



**Follow up work in relation to the Examination  
into the King's Lynn and West Norfolk Local  
Plan: Site Allocations and Development  
Management Policies**

**Development Management Policies Modifications**

**November 2015**

Document reference no.	<b>FW11</b>
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# Development Management Policies Modifications

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## **Policy DM2 – Development Boundaries**

### **ISSUES**

#### **A. DM2 DEVELOPMENT BOUNDARIES**

- a. Explain the BCKLWN’s approach to development boundaries within the SADMP in an additional note. To be presented as a factual summary.
- b. Wording needed for clarification in relation to Rural Exception Sites and the possibility of an element of open market housing to facilitate a rural exception site.
- c. Additional wording to be provided to give a summary of the scope of that might be available for Neighbourhood Plans to have locally defined lines.
- d. Additional explanation about the relationship of the West Winch Growth Area / development boundaries in West Winch / North Runcton.

#### **B. DM3 INFILL DEVELOPMENT**

- a. In the above additional note regarding DM2, cover relationship of development boundaries to potential for infill

### **RESPONSE**

- 1 Topic Paper - Development Boundaries
- 2 Topic Paper - Development Boundaries in relation to West Winch and North Runcton Parishes
- 3 Revision of Policy DM2 (Development Boundaries) and supporting text.
- 4 Revision of Policy DM3 (Development in SVAHs) and supporting text
- 5 Revision to SADMP Appendix 5 (Distribution of Development) SVAH text.
- 6 Glossary – Added definition of affordable exceptions housing



## 1: Development Boundaries Topic Paper

1.1 The identification of development boundaries flows from the Core Strategy, which seeks to foster sustainable communities and locally appropriate levels of growth (CS01), says that the location and scale of new development will be taken on the basis of the Borough's settlement hierarchy (CS02); and that the plan will identify sufficient land for a minimum of 16,500 new dwellings over the plan period (CS09).

1.2 The position of the Site Allocations and Development Management Policies Plan (SADMP) development boundaries, as drawn, are quite similar to the alignment of the boundaries of saved Policy 4/21 of the 1998 Local Plan, which were somewhat similar in effect to development boundaries. Those earlier Policy 4/21 boundaries have, in general, stood the test of time, and proved both useful and accepted.

1.3 However, there are some differences from the alignment of the earlier boundaries, quite small in extent but significant in effect, which arise from a quite different approach taken to deciding the position of the development boundaries from that used in the 1998 Plan. The 1998 Plan divided the areas within the Borough's settlements in to four different types of built development: Built Environment Types A, B, C and D. It then applied three different criteria in two different policies (Nos. 4/20 and 4/21). In the light of subsequent experience, this approach is considered both unnecessarily complicated for current purposes, yet not sufficiently discriminating about the individual characteristics of any particular site.

1.4 The SADMP, by contrast, simply identifies the areas within settlements that the Council considers may be suitable for general infilling and redevelopment, while other policies in the Plan (and also the Core Strategy and National Planning Policy Framework) provide the criteria for assessing the merits any individual detailed proposal.

1.5 Thus, unlike the 1998 Plan, the development boundaries in the SADMP do not seek to describe the existing extent of the settlement. In the SADMP, areas where the Council does not wish to see further general development are excluded, even where these are within the settlement as generally understood,.

1.6 This different approach results in two notable general exclusions compared to the alignment of the 1998 boundaries: Backland (gardens and other land to the rear of frontage development); and Smaller Villages and Hamlets.

1.7 A particular problem that has been manifest with the 1998 boundaries was the inclusion, on the edge of settlements, of the whole of any curtilage to the rear of frontage development. This has often led to unrealistic expectations of planning permission for new development, regardless of the likely unsatisfactory relationship with the existing development, either in respect of existing properties, or of the form of the settlement and its surroundings. This is not the type and form which the Council wishes to encourage, and hence at the edges of settlements the SADMP boundaries generally exclude backland areas behind frontage development. Note that this does not affect the existing use rights of excluded land, or permitted development rights for, e.g., domestic extensions and outbuildings.

1.8 The adopted Core Strategy (2011) designated 54 settlements as 'Smaller Villages and Hamlets'. Because of their small size and limited facilities, the Core Strategy decided these that development would be limited to specific identified needs only. Accordingly these settlements are not given development boundaries as these would facilitate general development. Development in these settlements is supported, however, where it provides for limited infilling (see Policy DM3), or buildings and uses permitted in rural areas such as affordable housing, community facilities, or supports the rural economy.

1.9 It is not the role of the SADMP to review the Core Strategy, but the Borough Council will be commencing in 2016 a review of the whole of the local plan, including matters currently in the Core Strategy, and this will provide an opportunity to re-examine the amount and type of growth planned for each settlement, and the consequent appropriate treatment in terms of development boundaries.

1.10 Where the Council has made allocations of land for development on the edge of settlements, it has not included these areas within the development boundary. This is because the Council is seeking to promote a particular type and scale of development, and considers that this is more likely to be delivered by excluding these areas. Additionally, the intention is that areas positively identified/allocated are brought forward for development. Simply including them in the development boundary may not result in development in the Plan period. Subsequent reviews of the Plan can more easily review/remove any unimplemented allocations.

## 2: Development boundaries in relation to the West Winch and North Runcton parishes.

2.1 The starting point for development boundaries in this area is the Core Strategy (as elsewhere in the Borough). Policy CS02 defines the settlements in these parishes (not the whole area of the parish) as falling within the following categories:

- King's Lynn – sub-regional centre
- West Winch – settlements adjacent to King's Lynn
- North Runcton – smaller villages and hamlets

2.2 The settlement of West Winch is provided with a development boundary, like other 'settlements adjacent to King's Lynn', and this is shown on Inset E2 (see Fig. 2a below). It encompasses the built up area, mainly centred on the A10, and includes land in both West Winch and North Runcton parishes (see maps at Fig.2c below). As with other settlement's development boundaries, this includes much of the existing consolidated built development in the settlement, but excludes most outlying built development, backland on the edge of the settlement, and the open areas around it. Within the development boundary Policy DM2 applies as in other settlements, but additional specific considerations are applied by Policy E2.2 in the light of the implications of the nearby Growth Area.

2.3 Adjacent to the existing settlement of West Winch the boundary of the Growth Area allocation is shown. Within this area Policy E1.1 applies. Again, this includes land in both West Winch and North Runcton parishes.

2.4 North Runcton village, like all the other settlement designated 'Smaller Villages and Hamlets', does not have a development boundary. The village is neither within nor immediately abutting the designated Growth Area boundary. Within such 'Smaller Villages and Hamlets', development is limited by the Core Strategy. The SADMP supports development where it provides limited infilling (see Policy DM3), or development suitable to rural areas such as affordable housing, community facilities, or support for the rural economy, etc.

2.5 Like quite a number of other Smaller Villages and Hamlets, North Runcton is relatively close to the facilities and services in a nearby larger settlement, in this case King's Lynn. The town centre is just 5.5 km from North Runcton, and around 3 km from the supermarkets and other retail outlets at Hardwick. While this is convenient for the residents of this village, it doesn't of itself make all development at such a distance from the town sustainable. The Core Strategy focused the growth around the town in specific locations where this had the greatest long term advantages.

