

**Examination of Kings Lynn & West Norfolk Local Plan Review  
Resumed Hearing**

**Matters and Issues for Discussion**

**(Week 4: 16 – 19 April, 2024)**

**Response to Inspectors' Questions  
Submission from Holme-next-the-Sea Parish Council**

**Covering:**

**Matter 5: Settlements and Sites**

**Matter 6: Housing Land Supply and Policies**

**Matter 8: Environment Policies**

**29 March 2024**

## **Matter 5 – Settlements & Sites**

### **Smaller Villages and Hamlets**

#### **AQ refers back to MIQs -**

329. The Council has put forward suggested Main Modifications to delete the Inset Maps in section 15 of the Plan showing the development boundaries of each Smaller Village and Hamlet. Are these changes necessary to ensure that the Plan is sound?

330. Do the changes to the supporting text in chapter 15 of the Plan, proposed by the Council as Additional Modifications, materially affect the policies of the Plan? Should they be treated as Main Modifications?

The Parish Council has previously submitted representations on this matter suggesting that confusion over the policy maps and wording for SVAH's needs to be resolved. The discussion of development boundaries on Day 7 indicated that confusion still exists on the best approach to dealing with the maps - with the Council's legal adviser offering a different view to the Planning Policy Manager.

The maps would be useful – but not if they restrict the flexibility of Neighbourhood Planning Bodies to consult on and change development boundaries. However, if development boundaries are not included for SVAHs that do not have an NDP how will anybody (including people making planning applications) know where they are?

Presenting the boundaries on a map seems essential. If the legal advice is accepted, then presumably the problem can be overcome by making the map part of a non-strategic policy or placing it in an Appendix to the plan? This would make the plan easier to understand. It would also facilitate a cooperative approach between the BC and Neighbourhood Plan Groups when identifying locations for development. This has been an important aspect of joint working in the past.

## **MATTER 6 – HOUSING**

### **Issue 6: Has the Plan been positively prepared and is it justified, effective consistent with national policy in meeting the housing needs of all groups in the Borough over the plan period?**

#### **Housing Land Supply**

**AQ108-114 No comment**

**AQ115 and MIQs 331-343 – may wish to comment when revised Policy on**

Windfall is available (as stated on Day 7).

331. The Housing Trajectory lists a number of housing sites with planning permission, which were granted three or more years ago, but are still counted as part of the available housing land supply. What is the evidence to demonstrate those permissions remain extant? Should a discount be applied to the supply to account for lapsed planning permissions? If so, what would be an appropriate amount?
332. Is the allowance of 299 dpa for windfall sites from 2025/26 to the end of the Plan period justified as a reliable source of housing land supply, in addition to allocations, on the basis of compelling evidence? Does the windfall allowance take account of the effect that an increased housing supply from allocated sites may have on the availability of, and market demand, for windfall sites?
333. Does the evidence demonstrate that there is likely to be a 5-year supply of deliverable housing sites in the Borough on the adoption of the Plan and a rolling 5-year supply from then until the end of the Plan period?
334. Given the reliance of the future housing supply on a small number of strategic sites, is there sufficient contingency within the projected supply for annual housing needs to be met in the event that the strategic sites stall or do not deliver at the rates expected?

**Affordable Housing (Policy LP28)**

335. Are the percentages of affordable housing sought in Criterion 7 of Policy LP28 justified, based on proportionate evidence of affordable housing need?
336. Would the mix of brownfield and greenfield residential development allocated in the Plan be viably able to support the proposed affordable housing percentages, in the light of the results of the Local Plan Review Viability Update published in April 2021<sup>3</sup>?

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Is the supporting text to Policy LP28 justified, effective and consistent with national policy in requiring a sequential approach to assess the suitability of sites as Exception Sites?

