

## Development Management Policies C

## C Development Management Policies

**C.0.1** The following policies are intended to give effect to and help implement the Core Strategy through the development management process. They provide detailed criteria and approaches for use in the consideration of planning applications and appeals. The policies are grouped into themes, the first policy specifically addresses sustainable development, then they move onto community-related issues such as housing, the economy and finally include policies relating to the conservation and enhancement of the built and natural environment.

**C.0.2** The policies are listed in full below:

### The Community (including Housing)

- DM1 - Presumption in favour of sustainable development.
- DM2 - Development Boundaries
- DM3 - Infill development in the Smaller Villages and Hamlets
- DM4 - Houses in Multiple Occupation
- DM5 - Enlargement or Replacement of Dwellings in the Countryside
- DM6 - Housing needs of rural workers
- DM7 - Residential Annexes
- DM8 - Delivering Affordable Housing on Phased Development
- DM9 - Community Facilities

### The Economy

- DM10 - Retail Development Outside Town Centres
- DM11 - Touring and Permanent Holiday Sites
- DM12 - Strategic Road Network
- DM13 - Disused Railway Trackways
- DM14 - Development associated with CITB Bircham Newton and RAF Marham

### The Environment

- DM15 - Environment, Design and Amenity
- DM16 - Provision of Recreational Open Space for Residential Developments
- DM17 - Parking Provision in New Development
- DM18 - Coastal Flood Risk Hazard Zone (South Hunstanton to Dersingham)
- DM19 - Green Infrastructure
- DM20 - Renewable Energy
- DM21 - Sites in Areas of Flood Risk
- DM22 - Protection of Local Space

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### C.1 DM1 - Presumption in Favour of Sustainable Development

#### Context

**C.1.1** The National Planning Policy Framework (NPPF) was published by the Government in March 2012. The Planning Inspectorate has produced a model condition, based on the wording of one part of the NPPF, and all local planning authorities are now expected to incorporate this into their local plans.

#### Relevant Local and National Policies

- National Planning Policy Framework: Achieving Sustainable Development

#### Policy Approach

**C.1.2** This policy is nationally set, and intended to ensure a positive approach to applications.

#### **Policy DM 1 – Presumption in favour of sustainable development**

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively and jointly with applicants to find solutions that allow proposals to be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in that Framework indicate that development should be restricted.

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### C.2 DM2 - Development Boundaries

#### Context

**C.2.1** Development boundaries are defined for each of the Borough's towns and main rural settlements ('Key Rural Service Centres' and 'Rural Villages') designated by the Core Strategy. (Note that the Core Strategy referred to 'development limits'. There is no significance to the difference in terminology, except that 'development boundaries' is now considered more familiar locally and more self-explanatory.) The development boundaries define the areas where development (of a type suitable for the settlement) is likely to be acceptable, provided it conforms to other policies in the plan. Areas outside development boundaries will be subject to policies for development in the countryside.

**C.2.2** The individual development boundaries are shown under the relevant settlement later in this document.

**C.2.3** Development boundaries are useful tools for developers, the public and planning authorities, in that they provide more certainty when assessing planning applications for development. The identification of such boundaries helps avoid development encroaching on the countryside and help limit urban and village sprawl.

#### Relevant Local and National Policies

- Core Strategy Policy CS01: Spatial Strategy
- Core Strategy Policy CS02: Settlement Hierarchy
- Core Strategy Policy CS06: Development in Rural Areas
- National Planning Policy Framework: Core planning principles (different roles and character of different areas)

#### Policy Approach

**C.2.4** To simplify the planning process, and provide more flexibility when assessing development within settlements, the proposed policy approach is to remove the four separate built environment types in favour of a single development boundary. The development boundary will be used to indicate the general suitability of the location for development but that does not mean all sites within the boundary can be developed. Equally, not all development outside the boundary will be resisted where it delivers wider sustainability objectives such as the expansion of existing employment sites. The Borough Council will use local policies in the Core Strategy and this document as well as any relevant local and national policies to assess development applications within settlements.

**C.2.5** This policy will apply to King's Lynn, Downham Market, Hunstanton and the Key Rural Service Centres and Rural Villages outlined in the Settlement Hierarchy of the Core Strategy. Policy DM3 'Infill Development in the Smaller Villages and Hamlets' outlines the policy approach to development in the smaller villages and hamlets.

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### **Policy DM 2 – Development Boundaries**

Development will be permitted within the defined boundaries of a settlement or on allocations identified in this plan provided it is in accordance with policies within the Local Plan and is consistent with the NPPF.

The area outside development boundaries and defined allocations will be treated as countryside where new development will be more restricted and will be limited to the provision of affordable housing, community facilities, development in support of the rural economy or to infilling in accordance with Policy DM3.

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### C.3 DM3 - Infill development in the Smaller Villages and Hamlets

#### Context

**C.3.1** This Plan aims to identify potential site allocations to enable new housing, but this is an inappropriate approach for the more rural locations due to lack of services and facilities, poorer transport connections and the potential negative impact on the countryside.

**C.3.2** Policy CS06 of the Core Strategy; Development in Rural Areas indicates more modest levels of development will be permitted in the Smaller Villages and Hamlets to meet local needs and maintain the vitality of these smaller communities. where this can be achieved in a sustainable manner. Core Strategy Policy CS02, 'Settlement Hierarchy', further states this will be limited to specific identified needs.

**C.3.3** The Borough Council has identified that there is a potential need for a modest amount of development in these smaller settlements to reflect local preferences (in conformity with the Government's localism agenda), allow the settlements to adapt to changing needs and to help deliver the National Planning Policy Framework's aim of boosting significantly the supply of housing.

**C.3.4** However, this does need to take place within the overall thrust of the adopted Core Strategy which, in the interests of sustainability focuses most growth in and around the Borough's towns, and concentrates most rural housing growth in the Key Rural Service Centres where it can benefit from and support rural services and facilities.

**C.3.5** Therefore very modest housing growth for the Smaller Villages and Hamlets will be permitted in the form of limited infill development and rural exception sites which provide affordable housing for local people.

#### Relevant Local and National Policies

- National Planning Policy Framework: Delivering a choice of high quality homes
  - para 50: Delivering a wide choice of high quality homes
  - para 54 & 55: Housing in rural areas
  - para 69: Localism.
- Core Strategy Policy CS01: Spatial Strategy
- Core Strategy Policy CS02: Settlement Hierarchy
- Core Strategy Policy CS06: Development in Rural Areas
- Core Strategy Policy CS09: Housing Distribution

#### Policy Approach

**C.3.6** The policy is designed to provide more modest levels of growth within smaller villages and hamlets by enabling appropriate, small-scale development adjacent to existing development. Infill development can make an improvement to the street scene where a gap has been left, for example due to demolished buildings or where it replaces lower quality development. It also

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provides the opportunity to add to the local housing stock without spoiling the local character and rural nature of the village. This policy clarifies the form of infill development that will be permitted in these designated smaller rural settlements.

### **Policy DM 3 – Infill development in the Smaller Villages and Hamlets**

New housing in the smaller villages and hamlets will be limited to the provision of affordable housing under the rural exception policy and to the provision of housing essential for the operation of the rural economy. The sensitive infilling of small gaps within an otherwise continuously built up frontage will be permitted where:

- The development is appropriate to the scale and character of the group of buildings and its surroundings; and
- It will not fill a gap which provides a positive contribution to the street scene.

In exceptional circumstances the development of small groups will be appropriate where the development is of a particularly high quality and would provide significant benefits to the local community.

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### C.4 DM4 - Houses in Multiple Occupation

#### Context

**C.4.1** Houses in Multiple Occupation (HMOs) are defined under the Housing Act (2004) as a house or flat which is occupied by three or more people forming two or more households and who share a bathroom and kitchen.

**C.4.2** The number of HMOs in the Borough has increased markedly in recent years. HMOs make an important contribution to the mix and range of housing to meet the needs of a diverse community and workforce. In the Borough there is a particular concentration of HMOs within certain areas of King's Lynn, Hunstanton and Downham Market. This type of accommodation is associated with a number of issues and problems, particularly in areas of high concentration, including: acceptable room size and living conditions, noise and anti-social behaviour, parking provision and waste storage and removal.

**C.4.3** Planning permission may not always be needed, depending on circumstances, for a change of use to certain types of smaller HMOs. However, the Council considers it useful to have a clear policy in place for those situations, including larger HMOs, where planning applications are required.

#### Relevant Local and National Policies

- National Planning Policy Framework: Delivering a wide choice of high quality homes
- Core Strategy Policy CS08 Sustainable Development
- Core Strategy Policy CS13 Community and Culture

#### Policy Approach

**C.4.4** A policy is proposed in order to regulate and manage this type of accommodation because of the pressures and problems mentioned above. In deciding applications for the conversion of existing dwellings and new developments of properties for multiple occupation, the views of Housing Services, Community Safety and Neighbourhood Nuisance, Building Control, Licensing and any other relevant sections within the Borough Council will be sought and taken into account (insofar as they are planning matters).

#### **Policy DM 4 – Houses in Multiple Occupation (HMOs)**

The conversion of existing dwellings to and new development of properties for multiple occupation may be permitted where:

- There is no adverse impact on the amenity of existing and new residents and the historic and natural environment; and
- The development and associated facilities, including bin storage, car and cycle parking, can be provided without significant detriment to the occupiers of adjoining or neighbouring properties; and



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- The site is within reasonable distances to facilities, public open space, supporting services and local employment.

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### C.5 DM5 - Enlargement or Replacement of Dwellings in the Countryside

#### Context

**C.5.1** The character and beauty of its West Norfolk's countryside needs to be protected in accordance with Core Strategy Objective 28 and Policy CS06.

**C.5.2** The National Planning Policy Framework promotes sustainable rural development and states that 'Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances'. There is no national guidance regarding replacement dwellings and extensions to dwellings in the countryside but this can equally have a negative impact on the countryside if not carefully managed. Therefore there is a need for a local policy to control the impact of which replacement dwellings and extensions to dwellings in the countryside can be enlarged.

#### Relevant Local and National Policies

- National Planning Policy Framework: Delivering a wide choice of high quality homes
- Core Strategy Policy CS01 Spatial Strategy
- Core Strategy Policy CS06 Development in Rural Areas
- Core Strategy Policy CS08 Sustainable Development

#### Policy Approach

**C.5.3** The Borough Council's Strategic Housing Market Assessment and Housing Needs Survey 2013 highlighted the shortage of smaller properties within the Borough. This policy seeks to protect the stock of smaller properties in the countryside, thereby helping to ensure the range of housing needs of the population are met in a sustainable manner.