2.6 In identifying the specific allocation area to implement the growth identified for south east King's Lynn by the Core Strategy, the Council has deliberately excluded

North Runcton village, recognising the value of its character and heritage assets. Although it is recognised that development of this scale nearby will inevitably have some impact on North Runcton village and its residents, the allocation avoids the main built up parts of North Runcton, and a landscape buffer is interposed between the two.

2.7 North Runcton Parish Council has long been much exercised by inclusion of land in the North Runcton Parish in the area the Borough Council refers to as West Winch. As the Council has explained on numerous occasions, the Borough Council is referring to the settlements, and using the names generally known to the public. The parish boundary is a purely administrative one which, if it ever did, no longer reflects the either popular perception of place names or the practical functioning of different localities. For example, few outside the Parish Council would recognise properties in Willow Drive and Regent Avenue, or fronting the A10 nearby, as being North Runcton. Indeed, North Runcton Parish Council's own Meeting Minutes refer to these areas as West Winch, and the official postal address of these properties is West Winch. Similarly, the Sainsbury's Superstore on the north-west side of the Hardwick Interchange is in North Runcton Parish, but it advertises itself as being at Hardwick, King's Lynn.

2.8 As with most parishes in the Borough, it would not make sense to treat them as a single homogenous entity for planning purposes, nor to separate and label the development boundaries in these areas by parish rather than settlement. The SADMP makes it clear that it is referring to settlements, and in the case of West Winch, that this includes land that is within North Runcton Parish. The maps below at Fig. 2c show the North Runcton Parish boundary in relation to the development boundaries for King's Lynn and West Winch; the West Winch Growth Area; and the Hardwick Employment Allocation E1.12 – HAR.

## **Conclusion**

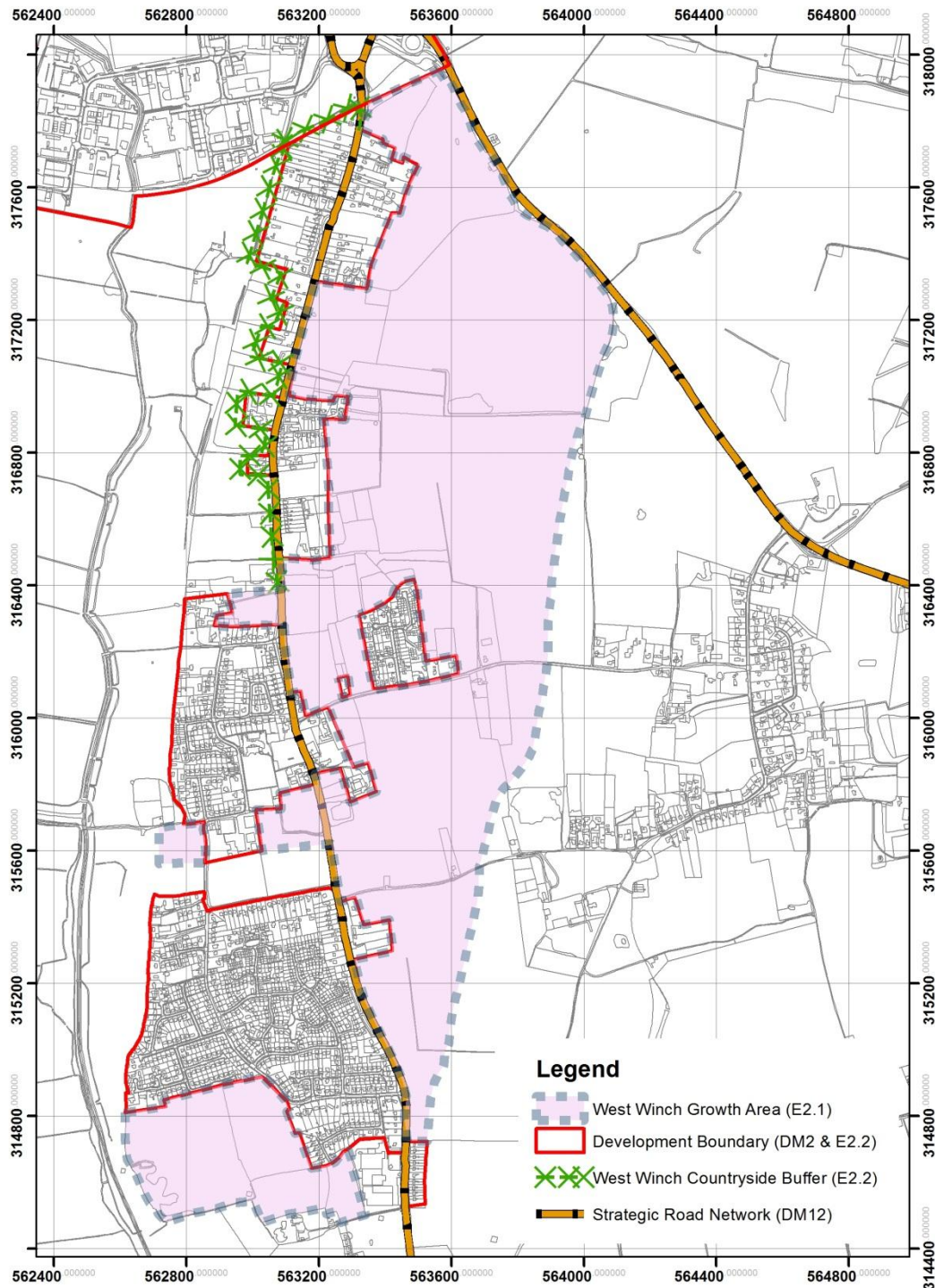
2.9 The Borough Council considers that its approach to these issues and areas is sound, but a number of changes are proposed to the plan to make the rationale and intentions clearer, including

- Revision of the supporting text to Policy DM2 at Chapter C.2 (as shown at 3 below);
- Elaboration of the wording of DM2 (as shown at 3 below);
- Revised symbols on the Inset Map E2 (as shown at Fig 2a below);
- Showing the Strategic Concept (Indicative) Diagram on a non-Ordnance Survey base (as shown at Fig 2b below);
- Clarification of reference to Smaller Villages and Hamlets in Distribution of Development section (as shown at 5 below);
- Definition of Affordable Housing Exceptions housing in Glossary (as shown at 6 below).



