

Local Plan Review Pre-Submission Stage 2021

6 Environment

6.1 LP15 - Coastal Areas Policy

6.1.1 Introduction

6.1.2 The impact of flooding and climate change threatens the distinctive villages, landscape and heritage of the area. In adapting to flooding and climate change, the strategy will promote new and innovative approaches to mitigate risk which do not undermine existing coastal assets. The Sustainability Appraisal has highlighted that some land may in time be lost to the sea, therefore it is important that mitigation strategies are developed for threatened sites that may be designated of special importance, historic interest or particular landscape character.

6.1.3 Existing Shoreline Management Plans (SMPs) for the Coast (The Wash and North Norfolk SMPs) plan for the impacts of changes in Shoreline Management over the next 100 years. These were led by the Environment Agency in consultation with the borough council. Methods of management include holding the line and improving and safeguarding defences, managed alignment whereby there is defence, although it may mean the loss or gain of some land and, lastly, managed retreat where areas may be lost to the sea. All of these options will be considered through statutory organisations and public consultation with benefits and risks appropriately weighed.

6.1.4 To ensure that people and their homes are protected from flooding, new development will need to be carefully considered. Therefore, where the Shoreline Management Plans and Strategic Flood Risk Assessments highlight an area at high risk of flooding on the coast with no possible mitigation, development will be resisted for safety reasons. High risk refers to areas in Flood Zone 3 and areas shown to flood to a certain depth in the Tidal Hazard Mapping.

6.1.5 Whilst development and investment is needed in the coastal areas of the borough, it is important that growth is sustainable, well planned and can demonstrate use of sustainable building methods in locations with good access to services and facilities which serve local communities well.

6.1.6 The Wash East Coastal Management Strategy (WECMS) (2015) was prepared with the Environment Agency to identify the preferred strategic coastal management approach for the frontage between Hunstanton and Wolferton Creek, on the Norfolk coast of The Wash. The Strategy implements the policies of the The Wash SMP (2010).

6.1.7 The strategy splits the coastline into three distinct areas:

- unit A - Hunstanton Cliffs

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- unit B - Hunstanton Town
- unit C - South Hunstanton to Wolferton Creek

6.1.8 In Unit C a funding approach to maintain the sea defences through recycling and recharge of beach material has been developed (see Policy LP17 Coastal Change Management Area for more detail). A Coastal Management Plan (CMP) is being prepared for Hunstanton, setting out a more detailed management approach for Units A and B.

6.1.9 A Coastal Zone Planning Statement of Common Ground has been agreed (2018) between the Norfolk and Suffolk coastal local planning authorities to set out an agreed approach to coastal planning in relation to:

- Demonstrating compliance with the “Duty to Cooperate”;
- Agreeing shared aims for the management of the coast;
- Maintaining and developing a shared evidence base; and
- Recognising the importance of cross-boundary issues in relation to coastal management.

Supporting East Marine Plan Policies are:

6.1.10 In summary the policies bullet pointed below support policy LP15, to find out more information on the supporting policies the hyperlink is active over the policy number.

6.1.11 Climate Change - [CC1 and CC2](#)

6.1.12 Biodiversity - [BIO1 and BIO2](#)

6.1.13 Health and social well-being and access to the coast and marine area - [SOC1](#)

Heritage Assets - [SOC2](#):

Fishing areas - [FISH1](#) and [FISH2](#)

Cabling activity - [CAB1](#)

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Strategic Policy

Policy LP15 Coastal Areas

Development in Coastal Areas

The Council will seek to balance the sensitive nature of the coastal area of West Norfolk for wildlife, landscape and heritage and the national and international designations including the Area of Outstanding Natural Beauty, and the effects of climate change, with the need for economic and social development of the area. In this context the Council will:

1. Ensure protection through:
 - a. working in partnership with organisations such as Natural England and the Norfolk Coast Partnership and other conservation bodies to ensure that protected species and habitats on the coast are adequately protected;
 - b. conserving and enhancing the historic environment qualities of the coast including designated and undesignated heritage assets;
 - c. working with partners including the Environment Agency and local communities to limit any detrimental impacts of coastal change and take account and implement the policies of the Shoreline Management Plans;
 - d. where appropriate, ensuring mitigation or compensation measures are put in place where management strategies change or coastal habitats and the species using them may change in light of changes in climate;
2. Address new development by:
 - a. promoting visitor access in coastal areas of the borough, whilst taking necessary measures to meet the requirements of the Habitats Regulations and protecting the integrity of the coastal European sites, working with partners and neighbouring authorities as appropriate;
 - b. support and develop services which attract visitors throughout the year and provide for the local community to increase economic sustainability for businesses and services;
 - c. ensuring that any development on the coast is sustainable and able to withstand the effects of climate change;
 - d. resisting new and replacement dwellings and the extensive alteration of dwellings and relaxation of occupancy limitations unless the Shoreline Management Plans acknowledge the absence of risks;
 - e. ensuring that any new development enhances the distinctive local character of coastal areas as well as helping to support and enhance services and facilities for local people and visitors alike; supporting the recommendations of the AONB

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- Management Plan and continuing to play a role as a key partner in the Norfolk Coast Partnership;
- f. using the Green Infrastructure Strategy and the Green Infrastructure Mapping to identify possible areas for biodiversity enhancement on the coast (Wash and North Coast) and deliver this through decisions on planning applications and partnership working.

Policy LP15 contributes to Strategic Objectives 2, 5, Economy; 7, 8, 9 Society;11, 12, 13, 14, 15 Environment; 32, 33, 34 Coast.

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6.2 LP16 - Norfolk Coast AONB Policy

Introduction

6.2.1 An area of outstanding natural beauty (AONB) is land protected by the Countryside and Rights of Way Act (CROW) 2000 and under section 82, means an area designated for the purpose of conserving and enhancing the natural beauty of the area. They are considered to be exceptional landscapes with distinctive natural landscape character that should be safeguarded in the national interest for nature, people, business and cultural heritage. The Countryside and Rights of Way Act (2000), gave a legal duty of regard to many public bodies and officers to have regard to the purpose of designation of an AONB when undertaking any action that might affect its natural beauty ⁽¹⁷⁾.

6.2.2 Within England there are 34 AONBS which cover 15% of the land area. In West Norfolk, the Norfolk Coast AONB falls covers a significant amount of the north and western part of the borough and includes important features including the silt expanses of the Wash, designated biosphere reserves including Holme-Next-The-Sea dunes, archaeological and historic monuments, such as Castle Rising Castle, and other special values which provide a rich and diverse range of outstanding importance such as the coast, wetlands, woodlands, wildlife and more.

6.2.3 The Norfolk Coast Area of Outstanding Natural Beauty was designated in 1968 under the National Parks and Access to the Countryside Act 1949 which is now protected under the CROW Act 2000. The designated area is confirmed to be 453 square kilometres and includes a significant part of unspoiled coastal areas between the Wash and Great Yarmouth.

6.2.4 The AONB falls within 203.6sq km of West Norfolk and the western outlier of the borough that falls within the designation is Sandringham Estate, Wolferton and Castle Rising and also about six miles of the south-eastern corner of the Wash ⁽¹⁸⁾. The coastline starting nearby Holme-next-the-Sea and a continuation of the coastal strip around the north coast leads the AONB designation to the borough boundary line past Burnham Overy Staithe. The Norfolk AONB within West Norfolk varies in depth between three to five miles covering important parts of inland settlements such as Burnham Market, Ringstead and Snettisham ⁽¹⁹⁾.

6.2.5 The beauty of the coast attracts a vast number of visitors from near and a far to explore settlements such as the coast and this plays a large role on the rural and tourist economy including areas around the North-west of the AONB designation such as: Brancaster, Holme-next-the-sea and Old Hunstanton. The unique and fundamental value the AONB plays within our borough is something which will continue to be protected, supported and enhanced.

