



Burnham Market

Neighbourhood Development Plan

2022-2036

Adopted September 2023

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Introduction

1. The Parish of Burnham Market is the result of the merger of three of the original Burnham villages, namely, Burnham Sutton, Burnham Ulph and Burnham Westgate.
2. Historically, Burnham Market largely comprised an agrarian economy, but the transition to intensive farming methods after the Second World War, led to a steady decline in the full-time residential population, as farming became less labour-intensive. In recent decades, the demography of the Parish has changed dramatically, and second homes and now furnished holiday lets account for almost half of the residential properties in the village. The increase in property prices and rents has meant that many local people are now unable to afford to either buy or rent a home in the Parish, a trend that can be seen across the UK, where many rural and coastal areas have also become popular tourist destinations.
3. Burnham Market is unusual in that it has retained and, in recent years, increased the number of retail outlets and other amenities it has to offer both residents and visitors.
4. The Neighbourhood Development Plan (NDP) is a keystone of Government policy, as enshrined in the Localism Act 2011. It is designed to ensure that local communities are closely involved in the decisions that influence the planning process. The Burnham Market NDP has been developed to establish a sustainable future, enabling the community's current and anticipated needs to be met, whilst at the same time ensuring the village and its place within the Area of Outstanding Natural Beauty is protected for the enjoyment and amenity of future generations.
5. Following an application by Burnham Market Parish Council in October 2021 the Borough Council of King's Lynn and West Norfolk (BCKLWN) designated the Parish of Burnham Market as a Neighbourhood Area, giving authority to the Parish Council to produce a Neighbourhood Development Plan. The NDP, when adopted, becomes part of the statutory development plan which BCKLWN will be required to consult when determining planning applications.
6. The Burnham Market NDP is a community project, produced in close consultation with local residents, several of whom have made a valuable contribution as members of the NDP Steering Group, as well as second homeowners, local organisations, and businesses. The future well-being and economic prosperity of our community makes the preservation and enhancement of biodiversity and sustainability essential. Building additional houses in the village should not supplant the architectural quality and character of the area. Well-designed development, together with the long-term preservation of our rural community, are the important areas addressed in our NDP.
7. With the full support of the Parish Council, the entire process has been rigorously planned and implemented to ensure compliance with the Localism Act 2011, whilst ensuring that the views and policies contained in this document accurately reflect the wishes of the majority of the Burnham Market community.
8. The specific aims of the Burnham Market Neighbourhood Development Plan are to:

- protect the village from out-of-character, large scale, or poorly placed development;
- ensure future development maintains the character and appearance of the village;
- preserve the historic fabric of the village;
- protect the key views and local green spaces as designated by the community;
- ensure the enhancement of biodiversity and green corridors;
- ensure light pollution from new developments is minimal, to conserve dark skies;
- encourage sustainable surface water management;
- improve and increase community facilities;
- implement walking and cycling routes;
- allow the Parish Council access to increased Community Infrastructure Levy for community projects.

9. In creating the NDP, great efforts have been made to ensure that through a programme of consultation, questionnaires and information exchange, the views of the community and businesses have been taken into account.

Peter Borlace
Vice-Chair, Burnham Market Parish Council

Neighbourhood Planning

Overview of Neighbourhood Planning

10. Neighbourhood Planning was introduced by the Localism Act 2011, the legislation for which came into effect in April 2012, giving communities the power to agree a Neighbourhood Development Plan. It is an important and powerful tool that gives communities such as parish councils statutory powers to agree a shared vision and shape how their community develops and changes over time.
11. Burnham Market is in the Borough of King's Lynn and West Norfolk (BCKLWN), and the Neighbourhood Plan sits within the context of the King's Lynn and West Norfolk Local Plan. The Borough Council has adopted the 2011 Core Strategy and the 2016 Site Allocations and Development Management Policies (SADMP) documents for the Plan period to 2026. The Borough Council is currently working on the emerging Local Plan review with a timeframe to 2036, which includes a revised lower housing target based on the standard method.
12. The Neighbourhood Development Plan (NDP) once adopted will be a document that sets out planning policies for the Parish. These policies will be used, alongside the Local Plan, to decide whether or not planning applications are approved. The NDP is a community document, that is written by members of the community who know and love the area.
13. The NDP has to support the delivery of the 'strategic policies' contained in the Borough of King's Lynn and West Norfolk Local Plan; it cannot, for example, promote less development than set out in the Local Plan. The Local Plan sets the overall strategic policies such as the amount of new development and the distribution of that development across the district and the general protection of the environment.
14. Within the adopted Local Plan Core Strategy (2011) Burnham Market is a Key Rural Service Centre under Policy CS02, this designation being carried forward in the emerging Local Plan. To a great extent, this is due to the good range of services and facilities available to the existing community, despite its lower-than-average population compared to other Key Rural Service Centres. Indeed, according to the 2016 Local Plan, *"Burnham Market is one of few rural settlements which does not suffer from declining services, managing to retain and attract small businesses and therefore provide a sustainable service offer to surrounding villages and hamlets."*
15. As stated in paragraph 4.1.22-4.1.23 of the emerging Local Plan Review (2016-2036) under LP02 Settlement Hierarchy, the Borough Council does not seek to make specific allocations for those areas that are preparing or have adopted a Neighbourhood Plan within the review period. This is largely because there is currently no absolute need for further allocations to meet the local housing need. Instead, they encourage Neighbourhood Plans to promote site allocations in its Plan area if appropriate sites come forward. If Neighbourhood Plans, choose to do this, the homes will be treated as additional flexibility or windfall rather than figures to be relied upon for calculating the local housing need¹.
16. The adopted SADMP (2016) allocated one site for development which was policy G17.1- Land at Foundry Field, the site was 2.7 hectares and allocated for residential development of 32 dwellings and a 1.2-hectare public car park along with associated landscaping and

¹ [Local Plan Review Pre-Submission Stage 2021 - Keystone \(objective.co.uk\)](https://www.objective.co.uk/local-plan-review-pre-submission-stage-2021-keystone)

public toilets². This site gained planning permission (13/01810/FM) and the development is now complete. Accordingly, the allocation has been removed from the emerging Local Plan Review and the Policies Map and the completed site is now shown to be included within the development boundary for Burnham Market (**Figure 1**).

17. No further allocations, as explained previously in paragraph 7, have been made for Burnham Market. Whilst Burnham Market is encouraged in the Local Plan Review to consider appropriate allocations due its status in the settlement hierarchy, it has chosen not to do so since there is no absolute need.
18. The Neighbourhood Plan can include 'non-strategic policies', such as the mix of housing, design principles for new development, conserving and enhancing the natural and historic environment, protecting local green spaces from development, and setting out other development management policies. Importantly, the Neighbourhood Plan will contribute to the achievement of sustainable development.
19. Once a Neighbourhood Plan has been 'made', following consultation with residents, examination, and a local referendum, it becomes part of the statutory development plan for the Parish and will be used by the Borough Council when considering all planning applications in the Parish. The Parish Council is keen to ensure that the Plan remains up to date and topical. It is also aware of the emerging Local Plan and the way in which its adoption will alter the strategic planning context in the Borough. In these circumstances, the Parish Council will assess the need or otherwise of a full or partial review of a made Plan within six months of the adoption of the emerging Local Plan.

² [SADMP Plan Adopted 2016 \(2\).pdf](#)

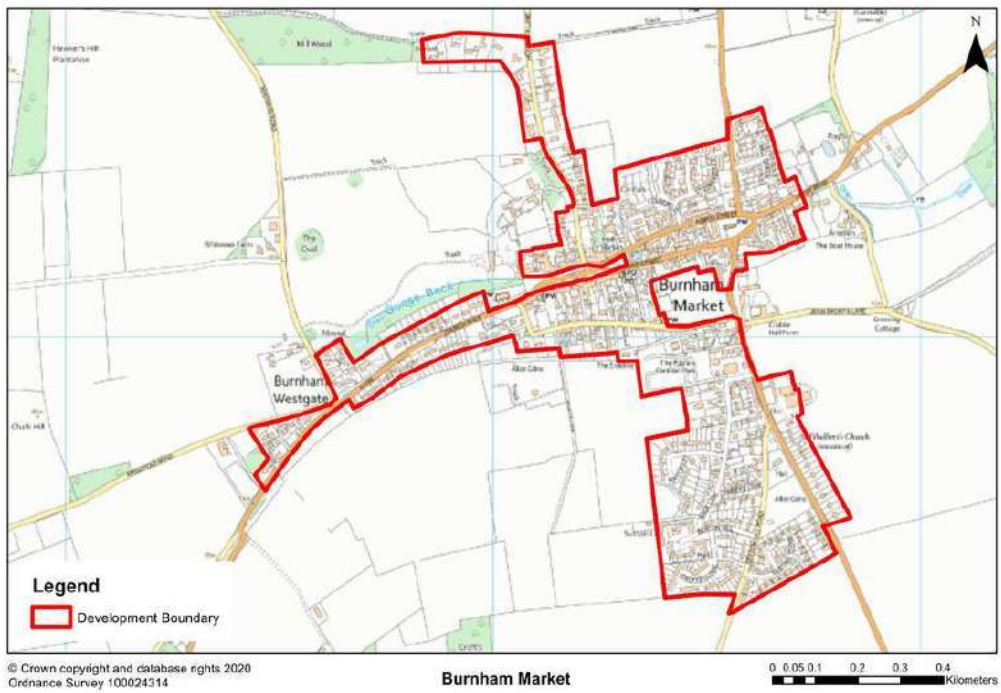
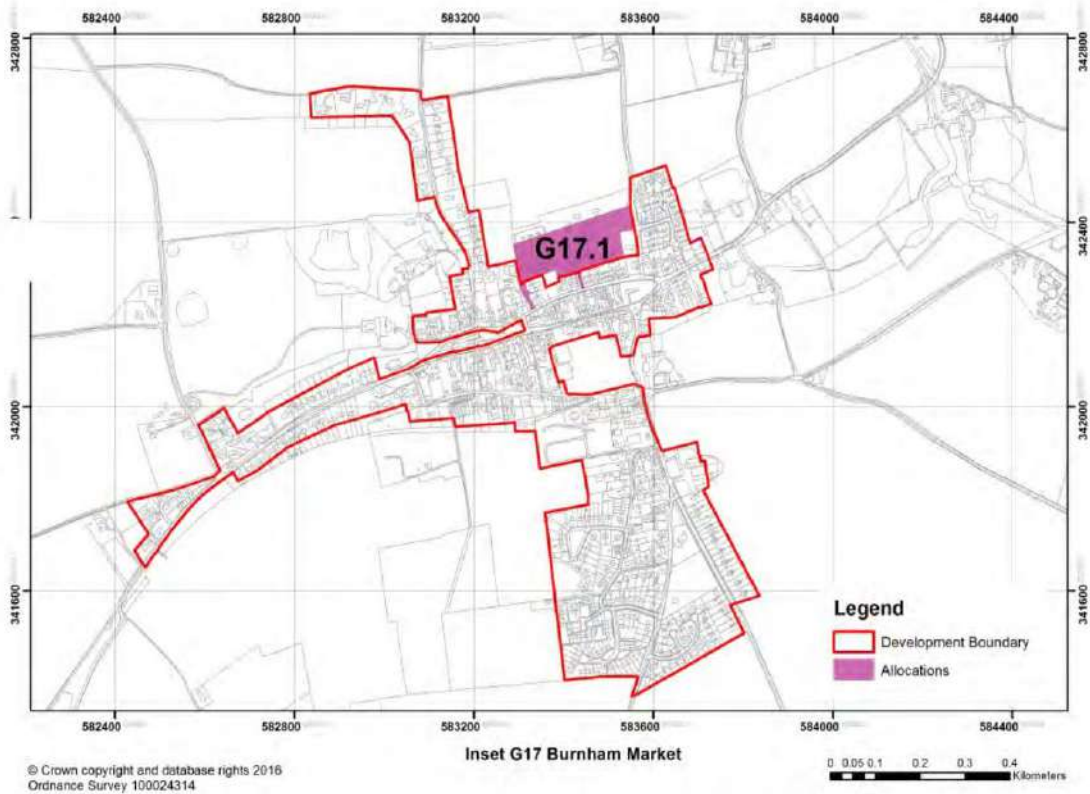


Figure 1: Burnham Market Site Allocation G17.1 in the BCKLWN Adopted SADMP (2016) and now shown as completed in the Emerging Local Plan Review (2016-2036)

Process of Developing this Neighbourhood Development Plan

20. The Parish area shown in **Figure 2** was designated as the Neighbourhood Development Plan Area in October 2021. The Plan period is 2022 to 2036. Working on behalf of the community, Burnham Market Neighbourhood Plan Steering Group has prepared this Plan that will be used to shape and influence future development and change across the Parish. Looking at **Figure 3**, we are at the stage of consulting on the pre-submission Plan (Regulation 14).

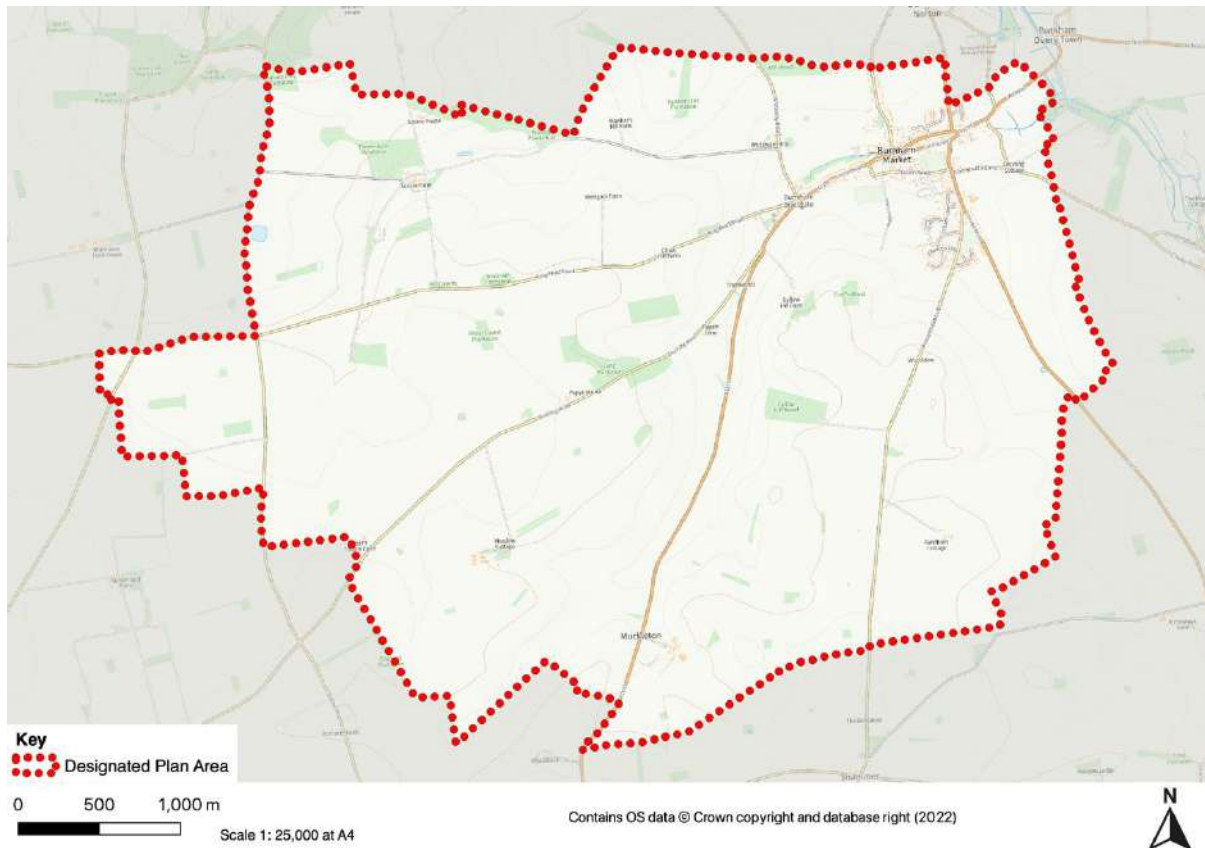


Figure 2: Designated Neighbourhood Development Plan Area

21. A broad range of evidence has been reviewed to determine issues and develop Policies for the Plan. This includes population data from the Office of National Statistics, housing data, a review of environmental designations and historical records. Further work to gather new evidence has also been undertaken, including an assessment of local green spaces, key views, heritage assets and the impact of furnished holiday lets (FHLs) and second homes, all supported by consultation activities with the community.
22. Any new development should serve both current and future residents. The Policies contained within this Plan will enable us to influence the design and type of any new homes being delivered in the Parish, as well as ensuring infrastructure improvements are delivered alongside growth to maximise community benefit.

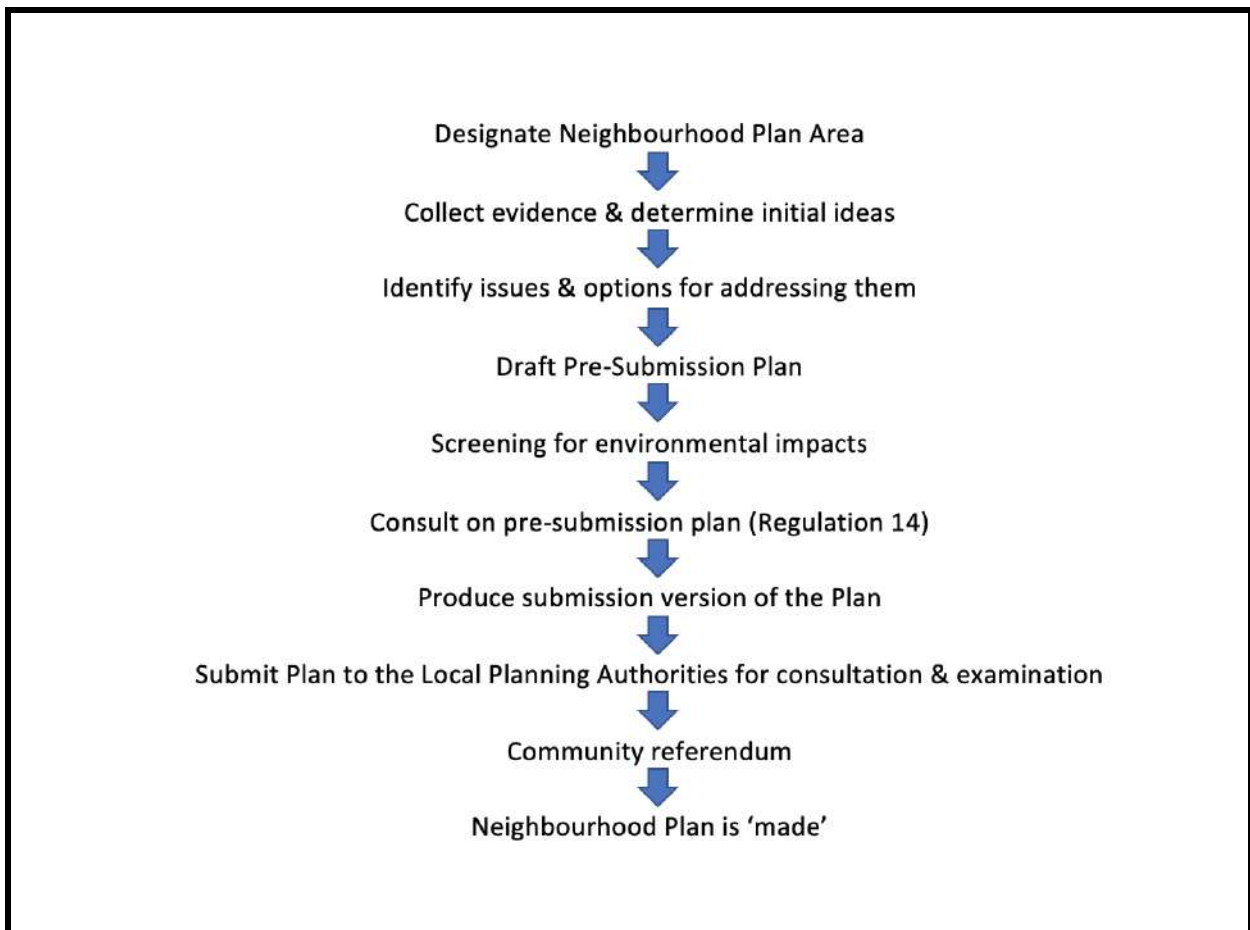


Figure 3: Neighbourhood Development Plan Process for Burnham Market

Consultation with the Community

23. A consultation event was held with the community in November and December 2021. This included a survey with 17 questions specifically related to the Neighbourhood Development Plan, and a follow up survey on priorities for the village. Overall, 566 responses were received to the survey, including 479 from residents (permanent and second homeowners), which represents 60% of the current population of Burnham Market. The survey was also open to local landowners, visitors and those who work in the village.

24. The main issues and concerns raised included:

- Respondents to the survey were generally against further development in the village, with on average 89% (approx. 478 people) of respondents answering we 'don't need anymore' to Q4 which was multiple choice. Many were concerned that this is spoiling the special qualities of Burnham Market. In particular there is a view that recent development, especially of large properties, has not met local need, and has only benefited 'outsiders', including developers.
- The number of furnished holiday lets and the impact this has on the community is a key concern and there is strong support of 90% to Q7 (504 people) for restricting second home ownership of any new properties, going forward.
- There is a sense that the community needs rebalancing – in relation to the properties being built, shops and services that are available, and the proportion of permanent residents compared to holiday makers.

- Q15 asked respondents what improvements could be done to improve the quality of the natural environment for example, wildflower verges, preservation of gardens, improving habitats, retaining landscapes and tree belts? There was a large response rate of 442 people, with 80% of respondents (354 people) saying 'all the above' to the given examples showing strong support. Other comments were given specifically mentioning re-wilding, planting wildflowers and trees, and helping residents to improve gardens so they are more attractive to wildlife. In relation to this, second homes and in particular furnished holiday lets, invariably have low maintenance gardens which have limited value for wildlife.
- Protecting local green spaces, including a number taken forward in this neighbourhood development plan, for the future enjoyment of the community was supported by over 85% of respondents in Q12. There was an average of 485 people picking the local green spaces in Q12 as most important to the community.
- Protecting views for the future enjoyment of the community was supported by over 90% of respondents. There was an average of 495 people picking the views within Q13 as most important.
- The design of any new housing is important, especially in ensuring the character and appearance of the village is preserved. 536 people votes in Q8 to have a policy which reflects local identity and styles.
- Access to the countryside is important; Q16- *“Walking Routes- If funding and landowners’ consent would allow, are there any ‘permissive paths’ you would like to see established in Burnham Market? For example, Foundry Field car park to St. Margaret’s Church, the edge of Whiteway Road to the Pit, along Joan Short’s Lane towards Burnham Thorpe”* received 436 responses with approximately 83% agreeing to the suggestions in Q16. All respondents gave suggestions on where they would like to see more footpaths and Burnham Thorpe was one of the most popular options (357 times/ 81%).

25. As set out in the consultation statement there has been numerous times engagement has taken place with the community. The next main consultation event was at the Regulation 14 stage this was advertised via letters and emails to stakeholders, posters, flyers, social media, the parish council website and The Burnhams newsletter. This consultation lasted 6 weeks and included 3 drop in events to discuss ideas in person, also via an online survey, with hard copies available, or by written representation. The drop-in sessions had a total of 31 attendees, the survey received 113 responses and 11 stakeholders wrote in via letter or email format. All these responses have been considered in the submission document and further detail is set out in the consultation statement.

26. The Plan was submitted to the Borough Council on 22 December 2022. BCKLWN took over the process then, with further consultation and examination (spring/ summer 2023). This culminated in the passage of the Neighbourhood Plan in July 2023, allowing it to proceed to referendum. The referendum was held on 21 September 2023, with over 80% of votes cast in favour of “making” (adopting) the Plan. The Borough Council formally adopted the Neighbourhood Plan on 26 September 2023.

Vision and Objectives

Vision

Burnham Market is a vibrant community that retains its core village identity which is cherished by local people. It is a good place to live, work and visit.

Any future development will be sensitive to the historic nature of the settlement and its location within the North Norfolk Coast AONB. It will be of a high-quality design and tailored to meet the needs of the local community.

Objectives

- A. Ensure future housing development meets the needs of the local population to help retain and attract more permanent residents to the village.
- B. Protect and enhance the historic character and beauty of the village, ensuring that new development is of a high-quality design and sensitively located.
- C. Protect and enhance Burnham Market's natural environment, its green spaces, trees, and hedgerows that are important for wildlife.
- D. Support a thriving economy with local jobs, services and facilities that attract visitors and provide employment opportunities to local residents.
- E. Protect community facilities that meet the needs of the resident population.
- F. Reduce the impact of on-street car parking and ensure sufficient off-street parking is provided with new development.
- G. Enhance opportunities for sustainable travel, including walking and cycling.
- H. Reduce the impact of flooding and ensure that surface water flood risk is not exacerbated by new development.

Policy Context

27. There is already a policy framework in place that applicants must have regard to when building in Burnham Market; these are the national and Local Plan policies. The Borough Council of King's Lynn & West Norfolk has an adopted Local Plan which is split into two parts. Part 1: The Core Strategy (2011) and the Site Allocations and Development Management Policies Plan (SADMP 2016). The Borough's new emerging Local Plan Review (2016-2036) is currently heading to its examination stage in 2022. This will contain new policies, including Climate Change and Norfolk Coast AONB. Changes and updates in the emerging Local Plan Review will reflect the changes and updates that are being made through national and local circumstances, such as the required emphasis on protecting the environment and greener homes design.
28. The Local Plan contains the strategic policies for the area, and the Policies in this Neighbourhood Development Plan need to be in general conformity with these. As well as being in general conformity with the Local Plan, the Neighbourhood Development Plan

must also have due regard to the national planning policy, which is set out in the National Planning Policy Framework (NPPF³).

29. This Neighbourhood Development Plan contains non-strategic policies to support and add further detail to policies already adopted, specifically for Burnham Market Parish, the designated neighbourhood area. For example, there is no requirement for the Burnham Market Neighbourhood Development Plan to have its own general policy on the protection and enhancement of the natural environment and habitat, as this topic is covered in national policy and in the Local Plan. Specific detail, however, could be useful, which is why the Neighbourhood Development Plan has a Policy on green corridors linked to a map of those corridors, illustrating where in Burnham Market enhancement of the natural environment will be centred. The explanations that go alongside the different Policy areas in this Plan try to set out what is already covered by the wider policy framework.
30. Where there are policy details missing that are important for Burnham Market, or where it was felt that a slightly different policy is needed, then new Policies have been developed for this NDP. Some of the Policies in the following sections are not strictly 'planning' related, but it was felt that they were important enough to include in the Plan and designate as 'Community Actions'; something on which the local community and Parish Council will lead the initiative.
31. The Policies are intended to meet the Vision and Objectives set out above. They are aimed at guiding decision makers and applicants to achieve high standards of sustainable development. Development proposals should have regard to all the planning policies in this Neighbourhood Development Plan, and of course those in the Local Plan and national policy.

³ The Neighbourhood Plan examination (April – July 2023) took place when the 2021 NPPF was still in force. On 5th September 2023, shortly before the Plan went to referendum, the updated NPPF was issued. Accordingly, references to the 2021 NPPF have been retained throughout the Plan document.

Housing

32. In chapter 5 of the NPPF (2021), plans are required to ensure a significant increase in the supply of new homes. The Local Plan policy CS02 designates Burnham Market as a Key Rural Service Centre, making it appropriate for limited growth to secure the sustainability of the settlement. The housing requirement for Burnham Market over the Plan period is 32 new homes, which as explained in paragraph 8 has already been allocated in the SADMP (2016) and now complete. The emerging Local Plan Review allowed communities such as Burnham Market to explore allocating appropriate sites themselves through the Neighbourhood Plan process. The emerging Local Plan does not include any new allocations for Burnham Market.
33. As detailed in the **Evidence Base Appendix A and Appendix B** document, apart from the new dwellings on the allocated site, there have been 27 planning permissions which have been granted, started, or completed in the last 5 years (2017- 2022) according to housing data provided by the BCKLWN (April 2022). However, it must be noted that the status of permissions will be continuously changing so the data reflected below will give an indication of the types of development which have occurred in a set time frame in recent years.
- All 27 permissions were granted between June 2017 to April 2022
 - 13 of the permissions still stand as granted between June 2017 and March 2022
 - Nine of the permissions have started between November 2020 and April 2022
 - Five have completed between November 2020 and June 2021
34. Out of the 27 planning permissions, a number of these reflect variations of conditions on the same site, so in total there are 24 different sites which have planning permissions. The total net gain of new residential dwellings in Burnham Market is 55; 18 of these are from barn conversions into new residential dwellings. Clearly this avenue for housing permissions is finite. These permissions represent windfall development, outside of any planned growth in the Local Plan. It is interesting to note that many of the permissions involve the demolition of an existing dwelling and replacement with a greater number. This point has been further investigated by the Neighbourhood Development Plan Steering Group.
35. This Plan will influence housing growth, including the design and mix of any new homes, and will ensure that the special parts of the Parish, such as green spaces, are protected for future enjoyment.