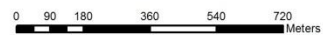
# Fig.2a Revised Inset Map E2 with amended symbols for clarity

(n.b. same proposals and areas as submitted, except for additional inclusion of Site F within Growth Area, as previously discussed)

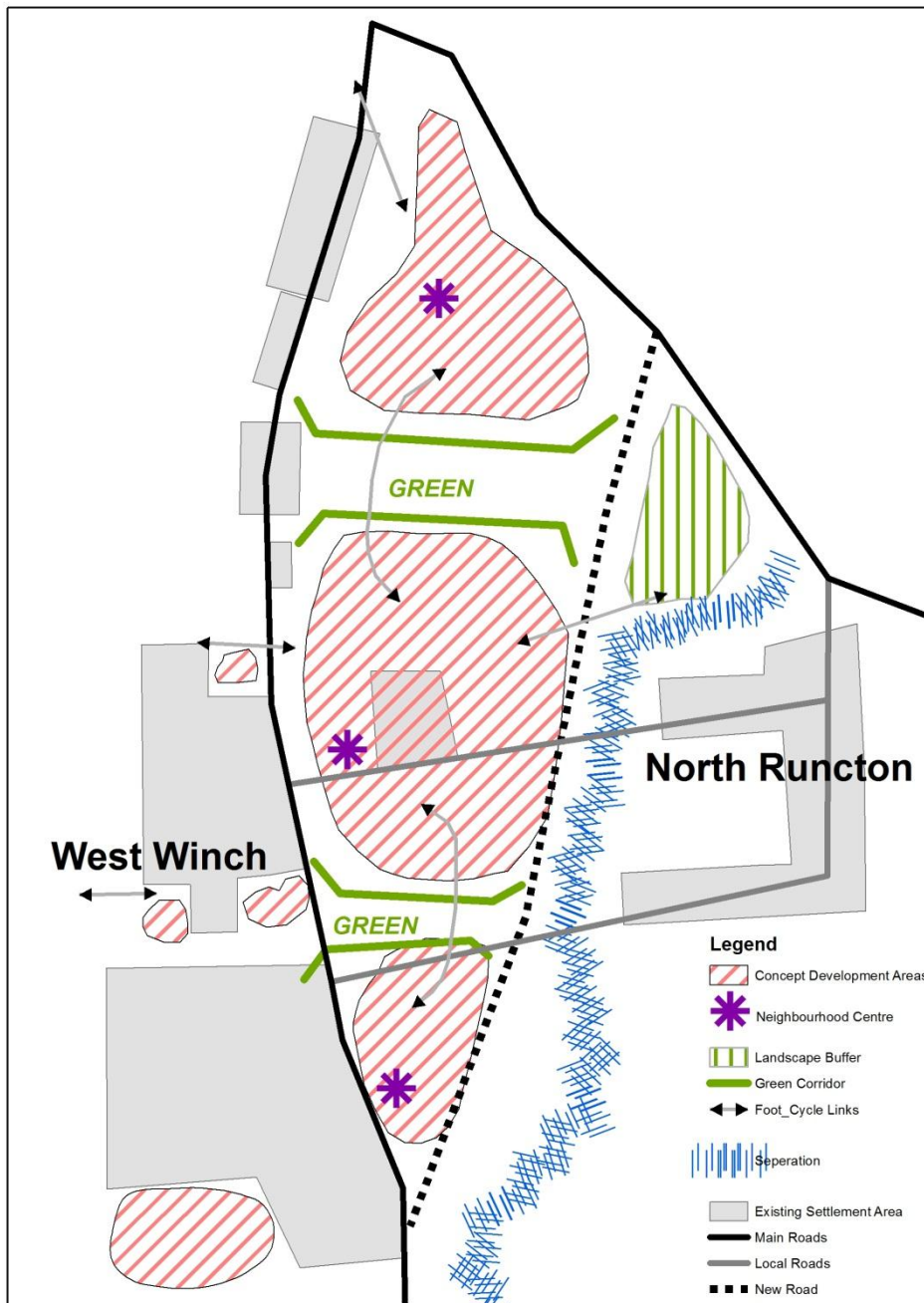


Inset E2 West Winch

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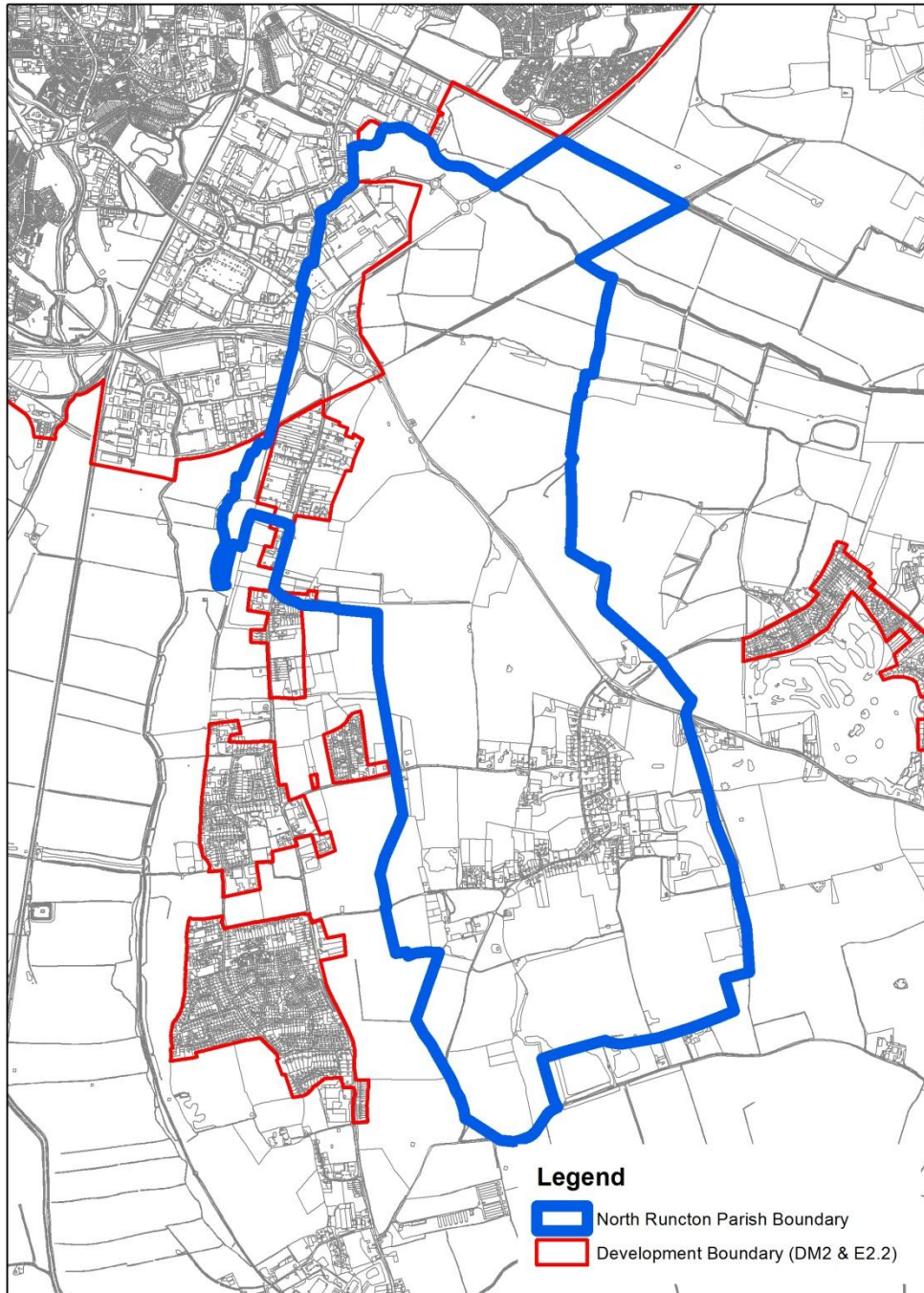
**Fig. 2b: Revised West Winch Growth Area Strategic Concept (Indicative) Diagram**