**C.5.4** For the purposes of this policy, the countryside is defined as any area outside of the settlements listed in Core Strategy policy CS02 The Settlement Hierarchy.

**C.5.5** Where dwellings are replaced, in order to control further extensions that may impact on the landscape and rural character of an area, a condition may be necessary to remove or reduce permitted development rights to extend the resulting dwelling. In line with the presumption against new dwellings in the countryside, proposals to replace a property should not increase the number of units.

**C.5.6** This policy should be applied in accordance with Policy DM 15: Environment, Design and Amenity.

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### **Policy DM 5 – Enlargement or Replacement of Dwellings in the Countryside**

Proposals for replacement dwellings or extensions to existing dwellings will be approved where the design is of a high quality and will preserve the character or appearance of the street scene or area in which it sits. Schemes which fail to reflect the scale and character of their surroundings or which would be oppressive or adversely affect the amenity of the area or neighbouring properties will be refused.

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### C.6 DM6 - Housing Needs of Rural Workers

#### Context

**C.6.1** King's Lynn & West Norfolk is a large rural Borough, and in order to promote sustainable patterns of development to ensure strong, diverse, economic activity in line with Core Strategy Policy CS06 it is important to address the housing needs of rural workers such as farm and forestry workers.

**C.6.2** The National Planning Policy Framework sets guidance to steer new development to the most sustainable locations, avoiding new isolated homes in the countryside.

**C.6.3** However, national policy does identify special circumstances including the essential need for a rural worker to live permanently at or near their place of work in the countryside.

**C.6.4** At the local level, it is important to have a policy that ensures housing is provided and protected for rural workers. This will ensure the housing needs of rural workers are met and avoid unnecessary new development in the countryside.

#### Relevant Local and National Policies

- National Planning Policy Framework: Delivering a wide choice of high quality homes
- Core Strategy Policy CS01 Spatial Strategy
- Core Strategy Policy CS06 Development in rural areas
- Core Strategy Policy CS08 Sustainable Development
- Planning Policy Statement 7 Sustainable Development in Rural Areas: Annex A (revoked)

#### Policy Approach

**C.6.5** To ensure that new development in the countryside is carefully controlled, the proposed approach is to ensure that new rural occupational dwellings are only permitted where it relates to a proven need for a worker to live near their place of occupation.

**C.6.6** Agricultural occupancy conditions are imposed when a dwelling is given planning permission because it is necessary to the running of an agricultural enterprise but would not otherwise have been permitted. In accordance with national and local policy, this policy seeks to ensure the housing needs of farm, forestry and other rural workers are protected. Therefore, applications for the removal of restrictive occupancy conditions will require robust justification and will be assessed against the fact that the permission was originally granted as an exception to meet an essential rural need.

#### Policy DM 6 – Housing needs of rural workers

New Occupational Dwellings

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1. Development proposals for occupational dwellings must demonstrate the stated intentions to engage in farming, forestry or any other rural-based enterprise, are genuine, are reasonably likely to materialise and are capable of being sustained. Proposals should show that the needs of the intended enterprise require one or more of the people engaged in it to live nearby.

2. Agricultural or rural based occupancy conditions will be placed on any new permanent or temporary occupational dwellings specifying the terms of occupation.

### Permanent occupational dwellings

3. New permanent dwellings should only be allowed to support existing rural based activities on well-established rural based enterprises, providing:

- a. there is a clearly established existing functional need, requiring occupants to be adjacent to their enterprises in the day and at night,
- b. The need could not be met by existing dwellings within the locality,
- c. The application meets the requirements of a financial test demonstrating that:
- d. the enterprise(s) and the rural based activity concerned have been established for at least three years, have been profitable for at least one of them and;
  - i. are currently financially sound, and have a clear prospect of remaining so and;
  - ii. the rural based enterprise can sustain the size of the proposed dwelling;
  - iii. acceptable in all other respects

### Temporary occupational dwellings

4. If a new dwelling is essential to support a new rural based activity, it should normally, for the first three years, be provided by a caravan, or other temporary accommodation.

5. New temporary dwellings should only be allowed to support rural based activities providing:

- a. The proposal satisfies criteria 3a and 3b above
- b. The application is supported by clear evidence of a firm intention and ability to develop the enterprise concerned (for example significant investment in new farm buildings is often a good indication of intentions);
- c. The application is supported by clear evidence that the proposed enterprise has been planned on a sound financial basis.

### Existing Occupational Dwellings

6. Preference will be given to retaining agricultural or other rural based occupancy dwellings where there is a local identified need.

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7. Proposals for the relaxation or removal of agricultural occupancy conditions will only be permitted where the applicant can demonstrate that:

- a. The dwelling has been occupied in accordance with the terms of the occupancy condition for a minimum of 5 years; and
- b. There is no longer a need for the dwelling by those working, or last working, in the locality in agricultural, forestry or a rural enterprise, established by evidence of marketing (including the provision of details of an independent market valuation reflecting the occupancy condition, as well as all viewings and offers made) for a 12 month period at a price that reflects the occupancy condition.

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### C.7 DM7 - Residential Annexes

#### Context

**C.7.1** Residential annexes have grown in popularity in recent years and are commonly developed to provide additional semi-independent accommodation for members of the same family, particularly older family members who may need additional support. A residential annex can be defined as accommodation ancillary to the main dwelling within the residential curtilage, and is a form of extra accommodation in the same way an extension to the dwelling would be. Annexes should be well related to the main dwelling. To be considered as an annexe as opposed to a separate dwelling, it must share the same garden, parking and access as the main dwelling. It should also be smaller or subordinate to the main dwelling, as close as possible to the main dwelling, and it should not be designed as being capable of sold or let as a separate unit. Annexes can be formed by extensions to the main dwelling, conversion of a building ancillary to the dwelling such as a garage, or the development of a new separate unit.

**C.7.2** Within defined settlements, annexes are generally an acceptable form of additional accommodation for residents. The design, layout and scale of annexes are crucial factors in determining the impact on the amenity of existing or new residents and on the visual form and character of the local area. Ensuring that there remains safe and adequate parking and access is also a key factor in assessing applications. Problems arise when developing annexes separate from the main dwelling, because they may appear to be used as separate dwellings and are intrusive in the landscape in countryside locations.

**C.7.3** There is currently no national guidance specifically relating to residential annexes so proposals are currently assessed against more general policies in the Local Plan and the National Planning Framework. This policy will provide clarity on the planning criteria used to define and assess applications for residential annexes.

#### Relevant Local and National Policies

- National Planning Policy Framework: Delivering a wide choice of good quality homes
- National Planning Policy Framework: Requiring Good Design
- Core Strategy Policy CS06: Development in Rural Areas
- Core Strategy Policy CS08: Sustainable Development

#### Policy Approach

**C.7.4** In principle, annexes will be permitted in the defined settlements as listed in Policy CS02 Settlement Hierarchy providing they comply with other relevant planning policies relating to design, amenity and access in the Borough's Local Plan. Stricter criteria will apply to applications for annexes in the wider countryside to ensure that the countryside is protected from adverse development.

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### **Policy DM 7 – Residential Annexes**

Development of residential annexes will be approved only subject to the following being secured by condition or planning agreement:

- It remains in the same ownership as, and is occupied in conjunction with the principal dwelling; and does not appear as tantamount to a new dwelling
- It is ancillary and subordinate in scale to the principal dwelling;
- Its occupant(s) share(s) the existing access, garden and parking of the main dwelling;
- Occupation of the annexe is subsidiary to that of the main dwelling; and
- Not capable of sub-division.

Development of residential annexes outside the development boundaries of settlements will also be judged against the criteria in Policy DM5: Enlargement or Replacement of Dwellings in the Countryside.



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### C.8 DM8 - Delivering Affordable Housing on Phased Development

#### Context

**C.8.1** Delivering new affordable homes remains a key national government priority to meet housing need. The Core Strategy Housing Policy CS09 seeks to deliver affordable housing in the Borough by setting out the percentage of affordable housing which should be provided on qualifying sites. The policy set minimum size thresholds from which affordable housing will be sought, and an expected proportion of the total number of dwellings of sites which meet that threshold. These thresholds and proportions will be reviewed from time to time. The current standards are shown in the following table.

AREA	SITE THRESHOLD (minimum size for requirement)	PERCENTAGE OF AFFORDABLE HOUSING REQUIRED
King's Lynn	0.33 ha or 10 dwellings	15%
Downham Market	0.33 ha or 10 dwellings	20%
Hunstanton	0.33 ha or 10 dwellings	20%
Rural Areas (i.e. outside towns above)	0.165 ha or 5 dwellings	20%

**C.8.2** Experience in the Borough and elsewhere has been that attempts may be made to avoid the affordable housing requirement by artificial sub-division of sites and incremental developments of numbers of houses below the threshold. Such developments will deliver neither the proportion of affordable housing required to meet needs, nor the mix of housing stock required to sustain balanced communities.

#### C.8.3 Relevant Local and National Policies and Guidance

- National Planning Policy Framework: Delivering a wide choice of high quality homes
- Core Strategy Policy CS09: Housing
- Affordable Housing Site Viability Study, Fordham Research (Update 2010)
- Housing Needs Study Update (2010)
- Borough Council of King's Lynn and West Norfolk: Guidance on affordable housing contributions secured through section 106 planning agreements

#### Policy Approach

**C.8.4** The following policy is intended to avoid such 'playing' of the system, while recognising the realities of change over time and exceptional circumstances that may require the threshold to be set aside.

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**C.8.5** *Example:* Permission is granted for 4 market dwellings on a site of 0.150 ha in a rural village. The site is not required to provide affordable housing as it is below the threshold set in Core Strategy Policy CS09 Housing. Development is completed on the site in 2014. Four years later, an application is made for 3 more houses on land immediately adjacent to the completed site. Both sites are assessed in combination to determine the affordable housing contribution. Therefore, the total number of dwellings on both sites is 7 and the developer will be required to deliver the relevant proportion of affordable housing (20% in this rural example), or equivalent financial contributions if this cannot be delivered on site.