17 Norfolk Coast Partnership. 2020. Statutory Duties. Source: <http://www.norfolkcoastaonb.org.uk/partnership/statutory-duties/1051>

18 Norfolk Coast AONB. 2015. Designation history of the Norfolk Coast AONB. Source: <http://www.norfolkcoastaonb.org.uk/mediaps/pdfuploads/pd001161.pdf>

19 Norfolk Coast AONB 1968 East Map. Source: <http://www.norfolkcoastaonb.org.uk/mediaps/pdfuploads/pd003455.pdf>

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AONB Management Plan

6.2.6 Section 89 of the CROW Act places a duty on local authorities and Core Management Group of the Norfolk Coast AONB to jointly produce an AONB management plan and agree an action plan to commit to set aims, objectives and policies to the delivery and management of the future of the AONB. The most recent strategy plan (2014-2019) highlights important themes including:

- Landscape, biodiversity and geodiversity
- Built and historic environment
- Forestry, farming and fishing
- Sustainable communities
- Access and recreation

6.2.7 The joint plan is to support a range of opportunities for our Norfolk coast. It supports cooperation and policy input where necessary for local communities and businesses to invest in natural capital and sustainable management, supporting the development of adapting and mitigating the effects which may become present from climate change and potential coastal change, supporting our local bio and geodiversity within our AONB and continue to support our future visitors and recreational activities which boost our local economy but also mitigate and promote the pressures which may come to sensitive areas ⁽²⁰⁾.

6.2.8 There is a new AONB Management Plan currently out for consultation.

Policy Approach

6.2.9 Policies within the local plan and specifically within the AONB policy will support the aims and visions set out in protecting the richly diverse and distinctive landscapes that make up our historic and natural environment. The policy will conserve and enhance the importance of this designation and will require new development to appropriately contribute to the importance of the local sites, biodiversity, landscape character, cultural heritage, local employment and social needs. The beauty of the AONB brings a variety of challenges and positive attributes to all users who visit, explore, relax and breathe the surroundings.

Supporting East Marine Plan Policies are:

6.2.10 In summary the policies bullet pointed below support policy LP16, to find out more information on the supporting policies the hyperlink is active over the policy number.

- Climate Change - [CC1 and CC2](#)
- Biodiversity - [BIO1 and BIO2](#)
- Health and social well-being - [SOC1](#)

20 Norfolk Coast Area of Outstanding Natural Beauty Management Plan Strategy 2014-2019. Source: <http://www.norfolkcoastaonb.org.uk/mediaps/pdfuploads/pd003457.pdf>

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- Heritage Assets - [SOC2](#)
- Terrestrial and Marine Character - [SOC3](#)

Strategic Policy

Policy LP16 Norfolk Coast AONB Policy

Permission for major developments in the Norfolk Coast Area of Outstanding Natural Beauty will be refused unless exceptional circumstances prevail as defined in the National Planning Policy Framework. Planning permission for any proposal within the AONB, or affecting the setting of the AONB, will only be granted when it:

- a. conserves and enhances the Norfolk Coast AONB's special qualities, distinctive character, tranquillity and remoteness in accordance with national planning policy and the overall purpose of the AONB designation; and avoids adverse impacts from individual proposals (including their cumulative effects), unless these can be satisfactorily mitigated.
- b. is appropriate to the economic, social and environmental wellbeing of the area or is desirable for its understanding and enjoyment;
- c. meets the aims of the statutory Norfolk Coast AONB Management Plan and design advice, making practical and financial contributions towards management plan delivery as appropriate.

Policy LP16 contributes to Core Strategic Objectives 6 Economy, 9,11 Society, 12,13,14,16 Environment, 19 King's Lynn, 33,34 Rural Areas, 37,38 Coastal Areas.



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Area of Outstanding Natural Beauty

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6.3 LP17 - Coastal Change Management Area (Hunstanton to Dersingham) Policy

Introduction

6.3.1 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.

6.3.2 The Wash Shoreline Management Plan (SMP) identified uncertainties over the future management of the flood defences between Hunstanton and Wolferton Creek (west of Dersingham). The current intent of the SMP is to maintain the front line “shingle ridge” defence. However, this is subject to continued funding and also assumes that no irreparable damage is caused as a result of a storm tide event.

6.3.3 The EA and Borough Council continued 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 (2015) took this process forward, following on from the SMP (2010) and the Coastal Change Pathfinder study (2011). This work led to the development of a funding mechanism incorporating contributions from the East Wash Coastal Management Community Interest Company (CIC) (formed by local holiday park operators and landowners), Anglian Water Services Limited and the Borough Council. This is overseen by a Funding Group, formed from the funding partners, including the EA and a Stakeholder Forum, led by the Borough Council. Legal agreements were established to ensure that the funding mechanism runs for at least 15 years (.i.e to 2031), providing for the annual beach recycling operation and contributing towards occasional recharge operations.

6.3.4 The policy seeks to prevent inappropriate development in a vulnerable area by adopting a precautionary approach in this location.

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

Strategic Policies:

- LP41 Development in Rural Areas
- LP15 Coastal Areas
- LP17 Coastal Change Management Area (Hunstanton to Dersingham Policy).
- LP07 Economy

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- The Wash Shoreline Management Plan (SMP)(Nov 2010)
- The Wash East Coastal Management Strategy (2015)

Supporting East Marine Plan Policies are:

6.3.5 In summary the policies bullet pointed below support policy LP17, to find out more information on the supporting policies the hyperlink is active over the policy number.

- Economy - [EC1 and EC2](#)
- Tourism and recreation - [TR3](#)
- Climate change - [CC1](#)

Policy Approach

6.3.6 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. The UK Climate Impacts Programme (UKCIP) provides scenarios that show how our climate might change and co-ordinates research on dealing with our future climate.

6.3.7 The Strategic Policies aim 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. Although there are defences in place, the standard of protection they offer is low so there remains a significant risk of them being overtopped and/or breached within the lifetime of the development.

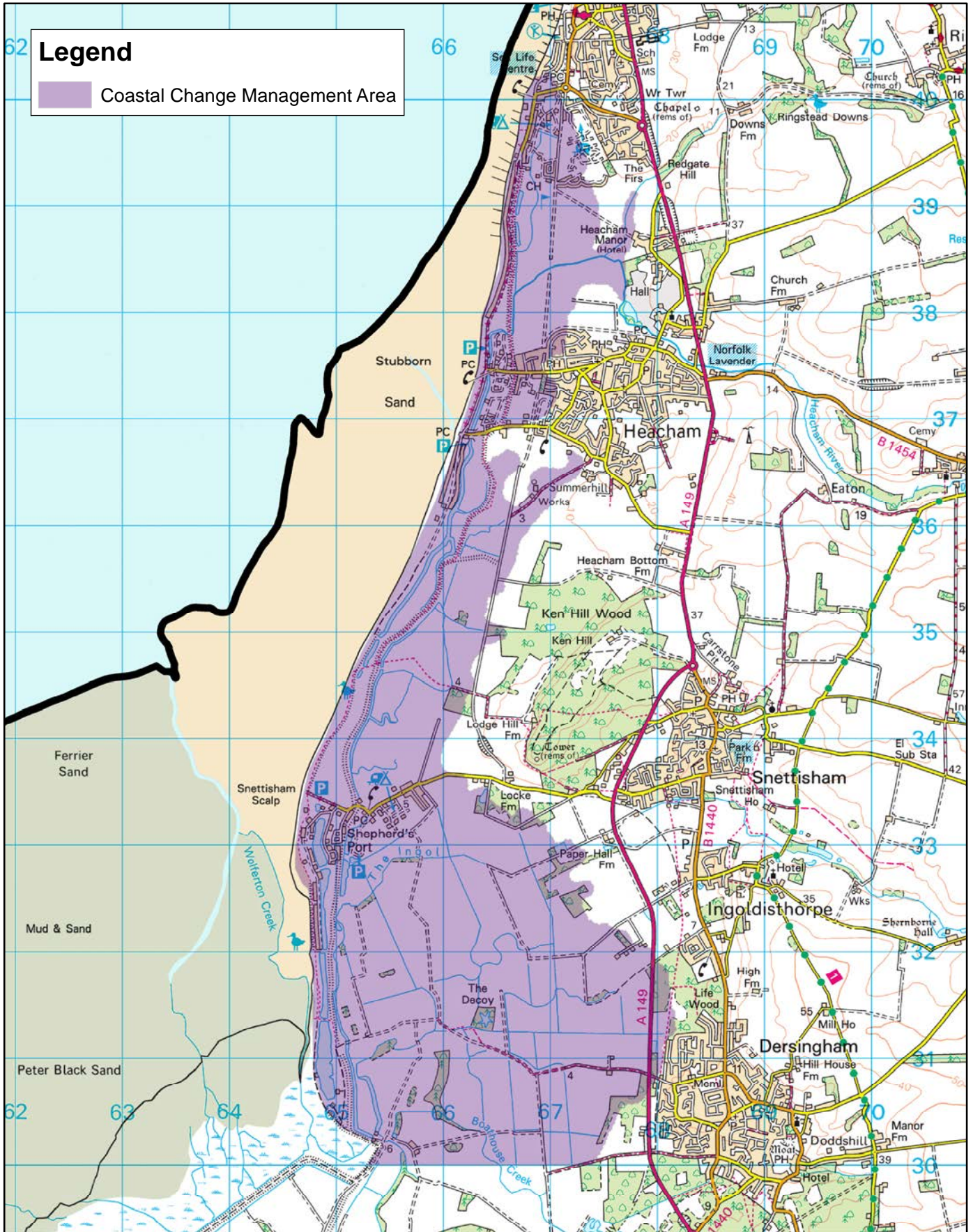
6.3.8 Annual Exceedance Probability (AEP) is the probability (expressed as a percentage) of a flood event occurring in any given year. Flood risk will be monitored and reviewed as climate change projections are updated over the duration of the plan.