Housing Growth

36. There has been some modest housing growth of 13% between the years 2017 and 2021 with approximately 38 completed new dwellings including the Local Plan allocation⁴, and as the Local Plan allows for windfall development, including infill, within the main settlement area, there may be more. The Local Plan includes a development boundary around the village, shown as the red line in **Figure 1** above. Policy CS02 – Settlement Hierarchy – of the 2011 Core Strategy designates Burnham Market as a Key Rural Service Centre, as mentioned earlier. With regard to such designations, the Policy explains that, *“Limited growth of a scale and nature appropriate to secure the sustainability of each settlement, will be supported within the Development Limits of the Key Rural Service Centres, in accordance with Policy CS06 Development in rural areas.”*
37. In general, development proposals outside the development boundary will not be supported, this is made very clear in the Local Plan SADMP (2016). Policy DM 2 – Development Boundaries – explains that, *“Development will be permitted within the development boundaries of settlements shown on the Policies Map provided it is in accordance with the other Policies in the Local Plan. The areas outside development boundaries (excepting specific allocations for development) will be treated as countryside where new development will be more restricted and will be limited to that identified as suitable in rural areas by other Policies of the Local Plan.”*
38. The Policy framework means that new general housing inside the development boundary is generally acceptable, but proposals outside the development boundary are unacceptable. There are of course allowable exceptions to this, including proposals for affordable housing, which, subject to detail could be allowed. Inevitably there will continue to be windfall housing development over the Plan period, though it is difficult to say how much. As windfall housing applications are likely to be for four dwellings or fewer, the trigger of five dwellings or more to compel the developer to provide affordable housing, is unlikely to occur.
39. In the emerging Local Plan as the Policy stands currently, *LP31- Residential Development Reasonably Related to Existing Settlement Policy*, small scale residential development outside the development boundary, that is reasonably related to the settlement could be permitted. However, the Policy specifies in clause 5 that it does not apply in the Norfolk Coast AONB or in clause 6 within settlements covered by an adopted Neighbourhood Plan unless they allow this⁵. Since a large part of Burnham Market Parish falls within the Norfolk Coast AONB, the Plan will not be affected by this emerging Policy in these areas. Once ‘made’, this Neighbourhood Development Plan will not allow this.
40. As the housing requirement has been met by the Local Plan through completed allocation G17.1 for 32 dwellings, there is no pressure to allocate a site for housing as part of the Neighbourhood Development Plan. Indeed, a decision was made not to explore the option of allocating land for residential development in the Plan. In the main, this is due to feedback received from residents (permanent and second homeowners. Whilst a Neighbourhood Development Plan must promote sustainable development and

⁴ 13% growth was taken from dividing 5 sites in total by 38 new dwellings x 100. The 38 new dwellings total the SADMP Allocation of 32 dwellings which completed in 2017, Permission 15/00887F which had a net gain of 3 completed in April 2019 and a net gain of 3 from 3 individual sites 17/02079/F, 18/00966/F, 19/00215/F. This data was taken from the BCKLWN Housing Trajectory 2019/202- and data supplied by the BCKLWN April 2022.

⁵ [Local Plan Review Pre-Submission Stage 2021 - Keystone \(objective.co.uk\)](#)

not stop further development from happening, the Parish Council wishes to support the views of the community by not allocating sites in this Plan.

Housing Mix

41. The NPPF paragraph 62 requires Plans to have Policies that meet the housing needs of different demographic groups, such as older people, disabled people, self-builders, families etc, which provides an opportunity to include a Policy in the NDP that sets out the housing mix that is expected from new residential development⁶.
42. As revealed by the Burnham Market Housing Needs Assessment (HNA, 2022), and shown in **Figure 4**, the population of the Parish has declined by 88 people, with the majority of the population in both 2011 and 2020 aged 65 and over; increasing from approximately 39.5% to 42.4% (HNA, 2022; ONS, 2021). **Figure 4** also shows age categories 45-64 and 65-84 being the two highest and 16-24 the lowest. Burnham Market's population is significantly more skewed towards the older population compared to the Borough and the country. Population growth to the end of the Plan period can be expected to be driven by the oldest households, those with a household reference person aged 65 and over, expected to increase by 44% between 2011 and 2036 (HNA, 2022).

| All usual residents in mid-2011 and 2020 | Total Population 2011: 877 | | Total Population 2020: 789 | |
|--|----------------------------|--------|----------------------------|--------|
| | | % | | % |
| 0-15 | 94 | 10.72% | 106 | 13.43% |
| 16-24 | 56 | 6.39% | 37 | 4.69% |
| 25-44 | 107 | 12.20% | 82 | 10.39% |
| 45-64 | 274 | 31.24% | 231 | 29.28% |
| 65-84 | 291 | 33.18% | 277 | 35.11% |
| 85 and over | 55 | 6.27% | 56 | 7.10% |

Figure 4-Table of the Resident Population for Burnham Market (2011) and Mid-Year Estimates in (2020) (Sourced: ONS, 2021; Nomis, 2021)

43. The existing housing profile in Burnham Market is a little unusual when considered against the housing need. As shown in **Figure 5** and explained in the Housing Needs Assessment (HNA, 2022, Page 43-44):
- The dominant dwelling type in the Parish was detached housing in both 2011 and 2021
 - The Parish had a significantly higher proportion of bungalows (20.6%) than England (9.4%)
 - The proportion of terraced properties remained somewhat stable with a decrease 2.9%
 - The proportion of flats have stayed at a low percentage of 1.5% between 2011 and 2021.

⁶ [National Planning Policy Framework \(publishing.service.gov.uk\)](https://www.gov.uk/publishing-service)

| Dwelling type | 2011 (VOA) | 2021 (VOA) |
|---------------|------------|------------|
| Bungalow | 21.20% | 20.60% |
| Flat | 1.50% | 1.50% |
| Terrace | 27.30% | 24.40% |
| Semi-detached | 22.00% | 22.90% |
| Detached | 25.80% | 27.50% |
| Unknown/other | 2.30% | 3.10% |

Figure 5-Accommodation Type in Burnham Market in 2011 and 2021 (VOA, 2021, AECOM Calculations, 2022)

44. The proportion of detached dwellings in Burnham Market is above national levels which suggests the area is dominated by larger and more expensive properties. Regarding dwelling size, the predominant properties in the Parish in both 2011 and 2021 were 3-bedroom dwellings, which was a slight increase from 43.5% to 43.7% during the period. The second most dominant housing type is 2-bedroom dwellings. **Figure 6** shows that over the decade there has been an increase in properties with 4 bedrooms, which emphasises the preponderance of larger dwellings overall. The decrease in smaller properties is also highlighted.
45. Comparing the dwelling size to the Borough of King’s Lynn and West Norfolk as shown in table 5-4 of the HNA (2022) the percentage of 1-bedroom dwellings in 2021 is significantly lower in Burnham Market (4%) compared to West Norfolk (7.5%) and England (12.3%). For 2-to-3-bedroom dwellings the percentages over all three categories are relatively similar. For dwellings of 4 and 5+ bedrooms, Burnham Market is higher than King’s Lynn West Norfolk and England; especially for 5+ bedrooms which in Burnham Market is 8% and both West Norfolk and England are 3.3%. Emphasising again the issue of larger and expensive dwellings in the Parish which has been identified by the Neighbourhood Development Plan Steering Group.

| Number of bedrooms | 2011 (VOA) | 2021 (VOA) |
|--------------------|------------|------------|
| 1 | 4.60% | 4.00% |
| 2 | 29.00% | 27.80% |
| 3 | 43.50% | 43.70% |
| 4 | 14.50% | 16.70% |
| 5+ | 8.40% | 8.00% |
| Unknown | 0.00% | 0.00% |
| | | |

Figure 6-Dwelling Size (bedrooms) in Burnham Market 2011 and 2021 (VOA, 2021; AECOM Calculations, HNA, 2022)

46. Household composition (combinations of adults and children in a dwelling) is important in understanding Burnham Market’s housing need and mix. **Figure 7** highlights that older households make up 44.1% of the current composition. There is also a greater proportion of single person households aged 65+ (25.4%), followed by family households aged 65 and over, such as older couples, at (18.7%) and family households with no children (18.7%).

47. The HNA (2022) identifies a large decrease in single person households in Burnham Market between 2001 and 2011 of 12.7% which compares to an increase across the Borough (5.3%) and nationally (8.4%). This may indicate an affordability issue which lead to single person households moving elsewhere. Another indication of affordability problems, or lack of suitable dwelling size, for households with children, was the high increase in families with no children (26.5%) between 2001 and 2011.
48. The HNA (2022) identifies that 84% of households are under-occupied, with at least one extra bedroom. This is predominantly families aged 65+ which suggests that households are generally not downsizing when children leave the family home. This could be due to a lack of choice of more suitable property.

| Household composition 2011 | | Burnham Market | King's Lynn & West Norfolk | England |
|------------------------------|----------------------------|----------------|----------------------------|---------------|
| One person household | Total | 38.90% | 27.20% | 30.20% |
| | Aged 65 and over | 25.40% | 14.40% | 12.40% |
| | Other | 13.50% | 12.80% | 17.90% |
| One family only | Total | 57.60% | 66.60% | 61.80% |
| | All aged 65 and over | 18.70% | 13.00% | 8.10% |
| | With no children | 18.70% | 21.40% | 17.60% |
| | With dependent children | 12.80% | 23.20% | 26.50% |
| | All children Non-Dependent | 7.40% | 9.00% | 9.60% |
| Other household types | Total | 3.50% | 6.20% | 8.00% |

Figure 7: Household Composition of Burnham Market in 2011 (ONS, 2011; AECOM Calculations, HNA, 2022)

49. The recommended housing mix of new development, up to 2036, set out in **Figure 8**, (HNA, 2022), required to meet local housing need, suggests the need is greatest for smaller to mid-sized family homes and smaller dwellings. There is no need for further 5+bedroom dwellings. This corresponds with feedback from the community when asked "What size of new houses do you want to see built in Burnham Market in the future?" in Q5 of Part 1 of the survey. The majority of respondents which was 79% and above to all options said they did not want any new houses to be built, but if there was a proven requirement, there was support for two to three-bedroom homes. **Figure 9**.

| Number of bedrooms | Starting mix (2011) | Indicative mix (2036) | Balance of new housing to reach indicative mix |
|--------------------|---------------------|-----------------------|--|
| 1 bedroom | 6.3% | 7.9% | 13.4% |
| 2 bedrooms | 29.6% | 32.1% | 38.5% |
| 3 bedrooms | 41.1% | 42.1% | 40.7% |
| 4 bedrooms | 15.2% | 14.0% | 7.4% |
| 5 or more bedrooms | 6.7% | 3.9% | 0.0% |

Figure 8: Suggested dwelling size mix to 2036 in Burnham Market (AECOM Calculations, HNA, 2022)

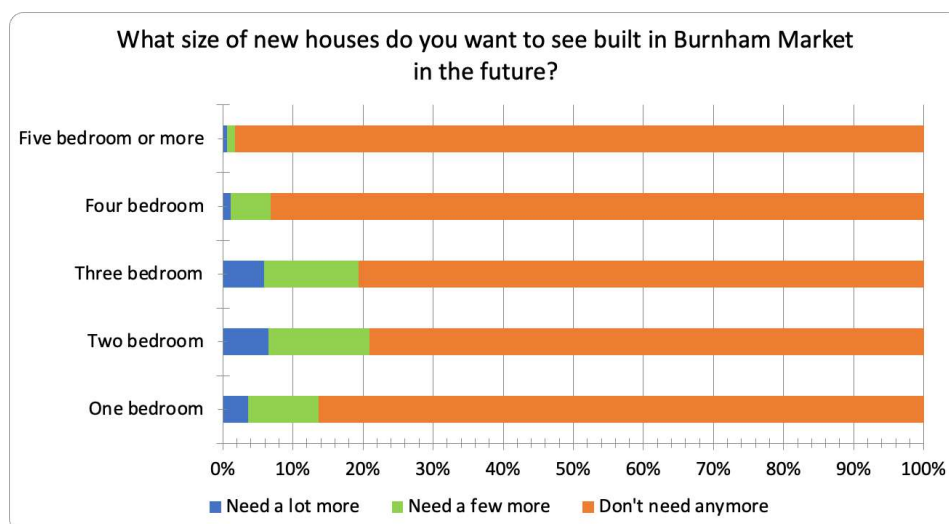


Figure 9: Parish Consultation Survey December 2021: Question 5 Results

50. Putting these findings together would suggest a Housing Mix Policy that aims to provide more homes with three bedrooms or fewer, would be a way forward. Figures from the HNA (2022) suggests that such smaller homes should comprise around 92.6% of new homes, but it is not good practice to be too precise or restrictive in this regard as advised by the HNA (2022); since there may be a strong justification to build larger homes for growing families for example. However, the policy approach still wishes to aim for at least 90% of homes as three bedrooms or fewer due to it is suggested that there is a need for smaller/mid-sized homes in Burnham Market which can suit families, households downsizing or having an opportunity to access more affordable dwelling types and sizes. This is also because it can address the affordability issue in the area so ensuring homes are coming forward of an appropriate size, type and density local residents may afford will help address the situation. It is recognised that with building conversions and self-build, this may not be possible. It is also recognised that there will be different requirements and degrees of purchasing power between the future households within the area. Policy 1 sets out the Plan’s approach to this matter. Where developers wish to set out the extent to which their proposals address local housing need reference to the Housing Needs Assessment will be considered as acceptable evidence.

Policy 1: Housing Mix

Housing proposals will need to reflect local housing need using the best available and proportionate evidence.

Except for developments comprising self-build and conversions, new residential development should offer a housing mix whereby at least 90% of homes are three-bedrooms or fewer, unless evidence is provided either showing there is no longer such a local need, or the scheme is made unviable by the delivery of this housing mix.

Affordable Housing

51. Affordability is a serious and worsening challenge in Burnham Market, one that must be addressed through housing policy.
52. It is likely that the low proportion of younger people and families with children in Burnham Market is an indication that they find it difficult to get on the housing ladder. The HNA (2022) shows 51.5% growth in house prices between 2011 (£420,000) and 2020 (£636,250) with some fluctuations. Semi-detached dwellings have increased in price the most, by almost 150%; such sustained inflation will make Burnham Market unaffordable to many.
53. The HNA (2022) concludes that local households on average incomes are unable to access even entry level homes for purchase on the open market unless they have a very large deposit, and even those with higher-than-average income are likely to struggle. The median house price as stated in paragraph 108 of the HNA would require an annual income almost 400% higher than the current average. Furthermore, private renting is only affordable to higher earners. Those on average incomes are unable to afford current levels of rent unless they are willing to dedicate a larger proportion of their income to rental costs, which may have negative consequences for quality of life and is not considered sustainable.
54. Another negative consequence is the fact that even for those who look to private rent may find this more difficult in the parish than elsewhere. The HNA (2022) shows that the private rented sector expanded by 58.3% between 2001 and 2011 but this was significantly below the borough (96.2%) and national (82.4%) levels. Findings also suggest that the rise of FHLS could also play a role in the reduced provision of private rented housing in the parish. This is because if holiday lets were rented back-to-back in the summer months the income associated with holiday lets would be 456% greater than associated long term private rent. For example, the HNA (2022) calculated that the average nightly of a holiday let in the parish was £230 a night x 7 = £1,610 x 4 weeks = £6,440. Whereas the average monthly cost of a private dwelling in the area from searches in January 2022 were £1,157. So, the interest in FHL for landlords' income could mean a loss in private rent for locals.
55. Affordable Housing (subsidised tenure products) can be a way to address this. The HNA (2022) identified a need for affordable homes, especially to rent. The community also support this. Question 6 of the consultation survey was multiple choice and asked, "Who do you think new houses should be for in the future in Burnham Market?" A total of 18%

(102 people) felt there needed to be more social rental housing managed by housing associations under choice 3 and 25% of respondents (138 people) felt there needed to be more affordable houses for local people to rent under choice 4.

56. The NPPF (2021) in paragraph 65 sets out a policy approach to affordable housing, including the need to ensure at least 10% of new houses are affordable homes to buy when major development comes forward. The Local Plan (Policy CS09) sets out the affordable housing threshold for development in rural areas as being sites of 0.165 ha or 5 or more dwelling⁷. Policy on Rural Exception Sites⁸ for affordable housing is also covered in the NPPF, the adopted Local Plan, and within the emerging Local Plan (LP28) as the policy currently stands. LP28 supports schemes for affordable housing on rural exception sites where:

- The site adjoins a sustainable settlement as defined in the settlement hierarchy,
- Supported by local affordable housing need evidence and viability assessments and
- Future management of affordable housing is supported by a Registered Social Landlord⁹.

57. It is important to note that Affordable Housing as defined in the NPPF (2021) is housing for sale or rent for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for local key workers). Examples of these will be housing that is discounted at least 20% below market value¹⁰. There is currently a new Government strategy for 'First Homes', which are only available for people buying their first home, with a minimum discount of 30% below full market value. The level of discount can be set higher, to 40 or 50% where suitably evidenced. After the discount is applied the initial sale price must not exceed £250,000. First Homes will be subject to legal restrictions ensuring discount is retained for future occupants and to stop renting or sub-letting. There is a national requirement that First Homes make up 25% of Affordable Housing provision on development sites.

58. It is also possible to set local eligibility criteria for First Homes. The local eligibility criteria that the neighbourhood plan has set is detailed in Para 59 this will apply for a maximum of 3 months from when a home is first marketed. If a suitable buyer has not reserved a home after 3 months, the eligibility criteria will revert to the national criteria so as to widen the consumer base.

59. The HNA (2022) estimates that Burnham Market requires roughly 15.4 units of Affordable Housing over the neighbourhood development plan period. Using overall housing tenures, it is suggested that 70% of this should be for social/affordable rented housing and 30% for shared ownership (affordable home ownership). This would equate to the need for 10.5 units of affordable rental housing and 4.9 units of affordable home ownership over the Plan period. Both forms of Affordable Housing appear to be valuable in meeting the needs of people on various incomes. Whilst it is unlikely that the number of dwellings delivered in the Plan period will meet the affordable housing need, an appropriate benchmark tenure mix included in the Policy, will ensure affordable rented housing is made a priority, at a ratio of 70:30 (70% rented and 30% ownership (25% being First Homes and 5% Rent to

⁷ [Complete Core Strategy 2011 \(1\).pdf](#)

⁸ Rural Exception Sites as stated in the BCKLWN Core Strategy (2011) may be when development plans allocate small sites within rural areas solely for affordable housing, which would not otherwise be released for general market housing.

⁹ [Local Plan Review Pre-Submission Stage 2021 - Keystone \(objective.co.uk\)](#)

¹⁰ [National Planning Policy Framework \(publishing.service.gov.uk\)](#)

Buy)) going forward. In addition to the national eligibility criteria, the following local eligibility criteria, which aims to establish a local connection as a preference, should be applied, with the requirement to meet at least one of the following:

- i. Current residents of the Parish who rent or live with other family members;
- ii. Ex-residents of the Parish who rent or live with other family members and who moved away within the last three years; or
- iii. People who rent or live with other family members outside the Parish but who have caring responsibilities in the Parish.
- iv. People who are employed in the Parish.

Policy 2: Affordable Housing

Where it is practicable to do so based on the size and location of the development concerned affordable housing delivered within Burnham Market should comprise:

- ***70% Affordable Rented Housing***
 - ***25% First Homes***
 - ***5% Rent to Buy***
-

Second Homes and Furnished Holiday Lets

60. The purpose of this Policy area is to safeguard and strengthen the residential community in Burnham Market by restricting the numbers of second homes and furnished holiday lets in new developments as well as restricting the change of use of existing buildings. As detailed in the Glossary, the definitions in this Neighbourhood Development Plan for second homes and furnished holiday lets are as follows:

- **Furnished Holiday Lets (FHLs)**

A property which is commercially let. The owner does not pay Council Tax or Parish Precept and the property is treated as a business for tax purposes, and required to meet a number of conditions, including

- i. Have sufficient furniture provided for normal occupation and visitors.*
- ii. Be **available** for commercial letting for holiday accommodation to the public for at least 210 days in the tax year.*
- iii. Be **let** as holiday accommodation to the public for at least 105 days in the tax year.*
- iv. They must not be let for periods of long-term occupation of 31 days or more for more than 155 days during the year.*

Some holiday lets operate without formally being registered as a business as they do not meet the criteria set out above, or, for example, they are not let out for 105 days.

- **Second Homes (SH)**

A property purchased, or inherited, which is occupied in addition to the owner's main residence. These properties will pay Council Tax and Parish Precept.

61. In the consultation survey Part 1 (December 2021) Question 7 asked respondents: "*Some villages have voted to prevent newly built houses becoming holiday/second homes. If this is possible, would you agree with such a policy in Burnham Market?*". There was strong support for this policy to come forward with 90% of respondents in favour. Key reasons for this were reported as:

- Second homes were felt to break up the community.
- Issues with properties standing empty much of the year.
- Impact it had on house prices which led to pricing younger people out of the market.

62. High levels of second home ownership are particularly common in this area of Norfolk where properties are purchased either as an additional residence or for investment purposes. It is possible to achieve significantly more income renting out a property as a FHL than it is on a long-term lease. In Part 2 of the consultation survey (December 2021) Question 8 asked respondents if they felt that the current number of second homes is an issue in Burnham Market, 135 people responded with 52.6% saying there were "*too many*" second homes and 36.3% saying it was "*about right*", followed by "*not sure*" (11.1%).

63. As set out in the HNA (2022) at the time of the Census (2011) Burnham Market had a total of 789 dwellings and 460 households, implying that there were 329 dwellings (or household spaces) with no usual resident household making up 41.7% of the Parish¹¹. The percentage of no usual residents in Burnham Market (41.7%) was significantly higher than

¹¹ [Local Area Report for areas in England and Wales - Nomis \(nomisweb.co.uk\)](https://www.nomisweb.co.uk)

the Borough (14.9%) or the national average (4%). Whilst it is recognised that ‘no usual resident household’ can also include empty homes, the level was high in Burnham Market due to the number of second homes and furnished holiday lets (FHL).

64. The number and proportion of permanently occupied properties has decreased significantly over the past 10 years. Data provided by the HNA (2022)¹² assumes there are currently 843 dwellings in Burnham Market and according to mid-2020 population estimates¹³ there are 789 residents. Taking the 2011 average household size of 1.91 it can be calculated that there were roughly 413 households in Burnham Market in 2020. This implies that there were 430 dwellings (or ‘household spaces’) with no usual residents, or 51% of dwellings not permanently occupied. This is up from 41.7% in 2011 and shows how there has been and remains a massive demand for second homes in Burnham Market, which has had, and is continuing to have, an adverse effect on the affordability of homes for local people.
65. The issue of properties increasingly being used as second homes or FHLs also undermines the Borough Council’s current and emerging Local Plan vision with respect to supporting *“our strong, vibrant, and healthy communities, through the provision of housing to meet current needs and that of future generation”*¹⁴
66. When analysing data, it is worth noting that there may be discrepancies in the exact number of second homes and furnished holiday lets, as reported to the Local Authority, which monitor numbers for Council Tax purposes, and within Government data. This is something which has been highlighted by the Neighbourhood Development Plan Steering Group during its analysis, leading it to conduct its own field research into the matter. For example, the latest Council Tax data provided by the Borough Council of King’s Lynn and West Norfolk suggested that in October 2021 there were 664 properties on the Council Tax record and 191 of these were marked as second home residences (28.8%). Not all second homes may be on this list as they may instead be registered for business rates. This affects 118 making the corrected total 782 properties.
67. The Neighbourhood Development Plan Steering Group’s own field research to ascertain the number of FHLs in February 2022, involved a review of local holiday company websites, Local Authority planning portal records, postcode finder and in person walking tours around the village. There were found to be 109 properties identified as self-catering holiday units under business rates valuations and an additional 36 properties let out but not registered for business rates. This totals 145 FHLs, see **Figure 10**, which illustrates there are FHLs on most streets in the village, with a particular concentration in the village centre. Further evidence of this is supplied in the **Evidence Base** paper.

¹² Data provided in HNA 2022

¹³ ONS – [Parish Population estimates for mid-2011 to mid-2020 based on best-fitting of output areas to Parishes - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/population-demography/population/population-estimates)

¹⁴ Chapter 3 Vision & Strategic Objectives (Where do we want to be in 2036?) [Local Plan Review Pre-Submission Stage 2021 - Keystone \(objective.co.uk\)](https://www.objective.co.uk/)

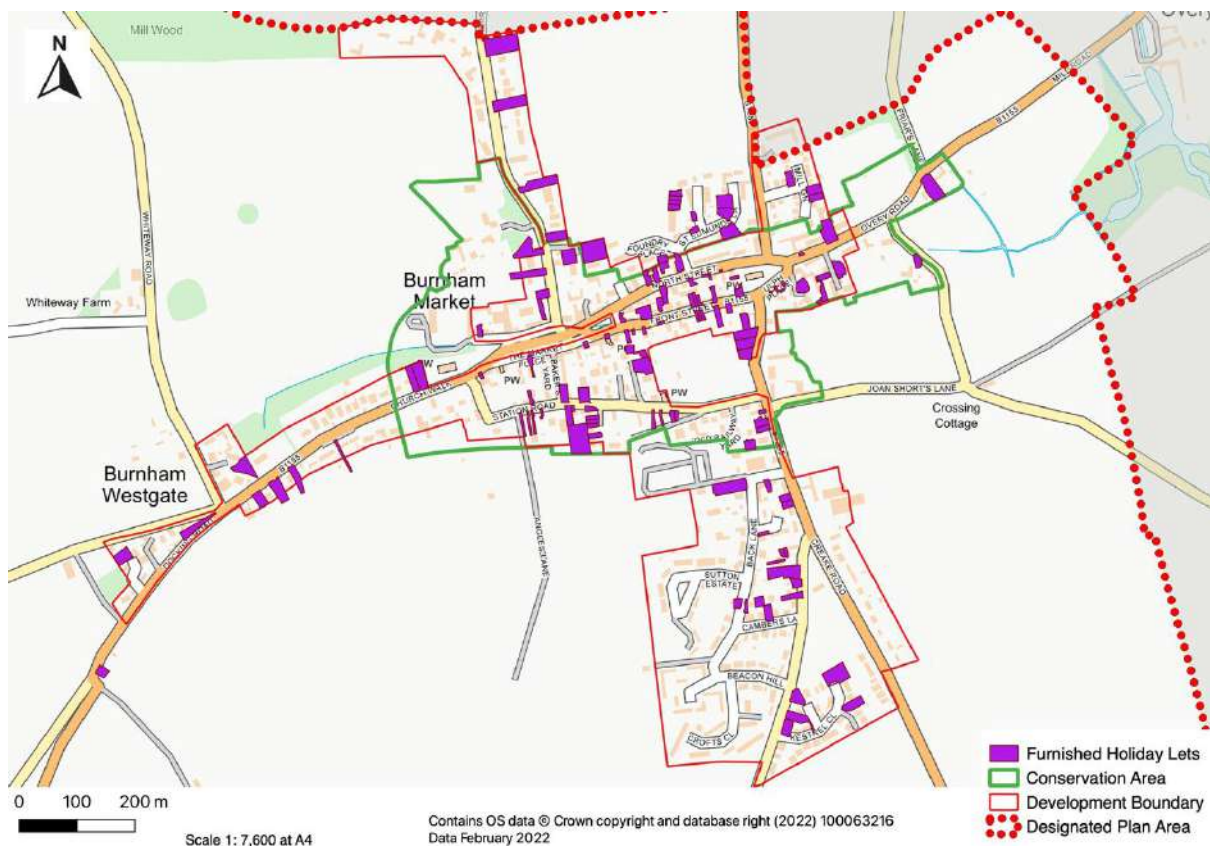


Figure 10: Furnished Holiday Lets (February 2022)

68. The distinction between FHLs and second homes is not always clear, but feedback from the community indicates that FHLs have the greatest negative impact on the sustainability of the community. FHLs are seen as a business entity and visitors, owing to their transitory nature, add little to the local sense of community. The perception is that FHL owners are motivated by the business opportunity Burnham Market presents and play little part in the community.
69. It is very important to recognise that there are owners of second homes who are committed to Burnham Market and have a positive impact on the village. Many have an on-going presence, spend quite long periods of time at their property and visit on a regular basis. Many choose to ultimately live or retire in Burnham Market, making the village their permanent home. A number have integrated themselves into the community, established long-term friendships with neighbours and enrich the village life through their involvement with the local community, including fund raising events.
70. Some parts of the Parish have less of a ‘community feel’ with fewer permanent neighbours, due to the high number of FHLs. As a further consequence the increasing numbers of parked cars cause obstruction and congestion in the streets. The high number of FHLs puts an escalating strain on services such as the water and sewerage systems. Additionally, FHLs registered for business rates do not contribute towards Council Tax or the Parish Precept which supports the community infrastructure and services in the village. During 2020/21 many more FHLs were registered as such as a result of the pandemic and rate relief/financial support that was made available. Whilst it is understood that some of these concerns fall outside the parameters of the planning system, they have significant impacts locally and add to the need for a Neighbourhood Development Plan Policy to restrict future numbers of FHLs.

In the consultation survey Part 2 (December 2021) Question 9 asked how respondents felt about the number of FHLs in Burnham Market, 136 people answered with 76.5% saying there were too many (**Figure 11**).

| Q9. Do you feel that the number of furnished holiday lets is an issue in Burnham Market?Furnished Holiday Lets (FHLs) are properties run as businesses which are let out for more than a set number of days per year and pay no council tax or Parish precept. | | | |
|---|-------------|-------------------------|-----------------------|
| Answer Choice | | Response Percent | Response Total |
| 1 | Too many | 76.5% | 104 |
| 2 | About right | 13.2% | 18 |
| 3 | Not sure | 10.3% | 14 |
| Please make any comments here: | | | 31 |
| | | answered | 136 |
| | | skipped | 5 |

Figure 11: Question 9 from the Consultation Survey Part 2 (December 2021)

71. Parking is a real constraint in Burnham Market and one which is exacerbated by the number of FHLs. Evidence in relation to this is presented in the **Evidence Base** paper. According to local data, and detailed in the **Evidence Base**, there are a total of 145 FHLs, sleeping approximately 758 people. These properties have a total of 198 parking spaces¹⁵ between them, which equates to an average of 1.3 spaces per FHL. In many cases FHLs are similar to Houses in Multiple Occupation and accommodate several families, having 5-7 bedrooms. For example, there are 10 FHLs that can each accommodate 10 people, with an average of 2.4 spaces each and two of them have no allocated parking spaces. The data also suggests there are 15 FHLs which are considered to have ample on-site parking, which is a very low number compared to the total number of FHLs in the Parish.