**Strategic Concept (Indicative)**

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**Fig. 2c: Maps showing North Runcton Parish in relation to nearby designations and allocations**

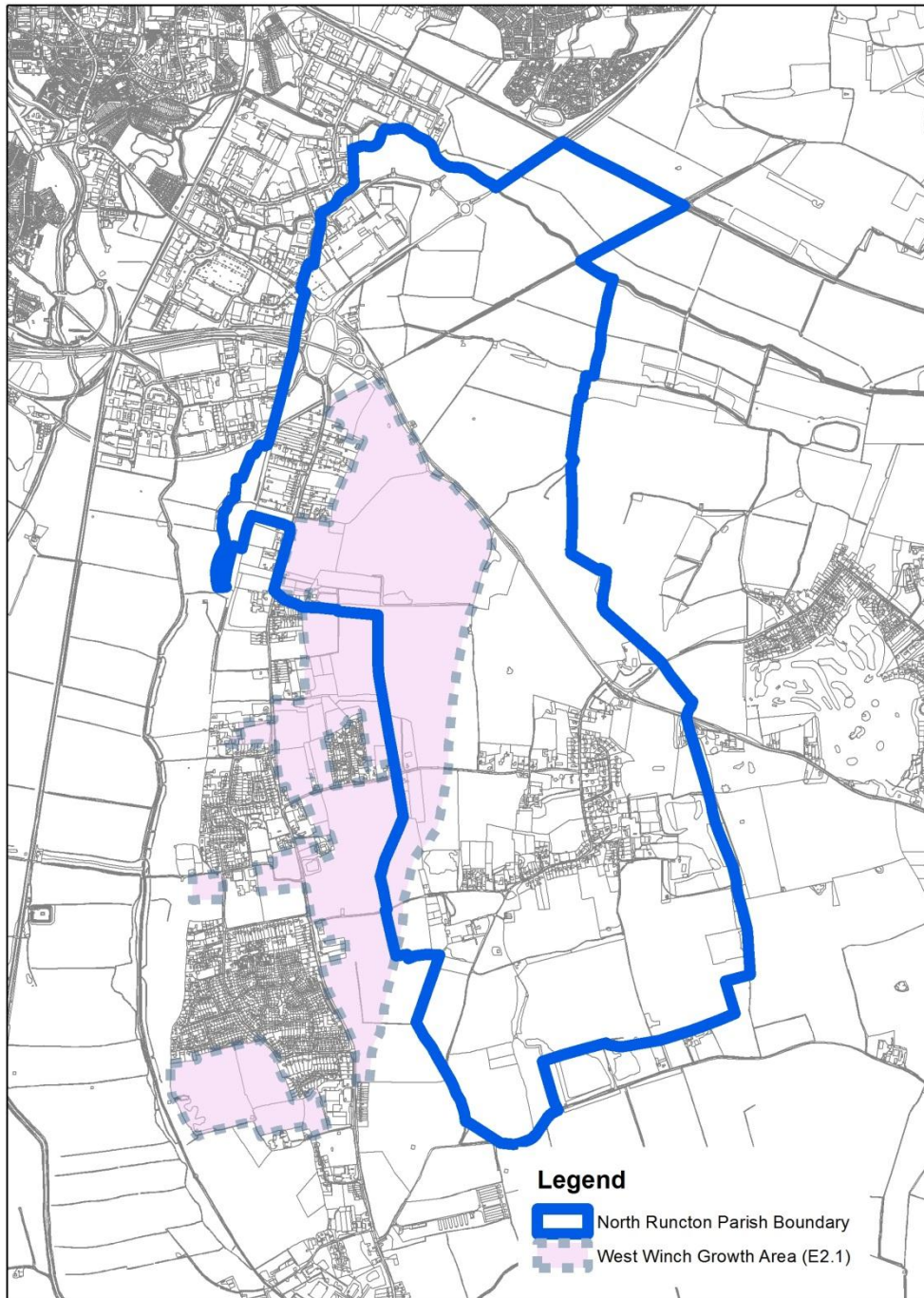


**North Runcton Parish Boundary in relation to Development Boundaries (DM2 & E2.2)**

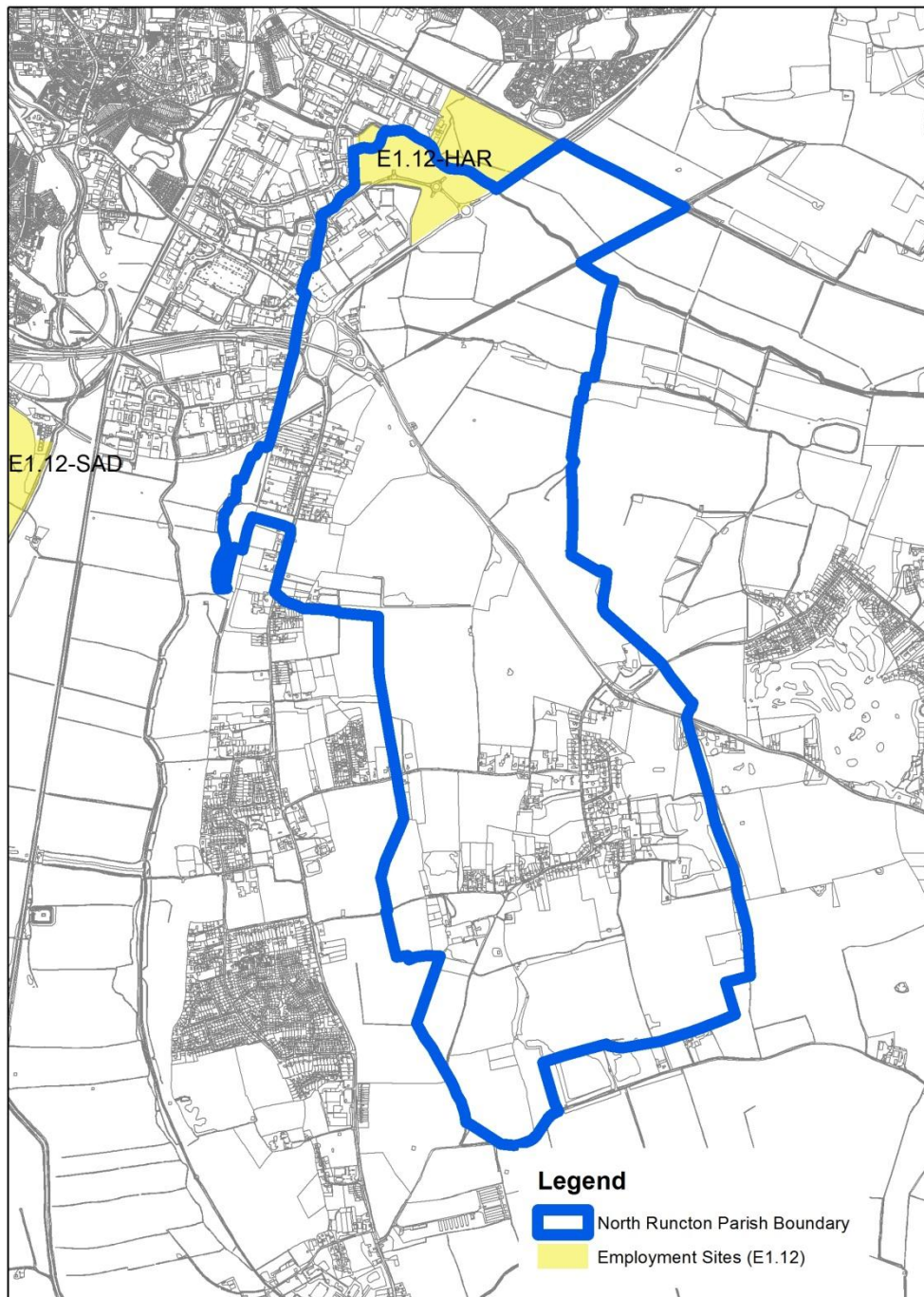
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0 145 290 580 870 1,160 Meters