337. Is Criterion 16 of Policy LP28 justified, effective and consistent with national policy in requiring Exception Sites to adjoin 'sustainable' settlements defined in the settlement hierarchy in Policy LP02, when Policy LP02 does not specify which settlements in the hierarchy are 'sustainable'?
338. Would the Council's suggested Main Modification to Criterion 16(c) of Policy LP28 to extend the management of Exception Sites to 'Registered Providers or other arrangements for the effective management of affordable housing' ensure the Plan is positively prepared and effective in this regard?
339. For clarity and effectiveness, should Criterion 2, which applies to the

size, type and tenure of market and affordable housing, and criteria 17-20, which apply to Gypsy, Traveller and Travelling Showpeople's accommodation, be contained in separate policies, rather than one dealing with affordable housing?

340. Is Criterion 10 justified in requiring a commuted sum of £60,000 per dwelling where provision for affordable housing is made on site?

341. Is Criterion 15 justified in seeking to ensure the policy requirement for affordable housing is not avoided by the sub-division of larger sites, based on the Council's judgement as well as the objective evidence specified in Criteria a, b and c?

342. Is the Council's suggested Main Modification to paragraph 7.1.3 of the supporting text to explain the parts of the Borough which are designated as rural areas under the 1985 Housing Act necessary for soundness, and if so, is it consistent with Policy LP04 in defining the rural areas of the Borough?

### **Self-Build and Custom Housebuilding**

343. Given that the 2020 HNA for King's Lynn and West Norfolk identifies a need for 30-35 self-build and custom housebuilding (SBCH) plots per year over the next 15 years and that national policy expects local planning policies to reflect the housing needed by different groups, including people wishing to build their own home, is the Plan positively prepared and consistent with national policy, without a policy providing for SBCH plots?

### **Gypsy and Traveller Accommodation (Policy LP28)**

*Please note: Questions on how the Plan provides for the accommodation needs of Gypsies, Travellers and Travelling Showpeople under Policy LP28 will be issued, if necessary, following the submission of an updated Gypsy and Travellers Need Assessment due to be published by the Council in Spring 2023.*

### **Housing for the Elderly and Specialist Care (Policy LP29)**

**MIQs 345-349 – may wish to comment when revised Policy on Windfall is available.**

344. Is Policy LP29 positively prepared and will it be effective in providing for specialist housing for older people and others with care needs, to meet the needs for this type of accommodation in the Borough over the Plan period, identified in the supporting evidence base?

345. Should further specific sites be allocated in the Plan to meet the needs for specialist housing? Should Policy LP29 require strategic sites to include provision for specialist housing needs?

346. Is Criterion 3b justified in not permitting supported housing development outside of the Development Boundaries of Rural

Villages, where proposals are able to meet an identified need and demonstrate access to local shops and services?

347. Should the requirement for specialist housing development to provide affordable housing in line with Policy LP28 be contained within the policy rather than supporting text? Is the guidance in the supporting text on the type of specialist housing developments which would be expected to provide affordable housing consistent with the results of the local Plan Review Viability Update<sup>4</sup> in respect of the types of specialist housing scheme that could viably support affordable housing?
348. Is Criterion 6 consistent with national policy, regarding the impacts of development on the Norfolk Coast AONB and its setting? Does it serve a clear purpose and avoid unnecessary duplication with Policy LP16 and the NPPF, which define the policy to be applied to all development proposals within or affecting the setting of the AONB?

### **Adaptable and Accessible Homes (Policy LP30)**

#### **No AQ, MIQ 350-353: No Comment**

349. Are the following requirements in Policy LP30 justified by the housing needs evidence submitted with the Plan:

- a) 50% of all new homes to be built to meet the M4(2) optional requirement for accessible and adaptable dwellings in Part M of the Building Regulations?
- b) 5% of affordable dwellings on major housing developments to be built to the M4(3) optional requirement for wheelchair adaptable dwellings in Part M of the Building Regulations?

If so, what and where is the evidence to justify these proportions?