Of the 145 FHLs mentioned above, 36 (25%) of those properties do not allocate any car parking. As illustrated below, when fully occupied, 171 people can be accommodated, most of whom will travel to Burnham Market by car.

| Number of FHLs without off-street parking | Number of people each of these FHLs accommodate | Total accommodated in 36 properties |
|--|--|--|
| 3 | 2 | 6 |
| 2 | 3 | 6 |
| 18 | 4 | 72 |
| 1 | 5 | 5 |
| 9 | 6 | 54 |
| 1 | 8 | 8 |
| 2 | 10 | 20 |
| Total: 36 properties | | Total: 171 people |

Figure 12: FHLs without off-street parking data captured in February 2022

¹⁵ Based on local field research conducted February 2022

72. Even with car sharing, the level of parking provision is unlikely to meet the need and therefore parking spills on to nearby streets.
73. The Local Plan Core Strategy makes one reference in paragraph 7.3.9 acknowledging that second homes have a less positive influence on the local economy compared to short term holiday lets. The emerging Local Plan Review also mentions second homes as a sustainability issue for coastal communities. There is current debate within the Government, and at local government level in coastal and tourist areas on how to sustainably control holiday lets¹⁶. This is an issue of utmost importance in Burnham Market, as in many other similar communities around the country.
74. It is important to mention how there is no Use Class that specifically addresses holiday lettings in the The Town and Country Planning (Use Classes) Order 1987 (as amended).
75. However, Moore v Secretary of State for Communities and Local Government & Anor [2012] EWCA Civ 1202 (18 September 2012)¹⁷ was an appeal case which took place between Suffolk Coastal District Council and Ms Moore whereby the council issued an enforcement notice to Ms Moore for breaching planning control and not obtaining planning permission for change of use. This was for the change of use from C3 (Dwelling) to use their eight bedroomed property for commercial leisure accommodation (through company Prestige Holiday Lettings) which does not fall within Class C3(a)-(c) therefore constitutes a Sui Generis use (Use Class of its own).
76. As detailed in Moore v SoSCLG & Anor [2012], a matter of fact and degree must be considered on a case-by-case basis when justifying if a dwelling has changed in character from C3 to Sui Generis when it comes to holiday lets. Considerations from evidence in this case to suggest there are notable differences from use by a private single-family household were:
- The pattern of arrivals and departures, with associated traffic movements;
 - The unlikelihood of occupation by family or household groups;
 - The numbers of people constituting the visiting groups on many occasions;
 - The likely frequency of party type activities, and
 - The potential lack of consideration for neighbours.
77. These are interesting points which will be considered when monitoring Policy 3 regarding clause 3 for existing dwellings in Burnham Market which as detailed above cause unsustainable consequences for the area including parking issues, congested streets, and a lack of consideration for neighbours. **(Figure 13)** If it is considered that such a change has occurred on existing C3 dwellings in the Neighbourhood Development Plan area once adopted, then the property owner must seek to regularise the issue through the submission of a planning application.
78. For example, the owner of an existing 3-bedroom house in Burnham Market wishes to start using the dwelling as a FHL after the Neighbourhood Development Plan is adopted. The 3 bedrooms are considered to sleep 6 people, but to maximise income, the owner

¹⁶ Examples - [Residential Properties in Holiday Use | SCARBOROUGH.GOV.UK](#), [Allerdale Borough Council - Agenda for Council on Wednesday 26th January, 2022, 7.00 pm](#)

¹⁷ Moore v Secretary of State for Communities and Local Government & Anor [2012] EWCA Civ 1202 (18 September 2012) Accessed: [Moore v Secretary of State for Communities and Local Government & Anor \[2012\] EWCA Civ 1202 \(18 September 2012\) \(bailii.org\)](#)

includes a sofa bed in the sitting room and a put-up bed in a bedroom, which enables the property to sleep 8 people. This results in the C3 Dwelling under C3(c) going above the threshold for “allows for groups of people (up to six) living together as a single household”. In this case, the expectation is that the owner applies for planning permission for change of use.

- 79. As an end note to this section, the second home/holiday let market does create positive impacts too, such as creating local jobs for local people including cleaners, painters & decorators, gardeners, and various jobs in hospitality, etc.
- 80. It will be important to monitor and review the outcomes of this Policy over the early years of the Neighbourhood Development Plan. If it is considered that this is having a detrimental impact on the vitality and viability of Burnham Market, then there will be an early review of the Plan and Policy 3 in particular. The Parish Council will closely monitor new holiday lets to ensure Policy 3 is working effectively.



Figure 13: Inconsiderate parking restricting access for pedestrians and emergencies vehicles

Policy 3: Second Homes and Furnished Holiday Lets

- 1. Proposals for new affordable and market dwellings (including any net new additional dwellings on a site which have replaced a single property) will only be supported when it can be demonstrated that a planning condition and supporting Section 106 legal agreement will be imposed to guarantee that such dwellings will be the occupants' sole or main residence (where the residents spend the majority of their time when not working away from home or living abroad). This Section 106 Agreement will appear on the Register of Local Land Charges.***

 - 2. Occupiers of homes with a Principal Residence condition will be required to maintain proof that they are meeting the condition, and will be obliged to provide this proof as and when required by the Borough Council of King's Lynn and West Norfolk. Registration on the local Register of Electors will not alone be sufficient for this purpose and the Parish Council will co-operate with the Borough Council to monitor compliance with the restriction and in gathering and assessing evidence of any breach that may lead to enforcement action. Precondition examples can include being registered and attending local services such as health care and educational facilities.***

 - 3. Insofar as planning permission is required, proposals for the change of use of C3 (dwelling houses) of existing or new market dwellings (including any net new additional dwellings on a site which have replaced a single property) to a furnished holiday let (Sui Generis) will not be supported.***
-

Replacement dwellings

81. The purpose of this Policy is to help promote the availability of smaller homes in Burnham Market and address the issue of small properties being replaced with substantially larger dwellings or more dwellings at an unacceptably high density.
82. Over the past ten years a total of 17 bungalows have been or are in the process of being replaced by between 1 to 6 houses on each plot, (see **Figures 14 & 15**). A review of planning permissions associated with these replacements (see **Evidence Base** document for details) indicates that across the 17 sites, development has resulted in a net increase of 179 bedrooms and 110 bathrooms. This is a clear demonstration of smaller homes being replaced by larger more expensive ones, some of which are now FHLs, accommodating multiple families, as described above. Over half of these bungalow replacements have been in the Conservation Area and development has not always been sensitive to the local character of the area.



Figure 14: Redlands bungalow, Back Lane, being replaced by 6 two-storey houses (planning permission 21/00084)

83. This is also reflected in the data, the HNA (2022) indicates that the number and proportion of bungalows in Burnham Market is declining. Given there is an ageing population, and currently 35% of the resident population is aged 65 and over, this trend would appear at odds with the need.

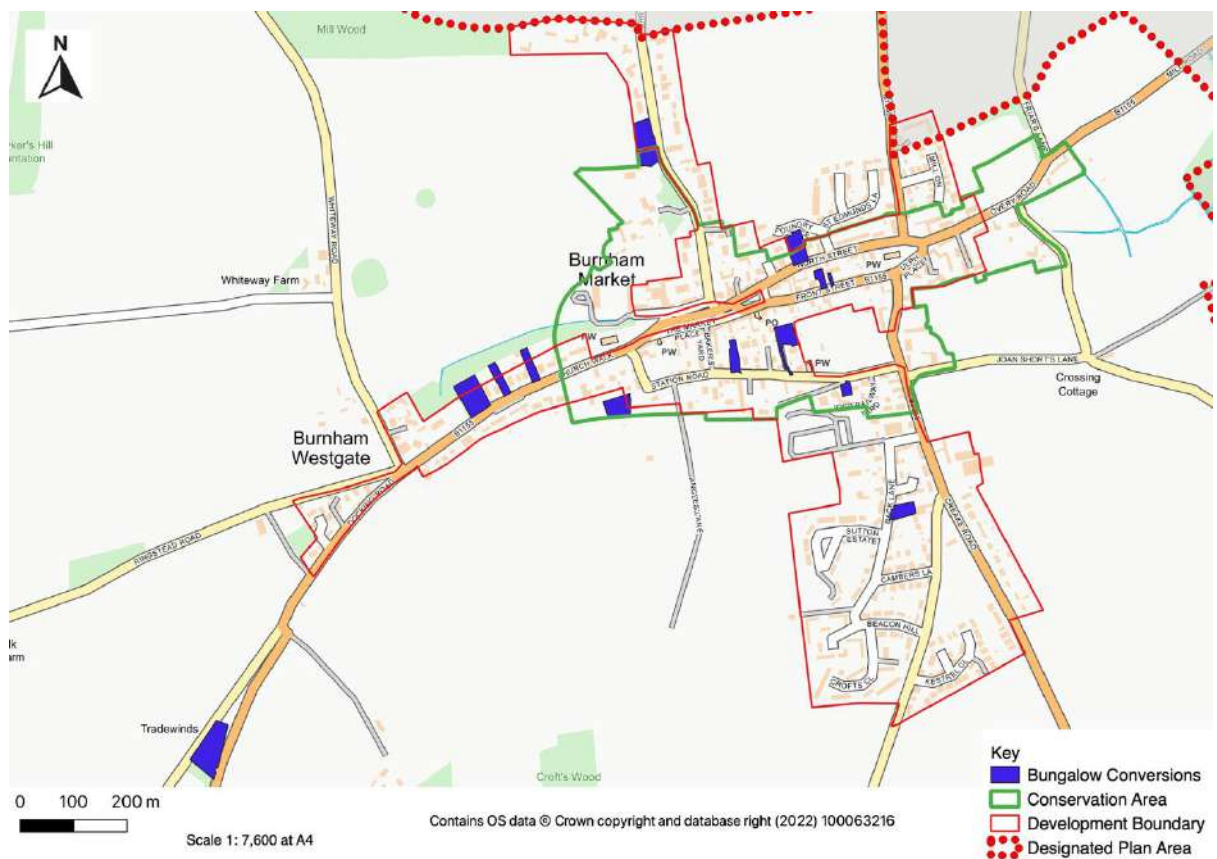


Figure 15: Bungalow Conversions

84. In the consultation survey (December 2021) Question 10 asked respondents: “If you think that size of a dwelling in relation to the plot should be restricted, what should it be restricted to?” Options were:
- 75% house to plot size
 - 50% house to plot size
 - 25% house to plot size
85. The results showed that nearly 79% of respondents (427 people) felt that the size of a house should be restricted to 25% of the overall plot size to allow the existence of gardens. This was followed by nearly 18% of respondents suggesting the option 50% and 3% opting for 75%. There is a general feeling that the trend for the replacement of bungalows with larger or multiple homes is affecting the character of the village.
86. Policy 4 addresses these important matters. It applies to proposals for traditional replacement dwellings (which are on a one-for-one basis). The criteria in the Policy have been designed to ensure that development proposals reflect the character of the part of the neighbourhood area in which they are located and take account of the amenities of homes in the immediate locality.
87. Development proposals for the redevelopment of dwellings for two or more homes will be determined on their merits based on other development plan policies, including Policy 1 of this Plan. In this context proposals in Burnham Market should respond positively to the content of Policy CS02 of the Core Strategy which identifies the village as a Key Rural Service Centre and supports limited growth of a scale and nature appropriate to secure the sustainability of each settlement within the defined Development Limits.

Policy 4: Replacement Dwellings

Proposals for replacement dwellings will be supported provided that:

- a) They are appropriate to their location with the new dwelling integrating into the surrounding building;***
 - b) Do not unacceptably affect the amenity of neighbouring properties;***
 - c) They are on a one-for-one basis; and***
 - d) Redevelopment of farm buildings should follow the design guidance set out under BF08- Design of Agricultural Buildings of the Design Codes and Guidance Document (2022).***
-

Extensions, Outbuildings (including Garages) and Annexes

88. The purpose of this Policy is to ensure people have the flexibility to extend and improve their property whilst limiting the creation of excessively large houses which are damaging the balance of Burnham Market’s housing stock as established in the HNA (2022).

89. It is recognised that individuals in moving through their life stages may have different needs and may have to extend or change the use of their property for varying reasons including working from home, and this is supported. The emphasis on home working and a shift in how one balances one's home and work life is something many of us experienced through the Covid-19 pandemic.
90. Residential annexes should be designed so that the dwelling unit as a whole provides genuine flexible accommodation that can be adapted and re-adapted to meet the changing needs of an extended family over time. It is essential that annex accommodation is directly connected by an internal link or otherwise have a close spatial relationship with shared facilities and space.
91. There is a trend locally for annexes, especially those which are unduly large or detached from the main dwelling, to be let separately from the main dwelling. This creates substandard dwellings with inadequate standards of access, parking, amenity, and space resulting in a land use which is out of character with the settlement. Where necessary, planning conditions will be imposed to restrict occupation of annexes to persons related or similarly linked to the occupants of the main dwelling. Similarly, conditions will be placed on consents for annexes and outbuildings preventing their use for holiday accommodation unless such use is an explicit part of the planning application, in accordance with **Policy 3** of this Plan.

Policy 5: Extensions, Outbuildings (including Garages) and Annexes

Insofar as planning permission is required development proposals for extensions to existing dwellings and the provision of annexes and outbuildings, including garages, will be supported provided that they conserve and enhance landscape and scenic beauty and are appropriate to their location.

Proposals should follow the design guidance set out under BF06- Extension and Conversion of the Design Codes and Guidance Document (2022)

Proposals for residential annexe accommodation will be supported provided it is designed so that it can continue to be used as part of the main dwelling, without creating an independent dwelling unit, in future. Proposals for outbuildings should show that they are required for purposes that are incidental to the use of the host dwelling and its occupants. In both cases the new development must remain in the same ownership as the host dwelling and must share its existing access, parking, and garden.

Design

92. Design is another key area where the Neighbourhood Plan can have significant influence and is considered to be a key aspect in achieving sustainable development. It plays a critical role in shaping better places in which people can live and work. Whilst design covers not just appearance but how a place functions, the appearance is seen as critical to national policy. As stated in paragraph 126 of the NPPF (2021) *“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.”*
93. As set out in the National Design Guide (2021)¹⁸ a well-designed place comes through making the right choices at all levels including layout, form and scale of buildings, appearance, landscape, and materials. A number of other characteristics include the climate, character, and community. The ten characteristics set out in the National Design Guide reflect the importance of a well-designed place as set out in **Figure 16**.

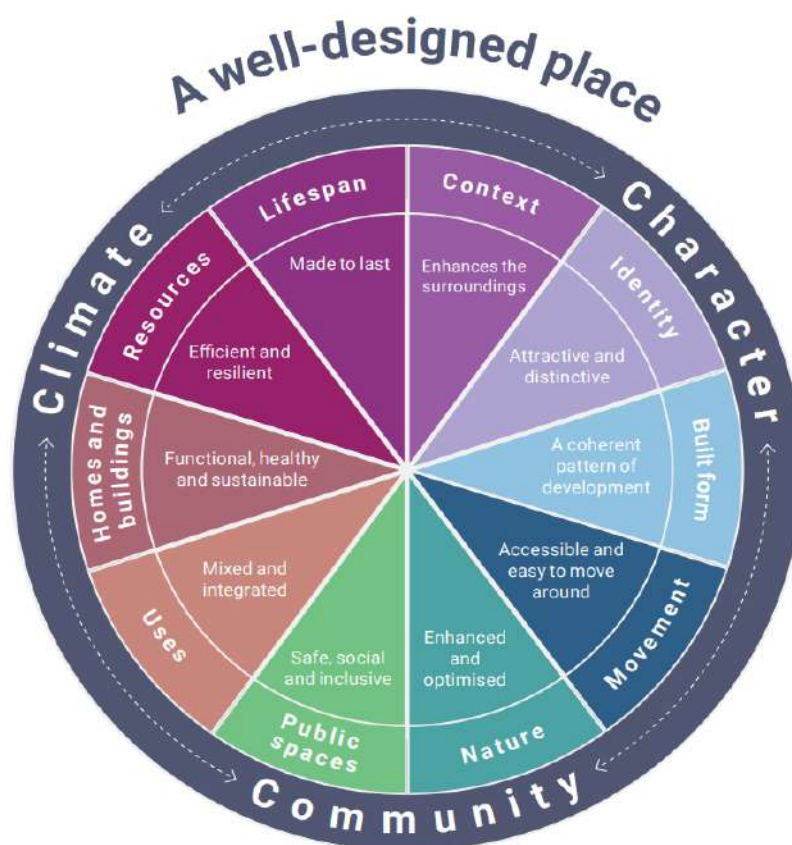


Figure 16: The Ten Characteristics of a Well-designed Place (National Design Guide, 2021)

94. NPPF Chapter 12 (2021) requires Plans to have design policies that have community support and that pick up the defining characteristics of the area. The Government has been raising the importance of high-quality design with the development of national

¹⁸ [National design guide.pdf \(publishing.service.gov.uk\)](#)

design guides, codes, and policies¹⁹ and encourages Neighbourhood Plans to have their own design policies and codes to identify the special qualities of their areas which should be reflected in development. Although national policy supports development that is sympathetic to the local and historic character of an area, it also encourages innovative design and high levels of sustainability to support movement towards a carbon zero future. For example, trees are seen as an important part of design, as is integrated biodiversity net gains. There is strong support for good design and beautiful homes, and the requirement is for poor design to be refused.

95. The Local Plan Core Strategy (CS8) requires all new development to be of high-quality design. It requires proposals to demonstrate factors such as the ability to protect and enhance the historic environment, respond to the context and character of the environment ensuring the scale, density, layout, and access will enhance the quality of the environment and to also enhance community wellbeing etc. It also details the promotion of opportunities to achieve high standards of sustainable design and efficiency, flood risk, climate change and renewable energy. Regarding efficiency measures, designs are encouraged to exceed the present technical standards set by Building Regulations. There is opportunity for Local Planning Authorities such as the Borough Council to set energy performance technical standards for new homes that exceed those required by Building Regulations. Neighbourhood Plans cannot do this, although they include more general policies, such as requiring a Sustainability Statement as part of any planning application, setting out how new development will meet a high level of sustainable design and construction and optimising energy efficiency.
96. In the emerging Local Plan, Policy LP06 and Policy LP18 set out the expected sustainability criteria to be met by new development, such as construction techniques to improve energy efficiency and good access by walking and cycling. LP06 has also introduced a new sustainability and climate change statement that must be provided as part of certain planning applications. The intention is to promote behavioural change in applicants and thereby encourage greater thought in the design of future developments, whilst at the same time, recognising how their proposal may meet high levels of sustainable design and construction.
97. In the consultation survey (December 2021) Question 8 asked respondents *“Do you think we should have a policy that requires any future development to adhere to guidelines so that it reflects local identity and styles?”* The results showed there was strong support of 97% (536 people in favour) for the need to have local design guidance for applicants to follow. This included comments on the importance of the preservation of the character of the village and diversity of design styles.
98. AECOM was commissioned to provide high level design support to the Parish Council. This focused on developing design guidelines and codes which could be used to inform the design of future planning applications and developments in Burnham Market. This included a high-level assessment of the neighbourhood area, site visit and meeting with the community and preparation of a bespoke design guide and codes. **Policy 6** on design is based on this work and sets clear expectations on design.
99. In terms of context, the area is characterised by rolling open farmland, with the northern part of the Parish falling within the Norfolk Coast Area of Outstanding Natural Beauty

¹⁹ National Planning Policy Framework (2021), National Design Guide (2021), National Model Design Code (2021), Building for a Healthy Life (2020), Manual for Streets (2007)

(AONB). The built character includes a dynamic mixture of colour-washed building, interspersed with bricks. The rest of the settlement comprises isolated dwellings and scattered farmstead throughout the open arable farmland. Straight hedgerows and ditches shape the field boundaries.

100. **Figure 17** is an extract from the Burnham Market Design Guidelines and Codes (AECOM, 2022) and shows the four distinct character areas of the Paris, namely, the Conservation Area, Southern Cluster, Modern Estate and Edge Development. These have been summarised below.

101. **CA1- Conservation Area**, established in 1975, forms the core of the village.

The main building typologies are terraced with some detached and semi-detached houses. The heights of most buildings are 2 or 3 storeys with predominantly hipped and pitched rooflines. Materials of buildings used in the area are red and gault brick, terracotta render, colourwash, plaster, red and black glazed pantiles, Welsh slate, and cobble. The properties have generally small front and back gardens compared to the other character areas. The plots are arranged back-to-back with varied setbacks and there is a mix of boundary treatments such as post with wrought iron metalwork bars, mix of low flint walls and hedgerows.

This character area forms the shopping centre of the village and an area the community is looking to protect. The pattern of development is a historic and linear settlement layout extending along the Market Place, North Street, Front Street and Station Road. The Market Place is considered the main public realm feature flanked by an impressive range of Georgian vernacular buildings making it one of the most attractive village centres in Norfolk.

Issues are, however, apparent in the character area with parked vehicles overwhelming Market Place, causing obstruction and general traffic congestion and thereby having a negative effect on CA1.

102. **CA2- Southern Cluster** is located to the south of the Conservation Area.

In this character area, bungalows are the main building typologies with the exception of some two storey semi-detached houses on Creake Road and two storey houses on Sutton Estate and Back Lane. The predominant roof styles are hipped and pitched, and materials used in this area are red and gault brick, render, red and black glazed pantiles, Welsh slate, and coursed chalk. The properties tend to have various sizes of front and back gardens and boundary treatments are often hedges, green verges, low walls, and wooden fences.

The area is mostly residential with other land uses including farming and businesses. The public realm is served by important green infrastructure including allotment gardens allocated on Creake and Beacon Hill Roads, green space on Sutton Estate and pockets of open green space adding to the openness on Crofts Close. The pattern of development in the area is nucleated around Creake Road and Beacon Hill Road with some cul-de-sac developments leading off Creake Road. The majority of development in this area is affordable housing with some privately owned.

103. **CA3- Modern Estate** is the north part of the settlement, along Foundry Place.

Typical typologies found in CA3 include semi-detached and detached homes, with a small cluster of terrace houses. The houses are predominantly two-storey in height and the majority of roof styles are pitched or hipped. The materials used in CA3 are red brick, flint, red pantiles, and cobble. The houses are mostly fronting onto the street with sufficient front and back garden spaces and the boundary treatment between the houses and streets are typically buffered by low walls and hedgerows.

The land use is mostly residential but also includes a car park, restaurant, and holiday lettings agency. To the west and beneath the car park is the Burnham Market Anglo-Saxon Cemetery Scheduled Monument which is a sensitive historic feature needing to be protected. The public realm includes a green space located between the modern housing and the car park with some footpaths running through this space to promote active travel. Pavements are present on only one side of the roads in this estate.

104. **CA4- Edge Development** is mainly on the periphery of the village and generally has a rural character.

The CA4 developments have a linear pattern, and most houses are detached or semi-detached built along the roads, The heights of houses range between 1-2 storeys and the rooflines are typically pitched or hipped pantile roofs with chimney stacks. Materials used are a mixture of red and gault brick, plaster, red and black glazed pantiles, weatherboarding, coursed chalk, and slate.

Buildings are set well back from the street providing active frontages and are generally built on larger plots providing ample front and back gardens. Parking spaces are shown to be accommodated at the front of houses and the boundary treatment in the area is bounded by open fields and boundaries between houses and roads are often by hedgerows, low walls, trees, green verges, or wooden fences helping to soften the barrier with a visual interest and privacy for houses.

An issue to consider is that the public realm of CA4 shows that a number of areas do not have pavements including Herring's Lane or are only on one side (Church Walk and Bellamy's Lane), which could negatively affect pedestrians' safety.

105. The Burnham Market Design Guidance and Codes 2022 has further detail on the characteristics of each area. These design codes can be a valuable tool for securing context-driven, high-quality development in Burnham Market, especially on potential sites that might come forward in the future. They will provide more certainty to both developers and the community in securing developments that are designed to the aspirations of the community.

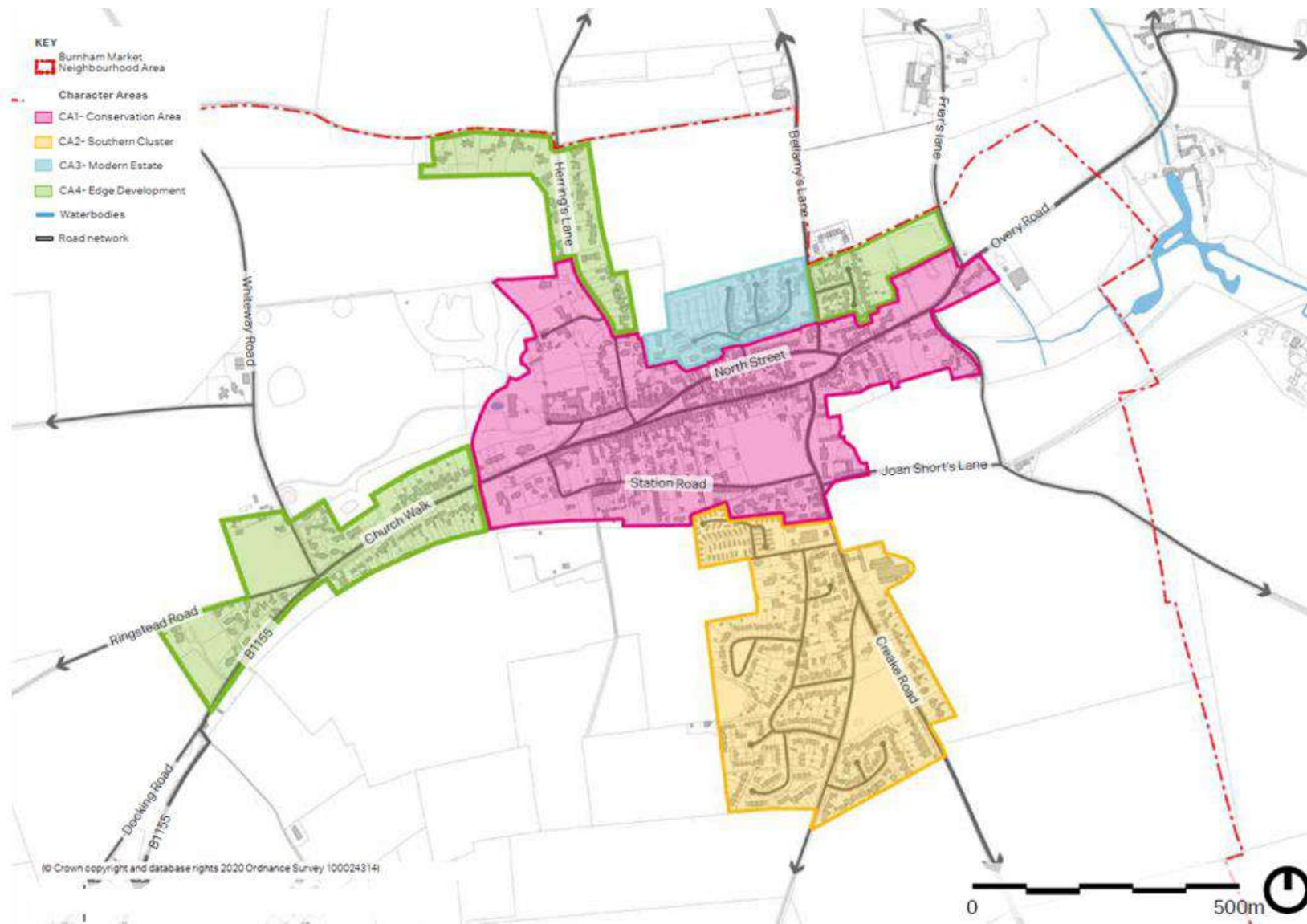


Figure 17: Character Areas in Burnham Market

Policy 6: Design

As appropriate to their scale, nature and location development proposals should be consistent with the Burnham Market Neighbourhood Plan Design Guidance and Codes in general, and specifically as they apply to the following distinct character areas:

- *CA1- Conservation Area*
- *CA2- Southern Cluster*
- *CA3- Modern Estate*
- *CA4- Edge Development*

The Design Codes and the Checklist set out in Appendix B will be used to help assess all planning applications to determine their acceptability. The following design considerations from the Design Codes are especially important to the area:

- a. Density in new residential developments should take into consideration the low to medium density ranges of the relevant character area as set out in The Burnham Market Design Codes. A density beyond that range will not generally be acceptable.*
- b. New development should have due regard to the heights and rooflines of other buildings in the area and the generally low profile of buildings. Typically, 1 to 2 storey buildings with pitched or hipped roofs depending on the character area. Dormer windows in the roof will not be supported.*
- c. Materials and colours should respect the local vernacular and adjacent built environment as set out in each character area. (Examples are given in the Design Guidance Document, 2022)*
- d. Any new development should respect the linear settlement pattern and building layouts present in the relevant character area.*
- e. Buildings should be designed to front onto streets and ensure that streets or public spaces have good levels of natural surveillance from adjacent buildings.*
- f. New or existing development proposing boundary treatments should use features set out in the relevant character area which may include hedgerows, trees, wooden fences, or low walls built from local materials.*
- g. Provide front and back gardens in new developments which respect the ratio of garden space to built form within the overall plot as set out in the relevant character area under Design Code BF-02. Front gardens should also be well planted to create an attractive environment and sense of openness.*
- h. Where cars need to be parked at the front ensure at least 50% of the frontage is landscaped with a relevant property boundary treatment respecting the character area.*

- i. Protect, retain, and enhance existing landscape features to preserve the natural character of the village such as existing mature trees and roots, The Green, and the Local Green Spaces set out in Policy 9.*
- j. New developments should integrate new trees and vegetation to improve net gain and wildlife without blocking future views, particularly those identified in Policy 10.*
- k. Existing or new development including shops in character area CA1 should have consideration to Design Code SP07- Shop Fronts.*

Where practicable development proposals should also be designed to meet climate targets for CO₂ emissions and which can be constructed sustainably whilst respecting the character area in which they are located.