**North Runcton Parish Boundary in relation to The Growth Area (E2.1)**



**North Runcton Parish Boundary in relation to Employment Sites (E1.12)**

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0 145 290 580 870 1,160 Meters

### 3: Revision of DM2 and supporting text.

#### 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 the development boundaries will be subject to policies for development in the countryside, except in Smaller Villages and Hamlets, where Policy DM3 will also apply, and on specific allocations for development, where the provisions of the relevant policy will apply.~~

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

C.2.2- 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.

C.2.3 - 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, and are shown under each relevant settlement later in the Plan.<sup>1</sup>

C.2.4 - The Council's approach to delineating the development boundaries took as a starting point the broadly equivalent boundaries for Policy 4/21 of the 1998 Local Plan, which have on the whole generally come to be accepted, then adjusted these to take account of the experience of operating those boundaries, and to reflect changes on the ground that have since taken place.

C.2.5 - One particular change to the approach to the boundaries across the Borough is to reduce the extent of rear gardens and other 'backland' included within the boundary at settlement edges. Prior inclusion of such land within the preceding Plan's Policy 4/21 boundaries had often led to unrealistic expectations about the development potential of such land. The Borough Council considers that such backland development on the edge of settlements is rarely successful in its relation to the existing frontage properties, to the wider character of the area, and to the form of the settlement and its relationship to the surrounding countryside. The development boundaries therefore presume against this type of development on the edge of settlements.

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<sup>1</sup> Note the Core Strategy referred to 'development limits' and 'settlement boundaries'. There is no significance to the difference in terminology, except that development boundaries' is now considered more familiar locally and more self-explanatory.

C.2.6 - The other main change to development boundaries from the 1998 Local Plan is that none are now designated for Smaller Villages and Hamlets. This is because the adopted Core Strategy Policy CS02 (Settlement Hierarchy) states development in 'Smaller Villages and Hamlets' will be limited to specific identified needs only, and development boundaries would be likely to result in amounts and types of development beyond this. (Policy CS01 (Spatial Strategy) states the strategy for rural areas is to focus most development to the Key Rural Service Centres.) In relation to 'Smaller Villages and Hamlets' Policy CS06 (Development in Rural Areas) states more modest levels of development will be permitted to meet local needs and maintain the vitality of these settlements. Policy DM3 of this Plan indicates the types of development considered appropriate in the Smaller Villages and Hamlets.

### **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

Core Strategy Policy CS09: Housing Distribution

Core Strategy Policy CS10: The Economy

Core Strategy Policy CS13: Community and Culture

National Planning Policy Framework: Core planning principles (different roles and character of different areas)

### **Policy Approach**

C.2.7 To simplify the planning process, and provide more flexibility when assessing development within settlements, the proposed policy approach uses a single boundary (rather than is to remove the four separate different built environment types used in the preceding 1998 Local Plan) in favour of a single development boundary. The development boundary will be boundaries are used to indicate the a distinction between largely built up areas of settlements where development is generally acceptable, and areas of the location open countryside and more sporadic buildings considered generally less suitable for new development, and where a more restrictive approach will be applied.

C.2.8 The boundaries are not intended to necessarily reflect the full extent of existing built development or of settlements. They exclude parts of settlements where further development is not encouraged. In particular, extensive gardens and other backland are generally excluded from the development boundary, as the Borough Council considers backland development is generally incompatible with the form and character of development is wishes to promote in the area. (Note that exclusion of such backland does not affect existing use rights, nor limit any permitted development rights the property might enjoy.)

C.2.9 - Within these boundaries, development and redevelopment will be supported in principle. That does not mean, however, all sites within the boundary can be developed or that any type of development will be acceptable. 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 (including allocations for particular development), as well as any relevant national

policies or other material planning considerations, to assess development applications within settlements these boundaries.

~~C.2.10 - 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.~~

C.2.11 - Outside these boundaries a more restrictive approach is applied. Development will be limited to that identified as suitable for open countryside in various local plan policies (including any allocation policy applying to the site), as identified in the Policy below,

C.2.12 - Among those categories is rural affordable housing exceptions sites. The Borough will consider allowing a minor element of market housing on these if this would facilitate the provision of significant additional affordable housing to meet local needs identified by the Borough Council, and where it is shown such provision could not otherwise be made.

C.2.13 - Neighbourhood plans could potentially define different development boundaries to those included in this Plan, so long as these meet national requirements including general conformity with strategic policies. The Borough Council will support alternative development boundaries in neighbourhood plans where these facilitate an amount and mix of housing (and other uses) that is consistent with the settlement's role in the Core Strategy. In the event that a neighbourhood plan with alternative development boundaries is brought into force, these will replace the development boundaries for that settlement in this Plan.

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

**Development will be permitted within the defined development boundaries of a settlements shown on the Policies Map or on allocations identified in this plan provided it is in accordance with the other policies within the Local Plan and is consistent with the NPPF.**

**The areas outside development boundaries and defined (excepting specific allocations for development) 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, that identified as suitable in rural areas by other policies of the local plan, including**

- farm diversification (under Core Strategy Policy CS06);**
- small scale employment (under Core Strategy Policy CS10);**
- tourism facilities (under Core Strategy Policy CS10);**



- community facilities, development in support (under Core Strategy Policy CS13);
- renewable energy generation (under Policy DM20 of the rural economy or to this Plan);
- rural workers' housing (under Policy DM6 of this Plan); and
- affordable housing (under Core Strategy Policy CS09);

In Smaller Villages and Hamlets, infilling in accordance with Policy DM3. will also be permitted in addition to those categories identified in the previous paragraph.

## 4: Revisions to Policy DM3 and Supporting Text

### C.3 DM3 – Infill and 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. The Core Strategy designated 55 ‘Smaller Villages and Hamlets’, these being of modest size, rural character, and with a more limited range of services and facilities than the ‘Rural Villages’ and ‘Key Rural Service Centres’ where most of the rural growth in the Borough would be focused.~~

C.3.1 Policy CS06 (Development in Rural Areas) indicates more modest levels of development (than in the larger ‘Key Rural Service Centres’ and ‘Rural Villages’) will be permitted to meet local needs and maintain the vitality of these settlements where this can be achieved in a sustainable manner. Core Strategy Policy CS02 ‘(Settlement Hierarchy)’ states development in ‘Smaller Villages and Hamlets’ will be limited to specific identified needs only.