### **DM 8 – Delivering Affordable Housing on Phased Development**

#### ***Allocated Sites***

On sites allocated for residential development through the Local Plan process the requirement to provide affordable housing under Core Strategy CS09 Housing will apply jointly to the whole of a single allocated site that is developed incrementally (through sub-division etc.) and where development of the whole site results in a requirement for a proportion of (or in exceptional circumstances a contribution to) affordable housing.

#### ***Windfall Sites***

On windfall sites the requirement to provide affordable housing under Core Strategy CS09 Housing will apply where the Council considers that the proposed development forms part of a larger site which, if developed, would result in a requirement for a proportion of (or contribution to) affordable housing. If the application site satisfies one or more of the following criteria, then it will be considered to be part of a larger site for the purposes of this policy:-

- Land ownership – If an application site is in the same ownership as one or more adjacent plots of land at the time the application is made or within 3 years of the date the application is made and development of those sites would comply with other policies of the Local Plan;
- Planning history – If there is evidence of previous applications for development of a larger site of which the application site forms a part within the past 3 years of the date an application is made and development of the larger site would still be acceptable under other policies of the Local Plan; or
- Extensions to existing consented development – If the site forms an extension to a development that has been approved in the 3 years before the application is made and which is still capable of being implemented or the site forms an extension to a development that is being built out on the date the application is made.

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### C.9 DM9 - Community Facilities

#### Context

**C.9.1** Community facilities such as village halls, pubs, shops, allotments and churches play an important role in bringing the community together and provide valuable services particularly in more rural settlements. In line with Core Strategy Policies CS10 Economy and CS13 Community & Culture the priority is to protect community facilities where possible, particularly where there is no alternative provision within the settlement. Core Strategy Policy CS14 identifies that community facilities will be sought within, or through, contributions from, new development.

**C.9.2** With over 7000 new homes planned for the Borough over the plan period to 2026 it is important that new community facilities are provided to meet the needs of an expanding population. Core Strategy Policy CS14 identifies that community facilities will be sought within, or through contributions from new development.

#### Relevant Local and National Policies

- National Planning Policy Framework: Promoting Healthy Communities
- Core Strategy Policy CS14 Infrastructure Provision
- King's Lynn and West Norfolk Green Infrastructure Strategy

#### Policy Approach

**C.9.3** The policy seeks to protect existing community facilities where there is a proven demand and to encourage replacement facilities in the immediate locality if it is not viable to retain the facility on site. The application of criteria to protect community facilities aims to build upon existing policies contained in the Core Strategy by setting a clear and consistent approach to assessing applications for development.

#### Policy DM 9 – Community Facilities

The Council will encourage the retention of existing community facilities as well as the provision of new facilities, particularly in those areas that have poor levels of provision and in areas of major growth. Development that would lead to the loss of an existing community facility will be refused consent unless:

- The area is currently well served by the type of use which is to be lost; or
- In the case of shops or pubs/restaurants the applicant can demonstrate genuine attempts to market and sell the use as an ongoing concern. (This will normally be evidenced by marketing the use for a 12 month period to the satisfaction of the local authority);

Where the redevelopment of an existing community facility would enable the development of a replacement facility (of a similar or improved specification) elsewhere within the settlement the above criteria will not apply.

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### C.10 DM10 - Retail Development Outside Town Centres

#### Context

**C.10.1** In recent years the importance of ‘saving our high streets’ and promoting Britain’s town centres gained national attention in the Portas Review and subsequently in the National Planning Policy Framework. Demand from businesses for large modern retail units with good transport links has led to an increase in out of town centre retail development. Within the Borough the most notable out of town centre retail development is the Hardwick area in King’s Lynn, which is currently being improved and expanded due to investment in supermarkets

**C.10.2** Out of town centre retail estates can complement the existing retail offer of towns, and are appropriate where there is insufficient space in the town centre and when it would have an impact on residential amenity. However, if poorly controlled out of town centre developments can lead to retailers relocating to edge of town sites, attracting shoppers away from the town centres, leaving behind empty shop premises in town centres.

**C.10.3** This policy seeks to ensure that the Borough's town centres continue to be the hub of retail and service provision for the local population, which in turn aids investment to preserve the unique historic architecture and significant streets, spaces and market places of King's Lynn.

#### Relevant Local and National Policies

- National Planning Policy Framework: Ensuring the vitality of town centres
- Core Strategy Policy CS10: Economy
- Town Centre Study (BCKLWN, 2006)
- King’s Lynn and West Norfolk Employment Land Study (BCKLWN, 2007)

#### Proposed Policy Approach

**C.10.4** The Town Centre Study was produced in 2006 and at that time recommended that robust policies resisting out-of-town development should be included in the Local Plan. The study specifically noted that the Council could face pressure to expand out-of-town retail floorspace along Hardwick Road in King’s Lynn as former industrial units became vacant. Since then, national guidance in the form of the National Planning Policy Framework has re-stated firm policy to safeguard town centres in the form of a sequential, ‘town centre first’, approach to the location of retail development first within town centres. The National Planning Policy Framework also states that, when assessing applications for retail, leisure and office development over a certain size threshold and outside of town centres, local planning authorities should require an impact assessment.

#### Policy DM 10 – Retail Development Outside Town Centres

The Council attach a high priority to the need to support and maintain King’s Lynn, Downham Market and Hunstanton as major retail centres. This will be achieved by a combination of measures to improve attractiveness (by increasing accessibility, environmental enhancements

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and increased events and promotion) as well as strongly supporting proposals to redevelop and invest in the town centres including where necessary the use of compulsory purchase powers to consolidate land.

All new proposals for main town centre uses will be required to locate in the town centre or where sites cannot be found in edge of centre sites. Out of town sites will only be considered where an applicant can demonstrate that suitable sites (within or adjacent to the town centre) are not currently available or are likely to come available in the near future, or that the format proposed would not be appropriate to a town centre location (ie bulky goods and trade).

The Council will strongly resist proposals for out of town retail uses that either individually or cumulatively would undermine the attractiveness and viability of the town centres. Retail impact assessments will be required for individual schemes having a floorspace of greater than 2500 square metres, although in the case of the Hardwick area in King's Lynn (where there is already a significant accumulation of out of town retailing) greater weight will be attached to the cumulative impact of new development on the town centre. New town centre uses in this area will not be subject to a floorspace threshold and will only be approved where they meet the sequential test set out in the NPPF and will not individually or cumulatively undermine the viability of the town centre.

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### C.11 DM11 - Touring and Permanent Holiday Sites

#### Context

**C.11.1** Holiday sites offer a variety of tourist accommodation ranging from permanent static caravans, log cabins, park homes, yurts or chalets to pitches and associated facilities for touring tents, camper-vans, and caravans. Existing sites play an important role in the local economy and help the viability of local tourist attractions.

**C.11.2** Permanent holiday sites can have a significant impact on the landscape and are vulnerable to the effects of flooding. Whilst these types of development occur across the Borough, they are most prevalent within the coastal settlements of Hunstanton, Heacham and Snettisham, which are largely within the Coastal Hazard Zone (see policy DM 18). Touring caravan and camping sites have a lower impact on the landscape as they are not permanently occupied and there may be little evidence of activity in winter months. However, in summer months they can be intrusive in the landscape and may add to visitor pressure on particular areas if not controlled.

**C.11.3** The Core Strategy seeks to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife. It is therefore important to ensure that there is a correct balance between encouraging tourism and other policy aims of controlling development in the countryside. A controlled approach to new development is particularly desirable within the northern coastal area of the Borough, part of which is designated as the Norfolk Coast Area of Outstanding Natural Beauty (AONB) and within Sites of Special Scientific Interest (SSSIs). There is already a high quantity of varied tourist accommodation available, and is preferable to protect this source of accommodation rather than construct new holiday sites in the countryside, particularly within the AONB.

#### Relevant Local and National Policies and Guidance

- National Planning Policy Framework: Supporting a prosperous rural economy
- National Planning Policy Framework: Meeting the challenge of climate change, flooding and coastal change
- National Planning Practice Guidance
- Core Strategy Policy CS06 Development in Rural Areas
- Core Strategy Policies CS07 Coastal Areas and CS08 Flood Risk.
- Core Strategy Policy CS10 The Economy
- The Wash Shoreline Management Plan (SMP) (Nov 2010) and North Norfolk SMP (July 2011).

#### Policy Approach

**C.11.4** In order that touring and permanent holiday sites do not have a significant adverse impact on the landscape, it is proposed that new sites and extensions to and intensification of existing sites will not be permitted within the Norfolk Coast AONB, SSSIs and the flood Hazard Zones. Elsewhere in the Borough it is proposed that new and extensions to touring and permanent holiday sites will be permitted subject to a number of criteria as outlined in the policy.

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**C.11.5** Policy DM 18 Coastal Flood Risk Hazard Zone defines how proposals for touring and permanent holiday sites within the Coastal Hazard Zone (as defined on the policies map) will be assessed.

### **Policy DM 11 – Touring and Permanent Holiday Sites**

(NOTE – For the purposes of this policy the term ‘holiday accommodation’ is used to describe caravan based accommodation, including touring and permanent sites/units, as well as permanent buildings constructed for the purpose of letting etc.)

#### **Location requirements**

Proposals for new holiday accommodation sites or units or extension or intensification to existing holiday accommodation will be acceptable where:

- The proposal is supported by a business plan demonstrating how the site will be managed and how it will support tourism or tourist related uses in the area;
- The proposal demonstrates a high standard of design in terms of layout, screening and landscaping ensuring minimal adverse impact on visual amenity and the historical and natural environmental qualities of the surrounding landscape and surroundings; and
- The site can be safely accessed;
- It is in accordance with national policies on flood risk;
- The site is not within the Coastal Hazard Zone indicated on the Policies Map, or within areas identified as tidal defence breach Hazard Zone in the Borough’s Strategic Flood Risk Assessment and the Environment Agency’s mapping;

Small scale proposals for holiday accommodation will be acceptable within the Norfolk Coast Area of Outstanding Natural Beauty (AONB) only where it can be demonstrated that the proposal will not negatively impact on the landscape setting of the AONB. Proposals for uses adversely affecting Sites of Special Scientific Interest (SSSIs) or European Sites will be refused permission.