New development proposals within the Norfolk Coast AONB designation should also take account of the Norfolk Coast AONB Integrated Landscape Guidance Assessments (2021) when submitting an application.²⁰

Parking and Design

106. Car parking is a key issue within the plan area, and one raised frequently in consultation exercises. Development of the Design Guidance and Codes document (2022) identified car parking issues particularly along The Green, Market Place and in front of holiday homes. Various measures are proposed to help mitigate the impacts of this including within the specific character areas:

- CA1- The existing on-street parking on the Market Place creates a chaotic street scene and to improve this, the introduction of a form of traffic management enforcement could improve this but should be sought out separately.
- CA2- On-plot parking and on-plot garages can be proposed for this area. However, if the cars are parked at the front at least 50% of the frontage should be landscaped
- CA3- The existing characteristics for this area was courtyard parking and on-plot garages. It is proposed that these will be the main car parking solutions for this area.
- CA4- The existing parking characteristics for this area are on-plot front car parking.

²⁰ Norfolk Coast AONB Integrated Landscape Guidance- Section 1 (2021):[Integrated-landscape-character-intro-section-1.pdf \(norfolkcoastaonb.org.uk\)](https://norfolkcoastaonb.org.uk/integrated-landscape-character-intro-section-1.pdf)

²¹Norfolk Coast AONB Integrated Landscape Guidance- Section 2 (2021): [Integrated-landscape-character-intro-section-2.pdf \(norfolkcoastaonb.org.uk\)](https://norfolkcoastaonb.org.uk/integrated-landscape-character-intro-section-2.pdf)

²¹Norfolk Coast AONB Integrated Landscape Guidance- Section 3 (2021): [Integrated-landscape-character-intro-section-3.pdf \(norfolkcoastaonb.org.uk\)](https://norfolkcoastaonb.org.uk/integrated-landscape-character-intro-section-3.pdf)

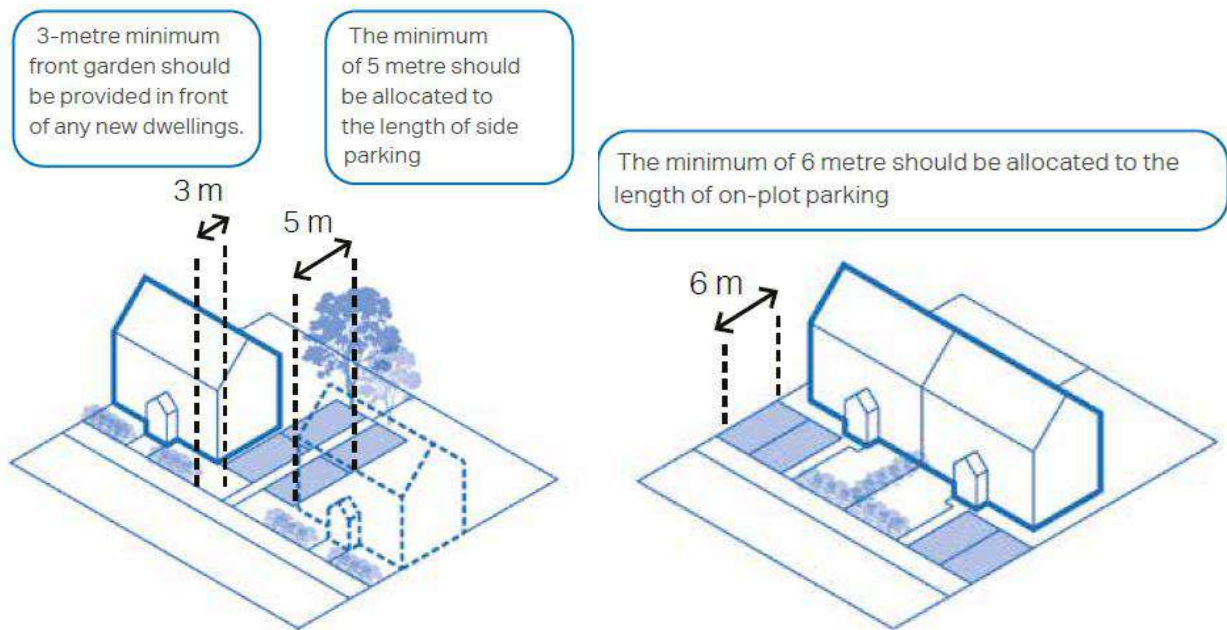


Figure 18: Parking design examples as shown in the Design Guidance and Codes Document (AECOM, 2022)

107. **Policy 7** will ensure that all development, where relevant, considers a suitable design approach with a view to reducing any further visual impact in the village.
108. As set out in the NPPF (2021) paragraph 108 maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network. The Local Plan SADMP (2016) Policy DM17 and emerging Plan LP14 sets out the same minimum standards as set out in **Policy 7**. Both Policies also set out how garages under 7m x 3m (internal dimensions) will not be counted. This Policy also supports the emerging Local Plan Review Policy LP14 which goes further, requiring each dwelling to provide a minimum of one secure and covered cycle space and supports the provision of a minimum of one on-site secure electric vehicle charging point, wherever possible.
109. Whilst some clauses are similar to strategic policies set out in the Local Plan, **Policy 7** goes further than these to provide necessary design details appropriate to Burnham Market.

Policy 7: Residential Parking Standards

Development proposals should respond positively to all appropriate points made under Design Code SP-Streets and Parking, and Section 10 - Car Parking of the Design Guidance and Codes Checklist in Appendix B.

All parking areas and driveways should be designed to improve impervious surfaces such as permeable paving.

All parking areas and driveways should provide opportunities for electric vehicle charging points.

For all new residential developments, where practicable and feasible, the following minimum standards shall apply for the provision of off-road vehicle parking:

- *1 bed dwelling: 1 off-road car parking space*
- *2 bed dwelling: 2 off-road car parking spaces*
- *3 bed dwelling: 2 off-road car parking spaces*
- *4+ bed dwelling: 3 off-road car parking spaces*

On-street parking

On-street parking should be avoided in future development wherever possible particularly in character area CA1. Where the standards for off-road parking in the previous part of the policy cannot be met or where there is a potential for on-street parking to occur because of the needs of visitors, streets will need to be designed to safely accommodate some on-street parking, which may include formal parking facilities such as parking bays.

On-plot side or front parking

Wherever practicable, car parking should be located to the side of properties and incorporates landscaping to avoid the parking areas being obtrusive in the street scene. Parking being provided on a driveway to the side of a dwelling should be of sufficient length (5m minimum) so the car can park behind the frontage line of the dwelling. When parking is designed to the side, a front garden should be provided.

If front parking is used, then its presence should be minimised with thorough soft landscaping. A sufficient depth should be allocated to the length of on-plot parking to allow movement around parked vehicles and the screening of hedgerows or other boundary treatment features when parking is provided to the front of a dwelling.

Garage parking

Parking being provided in a garage to the side of a dwelling should be in line with, or slightly set back from the frontage line of the existing dwelling, which is in- keeping with the character of the existing village and will reduce the visual impact of cars on the street. Garages should also provide sufficient room for cars to park inside them as well as providing some room for storage such as bicycles.

Courtyard parking

Proposals for courtyard parking should complement the public realm through a high-quality design and use of materials, benefit from natural surveillance and bays must be arranged into groups of 4 spaces as a maximum.

Cycle parking

New development proposals which do not include on site garages should provide covered and secured cycle parking within the domestic curtilage.

Natural Environment

110. There are no Natural England statutory designated sites in the neighbourhood area, though there are a number of important designations within 2km to the north, this includes:
- North Norfolk Coast Special Area of Conservation (SAC), Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and Ramsar site;
 - Greater Wash Special Protection Area (SPA);
 - Holkham National Nature Reserve (NNR); and
 - Scolt Head Island (NNR).
111. The North Norfolk Coast has multiple overlapping designations, it extends some 40km between Hunstanton (west of county) and Weybourne (east of county). The area consists primarily of intertidal sands and muds, saltmarshes, shingle banks and sand dunes. There are extensive areas of brackish lagoons, reedbeds and grazing marshes. The coast is of great physiographic interest and the shingle spit at Blakeney Point and the offshore shingle bank at Scolt Head Island are of special importance.
112. A wide range of coastal plant communities are represented, and many rare or local species occur. The whole coast is of great ornithological interest with nationally and internationally important breeding colonies of several species. The geographical position of the North Norfolk Coast and its range of habitats make it especially valuable for migratory birds and wintering waterfowl, particularly brent and pink-footed geese. The area, much of which remains in its natural state, now constitutes one of the largest expanses of undeveloped coastal habitat of its type in Europe. It is possible that given the proximity to the Plan area, important bird species could travel through or be present in Burnham Market.
113. There are several non-statutory designations, County Wildlife Sites, adjacent or within close proximity of the neighbourhood area.
114. Wildlife designations are marked on **Figure 19**.

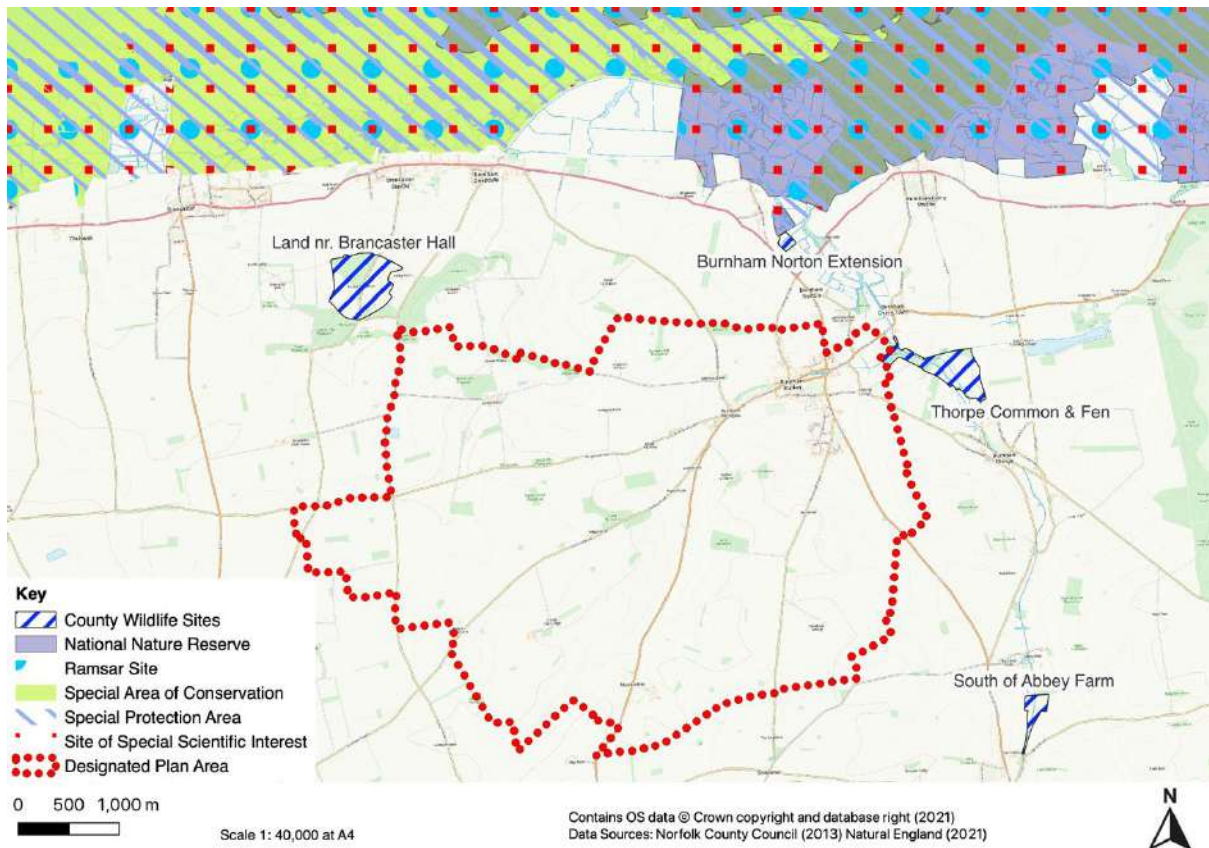


Figure 19: Wildlife Designations in close proximity of the Parish

115. Although there are no wildlife designations within the Parish, Natural England identifies that there are existing important habitat networks and there is a potential for more. Parts of the Parish contain Habitats of Principle Importance for biodiversity conservation, those which are most threatened, in greatest decline or where the UK holds a significant proportion of the world’s total population. The predominant type of priority habitat is deciduous woodland. Local authorities have a duty to consider the conservation of these habitats, and development that would adversely affect these would not normally be acceptable.
116. As detailed in the Evidence Base, part of the Neighbourhood Development Plan area, including the main settlement, falls within the Norfolk Coast Area of Outstanding Natural Beauty (AONB). The AONB was designated in 1968 and includes the greater part of the remaining unspoiled coastal areas between the Wash (west of county) and Great Yarmouth (east of county). The Norfolk Coast landscape displays a striking diversity of scenery, embracing a rich mix of coastal features and contrasting inland agricultural landscapes, of which are influenced by the proximity of the sea. Much of the character and quality of the AONB landscape can be attributed to the contrasts which arise from its diversity.

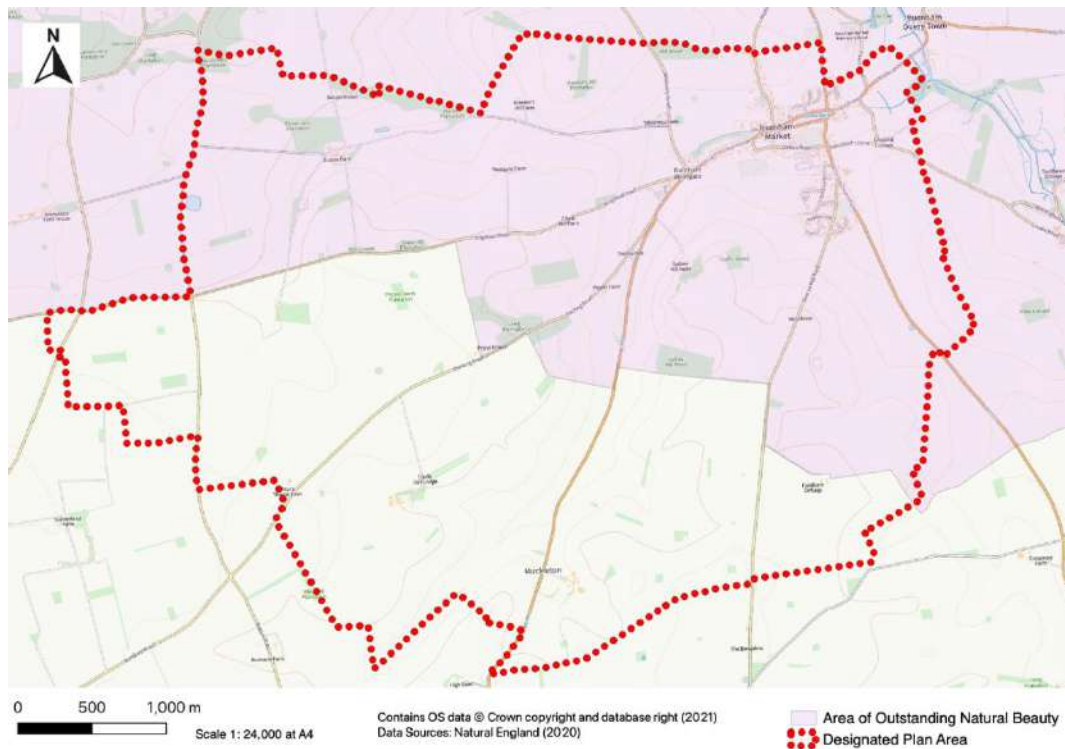


Figure 20: Designated Plan Area and the Norfolk Coast Area of Outstanding Natural Beauty (AONB)

117. The Norfolk Coast AONB Integrated Landscape Guidance Section 2 (2021)²¹ explains that the landscape character for Burnham Market is “Rolling Open Farmland” (ROF). Section 3 of the guidance (2021) describes this part of the AONB to be “*remote, open farmed landscape with only sparse settlement, including large imposing homesteads built of brick or carstone and flint. The landform becomes more rolling towards the east, where there is a settled agricultural landscape of narrow lanes, prominent churches, hedge banks and windblown hedgerow trees. The farmland is subdivided by tranquil, rural river valleys, with small meandering rivers, well defined arable slopes, and grazing meadows on the valley floor.*”
118. Section 3 of the Norfolk Coast AONB Integrated Landscape Guidance (2021)²² considers requirements for new development including:
- subdivision of larger gardens and/or ‘selling off’ fields within villages to create small plots for individual houses or extensions, both of which can result in a loss of mature trees and the historic patterns of buildings and open spaces which are an integral part of the distinctive local character of towns and villages;
 - conversion of farm buildings to residential development, which can result in the ‘gentrification’ of the countryside, with driveways, parking areas, power lines, ornamental fences, and gardens – all of which may be totally out of character in an agricultural landscape setting;

²¹ Norfolk Coast AONB Integrated Landscape Guidance- Section 2 (2021): [Integrated-landscape-character-intro-section-2.pdf \(norfolkcoastaonb.org.uk\)](https://www.norfolkcoastaonb.org.uk/integrated-landscape-character-intro-section-2.pdf)

²² Norfolk Coast AONB Integrated Landscape Guidance- Section 3 (2021): [Integrated-landscape-character-intro-section-3.pdf \(norfolkcoastaonb.org.uk\)](https://www.norfolkcoastaonb.org.uk/integrated-landscape-character-intro-section-3.pdf)

- Local character and distinctiveness of built form has been gradually eroded as traditional features (such as building materials) have been replaced by standard, suburban-style conversions, extensions and built development, along with ornamental fencing, planting, and security lights;
 - The purchase of properties for second homes is also a significant force for change within the Norfolk Coast AONB, which has resulted in rising property prices and changes in the socio-economic character of traditional settlements.
119. The designation helps to protect the natural features, but also settlements and working environments that are distinctive characteristics of the countryside. The designation allows for sustainable development, in ways that further enhance the character of the AONB area.
120. There is strong support locally for protecting and improving wildlife habitat. Eighty-one percent of respondents to the Neighbourhood Development Plan consultation felt that protecting woodland and wildlife sites is highly important, and 74% felt habitat creation is highly important. There is also strong support for tree and hedgerow planting and 98% of respondents felt that open green space and tree lined streets should be incorporated into development
121. Legislation and the NPPF (chapter 15) afford considerable support for protecting and enhancing key landscapes and areas of value in terms of biodiversity. This also includes the need for biodiversity net gains in developments. Paragraph 174 supports the mapping of ecological assets and networks, including for enhancement or creation. NPPF paragraphs 96 -101 covers protecting existing green open spaces and creation of new ones. The NPPF also makes it clear that all new streets should include trees, and that planning policies should ensure streets are tree lined.
122. Under the Environment Act (2021), all planning permissions granted in England (with a few exemptions) will have to deliver at least 10% biodiversity net gain (BNG) from a yet to be confirmed date, expected to be in November 2023. The concept seeks measurable improvements for biodiversity by creating or enhancing habitats in association with development. There will be three ways to deliver BNG, onsite within the site curtilage, off-site locally with biodiversity enhanced in conjunction with nearby landowners, or through statutory credits. The requirement for BNG is in addition to following the usual mitigation hierarchy to avoid, mitigate or compensate for biodiversity losses. Some developers are already designing net gain into their development projects and as set out above, the National Planning Policy Framework encourages the net gain approach, though the requirement to measure this or meet a particular level of BNG is not yet mandatory nationally or within the Borough Council area.
123. The King's Lynn and West Norfolk Core Strategy Policy CS12 requires development avoids, mitigates, or compensates for any adverse impacts on biodiversity. It also provides a level of protection for County Wildlife Sites and priority habitat. Additionally, SADMP (2016) Policy DM 22 provides protection of Local Open Spaces (recreational space, amenity, and biodiversity etc.). The Policy also supports the designation of Local Green Space in Neighbourhood Plans.

Biodiversity and Green Corridors

124. As part of developing the Neighbourhood Plan Green Corridors have been identified to connect areas of wildlife habitat across the Parish. Each Green Corridor will be a focus for the community and landowners to increase biodiversity and connectivity, for example by planting more trees and hedges, by allowing grassland areas to grow wilder, and by installing features like bird and bat boxes. These will also be a target for biodiversity net gain where it is not feasible to deliver improvements on site.
125. The Green Corridors in **Figure 22** and shown on the **Policies Map in Appendix A** have been identified according to the following principles (mapped in **Figure 21**):
- The location of locally important wildlife sites which are in close proximity to the designated area.
 - Areas of habitat between these sites which enable high quality core habitats to be connected by corridors, especially areas identified by Natural England as having potential for habitat networks.
 - Other locations where existing priority habitats or habitats such as woodland and hedges can be connected and augmented.

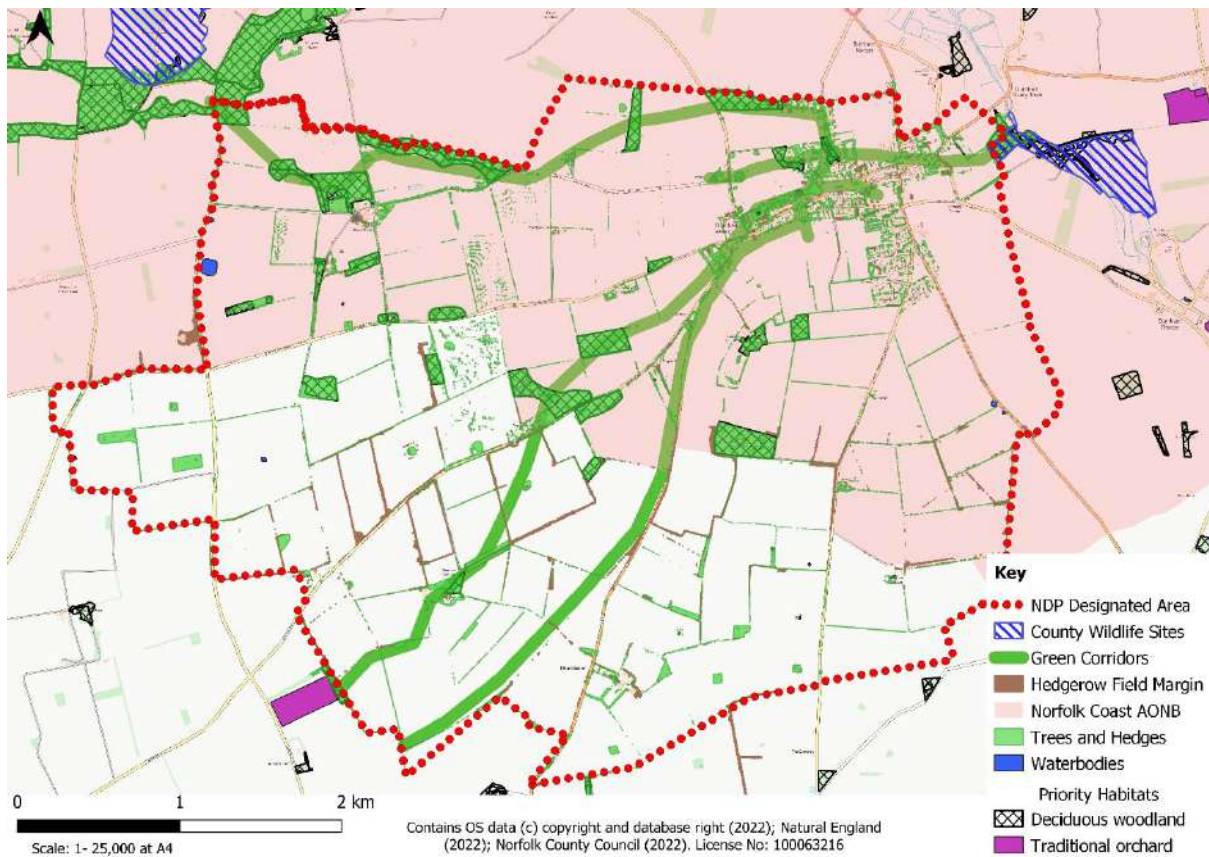


Figure 21- Green Corridors identified principles (Source: Natural England, 2022 and Norfolk County Council, 2022)

126. The Green Corridors link the key blocks of habitat in the Burnham Market area, identifying where there is likely to be best opportunity for improved ecological connectivity. Further work to determine the condition of existing habitat and engagement with the local

community and landowners to identify the exact location and nature of improvements will take place over the course of the Plan and beyond. In this respect, the mapped corridors are indicative, as it may be that the best opportunities to improve or create habitat arise adjacent or just outside the corridors.

127. Green Corridors benefit wildlife and people. Mammal species such as hedgehogs and bats, many species of birds including barn owls and yellow-hammers, and numerous insect and plant species require continuous habitat features to thrive. Many wildlife species have reduced in abundance because of habitat destruction and fragmentation, and Green Corridors will go some way to reducing this trend in Burnham Market.
128. In addition to wildlife benefits, green corridors can be combined with other uses such as footpaths, which means there would also be benefits for residents and visitors in Burnham Market. Spending time close to nature is good for mental and physical wellbeing, and these Green Corridors would increase the opportunity for people to do this, either through recreation on publicly accessible land or through assisting with conservation activities. There is also evidence that Green Corridors can mitigate flooding by intercepting and slowing run-off in high rainfall events. Sustainable Drainage Systems (SuDS) can be used to provide multiple additional benefits as well as water management, such as wildlife, biodiversity, and recreation, see the Important Local Views.

Policy 8: Biodiversity and Green Corridors

The importance of the area for wildlife should be safeguarded, retained and habitats enhanced through positive action as part of the development process. Development proposals should demonstrate at least a 10% net gain in biodiversity, which should be achieved in the following ways:

- a) In consultation with the local planning authority, use of an agreed biodiversity metric and biodiversity net gain plan;***
- b) The habitats should be secured for at least 30 years via planning obligations or conservation covenants;***
- c) Delivery of biodiversity net gain on site wherever practicable and if it can be demonstrated that this is not feasible then delivery elsewhere within the Parish boundary, in the green corridors identified in Figure 22 as a priority;***
- d) Contribute towards enhancing, restoring or maintaining existing green infrastructure (such as priority habitats or corridors to those sites);***
- e) Wherever possible extending priority habitats, to reduce the loss of these valued habitats through fragmentation;***
- f) Through effective layout and design, development should recognise the location of existing green infrastructure and support appropriate uses and functions e.g. through incorporation of invertebrate, swift or bat boxes into the design of built infrastructure; and***
- g) The use of native British species of flora and fauna of local provenance.***

Proposals that will affect trees or hedgerow should be accompanied by a survey which establishes the health and age of affected trees and/or hedgerow, and appropriate management plan. Where the incorporation of existing trees and hedgerows in the development design or translocation is not feasible and only as a last resort, any loss of trees or hedgerow should be compensated for by adequate replacement provision of greater value than the tree or hedgerow lost.

Replacement species must be native British species of local provenance. Developers should ensure local ecological connectivity is maintained and sufficient space is made available on the development site for this unless exceptional circumstances can be demonstrated.

The Plan identifies a series of Green Corridors on Figure 22. Proposed development within or adjacent to a Green Corridor should:

- Demonstrate an improvement in overall habitat connectivity;***
 - Where practicable enhance the function of the corridor; and***
 - Demonstrate the way in which it will incorporate suitable mitigation for any aspects of the proposed scheme which would reduce the ability of wildlife to move through the corridor, including barriers like buildings and hard surfaces, redirecting water courses, adding artificial lighting, and insensitive management of habitats e.g. hedge cutting in the bird breeding season.***
-

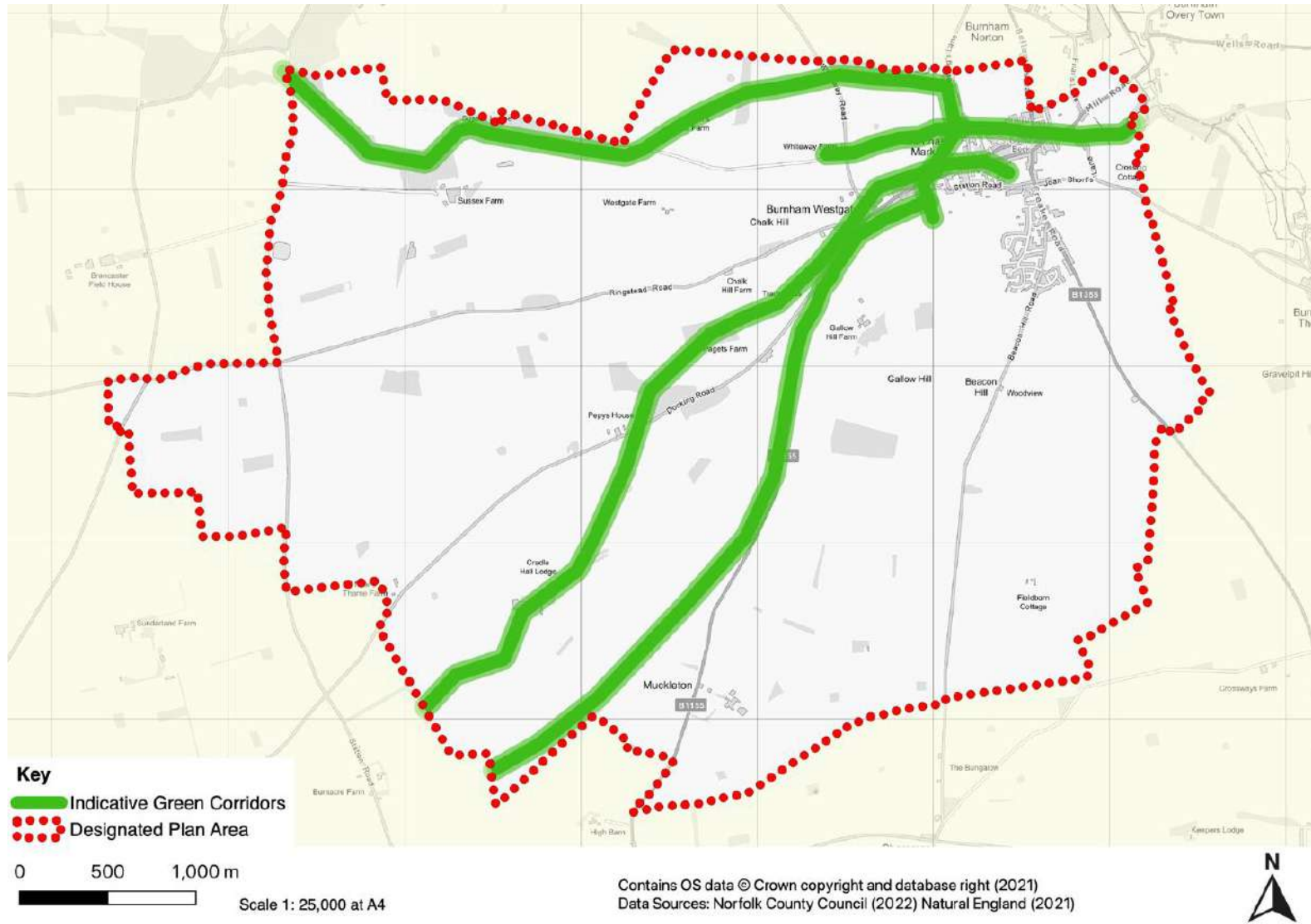


Figure 22: Green Corridors

Community Action 1: Local Action to Encourage Wildlife

The Parish Council will work with the local community to encourage action to enhance habitat and wildlife in public areas and in all gardens. This may include activities to encourage insect friendly planting, bird, and bat boxes, making the most of compost and encouraging wild patches. In public areas actions will be investigated including less frequent mowing, pond maintenance and planting trees. In relation to this, priority will be to work with local landowners to improve habitat for wildlife within the green corridors.