C.3.2 There are no development boundaries for the Smaller Villages and Hamlets. This is because these would likely to result in amounts and types of development beyond that envisaged by the Core Strategy. This does not mean, however, that there is an embargo on development in these settlements, just that it will be focused on development appropriate for a rural area, and that to meet specific needs. The Policy below clarifies what those categories include.

C.3.3 The Borough Council has identified that there is a potential need, in addition to general rural development, 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. Therefore very modest housing growth for the Smaller Villages and Hamlets will be permitted in the form of limited infill development, as set out in the Policy, and rural exception sites which provide affordable housing for local people.

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

- Core planning principles (roles and characters of different areas)
- 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

Core Strategy Policy CS10: The Economy

Core Strategy Policy CS13: Community and Culture

## Policy Approach

**C.3.6** The policy is designed to provide more modest levels of growth of a rural character, within Smaller Villages and Hamlets, by identifying the key types rural development likely to be suitable, and by enabling appropriate, small-scale development adjacent to existing development.

**C.3.7** 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 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.

**C.3.8** Affordable housing development may also be appropriate where this meets needs identified by the Borough Council. Such development could potentially include a minor element of market housing if this was shown to be necessary to subsidise affordable housing provision to meet needs which would otherwise remain unmet.

### **Policy DM 3 – ~~Infill d~~Development in the Smaller Villages and Hamlets**

**New housing development in the designated 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.~~**

- **that suitable in rural areas, including**
  - **small scale employment uses (under Policy CS10);**
  - **community facilities (under Policy CS13);**
  - **smaller scale tourism facilities (under Policy CS10);**
  - **conversions of existing buildings (under Policy CS06);**
  - **rural exceptions affordable housing;**
- **development to meet specific identified local need, including housing to support the operation of rural businesses (under Policies CS01 and CS06); and**

- **infilling housing development as set out following.**

The sensitive infilling of small gaps within an otherwise continuously built up frontage **by dwellings** will be permitted in Smaller Villages and Hamlets 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 of **dwellings** in Smaller Villages and Hamlets will **may be considered** appropriate where the development is of a particularly high quality and would provide significant benefits to the local community.

## **5: Revision to SADMP Appendix 5 – Distribution of Development**

(Plan page 446)

### **Smaller Villages and Hamlets**

These are the settlements defined by Core Strategy Policy CS02 as places where development will be 'limited to specific identified needs only', while avoiding conflict with environmental protection and nature conservation policies. There are 55 of these settlements and they are listed below.

In line with the Core Strategy, no allocations are proposed for these settlements. However, a limited amount of development may be facilitated. The Smaller Villages and Hamlets will be subject to Policy DM3 (see Development Management Policies section of this document). The intention of the policy is to permit modest levels of development which deliver against the rural and other identified local needs, while avoiding scales of development which are either inappropriate to the scale and character of the settlement, or could cumulatively lead to a higher level of housing being developed in the rural areas than planned by the Core Strategy, or undermine the delivery of the major strategic growth planned around the towns.

## **6: Glossary – Added definition of affordable exceptions housing**

(Plan page 421)

### RURAL AFFORDABLE HOUSING EXCEPTIONS:

These are small developments (up to 15 dwellings) specifically to provide affordable housing in small rural communities on sites that would not normally be used for housing because, for example, they are subject to policies of restraint, such as outside development boundaries, or in Smaller Villages and Hamlets.

The Council will consider permitting a minor element of open market housing on such sites where this will subsidise delivery against a significant (in terms of scale, type or location) need for affordable housing which would otherwise go unmet. The need for, and application of, such subsidy will be required to be demonstrated by open book accounting of the development's viability, with independent assessment of this at the applicant's expense. Land costs will be expected to reflect that such schemes will, by definition, be on land that otherwise would not be granted permission for housing.

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

Modify the plan to provide greater clarity regarding rephrasing “Determined/accepted” and reconsider the wording of the Policy and supporting text (C11.4) to ensure consistency/compatibility as follows:

Reword the supporting text (C.11.4) as follows (change underlined): “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 normally be permitted within the Norfolk Coast AONB, SSSIs and the flood Hazard Zones.”

Reword Policy DM 11 as follows:

“(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~~ not normally be permitted acceptable unless 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 Council’s Strategic Flood Risk Assessment and the Environment Agency’s mapping;

Small scale proposals for holiday accommodation will not normally be permitted acceptable within the Norfolk Coast Area of Outstanding Natural Beauty (AONB) ~~only where~~ unless it can be demonstrated that the proposal will not negatively impact on the landscape setting and scenic beauty of the AONB or on the landscape setting of the AONB if outside the designated area.

### **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 will 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;
- 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."

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

Reconsider the West Winch to South Lynn (NORA) route for protection within the policy. The route was not protected in the 1998 Adopted Local Plan Policy 4/25.

In this particular instance the route has been built over with 2 industrial buildings and a car park at the southern end of the Hardwick Narrows Industrial Estate at the end of Friesian Way/Hereford Way. It is therefore not proposed to modify Policy DM 13 to extend protection to the former railway trackbed between the northern part of the West Winch Growth area at West Winch Road and South Lynn.

In Policy DM13 the Council has sought to protect trackways only where there is robust evidence that the route will be needed for its transport or recreational potential. Routes where this could not be demonstrated or where there was too much development along the route were not recommended for continued protection in the new policy. Given the obstructions that already exist this route could not function as a recreational route and there is no case to oppose development on what remains intact.



## Policy DM14 – Development associated with CITB Bircham Newton & RAF Marham

### ISSUE

- Do the Policy and supporting text comply with the Council’s objectives? Borough Council to consider whether changes might be necessary to clause 3 of the policy.

### RESPONSE

A revision of the policy wording, and additional supporting text to follow paragraph C.14.5, is proposed in order to clarify the Council’s policy intentions, as set out following. Note that this further amends, and supersedes, the revisions included in the Council’s original June 2015 Statement to the Examination on Issue 2, Development Management Policies.

C.14.6 Outside the operational base at RAF Marham are extensive residential quarters and associated facilities (and nearby is the original Marham village from which the base takes its name.) The CITB is located on the site of the former RAF Bircham Newton. Many of the buildings from the former RAF base remain in use or in evidence. In both cases the sites are extensive and they, and their surroundings, are largely free of major constraints. There is thus the potential for the consolidation and extension of these establishments and related supporting development.

C.14.7In order to strengthen these facilities the policy highlights the support given to development for their improvement. It also indicates that a positive approach will be taken to enabling development in support of this, provided this is not inconsistent with the Core Strategy, taken broadly. There will be a need to balance the economic and employment benefits with environmental and other factors, but the Borough Council will be willing to consider some relaxation of the application of policies for the location of, say, housing and new employment uses, provided this does not compromise the settlement strategy taken as a whole, and such a relaxation is justified by the overall benefits and sustainability.