#### **Conditions to be applied to new holiday accommodation**

Where development is permitted in the open countryside for new holiday accommodation, it is essential that such uses are genuine and will be operated and maintained as tourist facilities in the future. To achieve this aim, occupancy conditions shall be placed on future planning permissions requiring that:

- The accommodation is occupied for holiday purposes only and shall be made available for rent or as commercial holiday lets;



## C Development Management Policies

- The accommodation shall be for short stay accommodation only (no more than 28 days per single let) and shall not be occupied as a person's sole or main place of residence; and
- The owners / operators shall maintain an up-to-date register of lettings/occupation and shall make this available at all reasonable times to the Local Planning Authority.



## Development Management Policies C

### C.12 DM12 - Strategic Road Network

#### Context

**C.12.1** Former government guidance in PPG13 advised Local Authorities to identify trunk roads and other major roads as ‘Corridors of Movement’ in order to safeguard their national and strategic importance in carrying significant amounts of through traffic between major centres. Whilst this guidance has not been included in the National Planning Policy Framework, it is still seen as important at a local level to define and protect these key strategic roads to maintain their primary function as routes for long distance travel.

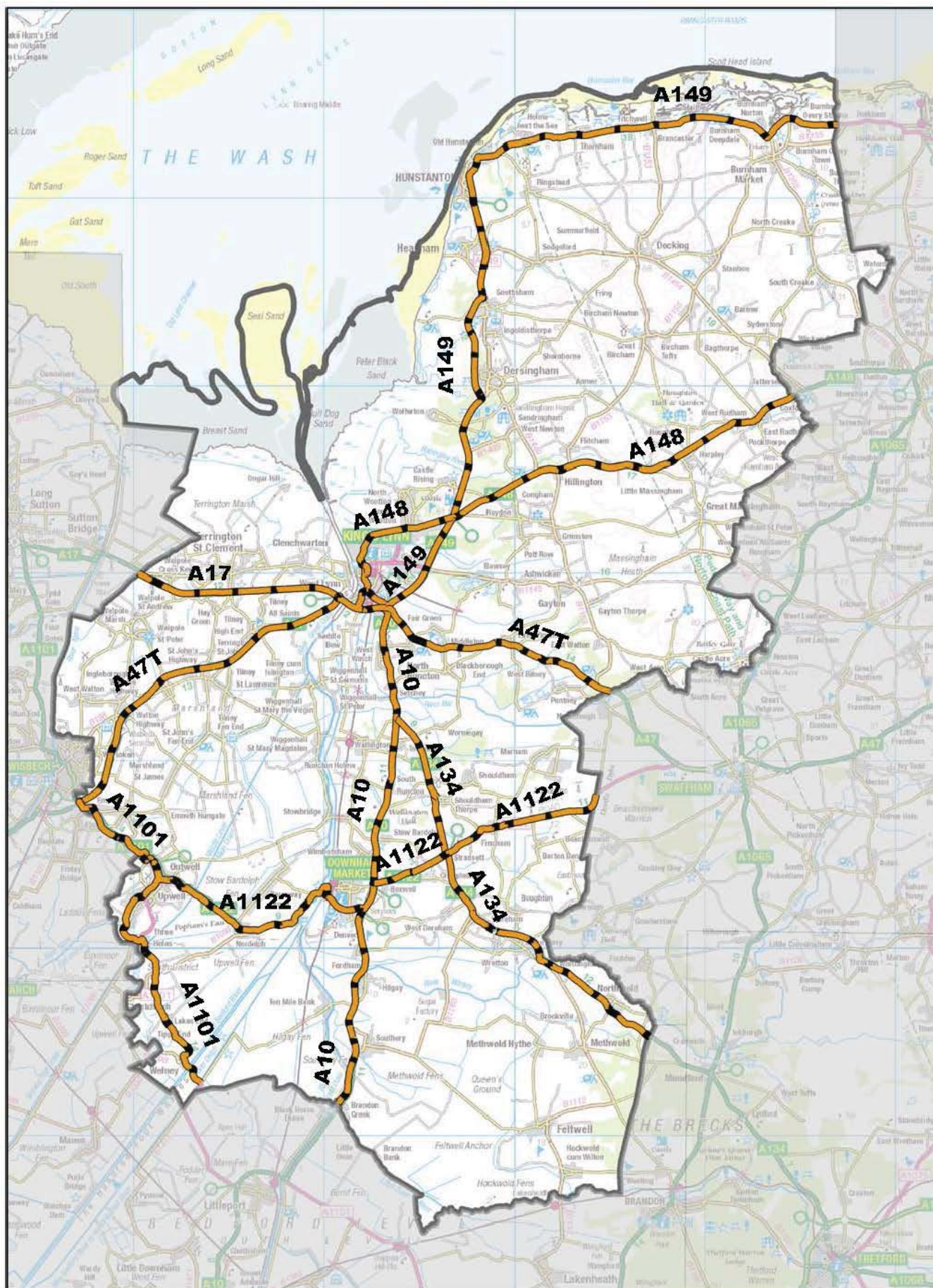
#### Relevant Local and National Policies

- National Planning Policy Framework: Promoting Sustainable Transport
- National Planning Policy Framework: Promoting Healthy Communities
- National Planning Policy Framework: Supporting a prosperous rural economy
- Core Strategy Policy CS11 Transport

#### Policy Approach

**C.12.2** New development near strategic routes, or on side roads connecting to them, can add significant volumes of local traffic so the proposed policy approach is to not allow development that could undermine their function as long distance routes. Norfolk County Council have designated such roads, these include A10, A17, A47, A134, A148, A149, A1101 & A1122 and are identified on the Policies Map.

**C.12.3** The Core Strategy, in Policy CS11, identified some of this same network for improvement, including measures to reduce congestion and improve reliability and safety. The purpose of the Policy below is not to reproduce that, but to reflect and ensure that the most important roads in the area do not have their safety and reliability degraded by ill-designed or located development. Hence it is considered desirable to include within this provision the additional main routes (not subject of the Core Strategy Policy) of the A1101, A1122 and the north coast part of the A149.



## DM12 - Strategic Road Network - Corridors of Movement

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0 1.5 3 6 9 12  
Kilometers

## Development Management Policies C

### Policy DM 12 – Strategic Road Network

The Strategic Road Network within the Borough, comprising the A10, A17, A47, A134, A148, A149, A1101 & A1122 and shown on the Policies Map, will be protected as follows outside of the settlements specified within Core Strategy policy CS02:

- New development will not be permitted if it would include the provision of vehicle access leading directly onto a road forming part of this Strategic Road Network;
- New development served by a side road which connects to a road forming part of the Strategic Road Network will be permitted provided that any resulting increase in traffic would not have a significant adverse effect on:
  - The route's national and strategic role as a road for long distance traffic
  - Highway safety
  - The route's traffic capacity
  - The amenity and access of any adjoining occupiers.

In appropriate cases a Traffic Impact Assessment will be required to demonstrate that development proposals can be accommodated on the local road network, taking into account any infrastructure improvements proposed.



## C Development Management Policies

### C.13 DM13 - Disused Railway Trackways

#### Context

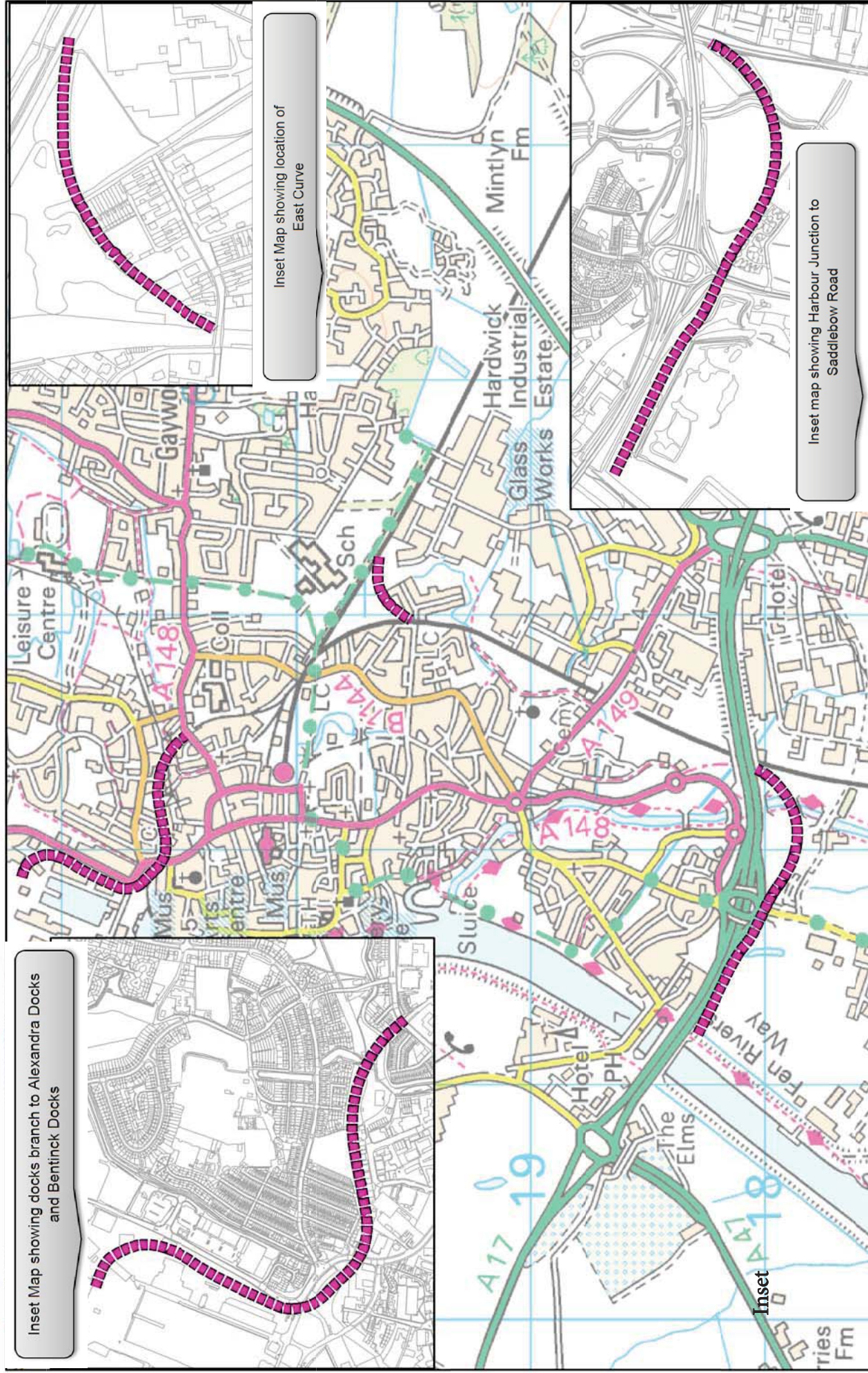
**C.13.1** One of the key aims of the National Planning Policy Framework is to promote sustainable transport. Encouragement is given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Disused railway trackways and routes can be a valuable resource, such as, providing future routes for footpaths or cycleways. It is therefore important to protect them from adverse development which might otherwise compromise their future as alternative economic or recreational transport routes.