Local Green Spaces

129. The National Planning Policy Framework sets out that specific areas of land that are demonstrably special to the local community may be protected against development through designation as Local Green Space (LGS). These are often found within the built-up area and contribute to the character of a settlement. These can vary in size, shape, location, ownership, and use, but such spaces will have some form of value to the community and help define what makes that specific settlement what it is.
130. The designation should only be used where:
- The green space is reasonably close to the community it serves;
 - The green area is demonstrably special to the community and holds a particular local significance, for example because of its beauty, historic significance, recreational value, tranquillity, or richness of wildlife; and
 - The green area concerned is local in character and is not an extensive tract of land.
131. A robust process has been followed to determine which green spaces within Burnham Market should be designated:
- Initial ideas were suggested by the community as part of consultation activities.
 - These were reviewed to consider at a glance whether they would meet the national criteria for designation. Some suggestions such as highway verge or public footpaths were removed at this stage.
 - A site visit was undertaken by the Steering Group and further evidence gathered on each of the remaining green spaces.
 - An assessment against the national criteria for LGS was made for each of the potential areas.
 - Landowners were contacted via letter in the early stages of plan preparation before the Regulation 14 Consultation to make them aware that their land was being considered for local green space designation. Letters were sent out on the 3rd of August 2022 and on the 30 September 2022 to invite them to make representations at the pre-submission stage or beforehand if they wished;

- A final decision was made by the Parish Council as to which green spaces to designate.

132. The consultation survey (December 2021) asked respondents “What areas of green space within the village do you think are special and worth protecting?” All the suggested green spaces, as shown in **Figure 23**, except Foundry Field Play Area, were felt to be ‘most important’ to over 85% of respondents. Nevertheless, Foundry Field Play Area still got over 70% of support for being most important. Other suggestions of special green spaces in the Parish included, but were not limited to:

- The Pound
- Stubbings Field
- St Ethelberts
- The field at the village hall

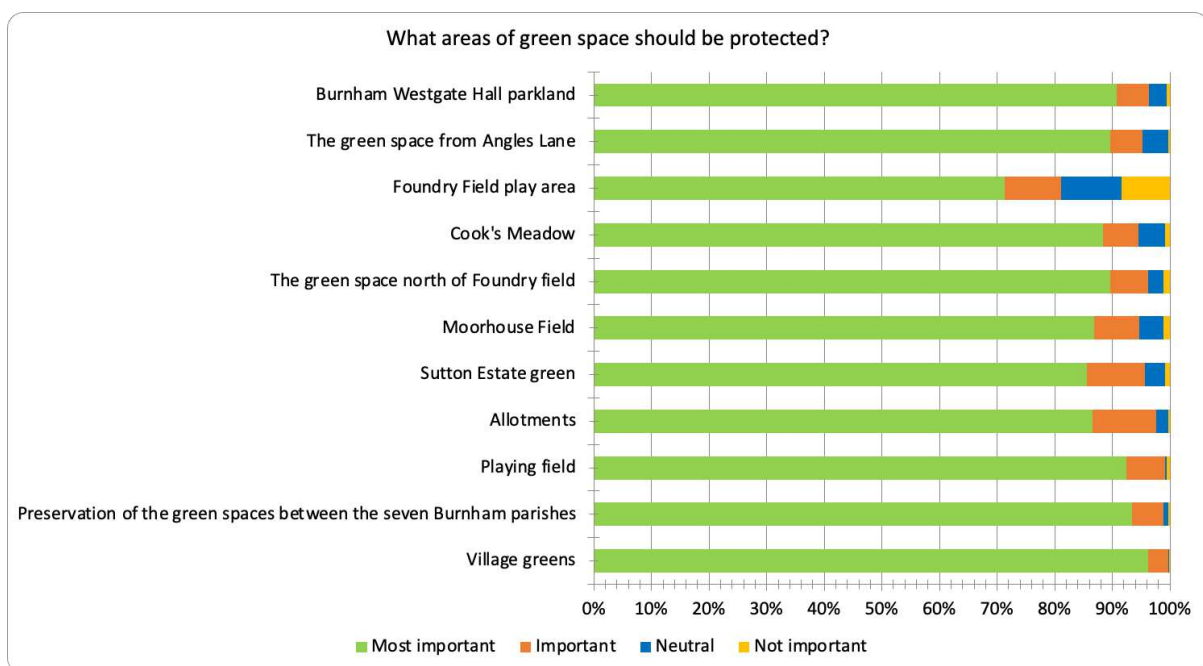


Figure 23: Question 12 Results from the Consultation Survey (December 2021)

133. This Neighbourhood Plan designates **10** Local Green Spaces for protection, these are identified in **Figure 24** and on the **Policies Map in Appendix A**. These are important not only for the wildlife they support, but provide significant quality of life benefits to residents, for example through encouraging recreation. Justification for each Local Green Space is found in Burnham Market Neighbourhood Development Plan Local Green Space Assessment.
134. The Local Green Space Policy is important, as is the precise wording. Paragraph 103 of the National Planning Policy Framework sets out that, “Policies for managing development within a Local Green Space should be consistent with those for Green Belts.” The justification for the Policy wording used here is provided in **Appendix C**.

Policy 9: Local Green Spaces

The areas listed below and shown in Figure 24 are designated as Local Green Spaces:

- 1. Foundry Field Play Area**
- 2. Playing field**
- 3. Market Place Green (including the War Memorial)**
- 4. The Pound**
- 5. Stubbings Field**
- 6. Burnham Westgate Hall Parkland**
- 7. Creake Road Allotments**
- 8. Sutton Estate Green**
- 9. St Ethelbert's Church Ruin**
- 10. Village Hall Field**

These will be protected from inappropriate development in accordance with Green Belt Policy, except for the following deviations:

New buildings are inappropriate development, with the only exceptions to this:

- a) Buildings for forestry or agriculture where the Local Green Space is used for commercial woodland or farmland;**
- b) The provision of appropriate facilities in connection with the existing use of land where the facilities preserve the openness of the Local Green Space and do not conflict with the reasons for designation that make it special to the community, such as for recreation or ecology;**
- c) The extension or alteration of a building if it does not impact on the openness or the reasons for designation that make Local Green Space special to the community; or**
- d) The replacement of a building provided the new building is in the same use and not materially larger than the one it replaces.**

Other appropriate development includes:

- e) Engineering operations that are temporary, small-scale and result in full restoration;**
 - f) The re-use of buildings provided that the buildings are of permanent and substantial construction; or**
 - g) Material changes in the use of land where it would not undermine the reasons for designation that make it special to the community.**
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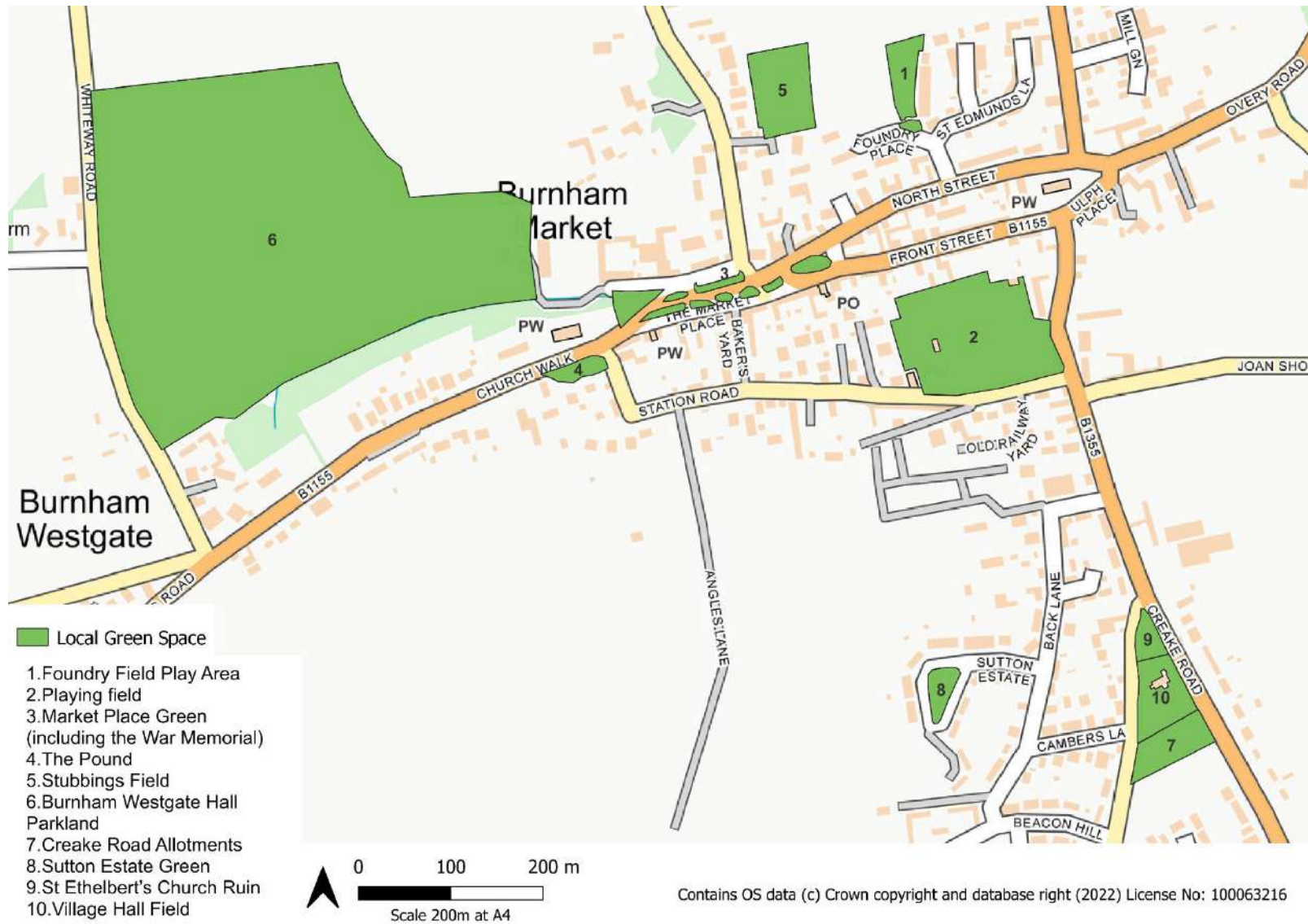


Figure 24- Local Green Space

Important Local Views

135. The National Planning Policy Framework indicates that planning policies and decisions should protect and enhance valued landscapes recognising the intrinsic character and beauty of the countryside. There are some specific views and vistas within the Burnham Market Neighbourhood Plan area that are of particular importance to the local community. Building on national and local planning policy, Burnham Market Neighbourhood Development Plan identifies these, provides justification for their significance, and seeks to protect them for future enjoyment.
136. The community was asked in Question 13 to identify particularly special views as part of the first consultation exercise in December 2021 for the Neighbourhood Development Plan. Overall, the 8 public views shown in **Figure 25** suggested in the consultation survey were felt to be ‘most important’ or ‘important’ by over 90% of respondents.

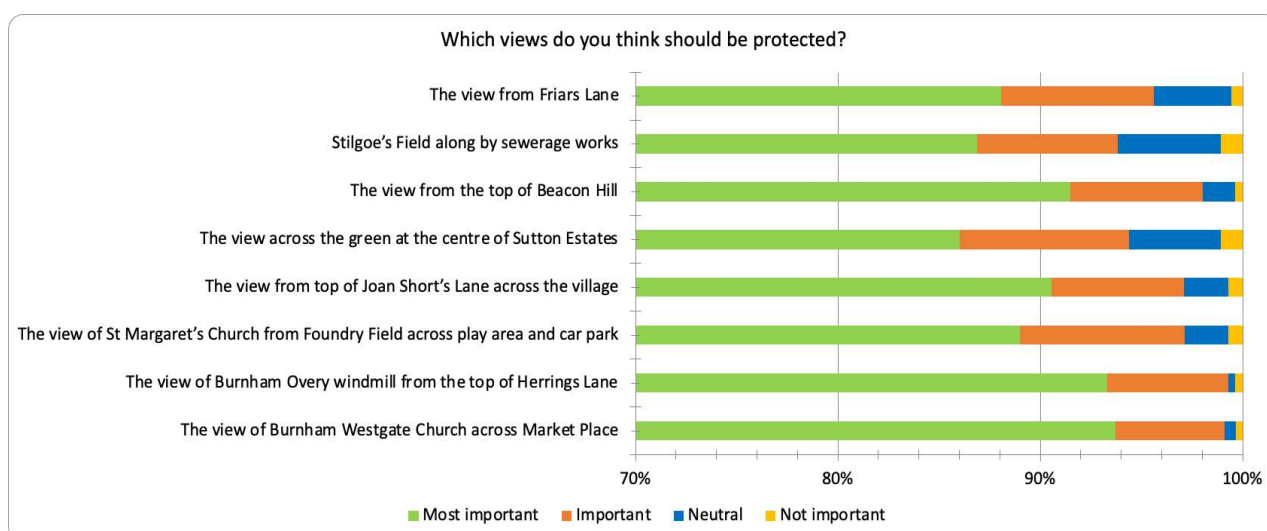


Figure 25-Question 13 of the Consultation Survey, December 2021

137. Another 11 views were suggested by respondents, including:
- The view between the top of Angles Lane and Gallow Hill Farm looking across to the village
 - Views across the village green
 - View of the sea from Herrings Lane
 - The view of St Margaret's Church
 - Burnham Overy Town towards Holkham, from Herrings Lane
 - Views of the Friary
 - View of the rooftops on approaching Burnham Market on the Fakenham Road
 - View from Burnham Westgate Church down through the village
 - View across from Whiteway's Road to Herrings Lane and along Cross Lane
 - View from Millwood to the north
 - View of Beacon Hill from the playing field

138. All views were reviewed by the Steering Group, further evidence and photographs taken to determine whether they should be included. Some views were not included due to:

- limited view from the areas suggested,
- falling outside of the designated Neighbourhood Development Plan area or
- views only being visible from certain individuals' properties so would be of no benefit to the public .

139. Overall, the Neighbourhood Development Plan seeks to protect 7 public views, many of which include local features of the landscape, key buildings, and landmarks in the Parish. Justification for each of the views is provided in **Burnham Market's Neighbourhood Plan Views Assessment** document. The intention is not to stop development within these views, but to ensure that their distinct character is retained. Development within the views listed in **Policy 10** that is overly intrusive or prominent will not be supported. Any proposals within these views will need to demonstrate that they are sited, designed and of a scale that does not significantly harm them.

Policy 10: Protection of Important Local Views

The following seven views, shown in Figure 26 and described in Burnham Market's Neighbourhood Development Plan Views Assessment are identified as important public local views:

- 1. St Margaret's Church from Foundry Field Play Area***
- 2. St Mary's Church from Market Place***
- 3. Top of Joan Shorts Lane***
- 4. Views of Sutton Estate green***
- 5. Angles Lane from top of footpath near Gallow Hill Farm***
- 6. Views of the Village Greens (Market Place)***
- 7. Views from top of Beacon Hill***

Proposals are expected to demonstrate that they are sited, and designed to be of a form and scale, that avoids or mitigates any harm to the key views. Development proposals that would unacceptably affect these key views will not be supported.

As appropriate to their scale, nature and location development proposals should take account of the Norfolk Coast AONB Integrated Landscape Guidance Assessment (2021) in relation to their impact on the views.

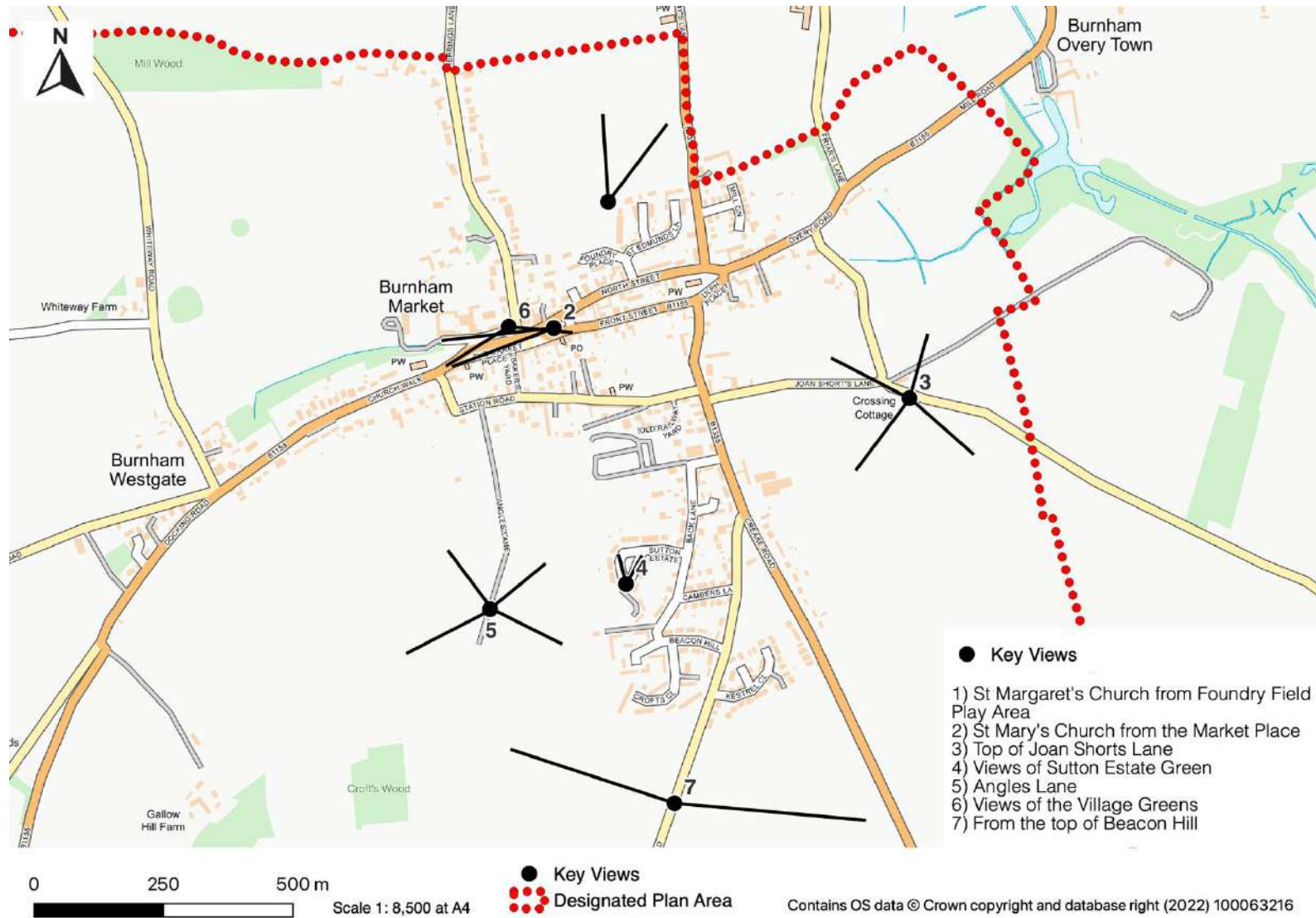


Figure 26-Important Local Views

Dark Skies

140. The NPPF (2021) notes how planning policies should ensure that new development is appropriate for its location considering effects of pollution (including light pollution) that could arise from the development on site and with its wider surroundings. In paragraph 185 Clause C planning policies and decisions should: *“limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation”*.²³
141. As stated in the previous Norfolk Coast Partnership AONB Management Plan (2014-2019) there were 7 key qualities of natural beauty of the Norfolk Coast the 6th key quality was its *“sense of remoteness, tranquillity and wildness”*. It is an area of *“low level of development and population density for lowland coastal England, leading to dark night skies and a general sense of remoteness and tranquillity away from busier roads and settlements and, particularly for undeveloped parts of the coast, of wildness”*.²⁴
142. In the consultation survey (December 2021) Question 9 asked: *“Do you think the following limitations or provisions should be imposed by the planning authority on all new buildings in Burnham Market?”*. The options respondents could choose are listed in **Figure 27**. 98% of respondents (542 people) said they felt measures should be taken to protect Dark Skies by limiting light pollution.

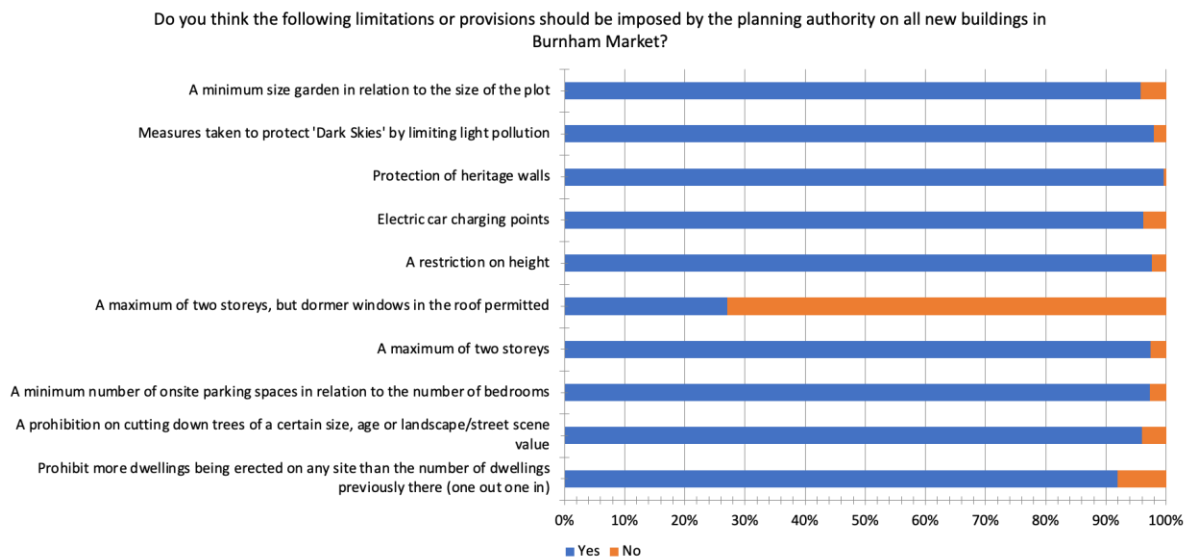


Figure 27-: Burnham Market Consultation Survey Results from Question 9: “Do you think the following limitations or provisions should be imposed by the planning authority on all new buildings in Burnham Market?”

143. Nearly half of the Parish falls within the Norfolk Coast AONB designation (Figure 28). The vision of the Norfolk Coast Partnership in relation to Dark Skies is by 2036: *“Necessary development, including outside the area and in the marine environment, will have been managed so that the area will still be essentially unspoilt with a strong feeling of remoteness, peace and tranquillity, with wide skylscapes, seascapes and dark night*

²³ [National Planning Policy Framework \(publishing.service.gov.uk\)](https://www.gov.uk/publishing.service.gov.uk)

²⁴ [2014-19-Management-Plan.pdf \(norfolkcoastaonb.org.uk\)](https://www.norfolkcoastaonb.org.uk/2014-19-Management-Plan.pdf)

skies that show the richness and detail of constellations” (Norfolk Coast Partnership, 2014, P31).

144. Guidelines have been created around planning for good exterior lighting which will be relevant for the Dark Skies Policy. Outdoor lighting should be carefully designed to ensure appropriate placement, duration, colour and timing. The quote “*more light is not necessarily better light*”²⁵ is discussed in some detail in the GOV Light Pollution Guidance and Dark Sky Society (2020) paper in relation to promoting safety. Where light fixtures give off an unsafe glare it can result in reduced visibility and accidents on the road and streets, especially when vision is readapting to darker areas²⁶. Examples of fixture types that can be used to reduce glare and light trespassing in the night sky include:

- Fully shielded fixtures (enclosed in full cut off or canopy fixtures);
- Lighting which is directed downwards;
- Using energy efficient bulbs/low light level LED, metal halide or fluorescent.
- Controlled lighting on timers, motion detectors when needed including no dusk to dawn lights²⁷and;
- Using warmer colour lights such as yellow where possible avoiding blue, or ultraviolet content since these are generally more disruptive to humans and wildlife.

The CPRE Dark Skies Mapping shows²⁸ that much of the Parish, apart from the village centre falls into the darkest categories. These night lights ranged between 1-2 to 0.25 and suggest that as a whole the Parish itself has relatively dark skies and in the surrounding countryside there is very little light pollution. Currently the streetlights are on from dusk until dawn and are LED 4K colour bulbs. Additional intrusive external or internal lights associated with new development would be detrimental to the character of the village. It is noted that in many cases external and internal lights fall into permitted development, however, it is possible to influence lighting associated with new development and the evidence and national guidance of the benefits of sensitive lighting may encourage better design choices by others.

²⁵ [Light pollution - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

²⁶ [LightingPlanGuidelines.pdf \(darksksociety.org\)](https://darksksociety.org/LightingPlanGuidelines.pdf)

²⁷ [Towards-A-Dark-Sky-Standard-V1.1.1.pdf \(southdowns.gov.uk\)](https://southdowns.gov.uk/Towards-A-Dark-Sky-Standard-V1.1.1.pdf)

²⁸ [England's Light Pollution and Dark Skies \(cpre.org.uk\)](https://cpre.org.uk/England's-Light-Pollution-and-Dark-Skies)



Figure 28- Dark Skies (CPRE, 2022)

Policy 11: Dark Skies

Development proposals should respond positively to the dark skies environment in the neighbourhood area. Proposals which include external lighting should demonstrate the way in which they have addressed the following principles:

- ***Fully shielded (enclosed in full cut-off flat glass fitments).***
- ***Directed downwards (mounted horizontally to the ground and not tilted upwards).***
- ***Avoid dusk to dawn lighting by introducing timed motion detectors; and***
- ***Ensure lighting schemes such as LED streetlights will not cause unacceptable levels of light pollution particularly in intrinsically dark areas.***
- ***Use low-energy lamps such as LED, metal halide or fluorescent sources.***
- ***Street lighting should be avoided within areas of public realm, in line with existing settlement character as set out in the Design Guidance and Codes SP09- Street Lighting and Dark Skies (AECOM 2022).***

Where internal lighting would have an impact on residential amenity or wildlife, development proposals should incorporate suitable mitigation measures. Development proposals which would have an unacceptable impact on the natural or the built environment, residential amenity, or wildlife by virtue of their lighting will not be supported.

Surface Water Management

145. Flooding can cause serious damage and have significant impacts for homeowners. By thinking about flood risk early, it may be possible to avoid it, manage it more efficiently or in a way that adds value to biodiversity and the natural environment more widely. The settlement is situated predominantly within Flood Zone 1 and the watercourse for flood warning in this area is from the north Norfolk coast at Burnham Overy Staithe from the North Sea²⁹. However, as shown in **Figure 29** there is a small area to the north-east of the parish which sits within Environment Agency Flood Zones 2 and 3. Also, in the north-east of the neighbourhood designated area is the Norfolk Rivers Internal Drainage Board (IDB). As stated in the King's Lynn and West Norfolk Borough Strategic Flood Risk Assessment Level 2 Community Level Guidance Tables (2019), the area is within the North Norfolk Catchment Flood Management Plan, part of the Rural Areas sub-area. Within this sub-area, current flood mitigation is out of proportion to the level of flood risk or is not effective.