C.14.8In order to ensure the policy intentions are delivered an application for enabling development would be expected to be accompanied by –

- A long term business plan for the facility;
- A financial viability assessment for both the facility and the enabling development

- A proposed mechanism to provide certainty that the intended enhancements to the facility will be delivered in the event the development is permitted.
- An assessment of the proposed enabling development in terms of its effect on the settlement hierarchy and the protection of the open countryside rural character of the area within which it is located.

**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 both as local employers and as centres of excellence for construction and advanced engineering, respectively.

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

~~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 there is a direct link between the development proposed and the retention/expansion of the facilities which supports the retention, enhancement or expansion of these facilities will be permitted where it can be demonstrated that:~~

- the development will enhance the facility's long term value to the Borough's economy and employment; and
- there are robust mechanisms to ensure the improvements justifying the enabling development are delivered and sustained; and
- the resulting development will not undermine the spatial strategy set out in Core Strategy Policy CS01; and
- it will not result in the loss of land needed for operation of the facility, or reduce its reasonably foreseeable potential to expand or be reconfigured.

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

Add an extra bullet point to Policy DM 15 in relation to ‘Heritage’ considerations as follows:

“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:

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

Add a cross reference to Core Strategy Policy CS12 in the last paragraph of supporting text (C.15.6) as follows:

“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 CS12 of the Adopted Core Strategy is also relevant for matters of environment, design and amenity.”

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

Modify the Plan within the supporting text after paragraph C.16.3 to summarise the Council's approach being taken in relation to Habitat Regulations Assessment (HRA) Monitoring and Mitigation and the HRA Monitoring and Mitigation and Green Infrastructure Panel as follows:

In relation to Habitats Regulations Assessment monitoring and mitigation the Council has endorsed a Monitoring and Mitigation Strategy including:

- For affected areas a suite of measures including all/some of:
  - On site provision of suitable measures;
  - Offsite mitigation;
  - Offsite alternative natural green space;
  - Publicity;
  - A project level HRA to establish specific issues as appropriate.
- In addition to the above suite of measures the Council will levy an interim Habitat Mitigation Payment of £50 per house to cover monitoring/small scale mitigation on designated sites.
- The Council anticipates utilising CIL receipts (should a CIL charge be ultimately adopted) for contributing to more strategic scale green infrastructure provision across the plan area.
- Forming a HRA Monitoring & Mitigation & GI Coordination Panel to oversee monitoring, provision of new green infrastructure through a Green Infrastructure Delivery Plan and the distribution of levy funding.
- Participating in Norfolk-wide monitoring of the effects of new development on designated sites.

Modify the Plan by rewriting supporting text paragraph C.16.6 to clarify the attitude to the issue of a development not providing Open Space as follows:

“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. For some urban sites it may be inappropriate to provide open space on site.”

In conjunction with the above modification amend the Plan by deleting paragraphs C.16.1 and C.16.4 (which is now superceded).

## **Policies DM 18 and 21 – Flood Risk**

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

Clarify with the EA the position regarding dates of 'Seasonal Occupancy'.

The Environment Agency have confirmed that the seasonal occupancy restriction continues to be appropriate. They have provided a detailed explanation for this which is attached as Appendix A.

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

Update the final sentence of paragraph C.21.2 to reflect the introduction of a SUDS requirement in April 2015 as follows:

~~“The Government introduced a requirement in April 2015 for 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.”~~

Modify the supporting text to Policy DM 21 at paragraph C.21.2 to recognise the role of IDBs in the planning system by adding the following text to the end of the paragraph:

Internal Drainage Boards (IDB) are local public authorities that manage water levels. They are an integral part of managing flood risk and land drainage within areas of special drainage need. IDBs input into the planning system by facilitating the drainage of new and existing developments within their districts and advising on planning applications as non-statutory consultees.

Appendix A : Information from the Environment Agency

## **Coastal Flood Risk Hazard Zone - Seasonal Occupancy Restriction**

We consider that the seasonal occupancy restrictions set out in Policy DM18 (1 April – 30 September) are justified and necessary. Our reasoning is set out below.

### **Flood Risk**

The area defined by Policy DM18 as the 'Coastal Flood Risk Hazard Zone' is at high risk (flood zone 3) of coastal flooding from high tides and storm events.

Our Tidal Hazard Mapping for this area indicates the risk to the Coastal Flood Risk Hazard Zone in a 1 in 200 year event, both now and in the future taking into account the impacts of climate change up to the year 2115. Our Tidal Hazard Mapping shows that, if flood defences were to breach or overtop, most of the area within the Coastal Flood Risk Hazard Zone would flood to a depth of 2m or deeper.

### **Flood Defences**

The Standard of Protection offered by the flood defences in the Coastal Flood Risk Hazard Zone is low.

The frontage from Hunstanton South to Wolferton Creek is characterised by a natural shingle ridge backed by a grassed sea bank along the majority of its length before tapering to a single hard defence at south Hunstanton.

We currently carry out annual beach recycling to replenish material after the winter and spring tides have eroded the shingle defences. The annual cost of this work is approximately £130k. If this activity ceases, it could result in an immediate increase in flood risk.

The introduction of the partnership funding approach in 2010 meant that the annual recycling can no longer be fully funded.

To ensure that the defences continue to reduce flood risk, local business representatives have set up a Community Interest Company (CIC) with the aim of providing the partnership funding shortfall, equating to approximately 75% of the cost of the works. The remaining funding will be secured from Government funding from the Environment Agency.

The short-term aim for the CIC is to make sure that the shingle ridge is replenished and that defences continue to reduce flood risk to properties and businesses along the coast. The longer term aspirations for the area are for the defences to be improved, affording the local community a better standard of flood protection.

However, there are no confirmed plans to significantly raise the standard of protection to a level that would mean full-time occupancy of dwellings and caravans at this location would be safe.

This means that the standard of protection will also remain below what is considered appropriate to allow new dwellings and caravans/ mobile homes and may decline over time due to sea level rise and more frequent storms predicted as a result of climate change.

For a more detailed explanation of the funding of the defences please see the attached briefing note on the East Wash Community Interest Company (dated May 2015).

### **Seasonal Occupancy Recommendation**

The seasonal occupancy date limitations (1<sup>st</sup> April – 30<sup>th</sup> September) are recommended in the Borough Council of King's Lynn and West Norfolk Strategic Flood Risk Assessment (SFRA) published December 2008. The SFRA set out that the seasonal occupancy date limitations avoid the higher spring tides of the Spring and Autumn Equinox, when storm surges achieve a 0.5% probability level, and the winter months where wave action is considerably more severe.

The seasonal occupancy recommendation seeks to protect life by preventing occupation of property, in this high flood risk area, during those parts of the year when storm events and flooding is more likely.

### **Developing the Coastal Flood Risk Hazard Zone**

Due to the uncertainty over the future of the flood defences and the high flood risk at this location we worked with the Borough Council to define the 'Coastal Flood Risk Hazard Zone' (previously called the [Coastal Flood Risk Planning Protocol](#) published September 2010) and put measures in place to control development requiring planning permission within this area. This protocol advocated the use of the seasonal occupancy date limitations, as recommended in the Borough Councils SFRA, for replacement dwellings and mobile homes.