6.3.9 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 April and 30 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.

6.3.10 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). Existing Article IV directions remove permitted development rights in this area.

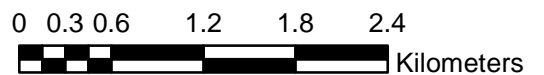
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6.3.11 Replacement caravan licensing requirements are dealt with by the Council's licensing team. Under the Caravan and Control of Development Act 1960, you're not allowed to use land you own as a caravan site, unless you hold a site licence. A small holiday site is one which has three or less caravans on site for a temporary period. There is no fee for a licence but, a licence cannot be issued without a corresponding planning permission.



Coastal Change Management Area

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Strategic Policy

Policy LP17 – Coastal Change Management Area (Hunstanton to Dersingham)

This policy applies within the area identified as being at risk of flooding during a 1 in 200 AEP event, now and in the future, either directly or through the failure of the coastal flood defences. An indicative area is illustrated within the Coastal Change Management Area on the Policies Map.

New Developments

1. The following developments will not be permitted within areas at risk of flooding in a 1 in 200 AEP event (including the relevant allowance for climate change), either directly or as a result of a breach in the coastal defences:
 - a. new dwellings;
 - b. new or additional park homes/caravans.

Replacement Dwellings

2. Replacement dwellings will only be permitted in areas at risk of flooding in a 1 in 200 AEP event (including the relevant allowance for climate change), either directly or as a result of a breach in the coastal defences where all of the following seven criteria are satisfied:
 - a. Flood Risk Assessment (FRA) must be undertaken for the development;
 - b. 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);
 - c. The dwelling will only be occupied between 1st April and 30th September in any one year;
 - d. the dwelling will incorporate resistance and resilience measures in accordance with the Department for Communities and Local Government publication: “Improving the flood performance of new buildings, flood resilient construction” (2007);
 - e. the building must be appropriately designed to withstand and be resilient to hydrostatic pressure resulting from a breach/overtopping of the tidal defences;

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- f. a flood warning and evacuation plan will be prepared for the property and retained on site;
- g. the level of habitable accommodation provided by the new dwelling would not be 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.

Replacement Caravans

3. The replacement of existing permitted caravans will be allowed, in doing so opportunities should be taken to improve the resilience/resistance of the replacement caravans. Proposals must not result in an increase in the number of bedrooms over and above the number in the original caravan.

Extensions

4. Extensions to existing properties (beyond any Permitted Development Rights that could be exercised) must not 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. A condition limiting the number of bedrooms will be imposed. Extensions that encroach within 16m of the toe of the flood defences will not be permitted.

Change of Use

5. 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.

Seasonal Occupancy

6. 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.

Temporary Consents

7. Existing temporary consents for the siting of park/mobile homes and caravans will be renewed for a period up to 2031. A flood risk assessment will need to be submitted with applications for such renewals.

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6.4 LP18 - Design and Sustainable Development Policy

Introduction

6.4.1 Good design is a key element of sustainable development. In preparing for population growth in the borough it is imperative that proposals for new development and redevelopment are based on sound design principles. This will help ensure that what is being constructed now will be of high quality and can last far beyond the timescale of the plan. Developers will be encouraged to refer to publications and best practice on quality design in formulating development proposals.

6.4.2 The borough has a wealth of heritage in terms of its environment and history. With this wealth come challenges as the borough will need to provide extra homes and associated infrastructure without causing a detrimental impact on these qualities. Through public consultation we have learnt that communities feel that safeguarding our natural resources is crucial to ensure future generations have access to a healthy and attractive environment.

6.4.3 The choice of location has a key bearing on the long term sustainability of any proposed development. The Proposals Map and the Settlement Hierarchy Policy LP02 show a more strategic overview of acceptable locations for development. However, more specific details such as the exact location, form, layout and accessibility of the site for proposed development should also be designed to promote sustainability, for example, by situating development next to established walking, cycling or public transport routes for access to local services.

6.4.4 Grasping opportunities to enhance and expand our natural resources is vital to ensure that people and wildlife can adapt to the impacts of climate change. There is a need to find innovative solutions to maximise opportunities to help cut our carbon emissions. To aid wildlife developments should include integral bird and bat boxes within the building fabric wherever possible (for example, the Manthorpe swift box), in order to provide important new nesting and roosting opportunities. Provision of new nesting sites on new development can offer an important lifeline for these species. Swifts are on the amber list of Birds of Conservation Concern. The Norfolk Biodiversity Action Plan has a Swifts Species Action Plan. Species Action Plans have also been prepared for Barbastelle, Noctule, Soprano Pipistrelle and Brown Long-eared bats.

6.4.5 Due to the location of the borough and the nature of many of the settlements, the use of the car remains the only viable option for many residents to travel. Changes in the road network and long term investment in public transport may be able to lessen the problem along with ensuring that new development is sensibly located with adequate facilities.

6.4.6 Planning in Health, an engagement protocol between local planning authorities, public health and health sector organisations in Norfolk, was adopted in March 2017. This health protocol came about in recognition of a need for greater collaboration between local planning

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authorities, health service organisations and public health agencies to plan for future growth and to promote health. It reflects a change in national planning policy and the need for health service organisations to deliver on the commitments within the 5-year forward view.

6.4.7 To help aid decisions, numerous studies have been undertaken to ascertain the resources we have in the borough coupled with any issues relating to sustainability and climate change and how best we can move forward in protecting our natural resources.

6.4.8 Part IV of the Environment Act (1995) and the relevant policy and technical guidance documents set out the Local Air Quality Management process. This places an obligation on all local authorities to regularly review and assess air quality in their areas, and to determine whether or not the air quality objectives (AQOs) are likely to be achieved.

6.4.9 Two Air Quality Management Areas (AQMAs) have been declared in Kings Lynn town centre and Gaywood due to exceedances of the annual mean objective for Nitrogen Dioxide. Source apportionment work has concluded the main source of the NO₂ is emitted from road vehicles. An Air Quality Action Plan (AQAP) has been published setting out the measures put in place in pursuit of the objectives. The borough council's Annual Status Reports show the strategies employed by the council to improve air quality and the progress that has been made.

6.4.10 The AQAP includes measures which are part of the development planning and development control process. Policy LP21 ensures that any development is assessed in terms of its potential environmental impact, including air quality. Applications for development are screened and considered in consultation with the Environmental Quality Team in accordance with current technical guidance.

6.4.11 The NPPF requires that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of AQMAs, and the cumulative impacts from individual sites in local areas. Development should seek to identify opportunities to improve air quality or mitigate impacts that have been identified, through measures such as traffic and travel management, and green infrastructure provision and enhancement.

6.4.12 Water resources should be protected to ensure that people have access to water and that growth is sustainable. Sustainable Drainage Systems (SUDs) may include the following: drainage channels; water courses; infiltrations areas such as swales; attenuation ponds; and wetland areas. As well as providing protection from flooding these measures can also provide recreational opportunities and new habitats for wildlife.

6.4.13 The largest potential environmental risk is likely to be associated with a water company Water Recycling Centre discharge remote from the site boundary. Wastewater infrastructure requirements and/or the importance of ensuring that new development should not result in a breach of environmental legislation due to the increased polluting load from wastewater treatment works serving those developments. The policy requirement is to

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demonstrate that there is, or will be, sufficient wastewater infrastructure capacity to accommodate each individual development. This would likely take the form of a Pre-Development Enquiry response from Anglian Water submitted in support of each new planning application.