#### Relevant Local and National Policies

- National Planning Policy Framework: Promoting Sustainable Transport
- National Planning Policy Framework: Supporting a prosperous rural economy
- Core Strategy Policy CS11 Transport

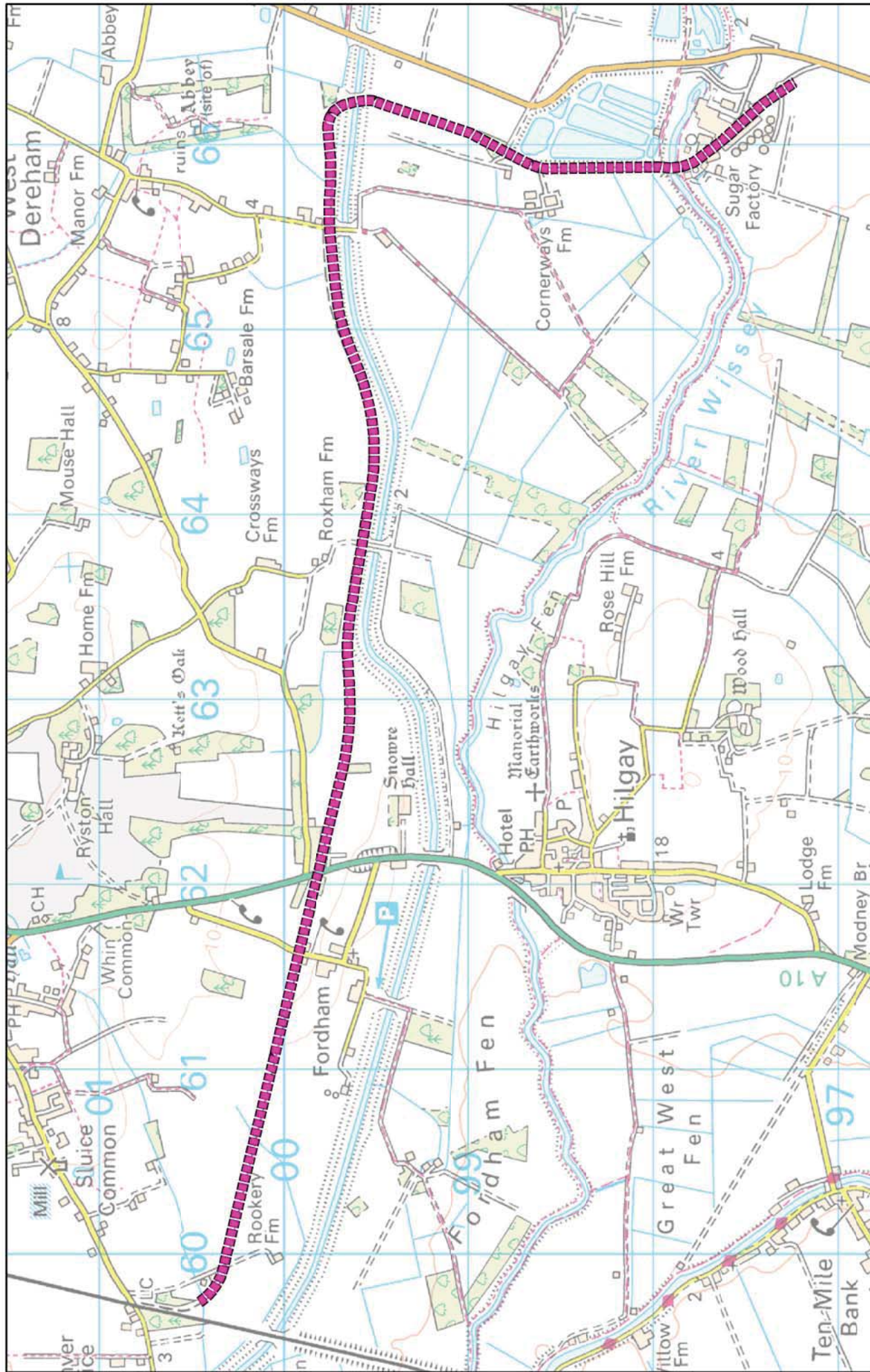
#### Policy Approach

**C.13.2** The Council consider that the identified former railway routes could be a significant transport resource in the long term future, whether for recreational or alternative transport use. The proposed approach is to restrict development on identified former railway trackbeds. These routes will be kept intact which will enable them to be reused in future.



## DM13: Disused Railway Trackway King's Lynn





# **DM13: Disused Railway Trackway** **Denver to Wissington**





### DM13: Disused Railway Trackway - King's Lynn to Hunstanton

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0 0.45 0.9 1.8 2.7 3.6  
Kilometers

## C Development Management Policies

### **Policy DM 13 – Railway Trackways**

The following former railway trackways and routes, as indicated on the Policies Map, will be safeguarded from development which would prejudice their potential future use for paths, cycleways, bridleways, new rail facilities, etc.:

- King's Lynn Harbour Junction - Saddlebow Road;
- King's Lynn east curve; and
- King's Lynn docks branch to Alexandra Dock and Bentinck Dock.
- Denver - Wisington;
- Former railway route between King's Lynn and Hunstanton;

The King's Lynn docks branch (as above) will, however, not be safeguarded to the extent this compromises port operations within the Port Estate.



## Development Management Policies C

### C.14 DM14 - Development associated with CITB Bircham Newton and RAF Marham

#### Context

**C.14.1** The Borough has two particularly large and important employment sites: RAF Marham and associated facilities, and the National Construction College (CITB) at Bircham Newton. The Borough Council considers the continued operation and development of these sites especially important to the economy, and to the scale and balance of employment opportunities in the Borough and beyond, and that this warrants explicit policy support for their future adaption and expansion.

**C.14.2** Core Strategy Policy CS01, 'Spatial Strategy', identifies encouraging economic growth and inward investment as one of the Borough's development priorities. Policy CS10 of the Core Strategy, 'The Economy', states the local economy will be developed to facilitate job growth, and to increase the proportion of higher skilled jobs. The National Planning Policy Framework emphasises the importance of economic growth and states (paragraph 20) that local planning authorities should plan proactively to meet the development needs of industry and support an economy fit for the 21st century.

**C.14.3** The RAF base (and associated facilities) at Marham is the largest single employment site in the Borough, supporting over 4000 jobs, with a wide range of roles, and in particular a strong emphasis on high-end engineering skills. The estimated annual value to the local economy is in excess of £150 million. The base hosts the whole of the RAF strategic strike capability, and this pre-eminence will continue into the future as RAF Marham has been designated the sole operating base for the Lightning II aircraft which will replace the current Tornado.

**C.14.4** The National Construction College employs staff numbers of around 650, as well as generating further indirect employment in the area. It is the leading facility of its type in the UK, the largest in Europe, and performs a key role in supporting the recovery of the UK construction industry through provision of highly specialised technical training. The College trains some 20,000 students and workers per year, and is estimated to contribute £25 million to the local economy.

**C.14.5** The importance of these two establishments has been recognised by the New Anglia Local Economic Partnership (LEP). Together with the establishments' particular characters and stand-alone locations, this justifies their special treatment and support in policy.

#### **Policy DM 14 - Development associated with the National Construction College, Bircham Newton and RAF Marham**

The Council strongly supports the roles that the National Construction College, Bircham Newton and RAF Marham play as both local employers and as centres of excellence for construction and engineering respectively.

The Council will adopt a positive approach to new development in association with the expansion and the retention of these facilities.

## C Development Management Policies

Non-operational 'enabling' development will be supported on the sites where the scale of development is proportionate to the rural status of the area and where there is a direct link between the development proposed and the retention/expansion of the facilities.

## Development Management Policies C

### C.15 DM15 - Environment, Design and Amenity

#### Context

**C.15.1** Development proposals should aim to create a high quality environment without detrimental impact on the amenity of new and existing residents. Factors that could have a significant negative impact on the amenity of residents include: noise, odour, poor air quality, light pollution, land contamination and visual impact. It is also important to consider issues of security, privacy and overlooking when creating new development.

**C.15.2** One of the Government's key aims in national planning policy is to create sustainable development. Proposals that are responsive to their location and consider the layout, materials, parking, landscaping and how people will use the space early in their design are likely to have a positive impact on amenity and will help to deliver sustainable development.

**C.15.3** With an increasing population and less space available to develop within settlements, there has been a rise in applications for infill development on smaller plots. Issues arise when the infill development is unsympathetic to the existing street scene in its scale or design, or would result in the loss of important open spaces and greenery. There are also particular issues arising from the loss or reduction of residential gardens for infill development due to the impact on amenity, loss of land for urban drainage and the overall effect on the character of an area.

#### Relevant Local and National Policies and Guidance

- National Planning Policy Framework: Requiring Good Design
- Core Strategy Policy CS08: Sustainable Development
- Norfolk County Council: Local Transport Plan, LTP3
- Borough Council: Car Parking Strategy
- DEFRA: National Air Quality Strategy
- Borough Council: Contaminated Land Inspection Strategy
- Norfolk Environmental Protection Group: Planning and Pollution in Norfolk
- Norfolk Environmental Protection Group: Technical Guidance – Development of Land affected by Contamination
- Norfolk Environmental Protection Group: Technical Guidance – Air Quality and Land Use Planning
- Norfolk Environmental Protection Group: Technical Guidance – Planning and Noise
- CPRE: Light Pollution Guidance Notes
- Borough Council: Air Quality Action Plan
- Railway Road Air Quality Management Area Order and Extension Order
- Gaywood Clock Air Quality Management Area Order

#### Policy Approach

**C.15.4** This policy complements Core Strategy Policy CS08, which outlines how design is considered in new development by ensuring that potential negative impacts to amenity, etc., are addressed in considering proposals for development.