### **Seasonal Occupancy Recommendation and Replacement Dwellings**

Because of the high flood risk and low standard of protection offered by the defences new and replacement dwellings are not appropriate at this location. This is because they cannot be considered safe for their planned lifetime (considered to be 100 years for residential dwellings).

However, many of the dwellings within the Coastal Flood Risk Hazard Zone are used as holiday homes, not solidly constructed and provide no safe refuge from flooding. In the event of a flood many of these properties would be badly damaged and place occupants at serious risk. Because of this the Borough Council determined that it would be unreasonable to prevent the replacement of dwellings, as it provides an opportunity to improve the safety of property and thereby reduce risk to life.



In taking the decision to allow replacement dwellings it was recognised that replacement dwellings extend the lifetime of residential development in an area where flood risk will likely increase over time. To mitigate this it was determined that any replacement dwellings need to be designed and inhabited in such a manner as to minimise flood risk to current and future occupants.

As a result the 7 criteria set out in Policy DM18 (including seasonal occupancy limitation 1<sup>st</sup> April to 30<sup>th</sup> September) were developed for replacement dwellings. The criteria were designed to work together to ensure that the risk to life and property from flooding is minimised as far as possible.

The seasonal occupancy date limitations avoid the higher spring tides of the Spring and Autumn Equinox, when storm surges are more likely, and the winter months where wave action is considerably more severe. Occupation outside 1<sup>st</sup> April to 30<sup>th</sup> September could not be considered safe due to the increased risk of flooding.

The flood risk and risk to life in this location is so severe that it was determined that a seasonal occupancy condition should be applied to any replacement dwelling regardless of whether the dwelling it was replacing was used as a main place of residence or as a holiday house.

### **Seasonal Occupancy Recommendation and Holiday Caravans/ Mobile Homes**

A significant number of caravans/ mobile homes are sited within the Coastal Flood Risk Hazard Zone. Caravans/ mobile homes are highly susceptible to flooding. Accordingly, for the same reasons of risk to life and property the seasonal occupancy date restrictions have also been applied to applications for renewal of temporary permissions for holiday caravans/ mobile homes in the Coastal Flood Risk Hazard Zone.

### **Conclusion**

For the reasons outlined above we consider that the seasonal occupancy restriction set out in Policy DM18 (1 April – 30 September) to be necessary to ensure that the risk to life and property is minimised in the Coastal Flood Risk Hazard Zone.

# East Wash Community Interest Company

Partnership Funding from different sources

May 2015

In Cambridgeshire & Bedfordshire Area, we have been working with local risk management authorities and businesses to secure partnership funding to maintain coastal flood defences on the east coast.

By working in partnership with the local community and councils, 642 residential properties and around 3,500 caravans between Hunstanton and Wolferton Creek, will benefit from a reduced flood risk.

## Background

The Wash East Coastal Management Strategy (WECMS) was developed by the Environment Agency and the Borough Council of Kings Lynn and West Norfolk (BCKLWN) to find a sustainable and affordable approach to managing flood risk and coastal erosion.

The strategy covered an area extending across 13km length of coastline on the north Norfolk coast from Hunstanton Cliffs to Wolferton Creek.

The frontage from Hunstanton South to Wolferton Creek is characterised by a natural shingle ridge backed by a grassed sea bank along the majority of its length before tapering to a single hard defence at south Hunstanton. Each year, the shingle ridge is depleted by the tides and material builds up further south at in an area known locally as the Snettisham scalp. The annual cost of this work is approximately £130k.

The defences reduce flood risk to 642 residential properties, and around 3,500 caravans and holiday homes are located between the first line defence and the grassed embankment. If the shingle ridge were to breach, the whole area occupied by the caravans would flood, which is what happened in 1978. The defences were severely tested during the December 2013 surge.

We currently carry out annual beach recycling to replenish material after the winter and spring tides have eroded the shingle defences. If this activity ceases, it could result in an immediate increase in flood risk.

## The problem

The introduction of the partnership funding approach in 2010 meant that the annual recycling can no longer be fully funded by Flood and Coastal Erosion Risk Management Grant in Aid (FCERM GiA). Funding has been sourced locally for the works since 2010, with funding coming from Local Levy approved by the Anglian Central Regional



Flood and Coastal Committee and in recent years contributions have also come from Norfolk County Council and BCKLWN. No funding is available to continue this work from 2016/17 onwards.

## The solution

To ensure that the defences continue to reduce flood risk, local business representatives have set up a Community Interest Company (CIC) with the aim of providing the partnership funding shortfall, equating to approximately 75% of the cost of the works. The remaining funding will be secured from

Government funding from the Environment Agency.

The short-term aim for the CIC is to make sure that the shingle ridge is replenished and that defences continue to reduce flood risk to properties and businesses along the coast. The longer term aspirations for the community are for the defences to be improved, affording the local community a better standard of flood protection.

Being best placed to do so, the Environment Agency will manage the first project coming out of the Strategy - a capital maintenance scheme to replenish the shingle ridge over a 5-year period.

The BCKLWN strongly support this approach, and will be providing support to the CIC.

## Key Issues

This is the first example of the Environment Agency dealing with a CIC as a capital maintenance partnership funding solution. As with any new way of working, there are a number of obstacles to overcome and ways of working to set up, which takes time. The main risk to the future of the defences is officially securing the partnership funding from the CIC. The CIC is currently calculating how much money they will be able to draw in, as the funding will be provided voluntarily. There is currently no legal mechanism for making beneficiaries pay towards the defences.

Cash flow could be an issue, as the main income to the CIC will come from an increase in ground rent per static caravan. As this is collected annually, there will be insufficient funds in year 1 to cover the contribution needed for the 5-year period of winter recycling. Our procurement approach has been adapted accordingly.

The BCKLWN KLWN BC has limited FCRM resource and appraisal knowledge and the CIC is being driven by local business leaders. We are therefore providing technical support to BCKLWN and the CIC on flood risk issues through a single point of contact. However, we are not providing legal, business or financial advice on the set up of the CIC.

## Engagement and partnership working

We have agreed Ways of Working with BCKLWN, Norfolk County Council and the CIC. The BCKLWN are stepping up to lead a Funding Group, dealing with sourcing and managing

funding for this and future flood risk management projects in the area.

The council are also leading a Stakeholder Engagement Group (SEG), to provide a forum for local stakeholders to have their say on any future works. The SEG will provide a mechanism for local stakeholders and local politicians to help shape flood risk management for the Wash East coast in the future and will link into the Funding Group.

The EA will send representatives, ranging from officers to the Area Manager, to regular meetings with the project team, Norfolk County Council, KLWN BC and the CIC throughout the project and funding process.

## Efficiencies and Innovation

This is a new way of working locally and is a demonstration of how local communities can influence how their flood risk is managed.

## Looking ahead

This project is the first in a series of works to manage flood risk near Hunstanton. As the funding that the Environment Agency can draw in is only a small percentage of the money needed to maintain or improve defences, discussions need to take place over which organisation will be best placed to lead future projects.

For more information please contact Claire Jouvray, Partnerships and Strategic Overview Cambridgeshire and Bedfordshire Area.

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