6.4.14 The borough lies within one of the driest parts of the UK. Planned growth in housing and employment will significantly increase water demand. The area's large agricultural sector is also dependent on water availability in the summer. Water quality is crucial, due to the number of protected sites relying on high water quality. Anglian Water supplies water to the borough. Essex and Suffolk Water have the ability to transfer water to Essex via the Ely Ouse Transfer Scheme. Water companies have a statutory obligation to prepare and review Water Resource Management Plans (WRMP) once every 5 years setting how they will maintain a sustainable balance between water supplies and demand.

6.4.15 Anglian Water's Water Resources Management Plan to 2040 demonstrates how sufficient water for future growth will be provided and therefore water supply is not a strategic constraint to development through appropriate supply and demand measures. Consideration is given to reducing the potential demand for water before proposing supply measures.

6.4.16 Local Plans can also contribute to long term water resilience by ensuring that new development incorporates water efficiency measures including the adoption of the optional higher water efficiency standard (110 litres/per person/per day).

6.4.17 The Norfolk Strategic Planning Framework (NSPF) set out an Agreement that when preparing Local Plans to seek to include the optional higher water efficiency standard (110 litres/per person/per day) for residential development.

6.4.18 The NSPF also suggested that individual authorities may also wish to consider the inclusion of a specific water efficiency BREEAM standard for commercial development within their Local Plans. Improved water efficiency is not limited to measures within dwellings and commercial buildings and a collaborative approach to promote innovation in water efficiency/re-use is required working closely with water companies and site promoters/developers.

6.4.19 Planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties. Policies may also make use of the nationally described space standard, where the need for an internal space standard can be justified.

6.4.20 In achieving appropriate densities planning policies and decisions should support development that makes efficient use of land, taking into account: a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; b) local market conditions and viability; c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car

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use; d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and e) the importance of securing well-designed, attractive and healthy places.

6.4.21 A Level 1 Strategic Flood Risk Assessment (SFRA) was completed for the borough in 2018 and shows the areas at risk from flooding. A Level 2 SFRA is being prepared. By using this evidence development can be steered away from areas at risk and more sustainable communities can be planned as a result.

6.4.22 Shoreline Management Plans have been prepared by the Environment Agency. These look at how the coast will be managed over the next 100 years. Options include holding the line, managed realignment or retreat. All options undergo extensive stakeholder and public consultation. Marine Plans were prepared by the MMO for the East Inshore and Offshore areas in 2014.

6.4.23 The Borough Council's Green Infrastructure Strategy is used by the Council to plan and deliver a network of high-quality green spaces and other environmental features. The Green Infrastructure Strategy helps to deliver sustainable methods of design by incorporation of pathways and cycle tracks in new development, the provision of trees for urban cooling and areas which act as a refuge for wildlife in a changing climate.

6.4.24 Renewable and low carbon energy includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels). All these technologies have a role to play in meeting Government targets and were positive outcomes for the borough in the Sustainability Appraisal.

Supporting East Marine Plans Policies are:

6.4.25 In summary the policies bullet pointed below support policy LP18, to find out more information on the supporting policies the hyperlink is active over the policy number.

- Climate Change - [CC1 and CC2](#)
- Economic - [EC3](#)
- Terrestrial and Marine Character - [SOC3](#)
- Offshore Wind Areas - [WIND2](#)

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Strategic Policy

Policy LP18 Design and Sustainable Development

1. All new development in the borough must be of high quality design.
2. Where relevant new development will be required to demonstrate its ability to:
 - a. conserve and enhance the historic and natural environment and reduce environmental risks;
 - b. enrich the attraction of the borough as an exceptional place to live, work and visit;
 - c. respond to the context and character of places in West Norfolk by ensuring that the scale, density, layout, materials and access will enhance the quality of the environment;
 - d. where possible, enhance the special qualities and local distinctiveness of the area (including its historical, biodiversity and cultural character), gaps between settlements, landscape setting, distinctive settlement character, landscape features and ecological networks.
 - e. optimise site potential, making the best use of land including the use of brownfield land;
 - f. enhance community wellbeing by being accessible, inclusive, locally distinctive, safe and by promoting healthy lifestyles (see Policy LP34 Community & Culture);
 - g. achieve high standards of sustainable design.
3. To promote and encourage opportunities to achieve high standards of sustainability and energy efficiency, development proposals will be required to demonstrate:
 - a. the use of construction techniques, layout, orientation, internal design and appropriate insulation maximised to improve efficiency;
 - b. the innovative use of re-used or recycled materials of local and traditional materials to decrease waste and maintain local character;
 - c. the reduction of on-site emissions by generation of cleaner energy where appropriate;
 - d. within larger developments of sufficient scale, the provision of green space to safeguard wildlife, provide recreation opportunities and improve the quality of life for people living in the area and the integration of the development into the GI network, or the creation of linkages to it wherever possible;
 - e. the provision of good access links for walking and cycling;
 - f. the provision of swift and bat boxes, bee bricks and hedgehog highways whenever possible;
 - g. the promotion of water efficiency - all new housing must meet Building Regulation requirement of 110 l/h/d. Non-domestic buildings should as a minimum reach 'Good' BREEAM status:

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- h. the incorporation of Sustainable Drainage Systems (SuDS) ;
- i. designs that exceed the present standards set by Building Regulations will be encouraged;
- j. water reuse and recycling and rainwater and stormwater harvesting, and other suitable measures have been incorporated wherever feasible to reduce demand on mains water supply;
- k. evidence that there is, or will be, sufficient wastewater infrastructure capacity to accommodate the development;
- l. at the design stage, that attention has been paid to the Homes England 'Building for a Healthy Life ' standard for well-designed homes and neighbourhoods and the Borough Council will encourage all new schemes to be assessed against the Building for a Healthy Life criteria, or successor documents as appropriate (21),
- m. the maximisation of internal space by encouraging all new homes across all tenures to meet the Government's Nationally Described Space Standard (NDSS), unless other material planning considerations would mean that these space standards are not achievable.

Density of development

- 4. In seeking to make the most efficient use of land, the Council will expect proposals to optimise the density of development in the light of local factors such as:
 - a. the setting of the development;
 - b. the form and character of existing development; and
 - c. the requirement for any onsite infrastructure including amenity space.

Flood Risk and Climate Change

- 5. The Council's Strategic Flood Risk Assessment (SFRA) outlines potential flood risk throughout the borough. In order to ensure future growth within the borough is sustainable: the findings of the SFRA will be used to guide planned growth and future developments away from areas of high flood risk, including the coastal area. Development in any location will be expected to manage water sustainably and reduce surface water runoff using multifunctional Sustainable Drainage Systems (SuDS) where possible;
- 6. Shoreline Management Plans, Marine Plans and associated documents, will also serve to highlight the future needs and changes that may affect coastal communities arising from changes in climate and will be taken into account in decision making.

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Renewable Energy

7. The Council and its partners will support and encourage the generation of energy from renewable sources. These will be permitted unless there are unacceptable locational or other impacts that could not be outweighed by wider environmental, social, economic and other benefits. Commercial and agricultural buildings with a significant area of flat/low pitch roofs (over 250m²) should make provision for solar panels within their detailed design to maximise the use of the roof area. (See also Policy LP24).

Policy LP18 contributes to Core Strategy Objectives 5, Economy, 11, 12, 13, 15, Environment, 18, King's Lynn, 32, Coast.

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6.5 LP19 - Environmental Assets - Green Infrastructure, Landscape Character, Biodiversity and Geodiversity Policy

Introduction

6.5.1 The Borough has a significant number of natural assets, including:

- An Area of Outstanding Natural Beauty - nationally recognised for its landscape importance;
- Heritage Coast;
- 5 Ramsar sites - internationally recognised for their wetland importance;
- 8 Special Areas of Conservation – internationally recognised for their unique habitats;
- 4 Special Protection Areas – internationally recognised for their birdlife;
- 6 National Nature Reserves;
- 29 Sites of Special Scientific Interest – nationally recognised for their ecological and geological importance;
- 212 County Wildlife Sites – locally recognised for their biodiversity value;
- 23 ancient woodlands;

6.5.2 Part of the appeal of the area to visitors and local people is the environment, therefore it is important that these assets are protected and enhanced.