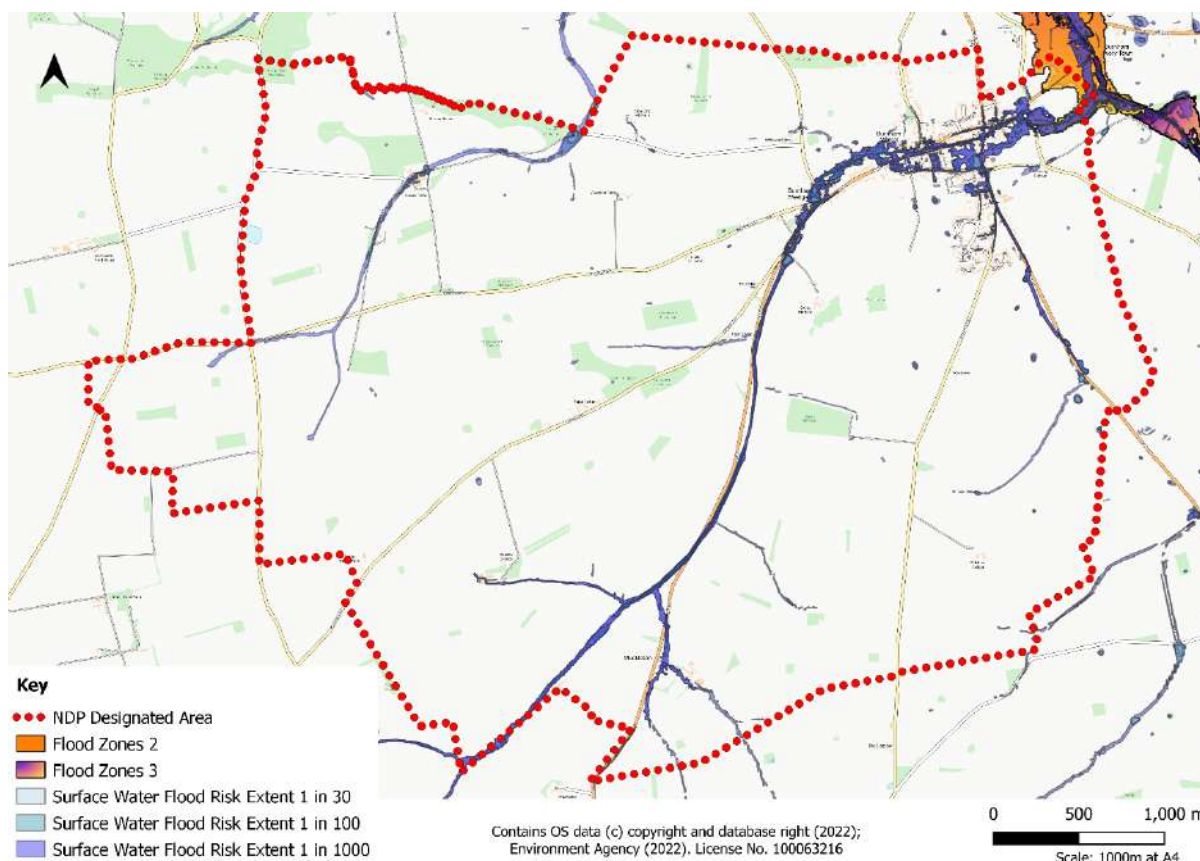


Figure 29- Flood Zones and Extent of Surface Water Flood Risk Maps (Source: Environment Agency, 2022)

146. In the King's Lynn and West Norfolk settlement Surface Water Management Plan: Stage 1 (2010) Burnham Market was identified as one area out of sixteen which is most at risk of surface water flooding. The BCKLWN Strategic Flood risk Assessment Stage 1 (Section 6.8) identifies that flood risk from groundwater is also a potential due to the characteristics of

²⁹ [Flood risk assessment - Level 1 | Flood risk assessment - Level 1 | Borough Council of King's Lynn & West Norfolk \(west-norfolk.gov.uk\)](#)

underlying chalk features. For example, the River Burn is a chalk stream and the section upstream of Burnham Thorpe and the Goose Beck tributary at Burnham Market can dry out as they are groundwater fed. Conversely when groundwater levels are high, flows will increase.

147. The BCKLWN Strategic Flood risk Assessment Stage 2 (2019) also highlighted that the most likely source of flooding will be from surface water. The Goose Bec forms part of the existing drainage system and runs through the centre of the settlement from West to East, running parallel to Church Walk and Front Street B1155³⁰. **Figure 30** shows how surface water flood risk covers a significant part of the main built settlement within the parish. This includes the extent for a 1 in 30-year risk of flooding, 1 in 100 year and to 1 in 1000-year risk.
148. Over the past 10 years there have been three verified reports within the Parish of internal flooding. During the winter of 2020/21 the area received an above normal amount of rainfall and significant flooding occurred in some parts of the area. Norfolk County Council's flood investigation report³¹ identifies two incidences of internal flooding within Burnham Market, on Docking Road and Church Walk through the grounds of Burnham Westgate Hall and out onto Fairstead Green in Market Place. In this instance the cause of the flooding was due to an overloaded system that could not take further run-off towards the ordinary watercourse, surface water run-off from rainfall and underground springs flowing off adjacent fields, a pinch point in a culvert, and an overflowing attenuation feature. In addition, flooding affected many parts of the highway and people's private gardens. A series of recommendations have been made to prevent future flooding. These do not relate to planning, but action could be taken to ensure that future development takes account of localised flood risk issues. In the preliminary flood risk assessment, updated in 2017, Burnham Market was ranked in the 6th 'at risk' banding (out of 6) for surface water flooding, with just over 100 properties at risk from flooding in a 1 in 100-year rainfall event.

³⁰ [Strategic Flood Risk Assessment level 2 | Borough Council of King's Lynn & West Norfolk \(west-norfolk.gov.uk\)](https://www.kings-lynn.gov.uk/media/10000/strategic-flood-risk-assessment-level-2-2019.pdf)

³¹ <https://www.norfolk.gov.uk/-/media/norfolk/downloads/rubbish-recycling-planning/flood-and-water-management/flood-investigation-reports/fir066-kings-lynn-wn-winter-flood-event-2020-21.pdf>

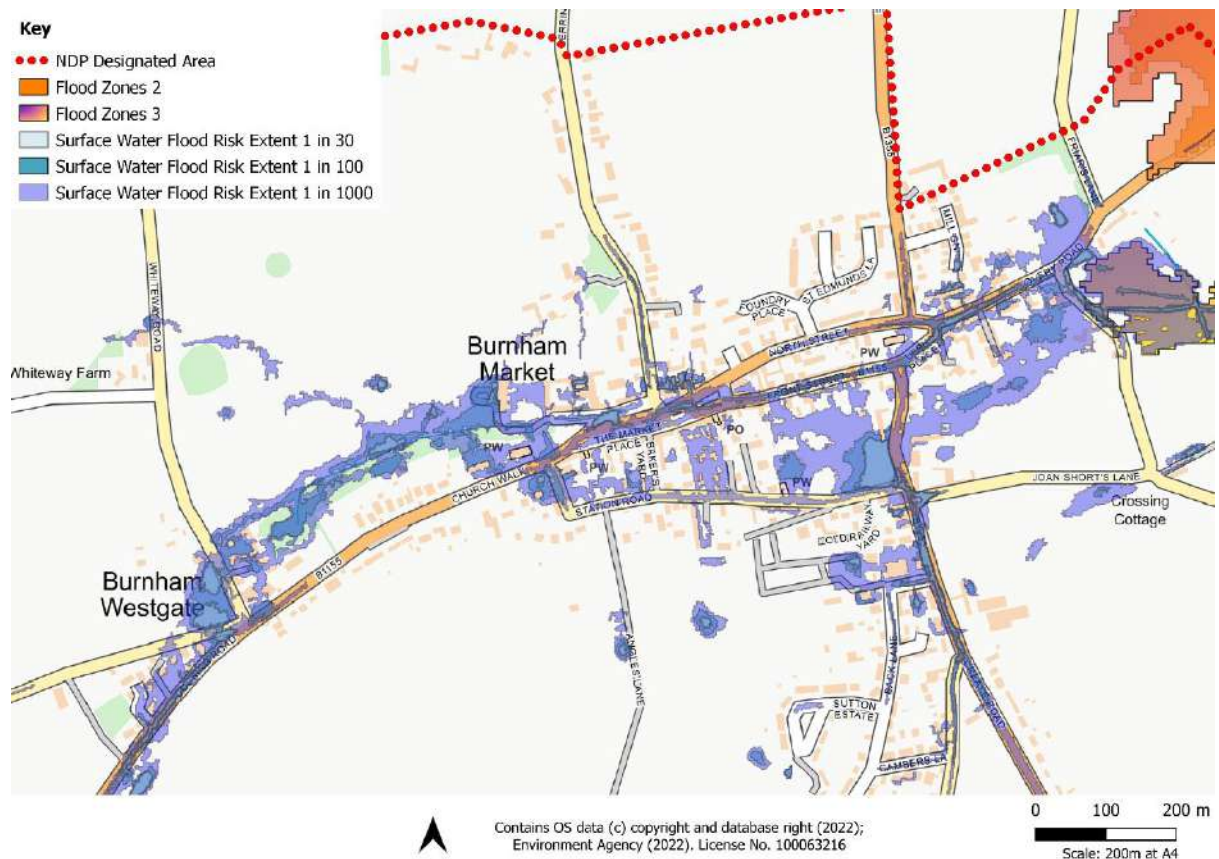


Figure 30- Extent of Surface Water Flood Risk around Burnham Market built up settlement (Source: Environment Agency, 2022)

149. During the 2020/21 floods in Burnham Market there was also a serious issue with foul sewage bubbling up from manholes. According to the data by The Rivers Trust (2022) in 2021 this sewer storm overflow spilled 105 times in 65 days, for a total of 1,554 hours, discharging this overflow into the River Burn³². Anglian Water has stated through Regulation 14 that the high spill count is due to groundwater inundation which has been resolved.
150. Burnham Market Water Recycling Centre is located slightly southwest of the dot shown in **Figure 31** which pumps the waste to a treatment works and is over 70 years old. Anglian Water has explained that *“Burnham Market has had a full CCTV sewer survey and clean undertaken and a £1.5million scheme is underway at the Burnham Market Water Recycling Centre (WRC). This investment is both an environmental and customer protection scheme. It will help the site cope with additional flows before the site uses storm tanks, reducing the likelihood of flooding during heavy rainfall and helping the WRC meet new Environment Agency permit requirements, improving the overall environmental impact in the catchment and the receiving water course³³”*. Anglian Water supports **Objective H** of the NDP *“Reduce the impact of flooding and ensure that surface water flood risk is not exacerbated by new development”* and are currently preparing a Drainage & Wastewater Management Plan, to be published 2023, which includes a long-term strategy for Burnham Market.

³² Source- The Rivers Trust (2022)- [Investigate | Is my river fit to play in? \(arcgis.com\)](https://www.rivers-trust.org.uk/investigate/Is-my-river-fit-to-play-in/)

³³ Information shared through the Regulation 14 representation 27.10.22

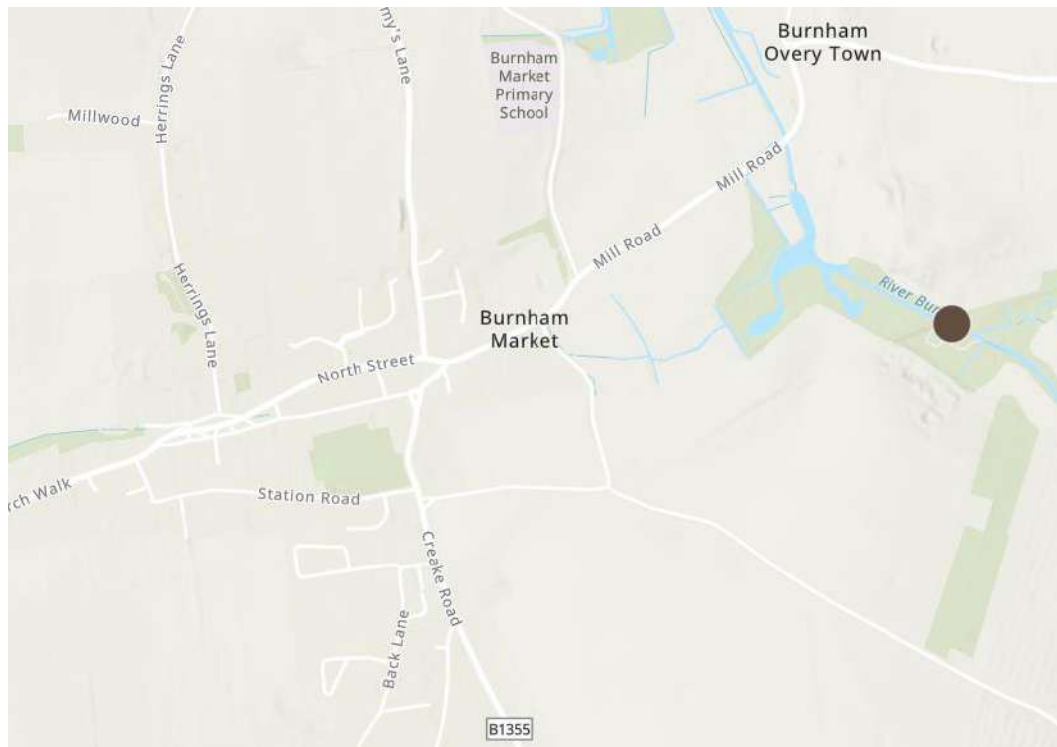


Figure 31-Burnham Market Water Recycling Centre, River Burn (The Rivers Trust, 2022)

151. In the consultation survey Part 1 (December 2021) 45 respondents left comments to Question 14: “Please provide comments if you were affected by the 2020/2021 flooding in Burnham Market”; many comments surrounded the issues below:

- “Some homes are still not habitable a year later.”
- “There is also an on-going issue with the sewers.”
- “It was not possible to travel through the village due to the road flooding, and this was an issue for an extended period of time after the actual floods.”
- “It took a long time before the statutory bodies took action to pump out the water and deal with the problem.”
- “Drainage channels, ditches and highway drains need to be maintained properly to prevent similar future floods, which may also be more likely due to climate change.”
- “Concern that future development will worsen drainage issues.”
- “Development in the vicinity of the badly affected area should be resisted.”
- Villagers invested in flood prevention measures e.g., sandbags, pumps, pipework.
- “The impact could have been significantly worse, had it not been for the pandemic preventing many second home owners and visitors from being in the village.”
- “A strong, permanent community is essential when events like this take place.”

152. Chapter 14 of the NPPF, *‘meeting the challenge of climate change, flooding and coastal change’*, seeks, amongst other things, to ensure that development addresses flooding and flood risk. This includes a focus on use of Sustainable Drainage Systems (SuDS). In line with national policy, Local Plan policy CS08 requires that flood risk is fully mitigated through appropriate design and engineering solutions.

153. Drainage systems can contribute towards sustainable development and improve places where people live and work. Approaches to manage surface water that take account of water quantity, quality, biodiversity, and amenity are collectively known as SuDS. Traditionally piped drainage networks convey water much more quickly than natural processes. Flooding can occur when housing and other development such as paving increases the volume and speed of run-off. SuDS seek to manage rainfall in a similar way to natural processes, by using the landscape to control the flow and volume of surface water, prevent or reduce pollution downstream of development and promote recharging of groundwater. Natural vegetation, including trees, in SuDS helps attenuate flows, traps silts and pollutants and promotes infiltration. From 15 April 2015 Norfolk County Council as the Lead Local Flood Authority became a statutory consultee on all planning applications for major developments requiring comment to applications in respect to surface water drainage. From the 6 April 2015 planning policies and decisions relating to major development are required to ensure that SuDS are used for the management of surface water³⁴.
154. **Policy 12** focuses on maximising the use of natural SuDS features which manage flood risk but also provide benefits such as enhancing public open space, contributing to the character of an area, and providing wildlife habitat. SuDS schemes that consist of underground plastic/concrete boxes to store rainwater, although recognised to reduce flood risk by releasing rainwater more slowly will not deliver the additional benefits.

³⁴ Information shared by Norfolk County Council at Regulation 14. Source: Norfolk County Council – Information for developers. Accessed: [Information for developers - Norfolk County Council](#)

Policy 12: Surface Water Management

Development proposals should be designed to manage flood risk effectively and not increase, and wherever practicable reduce, the overall level of flood risk both to the site and elsewhere. Proposals specifically to improve surface water drainage, such as works to reinstate an effective drainage scheme, will be supported.

Proposals should respond positively to the flood mitigation solutions for relevant character areas as set out in Policy 6 and the Design Codes and Guidance Document (AECOM 2022).

Proposals should incorporate Sustainable Drainage Systems (SuDS) that are appropriate to the scale and nature of the development and designed to be an integral part of the green infrastructure. These may include:

- *Attenuation ponds;*
- *Planting;*
- *Introduction of permeable driveways or parking areas*
- *Rainwater harvesting and storage features;*
- *Green roofs.*

Housing developments that do not result in water run-off that would add to or create surface water flooding, shall include the use of above ground open Sustainable Drainage Systems.

To mitigate against the creation of additional impermeable surfaces, there should be attenuation of greenfield (or for redevelopment sites as close to greenfield as possible) surface water run-off rates and run-off volumes within the development site boundary. These measures will be required unless the developer can provide justification to demonstrate that it is not practicable or feasible within the constraints or configuration of the site.

Community Action 2: Maintenance of Drainage Ditches

The Parish Council will work proactively with riparian owners, landowners, and statutory agencies, such as the Lead Local Flood Authority, to ensure that watercourses are properly maintained with a view to ensuring that they continue to play their role in the management of water and flood risk.

Community Services and Facilities

155. Burnham Market has a good range of local services and facilities, including recreational spaces, a GP surgery, churches, village hall, playing field and pavilion, bowls, and tennis clubs, as well as allotments, primary school, bus route, Post Office/ shops, pubs, and other miscellaneous retail businesses. **(Figure 32)** It also provides a local employment base which has developed from its historic role in serving local market traders to the agricultural community. Many of the shops and services benefit from the demand of the visitor market, most relying on this for their continued existence, but also offer important facilities for many local residents. The level of local service provision is one of the reasons Burnham Market is designated as a Key Rural Service Centre in the Local Plan.



Figure 32-A selection of community facilities in Burnham Market

156. The existing local services within Burnham Market are highly valued by residents and visitors and retaining these are important. The Doctors' surgery is a particularly important service and was top of the list in Q11 Part 2 of the consultation survey (December 2021). 122 respondents out of 141 people (86%) gave answers in the survey as to what facilities in Burnham Market they believe were important to them; a number of these are listed in **Policy 13**. The allotments are also notably important to the local community. There is an increasing trend for people to work from home due to the Covid pandemic, and therefore many residents are now making use of their local facilities and services on a more regular basis.



Figure 33-A selection of sports facilities and allotments

157. NPPF paragraph 92 supports the protection of existing village services and the delivery of new ones to maintain the vitality of rural communities. In the Local Plan, community facilities are protected by Policy CS13 of the Core Strategy and Policy DM9 of the Site Allocations and Development Management Policies Plan, and new cultural facilities are actively encouraged. Protection seems already provided by the NPPF and in the Local Plan and there does not appear to be a need to have a NDP Policy on this specifically. However, the Neighbourhood Development Plan could set out those community facilities it believes should be afforded protection by Local Plan Policy.

Policy 13: Protection of Community Facilities

The following community facilities and services will be designated as Community Facilities for the protection provided by Policy DM9 of the Site Allocations and Development Management Policies Plan. These are identified in Figure 34.

1. All Saints' Church
2. Angles Lane Allotments
3. Bowls Club
4. Creake Road Allotments
5. Dentist
6. Doctors' Surgery
7. Garage
8. Playing Field Pavilion
9. Playground
10. Post Office
11. St Henry's Catholic Church
12. St Mary's Church
13. Tennis Club Pavilion
14. Vets
15. Village Hall

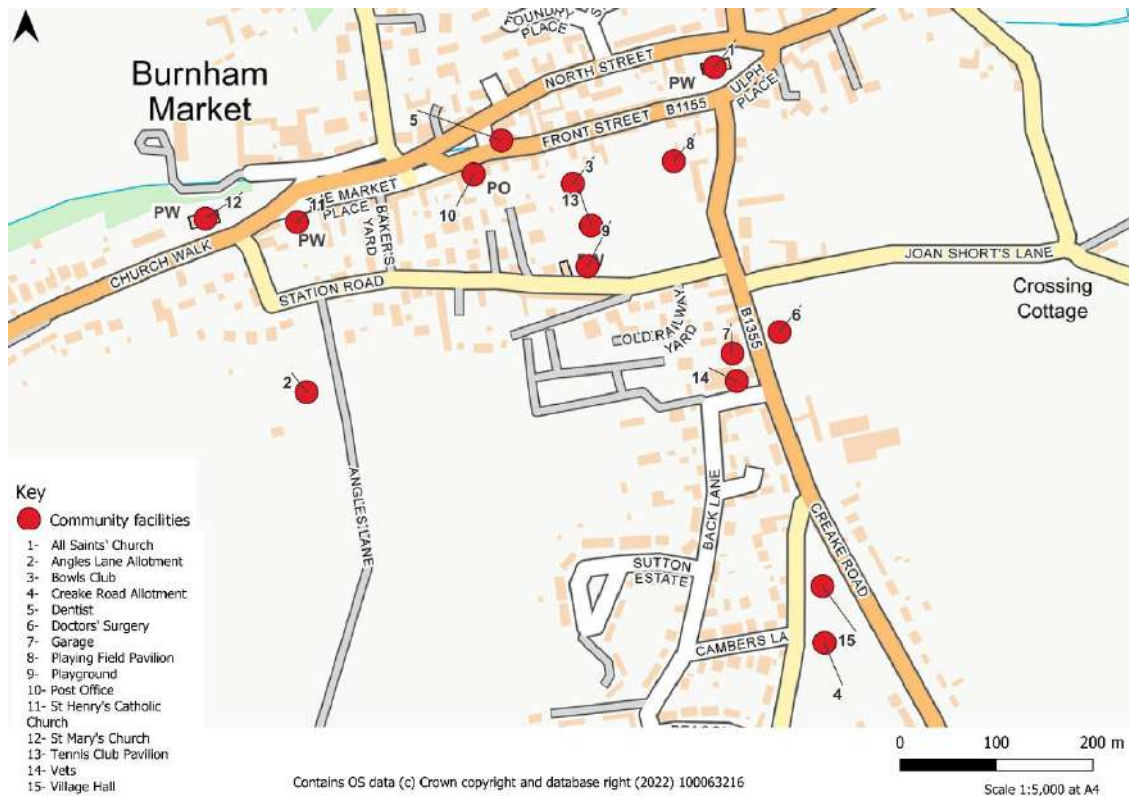


Figure 34-Community Facilities Protected in Policy 13

158. Although the emerging Local Plan does not allocate residential development in Burnham Market, any windfall development, especially where this leads to more permanent residents, could support the on-going viability of some local facilities. However, extra demand from new residents can also create capacity issues. For example, there are two allotment sites in the village, Angles Lane and Creake Road, both of which are well used according to local knowledge. Angles Lane has 70 allotment plots with several of the allotment plots vacant³⁵ and Creake Road has 11 allotments with no vacancies.
159. National and Local Plan Policy requires large developments to provide open recreational space. Policy DM16 in the Local Plan requires developers of 20 dwellings or more to provide specific amounts of open recreational space. The Policy also specifically aims to protect existing allotment land and aims to provide new allotment land as part of very large or strategic developments so long as there is a need and should be balanced against the need for other types of open space.
160. Burnham Market is unlikely to accommodate such strategic-scale developments and so this Policy will not deliver additional allotment land in the Parish. Given the need for additional allotment land in the Parish, it will be important to take the opportunity to increase capacity with a view to meeting the demand.

³⁵ Updated the text accordingly to the landowner's response of Angles Lane Allotments at Regulation 14 ahead of Regulation 14 on 02.09.22

Transport and Accessibility

161. Burnham Market has a sparse network of roads composed mainly of local and rural B roads connecting to adjoining villages. The B1155 forms one of the main networks in the village and connects Burnham Market to neighbouring settlements such as Docking and Stanhoe; as well as the B1355 which connects the Parish to Burnham Norton and North Creake. Due to the rural character of the Parish, road markings and traffic calming features are uncommon.
162. As shown in the previous section (Community Services and Facilities), Burnham Market is a fairly sustainable location, with a good range of local services and facilities. Many people can walk or cycle to the local facilities because of the short distances involved. Better facilities for public transport, walking and cycling, alongside a reduction in car traffic can create many benefits. This includes improved health, air quality and nicer public spaces. Alongside this these measures will help to meet environmental commitments. Figures from the Evidence Base indicate that the transport sector is responsible for approximately 28% of all territorial CO₂ emissions per household in Burnham Market, so reducing car usage can bring significant savings. Achieving improved sustainable travel infrastructure and promoting its use are important measures to support improved health outcomes for the community.
163. The NPPF Chapter 9 supports walking and cycling being integral to design considerations. It also requires development to maximise opportunities to promote walking and cycling and use of sustainable transport. Local Plan policy CS11 promotes integrated and safe routes for pedestrians and cyclists, whilst recognizing that the car remains an important means of travel in rural areas.
164. Plans that improve walking support a low carbon economy and the health and wellbeing of the community by removing barriers to sustainable travel. The importance of walking for recreation is also recognised. Norfolk County Council have been working on projects in parts of West Norfolk to create Local Cycling and Walking Infrastructure Plans (LCWIPs). These identify and prioritise infrastructure schemes to encourage walking and cycling. To date this focuses on King's Lynn, though there are steps to complete a county-wide LCWIP which may cover Burnham Market³⁶.
165. Norfolk County Council have also been working on a greenways project since 2018 on disused railway lines in West Norfolk. This aims to improve sustainable travel and enhance wildlife corridors. Greenways can be considered areas of land which are physically and functionally connected. They predominantly follow linear corridors and are used for multiple purposes including recreational/cultural use, biodiversity management and nature protection. The BCKLWN emerging Local Plan safeguards the disused railway from Heacham to Burnham Overy (via Burnham Market) from development for such purposes (**Figure 35**)³⁷. At Regulation 14 Burnham Thorpe Parish Council updated the group on work underway to collect evidence to establish a new Public Right of Way along the former railway line. To support this endeavour we have amended the language to refer to new footpaths, rather than permissive paths.

³⁶ [Local Cycling and Walking Infrastructure Plans - Norfolk County Council](#)

³⁷ LP12- Disused Railways [Local Plan Review Pre-Submission Stage 2021 - Keystone \(objective.co.uk\)](#)

166. Burnham Market has a lack of circular routes. Increasing these would support sustainable movements for the local community and visitors through areas of land and disused railway tracks. If the local authorities did provide these opportunities, they would be welcomed by the community.

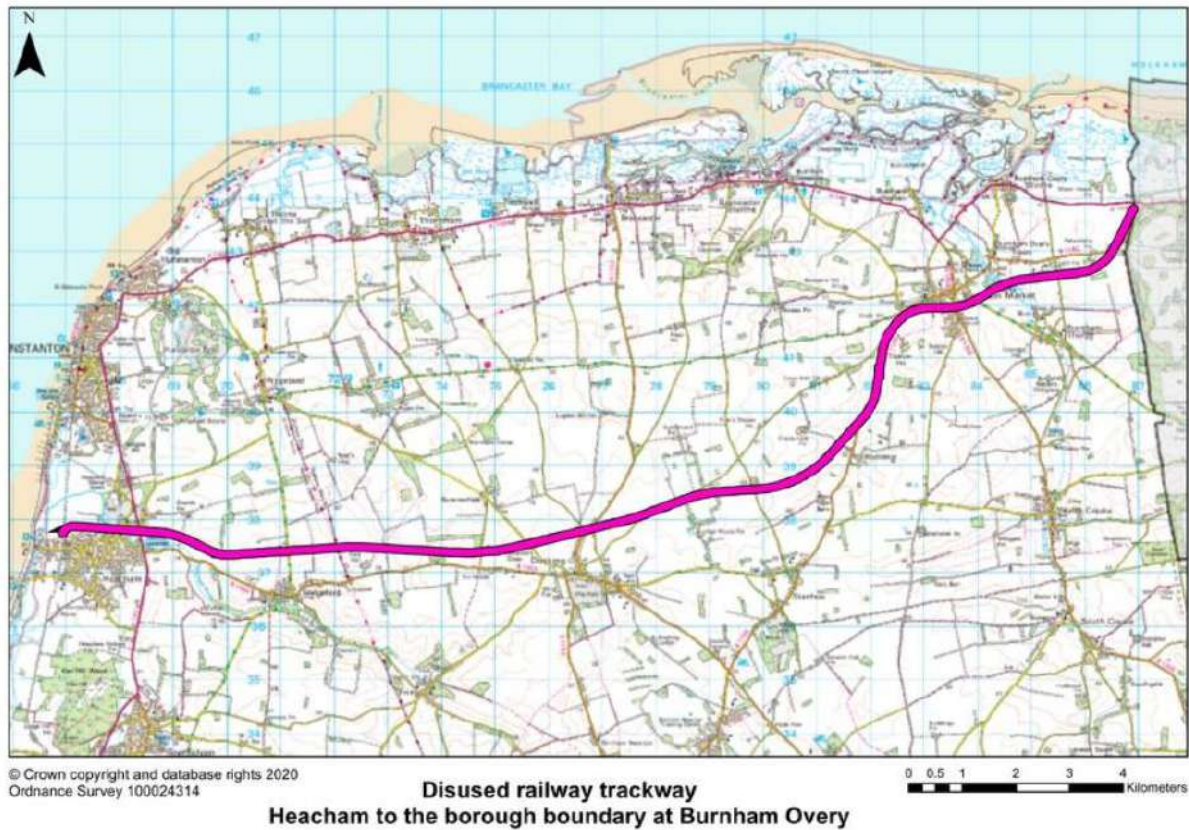


Figure 35-Disused Railway Track from Heacham to Burnham Overy (BCKWLN Emerging Local Plan Review 2016-2036)

167. There are currently some barriers to walking in the village, including the high volume of on-street parking, particularly in the centre, and narrow or incomplete footways. **(Figure 36)** The historic areas of Burnham Market are characterised by organic paths with gentle bends as well as variable widths. Due to their narrowness, some sections either lack pavements or only have them on one side of the road.



