfilled demand for residential moorings on the Broads, as described in the Norfolk Caravans and Houseboats Accommodation Needs Assessment, and the number of “authorised” residential moorings stands at just 10.
- 1.2. There has been a policy in place since 2011 to guide planning applications for residential moorings, but only two applications have come forward. One (our own application at Waveney River Centre) was granted on appeal, and the other (Marina Quays at Great Yarmouth, referred to in EPS19) has been withdrawn following public consultation.
- 1.3. As a result of the recent assessment detailed in document EPS25, the number of potential sites has reduced rather than increased - with Brundall Riverside and Brundall Marina removed due to highways concerns, demonstrating one of the difficulties in delivering clusters of residential moorings in predominantly rural areas.
- 1.4. There is a demonstrable need for a positive and less prescriptive policy - designed to enable the needed windfall development rather than erect barriers.
- 1.5. The policy should recognise that residential moorings are not the same as houses, and the decision to live on a boat is often driven by a desire to live away from established settlements. Whilst it's not unheard of for families to live on boats, the vast majority of boat dwellers are single people and couples who do not need access to (for example) schools.

### **2. Development Boundaries**

- 2.1. The continued inclusion of development boundaries in the policy lacks credible reasoning and, whilst it is a commendable criterion in relation to the NPPF, the practicalities of determining applications under the policy as written are significant.
- 2.2. Every site in the Local Plan which is said to be suitable for residential moorings falls outside any development boundary, as do the new locations proposed for allocation and the application site at Marina Quays, Great Yarmouth (currently withdrawn).
- 2.3. At our own marina (Waveney River Centre), the Broads Authority recommended that an application be made for residential moorings, despite failing the development boundary test, on the basis that it would not be contrary to the objectives of the policy. Unfortunately, the application was then recommended for refusal, precisely because it was outside the development boundary. Consent was nevertheless granted, but with unreasonable conditions - which were lifted after an appeal to the planning inspector; the process was, however, lengthy, complicated and expensive, and led to a deterioration of relationships with both officers and members.

- 2.4. The Development Boundaries Topic Paper (May 2016) gives a useful insight to the Authority's thinking in relation to development boundaries. The introductory text reads:

*"The purpose of a development boundary is to consolidate development around existing built-up communities where there is a clearly defined settlement where further development, if properly designed and constructed, would not be incongruous or intrusive because of the size of the settlement. Development Boundaries have twin objectives of focusing the majority of development towards existing settlements whilst simultaneously protecting the surrounding countryside."*

- 2.5. Whilst it's clear that good access to facilities and services is one of the criteria used when assessing the suitability for a development boundary, it is by no means the only one. Indeed, the topic paper goes on to say:

*"Just because a settlement may be sustainable in terms of the facilities and services nearby, it does not automatically follow that it should have a development boundary (or indeed development) as there may be on-site or local issues that would indicate a development boundary is not appropriate."*

- 2.6. The table in the topic paper explains the reasoning behind development boundary decisions for each settlement. The majority of negative decisions relate to physical constraints on building houses - such as availability of land, need for access roads, loss of trees or visual impact on the form of the village - none of which are relevant to residential moorings. Numerous settlements were considered unsuitable because of the risk of flooding, a consideration which is not really relevant in relation to residential moorings, especially when those moorings already exist.
- 2.7. The proposed alternative wording of the policy is not much of an improvement, as it includes arbitrarily prescriptive walking distances which will inevitably result in proposals which fall just outside the parameters, as well as the risk of perfectly acceptable proposals not coming forward.

### **3. Specific sites**

- 3.1. Some of the sites proposed for allocation still fail under the new proposed wording. Somerleyton, for example, has only "minimal services" (none within 800m/10 mins walk) and the nearest bus stop is some 75 minutes' walk away.
- 3.2. By contrast, St Olaves is dismissed when it has more services than Somerleyton (including a bus route) and is located on a main road with good access. Impact on the navigation channel is cited as a concern but:
- a) these moorings were used historically for both commercial and recreational use and have only fallen into disuse because of the current condition of the quayheading;
  - b) if the effect on the navigation was a genuine concern then this could be overcome by allocating residential moorings in the adjacent marina instead.

#### 4. Planning for residential moorings

- 4.1. The Broads Authority's own research suggests that there are over 100 residential moorings already in use throughout the Broads, with most of the boat owners (and mooring operators) content for these to be "under the radar" without formal authorisation. Boatyard owners appear to be reluctant to "formalise" any existing use of moorings for residential purposes.
- 4.2. The requirement for residential moorings to have express authorisation in planning terms remains open to question. Inspector Ian Currie, who determined an appeal at Hoveton (Norfolk Broads) in 1999 (T/APP/E9505/C/98/1014233) concluded that  
  
*"the use of two motor cruisers amongst many, moored as permanent residential accommodation, does not amount to a material change of use".*
- 4.3. Inspector John Murray arrived at a similar conclusion in 2010, (APP/E2001/C/10/212673) on the Driffeld Canal (East Riding of Yorkshire)
- 4.4. Nevertheless, concerns over certain "undesirable" forms of residential mooring have led the Broads Authority to resist any form of residential mooring at all until comparatively recently. Even since 2011, the strict nature of the policy has ensured that no sites have come forward for development.
- 4.5. A desire to limit significant changes in the character of moorings on the Broads has led to an overly-prescriptive policy, focused on identifying sites which are suitable for clusters of residential moorings. This inevitably causes highways concerns in rural areas, and limits the pool of available locations to those with shops, schools and other facilities - which are few and far between on the Broads.
- 4.6. The majority of marina owners are also unlikely to want to establish residential communities, but most will tolerate a smattering of "live aboards" - which can be desirable from a security perspective.
- 4.7. A more realistic approach to residential moorings on the Broads, therefore, might be to scatter them throughout the existing mooring network (much as they are right now, under the radar) and set a maximum of (say) 10% of moorings in any one location to be used for residential purposes.
- 4.8. This approach has the advantage that it better reflects actual demand - from occupiers of residential moorings, as well as the owners of those moorings - and is therefore much more likely to address the established need for authorised residential moorings in the Broads. It is also less likely to meet with objection from highways and other consultees.