6.5.3 The Council will work to the NPPF to ensure that our biodiversity and geodiversity are protected and that opportunities for enhancement sensitive to the area and features are grasped. Appropriate weight will be given to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpins our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver. The long-term capability of best and most versatile agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) should be safeguarded as a resource for the future in line with NPPF paragraph 170.

6.5.4 The 2007 Landscape Character Assessment recognises the different landscape character types in the borough and their sensitivity to accommodate change. It also provides guidance on how planning can help to make better decisions and shape the future of a more attractive and healthy environment.

East Marine Plans Supporting Policies:

- Biodiversity - [BIO1 and BIO2](#)
- Cumulative Impact Assessment - [ECO1](#)
- MPA Network - [MPA1](#)
- Terrestrial and Marine Character - [SOC3](#)

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Strategic Policy

Policy LP19 Environmental Assets- Green Infrastructure, Landscape character, Biodiversity and Geodiversity

1. Proposals to protect and enhance our landscape character, biodiversity and geodiversity will be encouraged and supported.
2. The Council will conserve (and where appropriate enhance) County Wildlife Sites, Ancient Woodlands, and County Geodiversity Sites from development which damages their interest or significance unless the need for, and public benefits of the development outweigh the loss of interest or significance.
3. Development should seek to avoid, and where this is not possible, justify, mitigate or compensate for any adverse impacts on biodiversity, geodiversity and heritage, as well as seeking to enhance sites through the creation of features of new biodiversity interest. The design of new development should be sensitive to the surrounding area and not detract from the inherent quality of the environment.
4. Appropriate weight will be given to the roles performed by the area's soils. These must be valued as a finite multi-functional resource which underpins our wellbeing and prosperity. Decisions about development must take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver.
5. The long-term capability of the best and most versatile agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) will be safeguarded as a resource for the future.
6. The Council and its partners will support a range of initiatives and proposals that will improve areas of poor quality lacking in biodiversity and geodiversity as well as maintaining, enhancing and linking areas of good quality.
7. The Borough Council will work with partners to ensure an integrated network of green infrastructure throughout the urban and rural areas (identified through the Green Infrastructure Management Plan) is successfully created and managed to:
 - a. meet the environmental, social and economic needs of local communities and the wider borough;
 - b. create a high-quality environment for biodiversity and geodiversity to flourish;
 - c. provide opportunities for species to adapt to the impacts of climate change;
 - d. contribute to an improved quality of life for current and future residents and visitors;
 - e. target areas identified as being deficient in multi-functional green space;
 - f. incorporate multifunctional Sustainable Drainage Systems (SuDS) within new development to encourage new habitats.

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Character Assessment

8. Proposals for development will be informed by, and seek opportunities to reinforce the distinctive character areas and potential habitat creation areas identified in the King's Lynn and West Norfolk Landscape Character Assessment and other character assessments.

Policy LP19 contributes to Strategic Objectives 6 Economy; 10, Society; 12, 13, 14, 16 Environment; 33 Rural Areas; 37, 38, Coast.

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6.6 LP20- Environmental Assets - Historic Environment Policy

Introduction

6.6.1 The NPPF defines historic environment as ‘all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora’.

6.6.2 The historic environment and heritage assets within the borough feed into the importance of local identity, health and wellbeing, tourist exploration and having open spaces for all to use. The conservation and enhancement of the historic environment amongst adapting to environmental and socio-economic challenges is a key consideration when determining planning applications; and contributing to the Government’s goals for improving our natural heritage and achieving goal 6 of the DEFRA 25 Year Environment Plan “enhanced beauty, heritage and engagement with the natural environment”.

6.6.3 The Borough has a rich and varied cultural heritage. The historic environment makes a significant contribution to sustainable communities through supporting economic vitality, social and cultural links to the past and a dynamic and varied built environment.

6.6.4 The Borough has a significant number of heritage historic assets, including:

- 5 Registered Parks and Gardens;
- 42 Conservation Areas;
- approximately 1,545 Listed Buildings;
- 127 Scheduled Monuments (which is the greatest number for any district or unitary authority in the East of England);
- many non-designated heritage assets.

6.6.5 Much of the landscape of the Borough is a product of historic and cultural practices and is of itself an historic landscape. There are many designated and non-designated heritage assets.

6.6.6 Parks and Gardens are fundamental components within the historic environment and are landscapes which are important heritage assets. In the Borough there are five Registered Parks and Gardens which play a large contribution to the benefits of the local community and its historical identity. Parks and gardens, amongst other natural and historical assets, all play crucial and valuable roles within society for their contribution to green infrastructure, climate change adaptation and enhancing the beauty of such natural spaces

6.6.7 Heritage assets are defined by the NPPF as ‘a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing)’.

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- Designated heritage asset. The NPPF defines these as World Heritage Sites, Scheduled Monuments, Listed Buildings, Protected Wreck Sites, Registered Parks and Gardens, Registered Battlefields or Conservation Areas designated under the relevant legislation.
- Non-Designated Heritage Assets. The PPG says these are locally designated 'buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions, but which are not formally designated heritage assets'.

6.6.8 There will be archaeological interest in a heritage asset if it holds, or may potentially hold, evidence of past human activity worthy of expert investigation. Heritage assets with archaeological interest are the primary evidence source about the substance and evolution of places, and the people and cultures that made them.

6.6.9 Heritage at Risk is a term applied to designated heritage assets at risk as a result of neglect, decay, or inappropriate development, or vulnerable to becoming so. The Council generally supports improvements to the 'at risk' assets that will enable them to be taken off the register, but these changes must be in conformity with the other adopted policies of the Local Plan and with national planning policies.

East Marine Plans Supporting Policies :

6.6.10 In summary the policies bullet pointed below support policy LP20, to find out more information on the supporting policies the hyperlink is active over the policy number.

- Heritage Assets - [SOC2](#)
- Health and social well-being and access to the coast and marine area - [SOC3](#)

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Strategic Policy

Policy LP20: Historic Environment Policy

The historic environment of the Borough will be conserved and enhanced. Key buildings, structures and features which contribute to the Borough's character and distinctiveness will be protected from inappropriate development or change. Proposals which maintain, enhance and provide better understanding of the significance of the overall cultural heritage value of the Borough will be sought through:

- i. Supporting the repair and appropriate re-use of buildings and structures of historic, architectural, cultural or landscape value where the repair and/or use would not be detrimental to the character, appearance or integrity of the building or structure, its context or setting; and
- ii. Requiring the highest standard of design which will protect the historic environment and add to the future cultural heritage value of the locality.

The archaeology of the Borough will be better understood, protected and enhanced by:

- iii. Protecting archaeology from inappropriate development or change.

Appropriate development proposals that bring into use or improve an asset so it is no longer deemed at risk on the heritage at risk register will be supported where appropriate to their significance.

Policy LP20 contributes to Strategic Objectives 6 Economy; 10, Society; 12, 13, 16 Environment.

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6.7 LP21 - Environment, Design and Amenity Policy

Introduction

6.7.1 The importance of the environment and how we as a nation must improve the quality of the environment as a whole, has been emphasised over recent years in the Governments key aims and long-term national plans to leave the environment in a better state than we found it. A large emphasis of protection on our natural resources and improving the environmental standards of our air, water and soils has played a vital role in research to reduce pollution to a minimum and keep quality at a high standard.

6.7.2 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. 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.

6.7.3 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.

6.7.4 Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

Relevant Local and National Policies and Guidance

- National Planning Policy Framework: Requiring Good Design
- UK A Green Future: Our 25 Year Plan to Improve the Environment (2018)
- UK Clean Growth Strategy (2017)
- UK Clean Air Strategy (2019)
- DEFRA Safeguarding our Soils – A Strategy for England (2011)

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- Water for life livelihoods Part 1: Anglian river basin district River basin management plan (2015)
- Marine Policy Statement/East Marine Plans: Policy [SOC2](#) Heritage Assets and [SOC3](#) Character
- Borough Council: Air Quality Action Plan
- Railway Road Air Quality Management Area Order and Extension Order
- Borough Council: Contaminated Land Inspection Strategy
- Gaywood Clock Air Quality Management Area Order
- 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
- Norfolk County Council: Local Transport Plan, LTP3
- Strategic Policy LP18: Design and Sustainable Development

Policy Approach

6.7.5 This policy complements Strategic Policy LP18, 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.

6.7.6 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.

6.7.7 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.

