

**King's Lynn and West Norfolk Borough Council
Local Plan Examination: Site Allocations and Development
Management Policies**

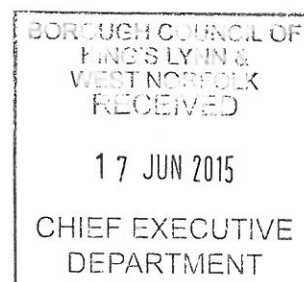
**Further Response Regarding Draft Development
Management Policy DM11**

Statement Prepared By:

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Date:

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1.0 Introduction

- 1.1 This Statement has been prepared by Andy Brand on behalf of The Abbey Group (Cambridgeshire) Limited. The Abbey Group (Cambridgeshire) Limited operate a successful holiday let business (Ocean Breaks) which operates partly on the North Norfolk coast. It is the intention of the business to develop further tourist related accommodation within the area.
- 1.2 This Statement has been produced in order to supplement representations to the above draft planning policy documents. The representations were submitted on 13th February 2015. My evidence within this Statement refers solely to draft Policy DM11; I am content for the other submissions relating to other draft policies and paragraphs within the draft plan to be considered on the basis of my written submissions.
- 1.3 The response is therefore specifically intended to address question 2.9 of the Issues and Questions document which has been produced (in June 2015) by the Planning Inspectorate ahead of the examination. The question states:

Is the Council's approach towards the provision of touring and permanent holiday sites justified (policy DM11), particularly with regard to protecting the AONB and its setting?

2.0 Draft Policy DM11 Assessment

2.1 The Examination will consider the soundness of the draft plan. The assessment within this section further explains why it is considered that draft Policy DM11 does not satisfy some of the tests of soundness within paragraph 182 of the National Planning Policy Framework (NPPF).

2.2 My evidence refers specifically to Policy DM11 and I have set out below, under sub-headings, my assessment in relation to the tests of soundness.

Positively Prepared

2.3 Whilst the wording of the draft policy is not particularly negatively written it would benefit from some additional introductory text in order to set out the importance of tourism to the local economy. This is specifically referred to on page 40 of the Norfolk Coast Partnership publication: Norfolk Coast Area of Outstanding Natural Beauty Management Plan Strategy 2014-19¹. The Council part funds this Partnership. A new sentence should therefore appear at the start of the policy to state:

The Borough Council recognises that tourist accommodation makes an important contribution towards the economic prosperity of the area.

2.4 It is also noted that paragraph 11.4 is inconsistent with the policy itself. That paragraph is not positively worded.

Justified

2.5 The approach is not considered to be justified owing to the lack of consistency with national planning policy (see below).

Effective

2.6 There are no particular reasons to consider that the policy will not be effective. The Plan does not provide an indication as to the amount of new touring and permanent holiday sites but the requirement to submit a business plan will be the manner in which this can be assessed.

Consistent with National Policy

2.7 For consistency purposes the wording of Policy DM11 shall be amended to reflect the approach within paragraphs 115 and 116 of the NPPF. This should amend the wording 'not negatively' within the second paragraph to 'conserves'.

2.8 Furthermore the policy does not appear to be consistent with paragraph 116 of the NPPF. The NPPF states that planning permission should be refused for major developments in

¹ As viewed at <http://www.norfolkcoastaonb.org.uk/mediaps/pdfuploads/pd003457.pdf> - an extract can be provided upon request.

AONB except in exceptional circumstances and where it can be demonstrated that it is in the public interest.

2.9 The draft policy does not adopt this approach – it seemingly applies a veto on any major developments and states that small scale proposals will be acceptable where it can be demonstrated that the proposal will not negatively impact the landscape setting.

2.10 The correct approach to the policy would be to set two scales of development and apply different approaches to each. Suggested wording to replace the second paragraph of the draft policy is set out below:

Within the North Norfolk Coastal Area of Outstanding Natural Beauty (AONB) major development for new touring and permanent holiday sites will be permitted only in exceptional circumstances and where it is clearly demonstrated to be in the public interest.

For developments below this scale the new development will be expected to demonstrate that the proposal will conserve the landscape and scenic beauty of the AONB.

2.11 It would also be of assistance to quantify a major development. The term ‘major development’ is not defined within the NPPF. Whilst the definition as to site area or units of accommodation (1 hectare or 10 units of accommodation) could be utilised I do not consider that paragraph 116 of the NPPF was intended to refer to that scale of development for the simple reason that a development of that type of scale would not be able to justify the exceptional circumstances in order to satisfy the policy test. For the purposes of this type of development I would consider that a major development would be, say 100 units of accommodation or a 10 hectare site. The policy should include this threshold within the text, as a footnote to the policy or within the accompanying explanatory paragraphs.

2.12 The alternative approach to the above would be to consider the suitability of the scale against draft Policy DM15 but this would require interpretation of policy which could be avoided if the approach above is adopted.

2.13 I trust that the content of this Statement will be considered and discussed at the examination.