

Wayford Lodge
Wayford
Norwich
NR12 9LL

25 May 2020

Sandra Beckett, Governance
Broads Authority

Ref: Request to Speak at Planning Meeting to be held on 29 May 2020; Application ref. BA/2020/0002/FUL

Dear Sandra,

Many thanks for the information regarding the planning meeting scheduled for Friday 29 May 2020.

I would like to speak in the capacity of a neighbour. I have owned the property (two cottages) nearest the proposed site for 37 years. This is an ancestral home of 3 generations (since 1910) and was purchased by my Grandfather as a home and base for his unusual occupation as an Eel Catcher, working the rivers from Dilham to Gt. Yarmouth. In addition, I would like to speak as a member of the public, as a user from childhood of RB11 and FP2 over Tonnage Bridge.

I understand that the recommendation of the Authority is to refuse planning permission, being contrary to policies DM27, DM29, DM13, DM16, DM21 and DM23. However, I am fully aware that the committee may be tempted to grant planning permission by imposing conditions, in an attempt to address these material non-compliances.

Further to my 22 pages of objections submitted I wish to make the following statement.

I would like to remind the committee that any condition that could be imposed in an attempt to prevent the illegal use of the public right of way RB11 by motorised vehicles is unenforceable.

- Any physical barrier erected to prevent motorised vehicles using Broad Fen Lane can quite lawfully be opened or permanently removed by any current or future owner / operator as such a restriction is contrary to the legal access rights of the landowner of the PROW.
- Furthermore, any physical obstruction, whether permanent or temporary (e.g. volume of vehicular traffic), acts as an obstruction to the general public's lawful use of the PROW.
- Whilst it is laughable to consider signage as a sufficient measure to control the direction of motorised vehicles in this case, you are reminded that the landowner of the PROW (and his / her designated users) has the lawful authority to ignore these signs. This will undoubtedly lead to the copycat behaviour of others.

Continued over

TO: Sandra.Beckett@broads-authority.gov.uk
FROM: Alice Brown (abrown@vintageboatco.com)
Date: 25 May 2020

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In summary, there is no way to prevent the inevitable illegal use of the PROW resulting from the proposed development.

Should the planning committee wish to consider the possibility of accessing the site from a new private road rather than over the length of RB11, you are reminded that the legal impasse outlined above still exists if motorised vehicles are to merely cross the PROW. In fact this is potentially worse.

I wish to draw the committee's attention to the danger posed to the legal users of the PROW (walkers, horse riders) by the grossly underestimated volume of motorised vehicles accessing the development. Whilst this level of motorised vehicles poses a significant danger on its own, this is exacerbated by the means of access as a whole (e.g. from highway to private track to Restricted Byway). Guests and all others accessing the development by motorised vehicles will be unaware that over the Restricted Byway walkers and horse riders have right of way over them. It is inevitable that conflicts will arise between users of motorised vehicles and walkers / horse riders. Additionally there is no way to limit the speed of motorised vehicles. Should any walkers or horse riders feel the need to give way to motorised vehicles for any reason then their legal right of access would be compromised.

In summary, by permitting this development it will be impossible to safeguard the public right of way afforded by RB11. Thus assured non-compliance with Policy DM23 acts as a permanent impasse to development on this site, and by extension other sites South East of RB11.

If for some reason I am unable to speak or am cut-off during the planning meeting I request that the section outlined and shaded above is read aloud during the meeting in its entirety and will act as my statement.

I sincerely appreciate your assistance.

Kind Regards,

26 May 2020 | 01:22 AM BST

DocuSigned by:

Alice Brown.
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Definitions: PROW refers to Public Right of Way; RB11 refers to Dilham Restricted Byway 11, Norfolk; FP2 refers to East Ruston Footpath 2, Norfolk.

CC: Broads Authority Planning (planning@broads-authority.gov.uk);

Stuart French, NNDC Highways (stuart.french@norfolk.gov.uk);

Norfolk PROW (prow@norfolk.gov.uk);

EDP (newsdesk@archant.co.uk);

The Mirror (mirrornews@mirror.co.uk).

Ref: My previous objections to this application dated:

17 February 2020, 11 pages (191FD4D3-F0B9-4F7A-BAB3-1184C7B63F77);

3 March 2020, 9 pages (E327280D-7BF8-4441-88EA-AE1ADD86C9E0);

7 May 2020, 2 pages (798059B0-F5B6-4E80-BA22-4C8E33C6AB6E)

18 May 2020, Email to planning@broads-authority.gov.uk

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