## C Development Management Policies

**C.15.5** Developments likely to have a significant impact on residential amenity should ideally be sited away from residential areas. The Council will seek a proportionate level of information to determine the environmental impact of developments, and may seek planning conditions to ensure the development will comply with any national, regional or locally set standards on environmental quality.

**C.15.6** Noise, odour, air quality, light pollution and land contamination, etc. will be assessed in relation to relevant standards and national guidance. In cases where the development has uncertain potential for a negative impact on amenity temporary permissions and/or a requirement to record baseline environmental conditions prior to development and undertake monitoring afterwards will be given/required. These indicators can be used to gauge the likely impact as a result of the proposed development. Mitigation measures may be sought such as limiting the operational hours of a development and there may be ongoing requirements to monitor the impact on environmental quality.

### **Policy DM 15 – Environment, Design and Amenity**

Development must protect and enhance the amenity of the wider environment including its heritage and cultural value. Proposals will be assessed against their impact on neighbouring uses and their occupants as well as the amenity of any future occupiers of the proposed development. Proposals will be assessed against a number of factors including:

- Overlooking, overbearing, overshadowing;
- Noise;
- Odour;
- Air quality;
- Light pollution;
- Contamination;
- Water Quality; and
- Visual impact.

The scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.

Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.

Development proposals should demonstrate that safe access can be provided and adequate parking facilities are available.

## Development Management Policies C

### C.16 DM16 - Provision of Recreational Open Space for Residential Developments

#### Context

**C.16.1** To ensure new recreational space is provided to serve major new development, the Council proposes to implement the national standards set by the National Playing Fields Association unless this would cause the development to be financially unviable.

**C.16.2** With over 7000 new homes planned for the Borough over the plan period to 2026 it is important that new community facilities and recreational space are provided to meet the needs of an expanded population. Core Strategy Policy CS14 identifies that community facilities and recreational space will be sought within, or through contributions from, new development. This policy defines the amount of recreational space that should be provided in new developments.

**C.16.3** Fields in Trust (The National Playing Fields Association) recommends a standard of 2.4 hectares of outdoor playing space per 1,000 population. This is a nationally recognised standard, which can be used to determine the level of play space in new developments.

#### Relevant Local and National Policies

- National Planning Policy Framework: Promoting healthy communities
- Core Strategy Policy CS13 Community and Culture
- Fields in Trust: Planning and Design for Outdoor Sport and Play (2008)

#### Policy Approach

**C.16.4** Because of the scale and nature of new development in the Borough, in most cases the precise number of future residents of a development will not be known. Therefore a 'per dwelling' requirement has been derived based in an assumption of 2.33 persons per dwelling (Average Household Size 10 Year Projection from DCLG Household Interim Projections, April 2013). Thresholds are carried forward from the Borough Council's earlier 'Draft Interim Policy Statement on Open Space Standards for Residential Development.

**C.16.5** New developments will be expected to meet nationally recognised standards for the provision of open space. The Fields in Trust's Planning and Design for Outdoor Sport and Play suggested standard of 2.4 hectares of outdoor playing space per 1,000 population will be used when assessing the level of play space required, comprising 1.6 to 1.8 hectares (2/3 to 3/4 of total) for outdoor sport, including 1.2 hectares (1/2 of total) for pitch sports, and 0.6 - 0.8 hectares (1/4 to 1/3 of total) for children's playing space.

**C.16.6** Negotiations will take place on a site-by-site basis to determine specific provision of space and financial contributions, taking into account the financial viability of any development.

**C.16.7** The Council will also seek to ensure new allotments are provided, and existing ones retained, where an identified need is presented. Waiting lists, etc., held by town and parish councils can help demonstrate such a need.

## C Development Management Policies

### Policy DM 16 – Provision of Recreational Open Space for Residential Developments

All new residential development will be expected to make adequate provision for open space to the following standards:

Schemes of up to 19 units will ensure that their schemes contain sufficient space to ensure a high standard of layout and amenity to the residents of the proposed development and to ensure that the scheme integrates into the wider landscape setting. On windfall sites the requirement to provide open space will apply where the Council considers that the proposed development forms part of a larger site which, if developed, would result in a requirement for a proportion of (or contribution to) open space.

Schemes of 20 units or greater will provide 2.4 hectares of open space per 1000 population comprising approximately :

- 70% for either amenity, outdoor sport, and allotments (see below) and
- 30% for suitably equipped children's play space
- On sites allocated for residential development through the Local Plan process, and where development of the whole site results in a requirement for a proportion of (or contribution to) open space, the requirement to provide open space will apply to the whole of a single allocated site, even if it is developed incrementally (through sub-division etc).

All proposals involving the provision of publicly accessible areas of open space must include robust arrangements for the management and future maintenance of that open space. The Council may take on and adopt areas of public open space within developments, subject to bringing the scheme up to an appropriate standard and the payment of an appropriate fee.

The Council will adopt a flexible approach to the types of open space required within a particular scheme only where it can be demonstrated :

- i) that there is excess provision available in the locality, or
- ii) where opportunities exist to enhance existing local schemes, or
- iii) the townscape or other context of the development is such that the provision of open space is not desirable.

The Council will provide full details on the provision and maintenance of open space within Supplementary Planning Guidance.

#### Allotments

The Council will seek to resist the loss of allotments in areas where there is a current or predicted demand for such facilities, unless the loss were to be offset by alternative provision of an equal or higher quality in the vicinity. The provision of new allotments may be sought in

## Development Management Policies C

locations for large-scale residential development (such as the strategic allocations) where there is an identified need. This will be balanced against the need for other types of recreational space and facilities and the financial viability of any development.

## C Development Management Policies

### C.17 DM17 - Parking Provision in New Development

#### Context

**C.17.1** Provision of adequate parking provision with new development is important for accessibility, safety and the amenity of neighbouring occupiers. However, excessive parking provision has its own costs and drawbacks. There is a difficult balance to be made between the various complex issues involved. These include those mentioned by the National Planning Policy Framework for the accessibility of development:

- the type and mix of development;
- the availability and opportunities for public transport;
- local car ownership levels; and an overall need to reduce the use of high emissions vehicles.

#### Relevant Local and National Policies and Guidance

- National Planning Policy Framework: Promoting Sustainable Transport
- National Planning Policy Framework: Delivering a Wide Choice of High Quality Homes
- Core Strategy Policy CS11: Transportation
- Norfolk County Council: Parking Standards for Norfolk 2007 (currently under review)
- National Planning Policy Framework: Promoting Sustainable Transport

#### Policy Approach

**C.17.2** Having a parking standard for new residential dwellings is desirable because this provides certainty for developers and neighbours of how this will be treated. The dwelling standard proposed standard is derived from past practice and experience in the Borough and the advice of Norfolk County Council as local highways authority.

**C.17.3** Dwellings are predominantly travel origins as opposed to destinations. Previously parking standards have attempted to reduce car use by restricting parking spaces at origin and destinations. It is now recognised that providing a reduced number of parking spaces at a travel origin does not discourage people from owning a car. Therefore parking standards for dwellings are treated as a minimum standard.

**C.17.4** Types of development other than dwellings are both less common in the Borough, and more likely to need a tailored approach according to the particularities of the development and its location. Therefore generally the policy supports the practice of having regard to the standards published from time to time by Norfolk County Council.

#### Policy DM 17 – Parking Provision in New Development

##### 1. Residential dwellings

New dwellings (including flats and maisonettes) will be required to include car parking to the following minimum standards:



## Development Management Policies C

- a. One bedroomed unit – 1 space per dwelling;
- b. Two or three bedroomed unit – 2 spaces per dwelling;
- c. Four or more bedroomed unit – 3 spaces per dwelling.

This provision may include under-croft parking and car ports providing these have no other use, but garages under 7m x 3m (internal dimensions) will not be counted. Reductions in car parking requirements may be considered if there is development within an urban area (including town centre locations) that has good links to sustainable transport.

Each dwelling will also be required to provide a minimum of one secure and covered cycle space per dwelling.

### 2. Other developments

For developments other than dwellings car parking provision will be negotiated having regard to the current standards published by Norfolk County Council.

## C Development Management Policies

### C.18 DM18 - Coastal Flood Risk Hazard Zone (Hunstanton to Dersingham)

#### Context

**C.18.1** The West Norfolk coastline has seen numerous inundations over the centuries, not least during the floods of 1953. Although defences and emergency arrangements are now much better, continued natural change to the coastline, the deepening challenges to the financial and practical feasibility of maintaining current defences, and the anticipated increased dangers associated with climate change mean that managing coastal flood risk is one of the key challenges for the Borough.

**C.18.2** The Wash Shoreline Management Plan (SMP) identified uncertainties over the future management of the flood defences between Hunstanton and Wolferton Creek (west of Dersingham) beyond 2025. The current intent of the SMP is to maintain the front line “shingle ridge” defence up until 2025. However, this is subject to continued funding and also assumes that no irreparable damage is caused as a result of a storm tide event. The approval for beach recycling in this area expired in 2012, but has been continued until 2016, pending an alternative funding solution.

**C.18.3** Following the SMP the Environment Agency (EA) and the Borough Council introduced a Coastal Flood Risk – Planning Protocol for the area between Wolferton Creek and Hunstanton. The protocol informs those who are submitting planning applications in the area reliant on these defences, about the predicted increase in flood risk. The aim of the protocol is to prevent inappropriate development in this area.

**C.18.4** The EA and Borough Council continue to work together, along with other key partners, to better understand how coastal processes and climate change may affect this coastline in the future and develop a clearer strategy for its future management and funding. The Wash East Coastal Management Strategy is taking this process forward, following on from the SMP (2010) and the Coastal Change Pathfinder study (2011).

**C.18.5** As part of this process it is proposed the protocol is incorporated as a Local Plan Policy and to define it as the 'Coastal Hazard Zone'. The policy seeks to prevent any inappropriate development by adopting a precautionary approach in this area in the same way as the protocol does thus replacing the protocol.