6.7.8 The NPPF (2019) para. 182 advises that “Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an

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existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent should be required to provide suitable mitigation before the development has been completed."

Strategic Policy

Policy LP21 – Environment, Design and Amenity

1. Development must conserve and enhance the amenity of the wider environment including the historic environment.
2. 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:
 - a. impact on the historic environment;
 - b. overlooking, overbearing, overshadowing;
 - c. noise;
 - d. odour;
 - e. air quality;
 - f. light pollution;
 - g. contamination and soil quality;
 - h. water quality;
 - i. sustainable drainage; and
 - j. visual impact.
3. 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.
4. Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.
5. Development proposals should demonstrate that safe access can be provided, and adequate parking facilities are available.
6. Proposals for development adjacent to, or in the vicinity of, existing uses will need to demonstrate that both the ongoing use of the neighbouring site is not compromised, and that the amenity of occupiers of the new development will be satisfactory with the ongoing normal use of the neighbouring site, taking account of the criteria above.

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6.8 LP22 - Provision of Recreational Open Space for Residential Developments Policy

Introduction

6.8.1 With over 11,000 new homes planned for the Borough at an average household size of 2.3 (Census,2011), this could mean that there may be an additional 25,300 people, which could lead to a further demand of open space over the plan period to 2036. It is important that new community facilities and recreational space are provided to meet the needs of an expanded population. Strategic Policy LP05 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.

6.8.2 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 and Safe Communities
- Strategic Policy LP36 Community and Culture
- Fields in Trust: Planning and Design for Outdoor Sport and Play (2008)

Policy Approach

6.8.3 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.

6.8.4 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.

6.8.5 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.

6.8.6 The recent pandemic has emphasised the importance of easy access to recreational open space for people's health and wellbeing.

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Strategic Policy

Policy LP22 – Provision of Recreational Open Space for Residential Developments

1. All new residential development will be expected to make adequate provision for open space to recognise the importance open space has on health and wellbeing for all residents. This will be done by following the standards set out below:
 - a. 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. 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.
 - b. Schemes of 20 units or greater will provide 2.4 hectares of open space per 1,000 population comprising approximately:
 - i. 70% for either amenity, outdoor sport, and allotments (see below) and
 - ii. 30% for suitably equipped children's play space
 - c. Developments of 20 – 99 dwellings will be expected to meet the requirement for suitably equipped children's play space only.
 - d. Developments of 100 dwellings and above will be expected to meet the whole requirement.
2. 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.).
3. 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.

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4. The Council will adopt a flexible approach to the types of open space required within a particular scheme only where it can be demonstrated:
 - a. that there is excess provision available in the locality, or
 - b. where opportunities exist to enhance existing local schemes, or
 - c. the townscape or other context of the development is such that the provision of open space is not desirable.

Allotments

5. 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 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.

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6.9 LP23 - Green Infrastructure Policy

Introduction

6.9.1 The National Planning Policy Framework (2019) defines green infrastructure to be “a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.” Green infrastructure plays a crucial role in sustainability and its presence in society brings positive impacts on our mental and physical health.; as well as for biodiversity and nature.

6.9.2 In the Building Better, Building Beautiful Report (2020), green infrastructure and the phrase ‘green is good for us’ highlights the positive presence it brings within design and the beauty of our surroundings; which all in the local community can cherish. Whether this be from tree planting, parks, playing fields, allotments or green roofs/walls on buildings the perception of beauty and green infrastructure combined is highlighted as important from national policy downwards.

6.9.3 The 25 Year Environment Plan (2018) discusses the importance the planning system can play in protecting key natural and historic assets and encouraging high quality green infrastructure within urban areas; it also emphasises the opportunities existing, and new green infrastructure can support through nature recovery and delivery options over a long period of time. National plans to help ‘green’ our towns and create further green infrastructure are supported within the local plan review.

Green Infrastructure Study

6.9.4 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.
- Projects included - 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; The Wissey Living Landscape Project; and the Gaywood Valley Living Landscape Project.

6.9.5 This Study has been supplemented by 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

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gaps (geographical or type) in existing or emerging provision, the Council's efforts can be targeted to best effect. The Norfolk Green Infrastructure and Recreational impact Avoidance and Mitigation Strategy (2020) was produced as part of the NSPF.

6.9.6 Norfolk local authorities comprising Broadland District Council, Breckland District Council, Great Yarmouth Borough Council, the Borough Council of King's Lynn and West Norfolk, North Norfolk District Council, Norwich City Council, South Norfolk Council and the Broads Authority combined to commission a Green Infrastructure and Recreational Avoidance and Mitigation Strategy. This will enable more informed strategic planning decisions that will help shape emerging Local Plans. The report will serve as another vehicle to deliver solutions to impacts on Natura 2000 sites by, for example, identifying other less sensitive sites to accommodate visitor pressure. The Strategy also considers cross boundary issues therefore ensuring that the cumulative impact of growth across Norfolk is considered and that the local authorities are all playing a role in addressing the impact of their development targets.

Types of protected sites and areas

6.9.7 See Glossary for definitions.

6.9.8 An internationally or European protected site:

- special area of conservation (SAC)
- special protection area (SPA)
- Ramsar wetland
- potential SPA, possible SAC or proposed Ramsar wetland

6.9.9 A nationally protected site:

- site of special scientific interest (SSSI)
- marine conservation zone (MCZ)

6.9.10 A locally protected site:

- local nature reserve
- local wildlife site
- local geological site

6.9.11 A protected area:

- national park or the Norfolk and Suffolk Broads
- area of outstanding natural beauty
- heritage coast

Relevant Local and National Policies and Guidance

- National Planning Policy Framework: Conserving and enhancing the natural environment

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- UK A Green Future: Our 25 Year Plan to Improve the Environment (2018)
- National Design Guide: Movement and Nature (2019)
- Building Better, Building Beautiful Commission (2020)
- The Anglian River Basin Management Plan (2015)

Strategic Policies:

- LP19 Environmental Assets
- LP36 Community and Culture
- LP05 Infrastructure Provision

Green Infrastructure Strategy Stage 1 (2009) and Stage 2 (2010)

Supporting East Marine Plan Policies are:

In summary the policies bullet pointed below support policy LP23, to find out more information on the supporting policies the hyperlink is active over the policy number.

- Biodiversity - [BIO1 and BIO2](#)
- Cumulative Impacts - [ECO1](#)
- Marine Protected Areas - [MPA1](#)
- Terrestrial and Marine Character - [SOC3](#)

Policy Approach

6.9.12 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 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.

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

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Strategic Policy

Policy LP23 Green Infrastructure

1. Opportunities will be taken to link to wider networks, working with partners both within and beyond the Borough. This will include where appropriate considering deficiencies in certain areas.
2. The Council will protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks, including National Trails.
3. The Council supports delivery of the projects detailed in the Green Infrastructure Study including:
 - a. The Fens Waterway Link- Ouse to Nene;
 - b. The King's Lynn Wash/Norfolk Coast Path Link;
 - c. The former railway route between King's Lynn and Hunstanton; and
 - d. The Wissey Living Landscape Project; and
 - e. The Gaywood Valley Living Landscape Project
4. The Council will identify, and coordinate strategic delivery, with relevant stakeholders, of an appropriate range of proportionate green infrastructure enhancements to support new housing and other development and mitigate any potential adverse effects on designated sites of nature conservation interest as a result of increased recreational disturbance arising from new development. All new development must ensure there is no adverse effect on a European Protected Site through the provision of appropriate measures.
5. All development will contribute proportionally to the delivery of green infrastructure.

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6.10 LP24 - Renewable Energy Policy

Introduction

6.10.1 The NPFF at Para 152 advises that “Local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning.”

6.10.2 Strategic Policy LP18 Sustainable Development outlines that the generation of energy from renewable sources will be supported and encouraged. Permission will be given unless there are unacceptable locational 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
- Strategic Policy LP18: Design and Sustainable Development
- Borough Council of King's Lynn & West Norfolk: Small-scale wind turbine noise and shadow flicker guidance
- Planning Practice Guidance

Supporting East Marine Plan Policies are:

6.10.3 In summary the policies bullet pointed below support policy LP24, to find out more information on the supporting policies the hyperlink is active over the policy number.