Figure 36-Examples of narrow footways and parking in the centre which acts as a barrier to walking in Burnham Market

168. Most existing walking trips are likely to take place within the village as this is where local services and facilities are, visitors gather and where most people live or are staying. It is also currently easier, with existing footways and the 20mph and 30mph speed limits making these travel options safer and more attractive. New development presents an opportunity to improve sustainable transport infrastructure.
169. As discussed in the **Evidence Base (Figure 37)**, there are a small number of Public Rights of Way in and around the village. These enable people to access the open countryside which is considered important for physical and mental well-being. However, the routes appear fragmented, with no circular walks available that do not involve walking along the road. There is, however, the National Cycle Network Route 1 which runs through the Parish, entering the village along Creake Road and leaving on Ringstead Road, all on-road rather than off-road. National Cycle Route 1 (NCR1) links Lowestoft east of county to King’s Lynn via Wells-next-the-Sea and provides access to surrounding the countryside as well as Wells and ultimately King’s Lynn. Realistically, NCR1 is a recreational route for occasional trips rather than functional day to day routes to access services.

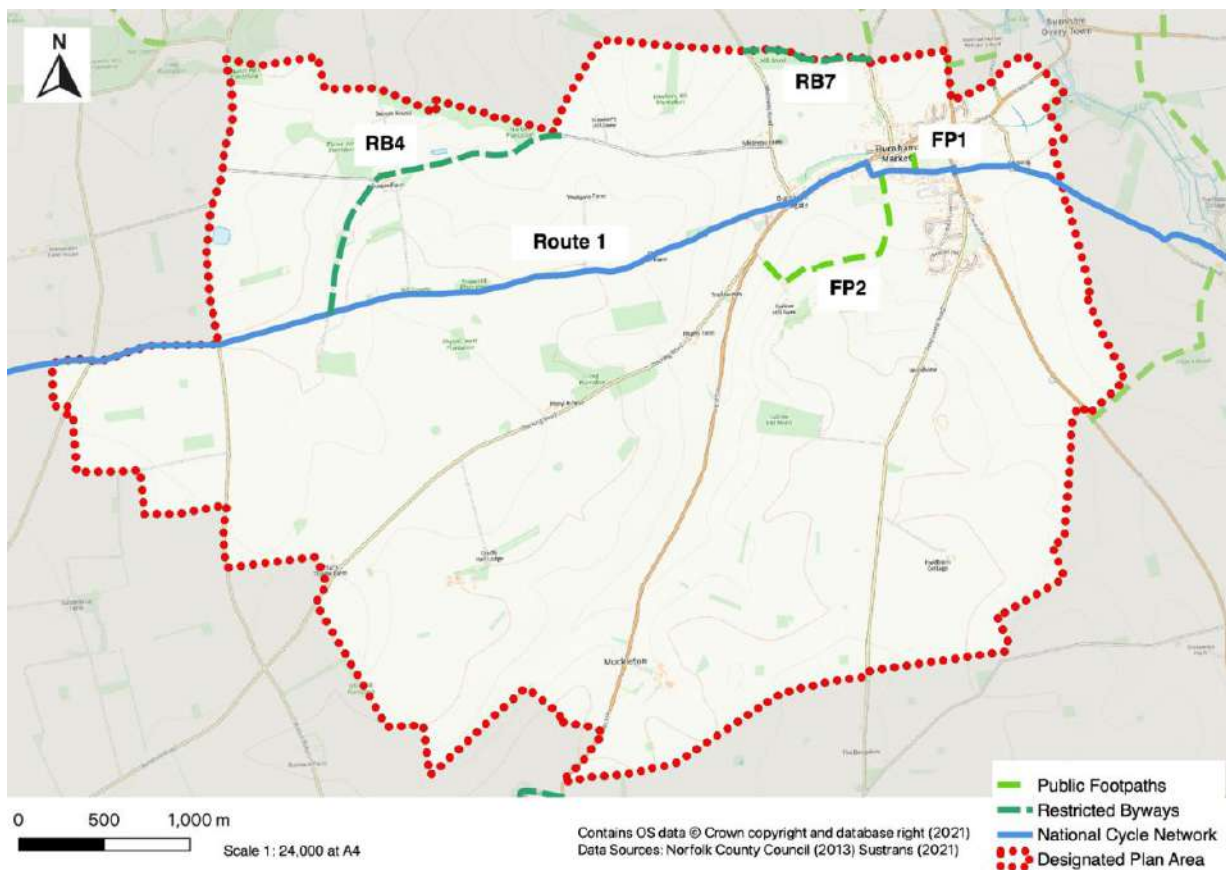


Figure 37-Public Footpaths and National Cycle Network

170. Local footpaths and walking routes are important to the community. There is significant support for establishing more permissive paths to improve walking and cycling links, both within and to other neighbouring villages. The top four most popular routes for new paths which received approximately 350 responses each:

- Foundry Field car park to St Margaret’s Church;
- The edge of Whiteway Road to the Barrows Pit in Church Walk

- Along Joan Short's Lane towards Burnham Thorpe
- Along the disused railway track bed (walk and cycle path)

171. As shown in **Figure 38** there are a number of existing circular routes which residents and tourists use and have shared details of online that run through Burnham Market into adjacent villages. Most of these cut across roads, meaning pedestrians or cyclists will need to be cautious of the speed limits and hazards on the A or B roads. These routes will therefore not be suitable for inexperienced users or those within certain age groups. Most of the routes are in the north of the Parish or within the built-up area.
172. Key routes as illustrated in **Figure 39** could support extension of the existing Public Rights of Way and circular routes, enhancing accessibility into the countryside. The Neighbourhood Development Plan would encourage and support discussions with landowners and appropriate stakeholders to establish these future routes, which could run along field margins. In particular, it would be good to create circular routes going further beyond the built settlement within the countryside to the south of the Parish where the rural character and peacefulness of the countryside is more apparent. These routes would be of interest for both residents and visitors to walk or cycle, explore the area for recreational and leisure purposes.

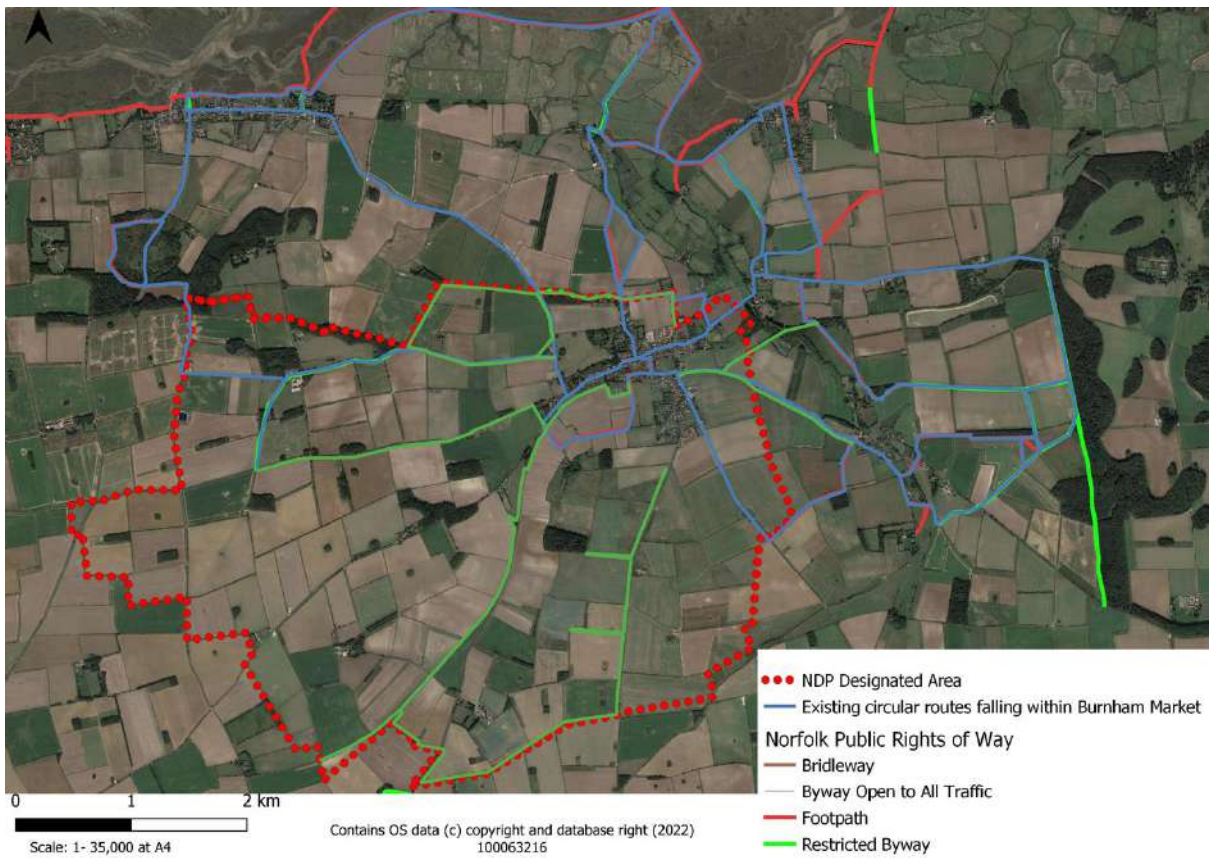
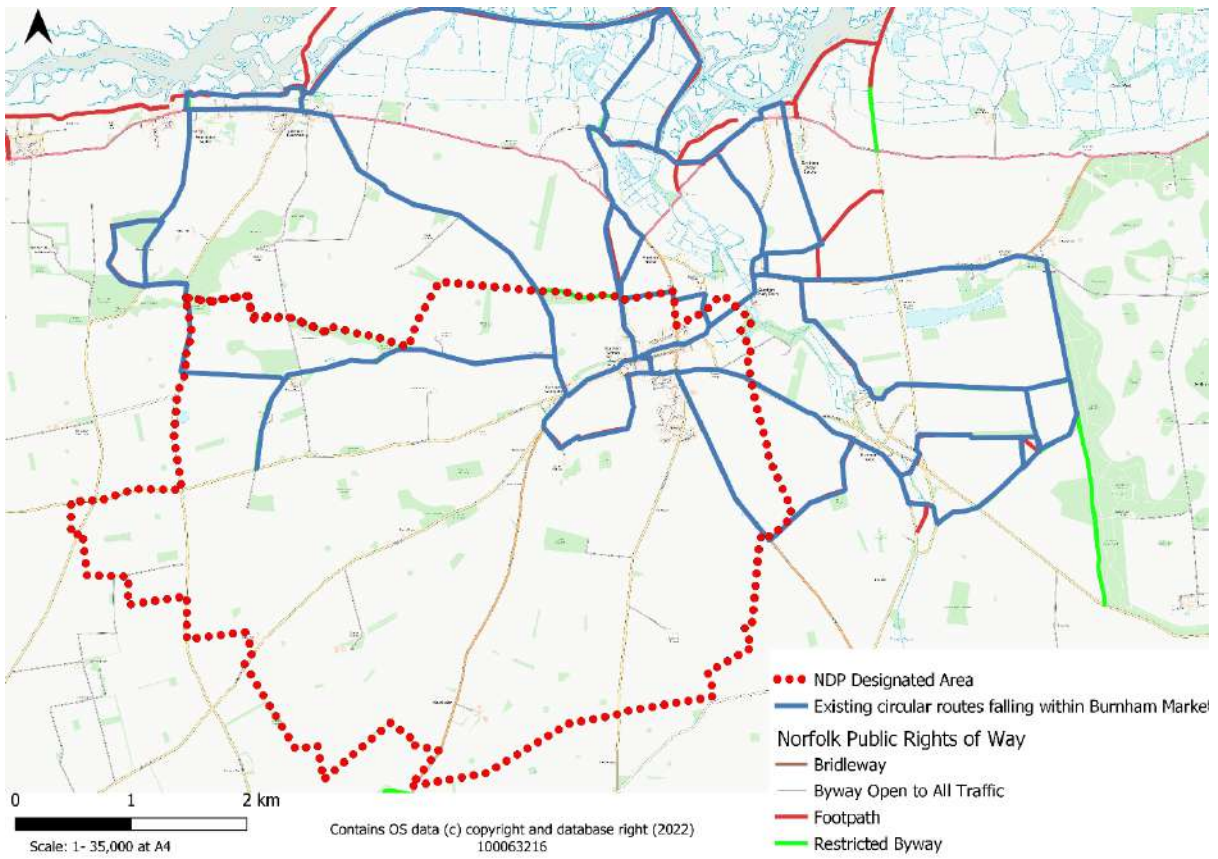


Figure 38-Existing circular walks within Burnham Market and adjacent villages (Google Maps, 2022 and OS Open Data Source, 2022).

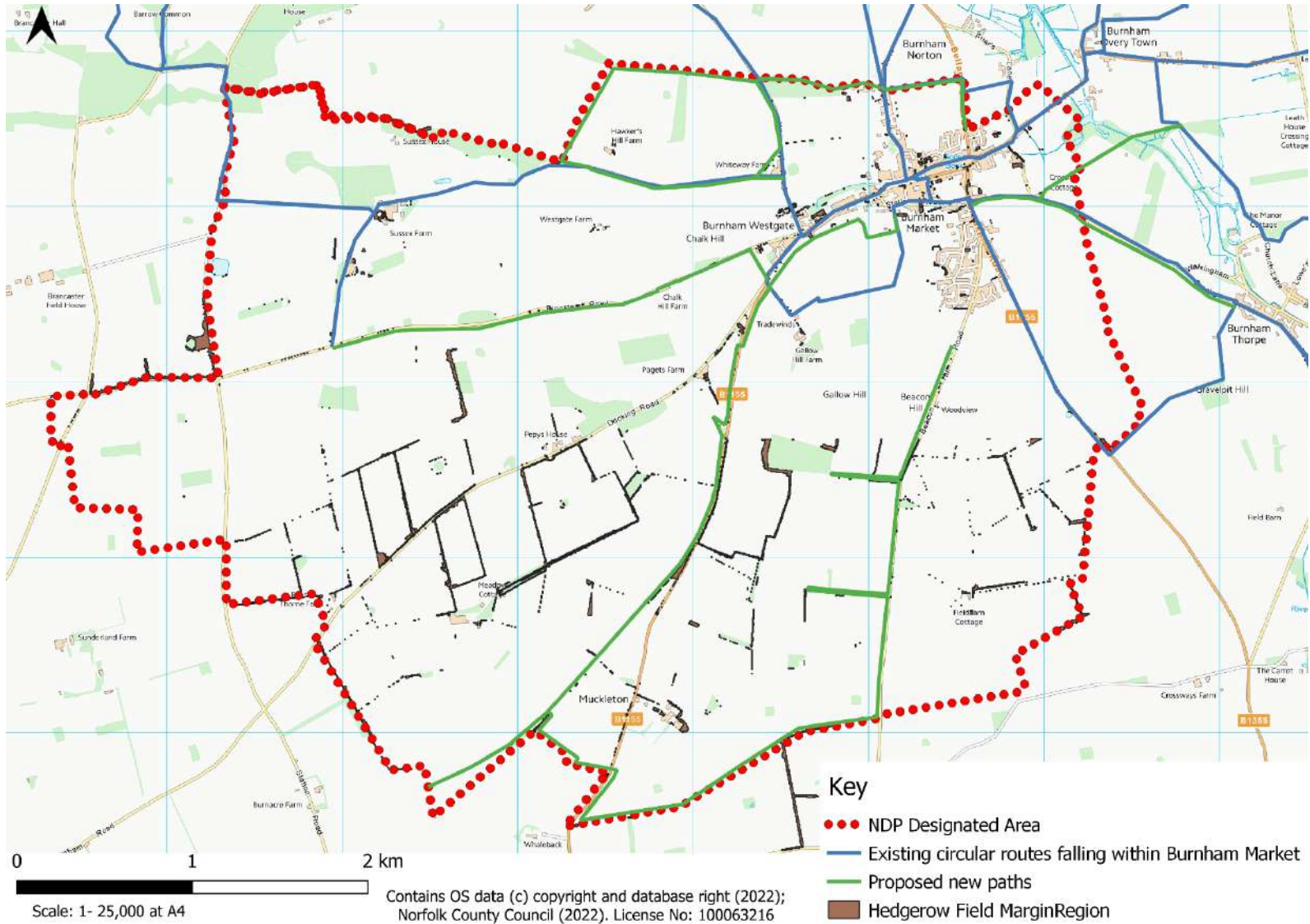


Figure 39-Map showing examples of proposed new paths to connect new circular routes in Burnham Market

Policy 14: Implementing Walking and Cycling Routes

The development of the section of the former Heacham to Burnham Overy railway within the parish as a walking and cycle route will be supported.

Community Action 3: Permissive Paths and Recreational Routes

The Parish Council will work with local landowners, statutory agencies, and adjacent parishes to establish new and improved existing footpaths and routes. This will apply particularly to proposals for the use of the former Heacham to Burnham Overy railway line within the Parish as a walking and cycle route. The Parish Council will work with other public bodies to secure the implementation of this important initiative. This includes improving signage and publicity and establishing all weather routes where appropriate.

Historic Environment

173. Burnham comes from the Old English meaning 'village on a stream', and the present settlement is an amalgamation of several small villages; Burnham Westgate, Burnham Ulph and Burnham Sutton.
174. There is archaeological evidence that the chalk valley in which Burnham Market is situated has been settled since prehistoric times. There is some evidence for early settlement in the Parish; a number of Neolithic axe heads and Neolithic pottery have been found as well as Bronze Age axe heads and a palstave³⁸.
175. During the Saxon period Burnham was a settlement of some importance and status, probably the heart of a larger estate, which subsequently broke down to form the different manors and parishes of the Burnhams. The amount of Middle Saxon pottery and high-quality continental metalwork found in the Parish suggests that during the Middle Saxon period there was a market or trading centre (NHER 18496) at Burnham, which continued to develop as a settlement during the Late Saxon period. The settlement probably shifted its focus slightly to where the present village is, developing along a narrow green which became the main thoroughfare.
176. The three parishes of Burnham Sutton, Burnham Ulph and Burnham Westgate gradually merged over the course of the Medieval period to become Burnham Market. At that time there were five churches, St Andrew's, St Edmund's, Burnham Westgate, All Saints' Sutton-cum-Ulph and St Ethelbert's Burnham Sutton. Nothing remains of St Andrew's or St Edmund's and St Ethelbert's Burnham Sutton is in ruins, although some Norman work has survived. Two of these churches remain in service today; All Saints' Burnham Sutton cum Ulph (Grade II* listed) was built in the late 12th century, and St Mary's Westgate (Grade I listed) dates mainly from the 14th and 15th centuries, with elaborate early 16th century carvings on the church tower battlements.
177. Burnham Market has a wealth of post-Medieval buildings, for example Satchells and Foundry House, which has unusual cast iron decoration, made in a foundry in Burnham Market in the early 19th century. Forge House is an early 16th century house, as are Lion Cottage and Clare House, both of which contain remarkable examples of early 16th century ceilings. Burnham Westgate Hall is a late 18th century house, surrounded by a small park. The Great Eastern Railway arrived in Burnham Market in the 1880s and closed in the 1960s.
178. The central part of the village is designated a Conservation Area, which contains a high concentration of listed buildings, particularly around the village green, see **Figure 36**. The Conservation Area Appraisal refers to the Green as the centrepiece of Burnham Market, lined by the most attractive mixture of Georgian town houses, cottages, and shops. There are 58 listed buildings overall and two Scheduled Monuments: Anglo-Saxon cemetery (Foundry Field car park extending into Stubbings Field), Bowl Barrow and Pillbox (grounds of Burnham Westgate Hall). The Anglo-Saxon cemetery, Bowl Barrow and Pillbox, are shown in **Figure 40**.

³⁸ Source: Burnham Market Parish Profile on Norfolk Heritage Explorer

179. The consultation survey (December 2021) asked respondents to list any buildings or structures of heritage value in the Parish that could be recognised as such in the Neighbourhood Development Plan. There were many suggestions, including:
- Bolton House and its garden walls
 - Homes in North Street, Front Street, Station Road and Overy Road
 - The wall at the east side of Herrings Lane between Market House and Mulberry House
180. The Steering Group investigated whether to include such assets as Non-Designated Heritage Assets and began to assess them in accordance with Historic England guidance. Many of the suggested assets were located within the Burnham Market Conservation Character Statement (1992). Rather than identify an additional list of assets within the Neighbourhood Development Plan, further Policy support for the consideration of planning applications within the Conservation Area was agreed.

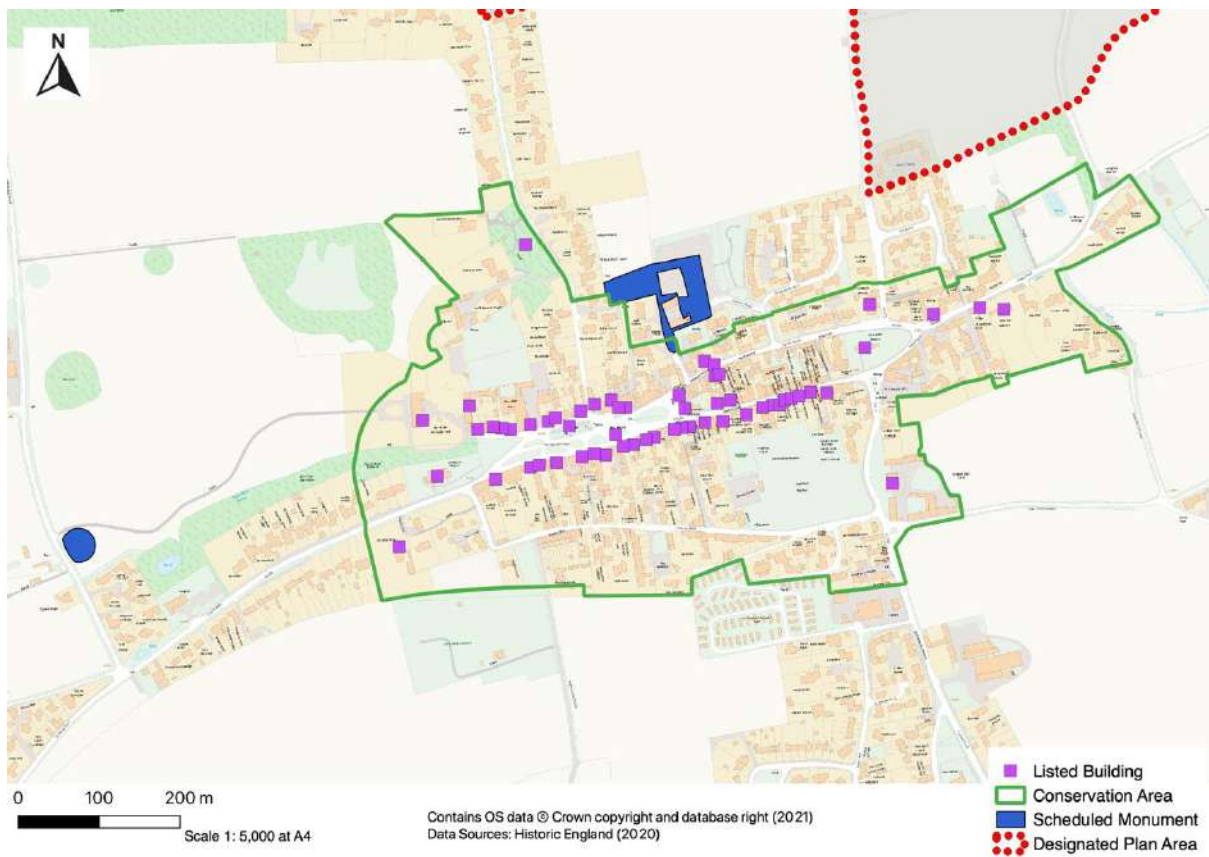


Figure 40-Burnham Market’s Conservation Area and Statutory Designations



181. The special quality of Burnham Market Conservation Area, while greatly enhanced by 58 listed buildings³⁹ owes as much to the large number of important unlisted buildings within its boundaries. These are traditional buildings which, by their position, their group value in relation to other buildings close by and their use of local traditional materials, contribute to the character of the village. The character of Burnham Market Conservation Area owes a great deal to the use of local materials, red brick and red pantiles are the most common combination.



182. A wide variety of materials have been deployed throughout the area and are listed in the Borough Council of King's Lynn & West Norfolk's Burnham Market Conservation Character Statement (1992) including:

- Red brick, pink brick, and Gault brick (yellow)
- Chalk or clunch (squared blocks and random)
- Pebble and cobble (coursed and random)
- Plaster and colourwash
- Orange, smut grey and black glazed pantiles
- Welsh slate
- Lead
- Flint is used in construction of a number of buildings and walls

183. Notable important unlisted buildings identified in the Burnham Market Conservation Character Statement (1992) include, but are not limited to, ones on Station Road, North Street and Front Street.⁴⁰ Examples of a few of these houses are shown below in **Figure 41**. **Policy 15** sets out the Plan's approach to these matters. It sets out the nature of

³⁹ <https://historicengland.org.uk/listing/the-list/data-downloads/>

⁴⁰ Burnham Market Character Statement (1992) [Conservation areas documents | Borough Council of King's Lynn & West Norfolk \(west-norfolk.gov.uk\)](#)

developments which will be supported in the Conservation Area and the way in which proposals should respond to its character and appearance, including the use of vernacular materials. In general terms the submission of outline planning applications in the Conservation Area will not be appropriate.



Figure 41-Examples of building styles in Burnham Market Conservation Area

Policy 15: Burnham Market Conservation Area

Development proposals within Burnham Market Conservation Area must have particular regard to character area CA1- Conservation Area under Policy 6 and the following:

- a) Burnham Market Conservation Area Character Statement which identifies nine areas, each with its own distinct character;***
- b) The effect of the proposal on the significance of any designated heritage assets and important unlisted buildings that are identified in the Character Statement and Figure 42;***
- c) Protecting the setting, which is characterised by rolling countryside to the west and south, rising up at Gallow Hill and Cobble Hill on either side of a sweeping valley, from development which adversely affects views into and out of the area;***
- d) Use of locally distinct building materials, such as red brick, chalk, pebble, cobble, flint, orange pantiles, building styles and techniques;***
- e) The mix of building types and their arrangement with respect to each other and the street, with effort taken to retain gaps within the settlement that create interest and changing views; and***
- f) Significant townscape and landscape features, such as historic walls, ponds, trees, hedges, and open spaces, including those at junctions within the Conservation Area.***

As appropriate to their scale, nature and location development proposals should identify any opportunities to enhance the character and appearance of the Conservation Area. In addition, they should be supported by appropriately detailed information to allow any informed assessment to be made of any impacts of the proposed development on the Conservation Area.

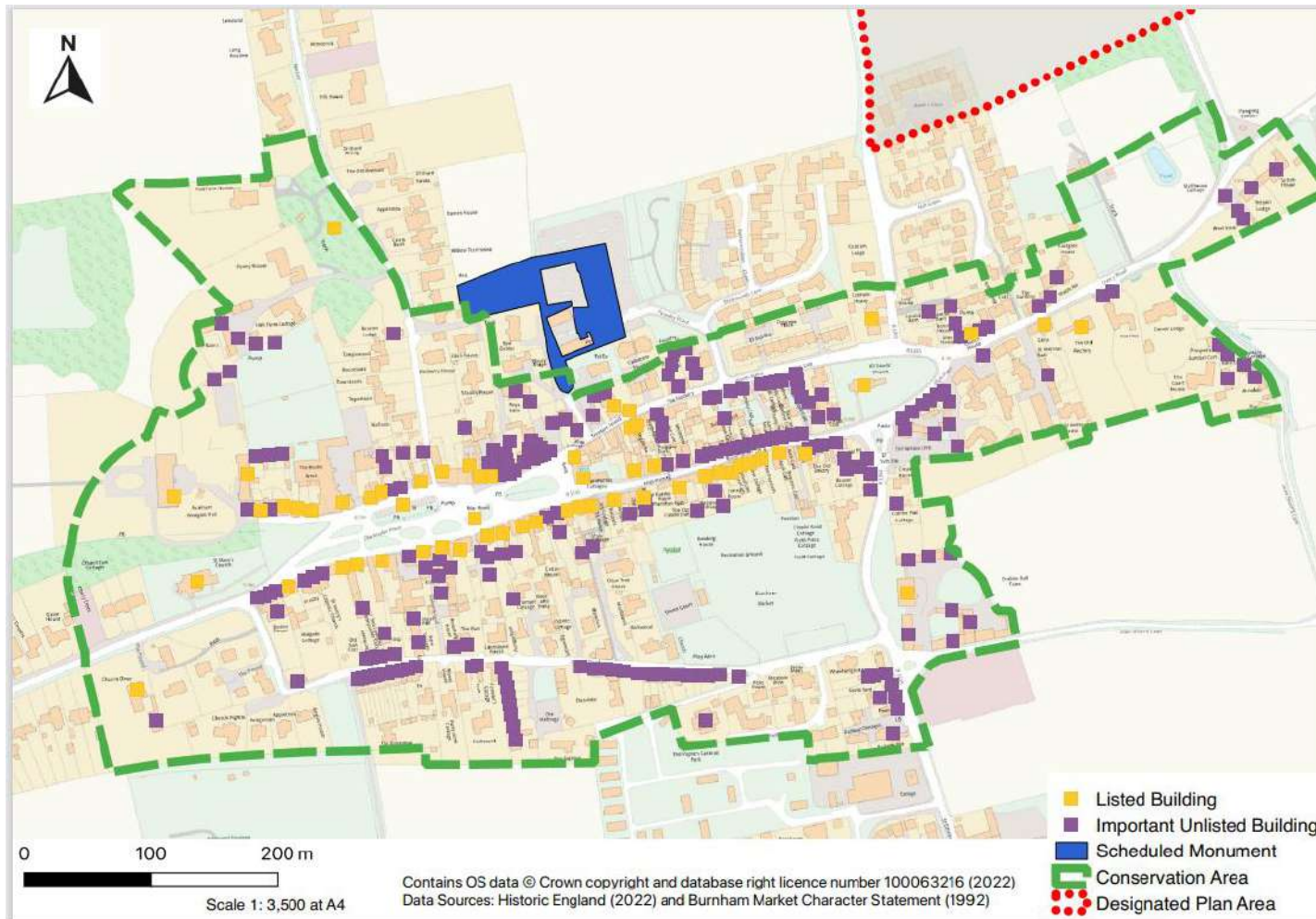


Figure 42-Important Unlisted Buildings in Burnham Market⁴¹

⁴¹ Figure 42 will also be made available online as a PDF copy to make it easier for readers to zoom into specific buildings

Monitoring

The Parish Council will formulate a plan (bi-annual/annual?) for monitoring:

Policies: adherence, effectiveness, and progress

Community Action: implementation and progress

Will there be any particular Policies that will prompt an early review of the NDP if they are not effective, e.g. housing/design policies? Allocations?