#### Relevant Local and National Policies and Guidance

- National Planning Policy Framework: Meeting the challenge of climate change, flooding and coastal change
- National Planning Practice Guidance
- Core Strategy Policy CS06 Development in Rural Areas
- Core Strategy Policies CS07 Coastal Areas and CS08 Flood Risk.
- Core Strategy Policy CS10 The Economy
- Joint Protocol (2012) on Strategic Flood Risk Assessment and Tidal River Hazard Mapping, Environment Agency and Borough Council of King's Lynn & West Norfolk
- The Wash Shoreline Management Plan (SMP) (Nov 2010)

## Development Management Policies C

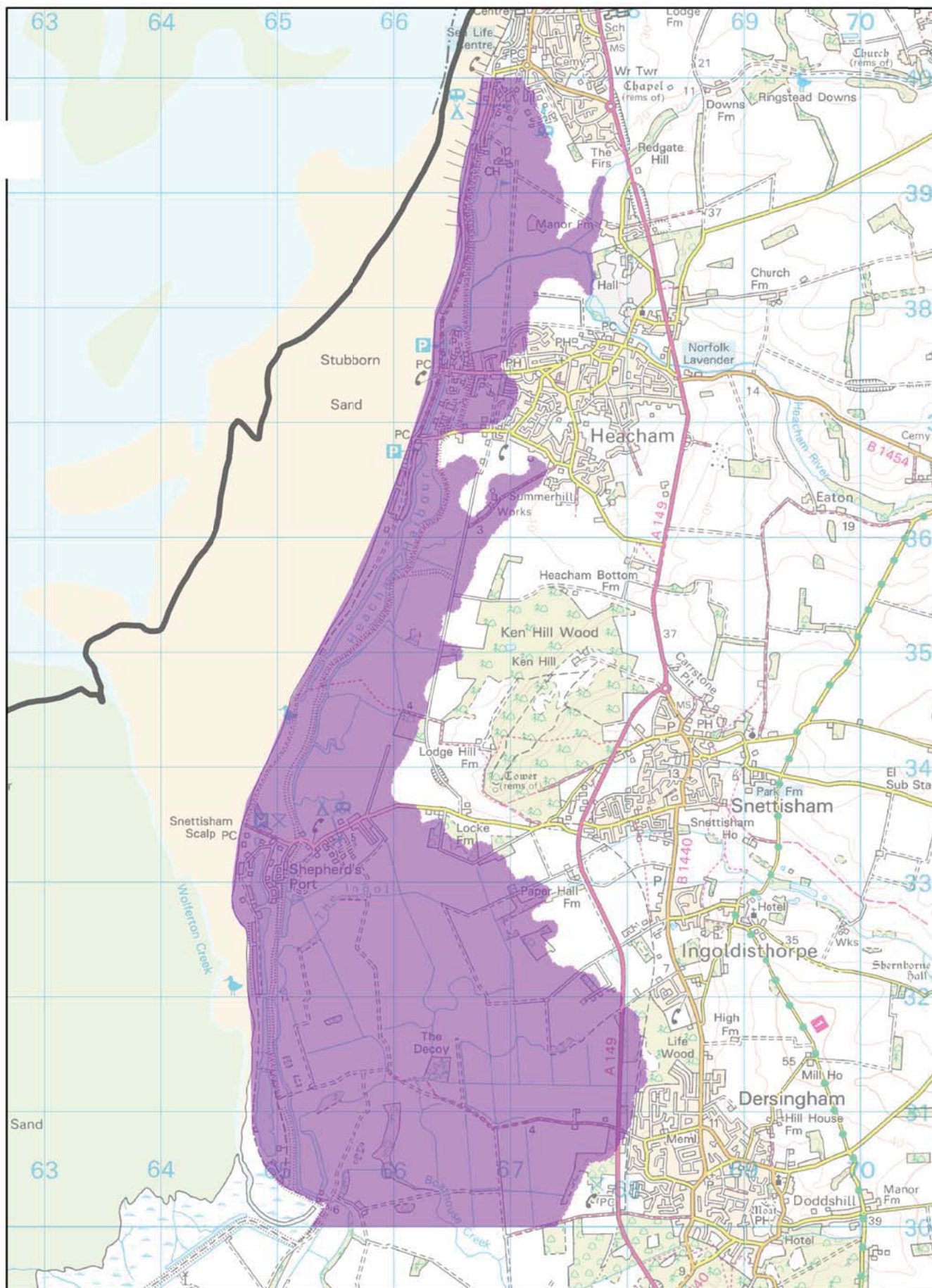
### Policy Approach

**C.18.6** The Shoreline Management Plan identifies that coastal development is likely to be exposed to a much higher risk of flooding within 10 to 15 years, but this could be sooner.

**C.18.7** The Core Strategy aims to ensure that future growth in the Borough is sustainable and that the findings of the Strategic Flood Risk Assessment are used to guide future growth away from areas of high flood risk. This section of the coastline is considered to be at very high risk with only a one in 50 year (2% annual probability) standard of protection. The required standard of protection from tidal flood risk, as stipulated in the National Planning Practice Guidance is one in 200 years (0.5% annual probability).

**C.18.8** Considering the risks associated with the seasonality of each of the highest astronomical tides, the probability of storm surges, and wave action severity, reports undertaken for the Borough Council concluded the only safe period of occupancy was between 1<sup>st</sup> April and 30<sup>th</sup> September each year. Occupation outside these dates at this location could not be considered safe due to flood risk and would therefore be contrary to the National Planning Policy Framework/Practice Guidance.

**C.18.9** A cautious approach will be taken to the renewal of earlier temporary planning permissions for the siting of park/mobile homes and caravans. Regard will be given to the anticipated increase in flood risk associated with rising sea levels, decayed or reduced defences, and climate change. A flood risk assessment will need to be submitted with applications for such renewals (a Flood Risk Assessment form is available from the Borough Council).



## DM18 - Coastal Flood Risk Hazard Zone

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0 0.25 0.5 1 1.5 2  
Kilometers



## Development Management Policies C

### Policy DM 18 – Coastal Flood Risk Hazard Zone (Hunstanton to Dersingham)

This policy applies within the Coastal Flood Risk Hazard Zone as defined on the Policies Map.

#### 1. *New Developments*

The following developments will not be permitted within Tidal Flood Zone 3 (including climate change) as designated on the Strategic Flood Risk Assessment (SFRA) Maps:

- New dwellings;
- New or additional park homes/caravans.

#### 2. *Replacement Dwellings*

Replacement dwellings will only be permitted in Tidal Flood Zone 3 where all of the following seven criteria are satisfied:

- A Flood Risk Assessment (FRA) must be undertaken for the development;
- All habitable accommodation will be provided above ground floor level (habitable accommodation would usually include bedrooms, sitting rooms, dining rooms, kitchens and any other room designed for habitation. Rooms that are not normally used for living in, such as toilets, storerooms, pantries, cellars and garages, are not considered to be habitable);
- The dwelling will only be occupied between 1st April and 30th September in any one year;
- The dwelling will incorporate flood mitigation and resiliency measures in accordance with the Department for Communities and Local Government publication: “Improving the flood performance of new buildings, flood resilient construction” (2007);
- The building must be appropriately designed to withstand and be resilient to hydrostatic pressure resulting from a breach/overtopping of the tidal defences;
- A flood warning and evacuation plan will be prepared for the property and retained on site;
- The level of habitable accommodation provided by the new dwelling would not be materially greater than that provided by the original dwelling. Proposals should not result in an increase in the number of bedrooms over and above the number in the original dwelling.

#### 3. *Extensions*

Extensions to existing properties (beyond any Permitted Development Rights that could be exercised) should not materially increase the amount of habitable rooms. Significant extensions or those that raise the amount of habitable rooms in the property could lead to an increase in the number of people at risk and will not be permitted.

#### 4. *Change of Use*

Any proposed Change of Use will not be permitted if, as a result of the change, the flood risk vulnerability (as defined in the National Planning Practice Guidance) would be increased.

## C Development Management Policies

### 5. *Seasonal Occupancy*

Seasonal occupancy will be limited to between 1 April and 30 September. Applications to remove, relax or vary (by way of extension) any existing seasonal occupancy condition will be resisted.

## Development Management Policies C

### C.19 DM19 - Green Infrastructure

#### Context

**C.19.1** Green Infrastructure is a term that encompasses a wide range of green and blue spaces and other environmental features. Ensuring that there is a network of green infrastructure is important to the health and wellbeing of local people and for biodiversity.

**C.19.2** The Green Infrastructure Study was completed in 2010 and provides a Borough-wide analysis of:

- existing provision,
- deficiencies in provision,
- potential improvements to green infrastructure,
- policies to deliver green infrastructure,
- High, medium and low priority projects in addition to specific policies that will deliver green infrastructure.

**C.19.3** This Study has been supplemented by a recent (2013) research identifying existing green infrastructure projects around the Borough being undertaken by a range of agencies. This combined information will aid the Council in developing and targeting further green infrastructure funds and endeavours, particularly in relation to planned development which has been identified by the Habitats Regulations Assessment as having potential adverse impacts on designated nature conservation sites. By supporting existing projects, or filling gaps (geographical or type) in existing or emerging provision, the Council's efforts can be targeted to best effect.

#### Relevant Local and National Policies

- National Planning Policy Framework: Conserving and enhancing the natural environment
- Natural Environment White Paper – The Natural Choice: securing the value of nature (2011)
- Core Strategy Policy CS12 Environmental Assets
- Core Strategy Policy CS13 Community and Culture
- Core Strategy Policy CS14 Infrastructure Provision
- Green Infrastructure Strategy Stage 1 (2009) and Stage 2 (2010)

#### Policy Approach

**C.19.4** Retaining and developing the Borough's green infrastructure network is highly important to the long-term wellbeing of the area, its residents and visitors.

**C.19.5** The Borough Council seeks to protect existing green infrastructure, deliver new green infrastructure to support new development and mitigate its impacts, and support cross boundary green infrastructure projects in partnerships with neighbouring authorities and other organisations. Green space can perform a number of functions and the historic environment in particular has an important contribution to make. Parks and gardens, open spaces within Conservation Areas and

## C Development Management Policies

the grounds of listed buildings can contribute to the wider objectives and benefits of green infrastructure, for example by enhancing health and well-being and biodiversity, and improving the efficiency of drainage systems.

**C.19.6** The Borough's Green Infrastructure Study is a significant resource on the Borough's natural environment and therefore it is important that it is utilised when considering development applications.

### Policy DM 19 – Green Infrastructure

Opportunities will be taken to link to wider networks, working with partners both within and beyond the Borough.