- Landward Infrastructure- [GOV1](#)
- Offshore Windfarms- [WIND2](#)
- Offshore Wind- [EC3](#)
- Terrestrial and Marine Character- [SOC3](#)
- Fishing Activity- [FISH1](#)
- Spawning and Nursery Areas- [FISH2](#)
- Subsea Cabling- [CAB1](#)

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Policy Approach

6.10.4 This policy defines the criteria against which applications for renewable energy will be considered to provide clarity for developers and the wider public. However, it does not apply to wind energy proposals. Decisions regarding wind energy will rely on national policy and guidance in the renewable and low carbon energy section of the Planning Practice Guidance. 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.

Strategic Policy

Policy LP24 – Renewable Energy

1. Proposals will be supported and considered in the context of contributing to the achievement of sustainable development and adapting to climate change. Proposals made by a local community and through neighbourhood plans for the development of renewable and low-carbon sources of energy, in scale with their community's requirements, including supporting infrastructure for renewable energy projects will be supported.
2. Proposals for renewable energy (other than proposals for wind energy development) 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:
 - a. sites of national or local nature or landscape conservation importance, whether directly or indirectly, such as the Norfolk Coast Area of Outstanding Natural Beauty (AONB),
 - b. the surrounding landscape and townscape;
 - c. designated and un-designated heritage assets, including the setting of assets;
 - d. ecological interests (species and habitats);
 - e. amenity (in terms of noise, overbearing relationship, air quality and light pollution);
 - f. contaminated land;

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- g. water courses (in terms of pollution);
 - h. 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
 - i. tourism and other economic activity.
3. In addition to the above factors, the Borough Council will seek to protect productive agricultural land and best and most versatile land⁽²²⁾ Applications for other uses which would adversely affect these are likely to be refused, unless the material benefits associated with its approval outweigh its loss.
 4. 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.
 5. In line with Policy LP27 proposals that would lead to adverse impacts on international nature conservation sites will not be permitted.

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6.11 LP25 - Sites in Areas of Flood Risk Policy

Introduction

6.11.1 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) was prepared by the Lead Local Flood Authority (LLFA), Norfolk County Council, for King's Lynn and West Norfolk Settlements (Stage 1 2010, Stage 2 2012). This identified areas which are particularly vulnerable to surface water flooding. The SWMP defines Local Flood Risk Zones which led to Critical Drainage Catchments (catchment areas feeding into these flood-vulnerable areas) being identified. Any development within them is likely to increase the risk of flooding in the most vulnerable areas if no mitigation takes place.

6.11.2 In 2017 a consortium of Norfolk local planning authorities commissioned new Level 1 SFRA's to inform strategic planning decisions, the preparation of local plans and to inform development management decisions. The new SFRA for the Borough was finalised in November 2018. A Level 2 SFRA will also be completed early in 2019. These documents form the basis of the Borough's approach to the Sequential and Exception tests and inform the Sustainability Appraisal of the plan.

Relevant Local and National Policies

- National Planning Policy Framework: Meeting the challenge of climate change, flooding and coastal change
- National Planning Practice Guidance

Strategic Policies:

- LP15 Development in Coastal Areas
- LP18 Sustainable Development
- Joint Protocol (2012) on Strategic Flood Risk Assessment and Tidal River Hazard Mapping, Environment Agency and Borough Council
- The Wash Shoreline Management Plan (SMP) (Nov 2010)
- Marine Policy Statement/East Marine Plan Policy CC1 Climate Change

Policy Approach

6.11.3 In order to comply with the full requirements for the Exception 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 introduced a requirement

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in April 2015 for 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.

6.11.4 When development is proposed in, or nearby to areas of flood risk, opportunities should be taken to reduce the existing risk of flooding. Development proposals should promote flood risk reduction, enabling opportunities identified in the SFRA. This may include reducing surface water discharge rates and volumes, providing increased flood storage or conveyance capacity, setting aside green space that could be used for water storage in future, or integrating or retrofitting surface water measures to replace and/or augment existing drainage infrastructure.

6.11.5 The development must not increase the risk of flooding within the development site or in the surrounding area. It will need to be demonstrated that development will be resistant and resilient to flooding for its lifetime. An assessment of access and egress is also needed. In relation to the consideration of the impact of climate change the allowances considered must be in accordance with the latest national guidance.

6.11.6 Internal Drainage Boards (IDBs) 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. The Middle Level Commissioners are a statutory corporation created under the Middle Level Acts 1810-74 and operating also under the Land Drainage Act 1991, the Flood and Water Management Act 2010 and the Nene Navigation Act 1753. The Commissioners' primary functions comprise the provision of flood defence and water level management to the Middle Level area, and as navigation authority for the navigable waters of the to fulfil when undertaking their functions. Other bodies involved in the water management process are Anglian Water, Essex and Suffolk Water and Norfolk County Council, as the Lead Local Flood Authority.

Strategic Policy

Policy LP25: Sites in Areas of Flood Risk

Where sites are at risk of flooding as identified by the Council's Strategic Flood Risk Assessment or more recent Environment Agency mapping and there are no other reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding:

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

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- a. a site-specific flood risk assessment that considers flood risk from all sources and demonstrates that the proposed 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. The flood risk assessment will need to consider:
 - Climate change in line with allowances detailed in the latest national guidance.
 - The vulnerability of the users of the proposed development.
 - Safe access and egress to an area of safe refuge in line with the Flood Risk Assessment Guidance for New Development (FD2320) document.
 - b. 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) to ensure the protection of internationally and nationally designated sites in addition to other natural environment assets such as the landscape and scenic beauty of the Norfolk Coast Area of Outstanding Natural Beauty.
2. For allocated sites the sequential test set out in the National Planning Policy Framework (NPPF) policy 158 is deemed to be met by the allocation process, as set out in the 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 159:
 - a. the first part (demonstration of wider sustainability benefits) is deemed to be met by the allocation process; and
 - b. 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;
 4. The design of new dwellings will be in accordance with the Environment Agency/Borough Council Flood Risk Design Guidance (Appendix B).

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5. 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.
6. Mitigation measures must minimise the risk of flooding on the development site and within the surrounding area.
7. Development proposals must demonstrate:
 - a. The use of multifunctional Sustainable Drainage Systems (SuDS) unless it can be demonstrated that it is not feasible;
 - b. That adequate foul water treatment and disposal already exists or can be provided in time to serve the development;
 - c. That foul and surface water flows are separated where possible.

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6.12 LP26 - Protection of Local Open Space Policy

Introduction

6.12.1 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.

6.12.2 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).

6.12.3 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 Strategic policies LP18, LP36 and LP05. Policy LP19 indicates that it may be necessary to secure biodiversity needs through planning conditions / obligations. LP19 also highlights the crucial role of the historic and built environment in delivering environmental quality and well-being. Policy LP36 indicates that the Borough Council will support proposals that protect, retain and/or enhance sports, leisure and recreation facilities and Policy LP05 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 and Safe Communities
- National Planning Policy Framework: Conserving and Enhancing the Natural Environment
- National Planning Policy Framework: Conserving and Enhancing the Historic Environment
- UK A Green Future: Our 25 Year Plan to Improve the Environment (2018)

Strategic Policies:

- LP19 Environmental Assets
- LP36 Community and Culture
- LP05 Infrastructure Provision
- Green Infrastructure Strategy (2009/2010)

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Policy Approach

6.12.4 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.

6.12.5 Response to the consultation indicated a desire to provide a greater level of protection for locally important open spaces. The policy approach aims to ensure 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.

6.12.6 The Borough Council recognises there may be deficits in the borough, and these could be considered through corporate initiatives if appropriate.

Policy LP26 – Protection of Local Open Space

1. 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:
 - a. public access;
 - b. visual amenity;
 - c. local distinctiveness;
 - d. landscape character;
 - e. recreational value;
 - f. biodiversity, geodiversity
 - g. cultural value and historic character
 - h. whether the site has been allocated for development in the Local Plan.
2. 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 locally 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.

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3. The Borough Council will support local communities in designating local green space for protection in neighbourhood plans where this:
 - a. meets the criteria for local green space as detailed in the National Planning Policy Framework; and
 - b. does not conflict with other policies in the Borough's Local Plan.

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6.13 LP27 - Habitats Regulations Assessment (HRA) Policy

Introduction

6.13.1 King's Lynn and West Norfolk includes all or part of 15 internationally designated sites; an additional 4 sites outside the district are also considered within the scope of the HRA process. The sites within the Borough are listed below in Table 1. There are also a number of marine sites in the area –

- The Greater Wash Special Protection Area (SPA);
- Inner Dowsing, Race Bank and North Ridge Marine Protected Area (MPA) Special Area of Conservation (SAC);
- Cromer Shoal Chalk Beds Marine Conservation Zone (MCZ);
- North Norfolk Sandbanks and Saturn Reef SAC;
- Southern North Sea MPA (candidate SAC);
- Haisborough, Hammond and Winterton MPA SAC;
- Outer Thames Estuary SPA.