Once the NDP is adopted, does the PC plan spend the additional 10% CIL income on specific projects?

184. A monitoring spreadsheet could be recorded by the Parish Council each month, or when appropriate, on how the Neighbourhood Development Plan is being addressed in planning applications coming forward. This could be followed in a similar way as advised by Locality (2011) in the examples below:⁴²

| Month | | Year: | | |
|------------|---|---|---------------------------------------|---------------------------------|
| Policy No. | Usage in planning application decisions | Issues addressed | Issues not addressed satisfactorily | Comments |
| Policy 1 | Twice | Affordable provision within the development | Housing mix does not meet aspirations | Policy too vague on housing mix |

185. A checklist of questions can be followed and addressed annually, or when the Parish Council considers appropriate, to review if the Policies being monitored are effective and serving their initial purpose. By doing this the Parish Council can then decide if it feels the Neighbourhood Development Plan should go through a review.

| Checklist Factors | Checklist Questions: | Comments |
|---|--|----------|
| Policy compliance: | <i>Are planning applications being determined in accordance with the Neighbourhood Development Plan Policies?</i> | |
| Reasons for departing from Policies: | <i>If decisions depart from the Neighbourhood Development Plan Policies, are clear and valid reasons for doing so being given in planning officer reports?</i> | |

⁴² [How to implement, monitor, and review your made neighbourhood plan - Locality Neighbourhood Planning](#)

| Checklist Factors | Checklist Questions: | Comments |
|--|--|-----------------|
| Effectiveness | <i>Are Policies proving to be effective in shaping local authority decisions and appeal decisions?</i> | |
| Ineffectiveness | <i>If Policies are proving to be ineffective, then why?</i> | |
| Matters not addressed by Policies | <i>Are there any significant issues arising that are not covered by the Neighbourhood Development Plan Policies?</i> | |

Appendix A: Policies Map

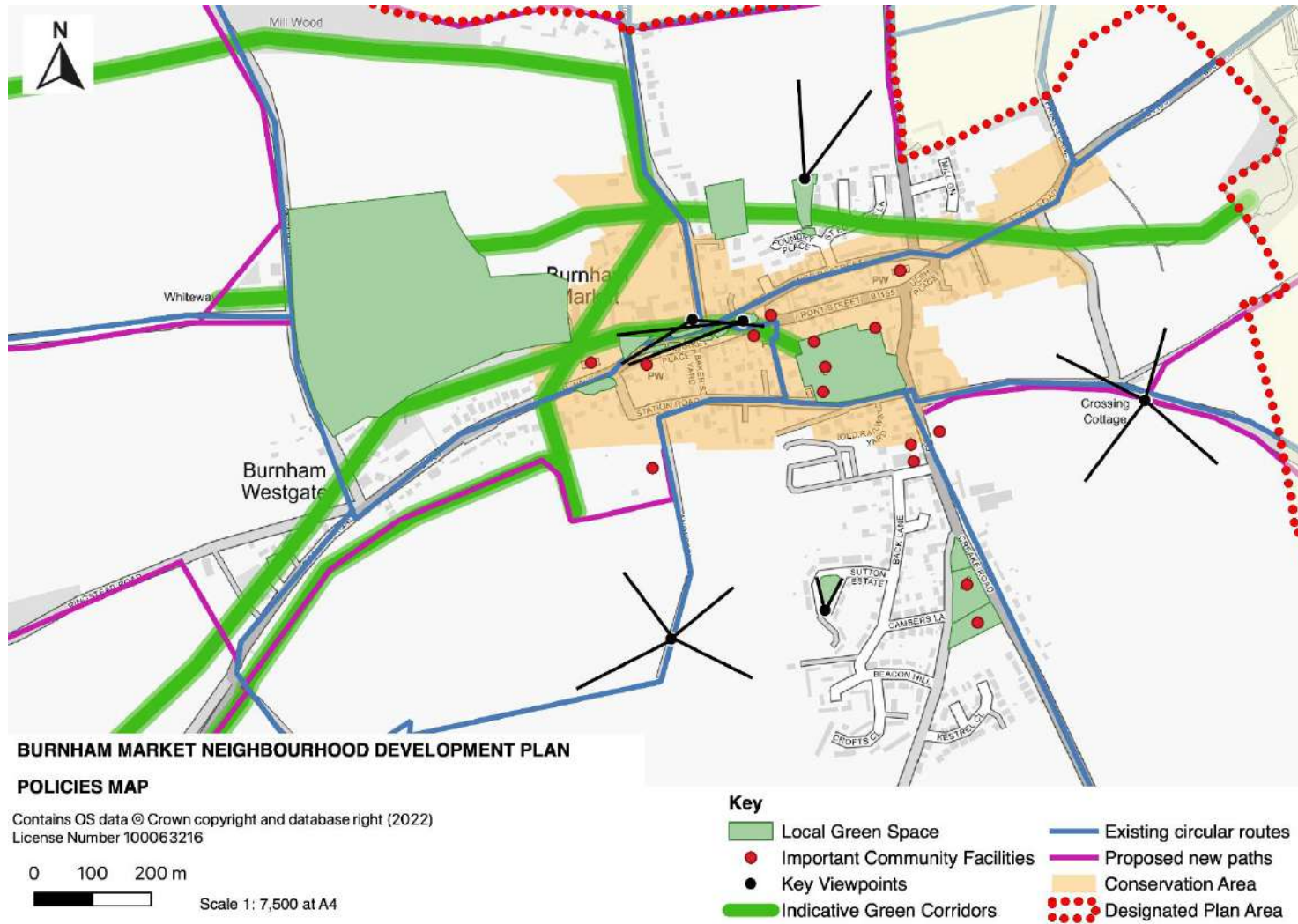


Figure 43-Policies Map – Settlement

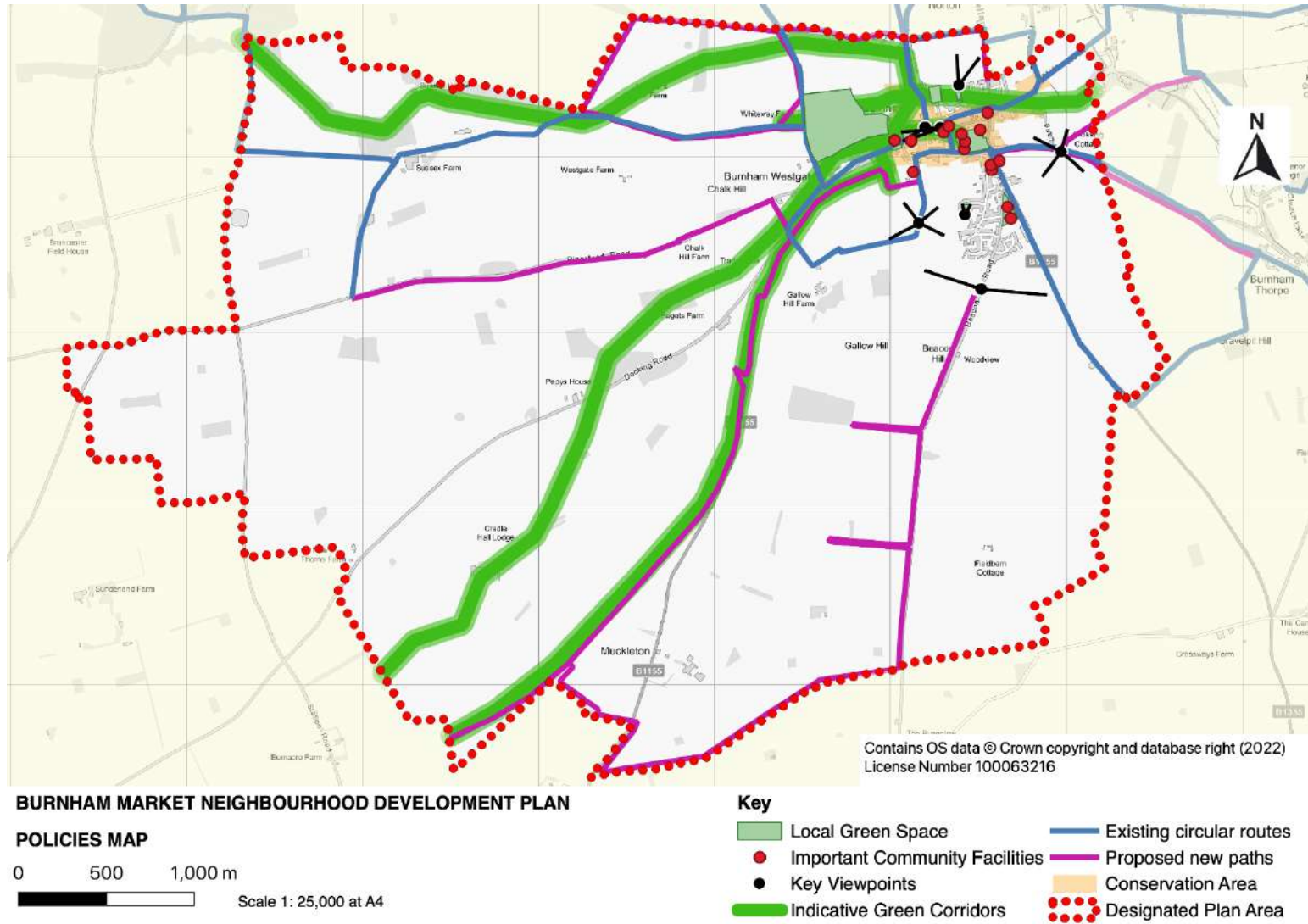


Figure 44-Policies Map - Whole Parish

Appendix B: Design Checklist Questions from the AECOM Design Guidance & Codes Document

(Planning applications must comply with all that are applicable and provide as much detail as possible about the application and to show how the proposal has had due regard to the Burnham Market Design Guidance & Codes Document 2022)

| Steet grid and layout: | |
|--|---|
| 1. | Does it favour accessibility and connectivity? If not, why? |
| 2. | Do the new points of access and street layout have regard for all users of the development; in particular pedestrians, cyclists, and those with disabilities? |
| 3. | What are the essential characteristics of the existing street pattern; are these reflected in the proposal? |
| 4. | How will the new design or extension integrate with the existing street arrangement? |
| 5. | Are the new points of access appropriate in terms of patterns of movement? |
| 6. | Do the points of access conform to the statutory technical requirements? |
| Local green spaces, views & character: | |
| 7. | What are the particular characteristics of this area which have been taken into account in the design; i.e. what are the landscape qualities of the area? |
| 8. | Does the proposal maintain or enhance any identified views or views in general? |
| 9. | How does the proposal affect the trees on or adjacent to the site? |
| 10. | Can trees be used to provide natural shading from unwanted solar gain? i.e. deciduous trees can limit solar gains in summer, while maximising them in winter. |
| 11. | Has the proposal been considered within its wider physical context? |
| 12. | Has the impact on the landscape quality of the area been taken into account? |
| 13. | In rural locations, has the impact of the development on the tranquillity of the area been fully considered? |
| 14. | How does the proposal impact on existing views which are important to the area and how are these views incorporated in the design? |
| 15. | How does the proposal impact on existing views which are important to the area and how are these views incorporated in the design? |
| 16. | Can any new views be created? |
| 17. | Is there adequate amenity space for the development? |
| 18. | Does the new development respect and enhance existing amenity space? |
| 19. | Have opportunities for enhancing existing amenity spaces been explored? |
| 20. | Will any communal amenity space be created? If so, how this will be used by the new owners and how will it be managed? |
| 21. | Is there opportunity to increase the local area biodiversity? |
| 22. | Can green space be used for natural flood prevention e.g. permeable landscaping, swales etc.? |
| 23. | Can water bodies be used to provide evaporative cooling? |
| 24. | Is there space to consider a ground source heat pump array, either horizontal ground loop or borehole (if excavation is required)? |
| Gateway and access features | |

| |
|--|
| <p>25. What is the arrival point, how is it designed?</p> <p>26. Does the proposal maintain or enhance the existing gaps between settlements?</p> <p>27. Does the proposal affect or change the setting of a listed building or listed landscape?</p> <p>28. Is the landscaping to be hard or soft?</p> |
| Buildings layout and grouping |
| <p>29. What are the typical groupings of buildings?</p> <p>30. How have the existing groupings been reflected in the proposal?</p> <p>31. Are proposed groups of buildings offering variety and texture to the townscape?</p> <p>32. What effect would the proposal have on the streetscape?</p> <p>33. Does the proposal maintain the character of dwelling clusters stemming from the main road?</p> <p>34. Does the proposal overlook any adjacent properties or gardens? How is this mitigated?</p> <p>35. Subject to topography and the clustering of existing buildings, are new buildings oriented to incorporate passive solar design principles?</p> <p>36. If any of the buildings were to be heated by an individual air source heat pump (ASHP), is there space to site it within the property boundary without infringing on noise and visual requirements?</p> <p>37. Can buildings with complementary energy profiles be clustered together such that a communal low carbon energy source could be used to supply multiple buildings that might require energy at different times of day or night to reduce peak loads? And/or can waste heat from one building be extracted to provide cooling to that building as well as heat to another building?</p> |
| Buildings heights and roofline |
| <p>38. What are the characteristics of the roofline?</p> <p>39. Have the proposals paid careful attention to height, form, massing and scale?</p> <p>40. If a higher-than-average building(s) is proposed, what would be the reason for making the development higher?</p> <p>41. Will the roof structure be capable of supporting a photovoltaic or solar thermal array either now, or in the future?</p> <p>42. Will the inclusion of roof mounted renewable technologies be an issue from a visual or planning perspective? If so, can they be screened from view, being careful not to cause over shading?</p> |
| Building line and boundary treatment |
| <p>43. What are the characteristics of the building line?</p> <p>44. How has the building line been respected in the proposals?</p> <p>45. Has the appropriateness of the boundary treatments been considered in the context of the site?</p> |
| Household extensions |
| <p>46. Does the proposed design respect the character of the area and the immediate neighbourhood, and does it have an adverse impact on neighbouring properties in relation to privacy, overbearing or overshadowing impact?</p> <p>47. Is the roof form of the extension appropriate to the original dwelling (considering angle of pitch)?</p> <p>48. Do the proposed materials match those of the existing dwelling?</p> <p>49. In case of side extensions, does it retain important gaps within the street scene and avoid a 'terracing effect'?</p> <p>50. Are there any proposed dormer roof extensions set within the roof slope?</p> |

| | |
|---|--|
| 51. | Does the proposed extension respond to the existing pattern of window and door openings? |
| 52. | Is the side extension set back from the front of the house? |
| 53. | Does the extension offer the opportunity to retrofit energy efficiency measures to the existing building? |
| 54. | Can any materials be re-used on site to reduce waste and embodied carbon? |
| Building materials & surface treatment | |
| 55. | What is the distinctive material in the area? |
| 56. | Does the proposed material harmonise with the local materials? |
| 57. | Does the proposal use high-quality materials? |
| 58. | Have the details of the windows, doors, eaves and roof details been addressed in the context of the overall design? |
| 59. | Does the new proposed materials respect or enhance the existing area or adversely change its character? |
| 60. | Are recycled materials, or those with high recycled content proposed? |
| 61. | Has the embodied carbon of the materials been considered and are there options which can reduce the embodied carbon of the design? For example, wood structures and concrete alternatives. |
| 62. | Can the proposed materials be locally and/or responsibly sourced? E.g. FSC timber, or certified under BES 6001, ISO 14001 Environmental Management Systems? |
| Car parking | |
| 63. | What parking solutions have been considered? |
| 64. | Are the car spaces located and arranged in a way that is not dominant or detrimental to the sense of place? |
| 65. | Has planting been considered to soften the presence of cars? |
| 66. | Does the proposed car parking compromise the amenity of adjoining properties? |
| 67. | Have the needs of wheelchair users been considered? |
| 68. | Can electric vehicle charging points be provided? |
| 69. | Can secure cycle storage be provided at an individual building level or through a central/ communal facility where appropriate? |
| 70. | If covered car ports or cycle storage is included, can it incorporate roof mounted photovoltaic panels or a biodiverse roof in its design? |
| Architectural details and design | |
| 71. | If the proposal is within a conservation area, how are the characteristics reflected in the design? |
| 72. | Does the proposal harmonise with the adjacent properties? This means that it follows the height massing and general proportions of adjacent buildings and how it takes cues from materials and other physical characteristics. |
| 73. | Does the proposal maintain or enhance the existing landscape features? |
| 74. | Has the local architectural character and precedent been demonstrated in the proposals? |
| 75. | If the proposal is a contemporary design, are the details and materials of a sufficiently high enough quality and does it relate specifically to the architectural characteristics and scale of the site? |
| 76. | Is it possible to incorporate passive environmental design features such as larger roof overhangs, deeper window reveals and/or external louvres/shutters to provide shading in hotter months? |

77. Can the building designs utilise thermal mass to minimise heat transfer and provide free cooling?
78. Can any external structures such as balconies be fixed to the outside of the building, as opposed to cantilevering through the building fabric to reduce thermal bridge?

Appendix C: Justification for the Local Green Space Policy wording

1. This Neighbourhood Development Plan designates **10** Local Green Spaces (LGS) for protection across the Plan area, these are identified in **Figure 24**. They are important not only for the wildlife they support, but provide significant quality of life benefits to residents, for example through encouraging recreation.
2. Many of these contribute to the distinctiveness of their local community, making it an attractive place to live. Justification for each of the Local Green Spaces is found in **Burnham Market: Local Green Space Assessment Document**.
3. The LGS Policy is important, as is the precise wording. Paragraph 103 of the National Planning Policy Framework sets out that, *“Policies for managing development within a Local Green Space should be consistent with those for Green Belts.”*
4. This at least implies that LGS designations require a Policy for managing development, rather than just a list of those designations. This seems likely as:
 - First, it refers to LGS ‘policy’ for managing development. Policy should set out how decisions should be made when determining a planning application. A list of LGSs does not do this as it does not guide the decision maker, simply informing them of which sites are LGSs.
 - Second, paragraph 103 implies that LGS policy is a separate entity to national Green Belt policy.
 - Third, development affecting a LGS cannot be determined using Green Belt policy; Green Belt policy applies only to Green Belt, not to LGSs. An attempt to use Green Belt policy is likely to be unlawful and challengeable
5. Regarding *Lochailort Investments Limited v. Mendip District Council and Norton St Philip Parish Council*, [2020] EWCA Civ 1259, this found that LGS policy needs to be consistent with Green Belt policy and that any departure needs to be explained in a reasoned way. According to that judgement, *“The ordinary meaning of “consistent” is “agreeing or according in substance or form; congruous, compatible”. What this means, in my judgment, is that national planning policy provides that policies for managing land within an LGS should be substantially the same as policies for managing development within the Green Belt.”*

6. The Neighbourhood Development Plan needs to have 'due regard' to this requirement. 'Due regard' does not mean LGS Policy has to conform to the requirement in every respect, but any departure will nevertheless need to be fully justified and explained. The judgements support this, explaining that, *"provided the departure from the NPPF is explained, there may be divergence between LGS policies in a neighbourhood plan and national Green Belt policy."*
7. It is therefore necessary to assess Green Belt policy in the NPPF to identify its features and requirements.
8. National Green Belt policy at paragraph 148 explains that openness and permanence are essential characteristics of Green Belt and that it why it is designated - to preserve its openness and permanence. This is the purpose. The designation of LGS aims to protect smaller parcels of land for a variety of purposes that are in addition to their openness, such as its ecology, recreational value or history as set out as examples in the NPPF.
9. These must (NPPF paragraph 101) be capable of enduring beyond the Plan period; this is a lower bar than needing to be permanent. It can endure beyond the Plan period as long as there is not undue pressure for needed housing on those parcels of land, either by virtue of allocations for meeting local housing need being provided in the Neighbourhood Development Plan, or there being other land available to meet any unmet need. Another threat to the capability to endure would be a long list of different types of development that could be appropriate or acceptable.
10. The judgement in the case of R (Samuel Smith Old Brewery (Tadcaster) and others) v North Yorkshire County Council [2020] UKSC 3, found that openness is not just a spatial or volumetric concept, but a visual one such that visual impact is a key matter. This is likely to be a particular matter of relevance for Local Green Spaces given that they tend to be small and so any development will have a visual impact.
11. The NPPF sets out that local planning authorities should plan positively to enhance their beneficial use.
12. Green Belt policy sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It goes on to say that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
13. New buildings are considered to be inappropriate in Green Belt. There are some exceptions to this. Green Belt policy sets out a list of development that is not inappropriate, such as in-fill in villages, and affordable housing. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. This includes mineral extraction and local

transport infrastructure. These examples might still not be permitted if they would result in harm as paragraph 148 says, “When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.”

14. There are many exceptions listed at paragraphs 149 and 150 of the NPPF. As Green Belt areas are large, it is plausible that many such developments could take place within the Green Belt without undermining its overall openness and permanence, or resulting in only minor harm. This is not the case for LGSs, which cannot be extensive tracts of land. This means that even small-scale development risks undermining the purpose of designation and having an immediate and harmful visual impact. A LGS policy that would simply refer to the list of Green Belt exceptions in the NPPF could undermine the designation process as this large number of exceptions would suggest that the designation is not capable of enduring beyond the plan period. LGS policy therefore needs to consider each in turn, and with the aim of limiting the number.
15. The table below reviews each element of the Burnham Market LGS policy and provides justification for the diversion from Green Belt policy. In particular, the table justifies diversion from Green Belt policy with respect to what is considered an exception to inappropriate development, for example infill or minerals extraction.

Figure 45: Justification for LGS Policy Deviations from Green Belt Policy

| LGS Policy | Justification for deviation from Green Belt Policy |
|--|--|
| <p>New buildings are inappropriate development with the only exceptions to this:</p> <ul style="list-style-type: none"> a) Buildings for forestry or agriculture where the Local Green Space is used for commercial woodland or farmland. b) The provision of appropriate facilities in connection with the existing use of land where the facilities preserve the openness of the Local Green Space and do not conflict with the reasons for designation that make it special to the community, such as for recreation or ecology; c) The extension or alteration of a building if it does not | <p>Para 149 (of the NPPF) sets out that the construction of new buildings is inappropriate apart from identified exceptions (listed a-g below). A number of these exceptions could undermine the openness of LGS or impact upon their reasons for designation -</p> <ul style="list-style-type: none"> a) Buildings for agriculture or forestry; this is a reasonable exception for LGS policy where land is commercial woodland or farmland as it may otherwise hinder someone’s business. b) Provision of appropriate facilities; this is a reasonable exception for LGS if such development could support the ongoing use and help to make the LGS capable of enduring. c) Extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building; this is a reasonable exception for LGS where it does not impact upon its openness or reasons for designation; d) Replacement of a building, provided it is the same use and not materially larger; this is a reasonable exception for LGS; |

| LGS Policy | Justification for deviation from Green Belt Policy |
|--|---|
| <p>impact on the openness or the reasons for designation that make the Local Green Space special to the community; or</p> <p>d) The replacement of a building provided the new building is in the same use and not materially larger than the one it replaces.</p> | <p>e) Limited infill in villages; This is not a reasonable exception for LGS. Openness is not just a spatial concept, it is also visual, as determined by the Supreme Court. Any infill on small LGS designations will seriously undermine their openness and their reasons for designation.</p> <p>f) Limited affordable housing for local community needs; This is not a reasonable exception for LGS. Any affordable housing on small LGS designations will seriously undermine their openness and their reasons for designation.</p> <p>g) Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use; this is not a reasonable exception for LGS. It is unlikely that LGS will be brownfield when identified in accordance with Para 101, and infilling and complete redevelopment is likely to fully undermine the designation of the LGS.</p> |
| <p>Other appropriate development includes:</p> <p>a) Engineering operations that are temporary, small-scale and result in full restoration; or</p> <p>b) The re-use of buildings provided that the buildings are of permanent and substantial construction; or</p> <p>c) Material changes in the use of land where it would not undermine the reasons for designation that make it special to the community.</p> | <p>Para 150 sets out that certain other forms of development are also not inappropriate provided they preserve the openness of Green Belt and do not conflict with the purpose (listed a-f). A number of these exceptions could undermine the openness of LGS or impact upon their reasons for designation -</p> <p>a) Mineral extraction; This is not a reasonable exception. Though highly unlikely to apply in any LGS, but nevertheless the quarry would be so large and the operations so long term that it would not enable the LGS to endure beyond the plan period.</p> <p>b) Engineering operations; This is a reasonable exception. LGS policy could allow for this if temporary, small-scale and restored fully</p> <p>c) Local transport infrastructure; This is not applicable as it specifically requires a Green Belt location</p> <p>d) Re-use of buildings; This is a reasonable exception.</p> <p>e) Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); This is a reasonable exception. LGSs are designated for reasons related to their specific use or quality, such as recreation or ecology. Change of use could be supported in LGS policy as long as the new use would not undermine the reason for designation that makes it special to the community.</p> |

| LGS Policy | Justification for deviation from Green Belt Policy |
|---|---|
| | f) Development, including buildings, brought forward under Community Right to Buy or Neighborhood Development Order; this would not apply as the community is designating the land as LGS so as to keep it open and protect its special qualities. |
| Proposals that are on land adjacent to Local Green Space are required to set out how any impacts on the special qualities of the green space, as identified by its reason for designation, will be mitigated. | There is no requirement in Green Belt policy that relates to adjacent land. However, the setting of LGS or adjacent land use may be part of or impact upon what makes it demonstrably special, particularly where LGS are very small. |

Appendix D: Glossary

- **First Homes-** The Government has recently confirmed the introduction of First Homes as a new form of discounted market housing which will provide a discount of at least 30% on the price of new homes. These homes are available to first time buyers as a priority, but other households will be eligible depending on agreed criteria. New developments will be required to provide 25% of Affordable Housing as First Homes. A more detailed explanation of First Homes and its implications is provided in the main body of the HNA.
- **Furnished Holiday Lets (FHL)-** These are properties which are commercially let to make a profit. They do not pay Council Tax or Parish Precept and are treated as businesses. They have to meet a number of conditions including:
 - having sufficient furniture provided for normal occupation and visitors.
 - They must meet a number of conditions including being **available** for commercial letting for holiday accommodation to the public for at least 210 days in the tax year and
 - be **let** as holiday accommodation to the public for at least 105 days in the tax year.
 - They must not be let for periods of long-term occupation of 31 days or more for more than 155 days during the year.
- **Second Homes (SH)-** This is a property purchased with the intent of becoming a residence one would occupy in addition to their main residency. These properties will pay Council Tax and Parish Precept.
- **Valuation Office Agency (VOA)-** The Valuation Office Agency is a **government body in England and Wales**. It is an executive agency of Her Majesty's Revenue and Customs. The Agency values properties for the purpose of Council Tax and for non-domestic rates in England and Wales.

Appendix E: Current Use Classes mentioned in the Neighbourhood Development Plan (for others please view the legislation)⁴³

Class C

- **C3 Dwellinghouses** - This class is formed of three parts:
 - a) C3(a) covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child
 - b) C3(b) covers up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems
 - c) C3(c) allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger
- **C4 Houses in multiple occupation** - Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.

Sui Generis

'Sui generis' is a Latin term that, in this context, means 'in a class of its own'. Certain uses are specifically defined and excluded from classification by legislation, and therefore become 'sui generis'. These are:

- theatres
- amusement arcades/centres or funfairs
- launderettes
- fuel stations
- hiring, selling and/or displaying motor vehicles
- taxi businesses
- scrap yards, or a yard for the storage/distribution of minerals and/or the breaking of motor vehicles
- 'Alkali work' (any work registerable under the Alkali, etc. Works Regulation Act 1906 (as amended))
- hostels (providing no significant element of care)
- waste disposal installations for the incineration, chemical treatment or landfill of hazardous waste

⁴³ Source: [Use Classes - Change of use - Planning Portal](#)

- retail warehouse clubs
- nightclubs
- casinos
- betting offices/shops
- pay day loan shops
- public houses, wine bars, or drinking establishments – from 1 September 2020, previously Class A4
- drinking establishments with expanded food provision – from 1 September 2020, previously Class A4
- hot food takeaways (for the sale of hot food where consumption of that food is mostly undertaken off the premises) – from 1 September 2020, previously Class A5
- venues for live music performance – newly defined as ‘Sui Generis’ use from 1 September 2020
- cinemas – from 1 September 2020, previously Class D2(a)
- concert halls – from 1 September 2020, previously Class D2(b)
- bingo halls – from 1 September 2020, previously Class D2(c)
- dance halls – from 1 September 2020, previously Class D2(d)
- Other uses become ‘sui generis’ where they fall outside the defined limits of any other use class.
- For example, C4 (Houses in multiple occupation) is limited to houses with no more than six residents. Therefore, houses in multiple occupation with more than six residents become a ‘sui generis’ use.