The Council supports delivery of the projects detailed in the Green Infrastructure Study:

- The Fens Waterway Link – Ouse to Nene;
- The King's Lynn Wash/Norfolk Coast Path Link;
- The former railway route between King's Lynn and Hunstanton; and
- Wissey Living Landscape Project.

The Council will identify a range of green infrastructure enhancements to support new housing and other development and mitigate any potential adverse effects on designated sites of nature conservation interest.

Major development will contribute to the delivery of green infrastructure, except:

- Where it can be demonstrated the development will not materially add to the demand or need for green infrastructure.

Where such a contribution would make the development unviable, the development will not be permitted unless:

- It helps deliver the Core Strategy; and
- The relevant contribution to that Strategy could not be achieved by alternative development, including in alternative locations or in the same location at a later time; or
- Unless the wider benefits of the proposed development would offset the need to deliver green infrastructure enhancements.

More detailed local solutions based on the Green Infrastructure Strategy will be developed for Downham Market and Hunstanton, particularly in relation to the main growth areas.



## Development Management Policies C

### C.20 DM20 - Renewable Energy

#### Context

**C.20.1** The Climate Change Act (2008) introduced a target of reducing greenhouse gas emissions by 80% by the year 2050. In line with government targets there have been increasing applications for development that harness renewable energy in the Borough, particularly in the form of wind turbines and photovoltaic panels.

**C.20.2** The Borough's Core Strategy, Policy CS08 Sustainable Development outlines that the generation of energy from renewable sources will be supported and encouraged. Permission will be given unless there are unacceptable location or other impacts that could not be outweighed by wider environmental, social, economic and other benefits. The National Planning Policy Framework also states that local planning authorities should approve applications for renewable energy development if its impacts are (or can be made) acceptable. This policy aims to balance the need for renewable energy developments and the impact on the local area and local people.

#### Relevant Local and National Policies

- Climate Change Act 2008
- National Planning Policy Framework: Meeting the Challenge of climate change, flooding and coastal change
- National Policy Statement for Energy Infrastructure
- Core Strategy Policy CS08: Sustainable Development
- Borough Council of King's Lynn & West Norfolk: Small-scale wind turbine noise and shadow flicker guidance

#### Policy Approach

**C.20.3** This policy defines the criteria against which applications for renewable energy will be considered to provide clarity for developers and the wider public. The approach is to minimise any adverse impact from renewable energy development including that from the decommissioning of any renewable energy technology. The Council will provide a consistent cross boundary approach with neighbouring North Norfolk District Council by affording greater protection from development within the Norfolk Coast Area of Outstanding Natural Beauty (AONB). It details factors that need to be considered so that a judgement can be made on the potential acceptability of impacts.

#### Policy DM 20 – Renewable Energy

Proposals for renewable energy and associated infrastructure, including the landward infrastructure for offshore renewable schemes, will be assessed to determine whether or not the benefits they bring in terms of the energy generated are outweighed by the impacts, either individually or cumulatively, upon:

## C Development Management Policies

- Sites of international, national or local nature or landscape conservation importance, whether directly or indirectly, such as the Norfolk Coast Area of Outstanding Natural Beauty (AONB), Sites of Special Scientific Interest (SSSIs) and Ramsar Sites;
- The surrounding landscape and townscape;
- Designated and un-designated heritage assets, including the setting of assets;
- Ecological interests (species and habitats);
- Amenity (in terms of noise, overbearing relationship, air quality and light pollution);
- Contaminated land;
- Water courses (in terms of pollution);
- Public safety (including footpaths, bridleways and other non-vehicular rights of way in addition to vehicular highways as well as local, informal pathway networks); and
- Tourism and other economic activity.

In addition to the consideration of the above factors, the Borough Council will seek to resist proposals where:

a) There is a significant loss of agricultural land;

or

b) Where land in the best and most versatile grades of agricultural land<sup>(1)</sup> are proposed to be used.

Development may be permitted where any adverse impacts can be satisfactorily mitigated against and such mitigation can be secured either by planning condition or by legal agreement.

1 Using the defra definition of Best and Most Versatile Land (BMV) as grades 1, 2 and 3a of the Agricultural Land Classification.

## Development Management Policies C

### C.21 DM21 - Sites in Areas of Flood Risk

#### Context

**C.21.1** Because of the number and small size of many of the potential allocations, particularly in rural parts of the Borough, it is often not practicable to obtain a site specific flood risk assessment and a detailed examination of its implications in advance of allocation. A Surface Water Management Plan (SWMP) is being prepared by the Lead Local Flood Authority (LLFA), Norfolk County Council, for King's Lynn and West Norfolk Settlements. This will identify areas which are particularly vulnerable to surface water flooding. The SWMP may define Critical Drainage Catchments (catchment areas feeding into these flood-vulnerable areas). Any development within them is likely to increase the risk of flooding in the most vulnerable areas if no mitigation takes place.

#### Policy Approach

**C.21.2** In order to comply with the full requirements for the exceptions test in advance of any development in such areas, such allocations are explicitly made subject to the requirements still outstanding. This is done by linking those allocations to a specific development management policy on the topic, as follows. In relation to surface water flooding the policy provides for the advice of the LLFA and findings of the SWMP to lead to a requirement for appropriate mitigation measures. The Government issued a consultation on Delivering Sustainable Drainage Systems in September 2014 which may require sustainable drainage systems to be provided as part of all major development (i.e. residential developments of 10+ houses; equivalent non-residential and/or mixed developments) with drainage implications.

#### **Policy DM 21: Sites in Areas of Flood Risk**

Where the Borough Council has allocated sites in flood risk Zones 2 and 3 or flood defence breach Hazard Zones identified by the Council's Strategic Flood Risk Assessment or more recent Environment Agency mapping:

1. These will be subject to (and no relevant planning permission will be granted before):

- a site specific flood risk assessment satisfactorily demonstrating the development will be safe for its lifetime, taking climate change into account, and with regard to the vulnerability of its users, without increasing flood risk elsewhere and, where possible, reducing flood risk overall; and
- satisfactory demonstration that any design or development features necessary to address flood risk issues are compatible with heritage assets in the vicinity (including conservation areas and listed buildings), local visual amenity and (where relevant) the landscape and scenic beauty of the Norfolk Coast Area of Outstanding Natural Beauty.

## C Development Management Policies

2. The sequential test set out in the National Planning Policy Framework (NPPF) policy 101 is deemed to be met by the allocation process, as set out in the National Planning Practice Guidance - Flood Risk and Climate Change, so that development is, as far as reasonably possible, located where the risk of flooding (from all sources) is lowest.

3. In relation to the exceptions test set out in the NPPF policy 102:

- the first part (demonstration of wider sustainability benefits) is deemed to be met by the allocation process; and
- the second part (site specific flood risk assessment, etc.) is not deemed to be met by the allocation process, and shall remain the responsibility of the prospective developer. No relevant planning permission shall be granted unless and until this second part of the test is met, as set out in section 1 of this policy, above.

The Borough Council will take into account advice from the Lead Local Flood Authority and the King's Lynn and West Norfolk Settlements Surface Water Management Plan to ensure that where a serious and exceptional risk of surface water flooding exists adequate and appropriate consideration has been given to mitigating the risk. Mitigation measures should minimise the risk of flooding on the development site and within the surrounding area.

## Development Management Policies C

### C.22 DM22 - Protection of Local Open Space

#### Context

**C.22.1** It is important to retain valued recreational and amenity open space in towns and villages. Parks, playing fields, ponds, woodlands, informal open spaces and allotments all provide opportunities for sport, recreation, leisure and biodiversity. It is important that people, particularly children and elderly people, should have access to open spaces close to where they live.

**C.22.2** The value of a healthy natural environment as the foundations of sustained economic growth, prospering communities and personal wellbeing is recognised by the National Planning Policy Framework (NPPF).

**C.22.3** It is important that existing green infrastructure and open space is protected and enhanced to support new development in the Borough, particularly in respect of King's Lynn's urban expansion. This is supported by Core Strategy policies CS12, CS13 and CS14. Policy CS12 indicates that it may be necessary to secure biodiversity needs through planning conditions / obligations. CS12 also highlights the crucial role of the historic and built environment in delivering environmental quality and well-being. Policy CS13 indicates that the Borough Council will support proposals that protect, retain and/or enhance sports, leisure and recreation facilities and policy CS14 sets out that obligations from developers will be sought through Section 106 legal agreements for allotments, indoor/outdoor sports facilities and green infrastructure.

#### Relevant Local and National Policies

- National Planning Policy Framework: Promoting healthy communities
- National Planning Policy Framework: Conserving and enhancing the natural environment
- National Planning Policy Framework: Conserving and enhancing the historic environment
- Natural Environment White Paper – The Natural Choice: securing the value of nature (2011)
- Core Strategy Policy CS12 Environmental Assets
- Core Strategy Policy CS13 Community and Culture
- Core Strategy Policy CS14 Infrastructure Provision
- Green Infrastructure Strategy

#### Policy Approach

**C.22.4** The National Planning Policy Framework sets policy designed to avoid the loss of open space, sports and recreational buildings and land, and provides the opportunity for local communities to identify certain types of important local green spaces through a neighbourhood plan.

**C.22.5** Response to the consultation indicated a desire to provide a greater level of protection for locally important open spaces. The policy approach aims to the amenity value of any local open space is fully considered and to maintain a balance between protecting locally important open space and enabling sustainable development within and adjacent to settlements.

## C Development Management Policies

### **Policy DM 22 – Protection of Local Open Space**

The Council will have careful regard to the value of any area of open space when assessing planning applications for development. In assessing the contribution that an area of open space plays, the Council will consider the following factors:

- Public access;
- Visual amenity;
- Local distinctiveness;
- Landscape character;
- Recreational value;
- Biodiversity, geodiversity
- Cultural value and historic character
- Whether the site has been allocated for development in the local plan.

Proposals that will result in the loss or restriction of access to locally important areas of open space will be refused planning permission unless such loss can be offset by the replacement of equivalent or higher standard of provision or the wider benefits of allowing development to proceed outweigh the value of the site as an area of open space.

The Borough Council will support local communities in designating local green space for protection in neighbourhood plans where this:

- meets the criteria for local green space as detailed in the National Planning Policy Framework; and
- does not conflict with other policies in the Borough's Local Plan.