SPA	SAC	Ramsar
Breckland	Breckland (adjacent to Breckland Council)	Dersingham Bog
The North Norfolk Coast	Norfolk Valley Fens	The North Norfolk Coast
The Ouse Washes	The Ouse Washes	The Ouse Washes
The Wash	Roydon Common and Dersingham Bog	Roydon Common
	The Wash and North Norfolk Coast	The Wash
	River Wensum	

6.13.2 Whilst it is extremely unlikely that any of the Borough Council's plans or projects will impact the qualifying features of these sites, they are still included in the HRA due to their status and sensitivity to change. It should be noted that the boundaries of designated sites may change over time. Interested parties should check the Natural England website for confirmation of the extents.

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6.13.3 The 2016 Habitats Regulations Assessment (HRA) identified potential effects on designated European sites of nature conservation importance from additional recreational pressure. The need for monitoring and, where necessary, a package of mitigation measures, both on and off site, were identified to ensure no adverse effects on European sites.

6.13.4 Footprint Ecology consultants completed a comprehensive study of visitor surveys at European protected sites across Norfolk during 2015 and 2016. This was published in 2017. The report was commissioned by the Norfolk Biodiversity Partnership/Norfolk County Council on behalf of all the planning authorities in Norfolk. This new data that also takes into account adjacent authorities' visitor impact means that there is a much more reliable source of evidence to inform plan preparation and assess cumulative impact. The overall conclusion of the report was that growth would cause greater visitor disturbance and therefore proportional mitigation would need to be addressed through local authorities' plan documents.

6.13.5 The report by Footprint Ecology on visitor pressure also outlined mitigation proposals which included:

- Restrictions on the activities of dog walkers;
- Implement site and access management. The extent of these will need to be agreed amongst Natural England and the relevant local authorities;
- Closing or re-routing of unofficial paths;
- Permanent or seasonal restrictions and or closures of sites, or adoption of new fencing;
- Operation of new car parking areas to draw visitors away from heavily used or vulnerable sites;
- Allocating further Sustainable Accessible Natural Greenspace (SANG); and
- Adoption of interpretation materials.

6.13.6 As noted above significant work has been undertaken in relation to European sites, and the Borough Council adopted a 'Natura 2000 sites Monitoring and Mitigation Strategy' in September 2015. Payments have been collected since that time in line with the Strategy. The Borough Council recognise the need to implement the detail of the Strategy and a special group has been in operation since 2016 to consider bids to put projects on the ground which meet the criteria. This is important as the population growth (and potential recreational pressure) is clearly occurring as new homes are being built. Detailed guidance on applicability and payment is given in the Local Validation Checklist on the Borough Council planning application part of the website. (Please note the reference in Policy LP27 to a £50 charge is explained to be index linked in the Validation guidance, so is subject to change).

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6.13.7 Broadland, Breckland, Great Yarmouth, King's Lynn & West Norfolk, North Norfolk, Norwich City and South Norfolk Councils and the Broads Authority (together forming the Norfolk Strategic Planning Framework (NSPF)), commissioned Place Services in April 2019 to prepare a Green Infrastructure (GI) and Recreational Impact Avoidance and Mitigation Strategy (RAMS). This study will form part of the evidence base for each of the authorities' Local Plans and provides the basis for future agreements through the NSPF and potential Norfolk wide mitigation charges.

6.13.8 The HRA identified the potential for trip generating uses to increase traffic on the A149 through Dersingham Bog leading to a need to consider the impacts of air quality arising from the proposed development. Development will only be supported when there is no adverse effect on the integrity of Roydon Common and Dersingham Bog SAC/Dersingham Bog Ramsar. The Borough Council will produce an air quality mitigation strategy, to ensure there will be no decrease in air quality which would have an adverse effect on the integrity of the SAC/Ramsar. The strategy will be established through consultation with Natural England and will be based on air quality monitoring and traffic modelling.

6.13.9 The Breckland SAC and SPA straddles the Norfolk-Suffolk border. It has internationally important populations of Stone-curlew, Nightjar and Woodlark. It also supports small numbers of wintering Hen Harrier and breeding Goshawk. Key issues for the site, as set out in Natural England's site improvement plan, include lack of ground disturbance to create/maintain the early successional habitats, undergrazing, forestry/woodland management (Woodlark and Nightjar have declined markedly due to the reduction in open habitats within Thetford Forest), water pollution (affecting the meres), planning permissions, air quality and public access and disturbance.

6.13.10 Relevant Local and National Policies

- National Planning Policy Framework: Conserving and enhancing the natural environment
- UK A Green Future: Our 25 Year Plan to Improve the Environment (2018)

6.13.11 Supporting East Marine Plan Policies are:

6.13.12 In summary the policies bullet pointed below support policy LP27, to find out more information on the supporting policies the hyperlink is active over the policy number.

- Biodiversity - [BIO1-2](#)
- Cumulative Impacts - [ECO1](#)
- Marine Protected Area - [MPA1](#)
- Terrestrial and Marine Character - [SOC3](#)

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Strategic Policies:

- LP19 Environmental Assets
- LP36 Community and Culture
- LP05 Infrastructure Provision
- LP16 Norfolk Coast AONB Policy
- Green Infrastructure Strategy Stage 1 (2009) and Stage 2 (2010)

6.13.13 Strategic Policy

Policy LP27 Habitats Regulations Assessment (HRA)

Proposals for development must not adversely affect the integrity of European sites either alone, or in-combination with other plans and projects, unless the tests set out under the Conservation of Habitats and Species Regulations (2017) (as amended) are met.

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

1. A need for Project level HRA to establish affected areas (SPA, SAC, RAMSAR) and a suite of measures including all/some of:
 - a. provision of an agreed package of habitat protection measures, to monitor recreational pressure resulting from the new allocations and, if necessary, mitigate adverse impacts before they reach a significant threshold, in order to avoid an adverse effect on the European sites identified in the HRA. This package of measures will require specialist design and assessment but is anticipated to include provision of:
 - i. a monitoring programme, which will incorporate new and recommended further actions from the Norfolk visitor pressure study (2016) as well as undertaking any other monitoring not covered by the County-wide study.
 - ii. enhanced informal recreational provision on (or in close proximity to) the allocated site [Sustainable Accessible Natural Greenspace], to limit the likelihood of additional recreational pressure (particularly in relation to exercising dogs) on nearby relevant nature conservation sites. This provision will be likely to consist of an integrated combination of:

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- informal open space (over and above the Council's normal standards for play space);
 - landscaping, including landscape planting and maintenance;
 - a network of attractive pedestrian routes, and car access to these, which provide a variety of terrain, routes and links to the wider public footpath network.
- iii. contribution to enhanced management of nearby designated nature conservation sites and/or alternative green space;
 - iv. a programme of publicity to raise awareness of relevant environmental sensitivities and of alternative recreational opportunities.
2. Notwithstanding the above suite of measures the Borough Council will levy an interim Habitat Mitigation Payment of £50 per house to cover monitoring/small scale mitigation at the European sites. This Strategy and associated payments will be in place until superseded by the Norfolk wide Green Infrastructure (GI) and Recreational impact Avoidance and Mitigation Strategy (RAMS).
 3. The potential impacts on European sites from recreational pressure from residential development will be addressed through:
 - i. the provision of local level GI/open space and
 - ii. mitigation of residual effects through developer contributions.
 4. The Borough Council anticipates using CIL receipts for contributing to green infrastructure provision across the plan area.
 5. An HRA Monitoring and Mitigation and GI Coordination Panel oversees monitoring, provision of new green infrastructure and the distribution of levy funding.

Development proposals in the Breckland SPA

6. New built development will be restricted within 1,500m of the Breckland SPA. Development will be restricted to the re-use of existing buildings or where existing development completely masks the new proposal from the Breckland SPA. Beyond the SPA, a 1,500m buffer will also be applied to areas where the qualifying features are known to exist, or where nesting attempts have been made. In this area, development may be acceptable where suitable alternative habitat (outside the SPA) can be secured.