350. Does the Viability Update<sup>4</sup> demonstrate that future housing development in the Borough would be viably able to support the additional construction costs of the M4(2) and M4(3) requirements? If so, where is the evidence to support this conclusion? If not, does Policy LP30 allow sufficient scope for the requirements to be waived or reduced on viability grounds?
351. Is the requirement in Policy LP30, that residential proposals should be accompanied by a document setting out how they would accord with the standards detailed in the Building Regulations, consistent with national policy, given that the PPG expects such policies not to impose any additional information requirements or seek to determine compliance with the Building Regulation requirements, which is the role of the Building Control Body?
352. For clarity and effectiveness, should the reference to wheelchair accessible dwellings in the final sentence of Policy LP30 be modified given that the policy only specifies requirements for wheelchair adaptable dwellings?

353.

**Residential Development Reasonably Related to Existing Settlements (Policy LP31)**

354. Is Policy LP31 clear and effective in its definition of what constitutes 'small scale' development, given that none of the policy criteria restricts development to this scale?

355. Is Policy LP31 clearly written, unambiguous and effective? In particular, is it evident how a decision maker should determine the following:

- a) In Criterion 1, whether an area is 'reasonably related' to an existing settlement?
- b) In Criterion 3, what qualifies as 'meaningful consultation' with the local community?
- c) In Criterion 4, what level of 'additional weight' should be given to proposals for Custom and Self-Build development?

356. Is Criterion 1g consistent with national policy in only expecting developments to be located to maximise sustainable transport solutions 'where possible'?

357. Is Criterion 2 of Policy LP31 justified in limiting development to schemes of less than 9 dwellings, in exceptional circumstances, if proposals are otherwise reasonably related and appropriate to the scale and character of the existing settlement?

358. Is Criterion 5 justified and consistent with national policy and Policy LP16 of the Plan in applying a blanket restriction development proposals permitted under Policy LP31 in the Norfolk Coast AONB?

359. Given that Policy LP31 is intended to act as a primary development management tool to support windfall housing development, which in turn forms a key element of the Plan's housing land supply, is Criterion 6 justified, effective and consistent with national policy, in stating that this policy approach does not apply to settlements covered by a made Neighbourhood Plan? How would this affect the projected supply of housing from windfall sites?

**Houses in Multiple Occupation (HMOs) (Policy LP32)**

360. Is Policy LP32 sound in respect of the following requirements for proposals to create new HMOs:

- a) Are Criteria a and b justified, effective and consistent with national policy in expecting proposals for HMOs to have 'no adverse impact' on amenity and the environment and to provide bin storage and parking 'without detriment' to adjoining occupiers, when national policy only expects policies to minimise potential adverse impacts of new development on living conditions and the environment?
- b) Is the requirement in Criterion d for HMO proposals to meet the

standards set out under other regulatory regimes a material consideration in whether or not to grant planning permission? As such is this part of the Criterion consistent with national policy?

**Enlargement or Replacement of Dwellings in the Countryside (Policy LP33)**

361. Is paragraph 7.7.4 of the supporting text to Policy LP33 consistent with national policy in:

a) stating a presumption against new dwellings in the countryside?

The policy only applies to enlargement or replacement – not new dwellings.

b) suggesting the use of conditions to restrict permitted development rights for extensions? Could be helpful in particular circumstances provided a clear reason is given?

362. Is Criterion 2 justified, effective and consistent with national policy in seeking to refuse proposals which 'adversely affect the amenity of the area', when national policy only expects policies to minimise potential adverse impacts of new development on living conditions?

This policy seems confused and highlights one of the dangers of having development boundaries and then permitting development outside.

The requirements with regard to neighbouring properties are replicated in LP21 and could, with a minor change be covered there. The requirements wrt the AONB could be covered by the AONB policy and would be better placed there. Removal of the policy would simplify the plan.

**Housing Needs of Rural Workers (Policy LP34)**

363. Is it clear which 'other respects' are being referred to in Criterion 1(c)(iv) of Policy LP34? Would it be evident to a decision maker whether this means the permanent occupational dwelling, the related business or the financial test should be acceptable in all other respects?

364. Is the reference to Smaller Villages and Hamlets (SVHs) in the supporting text to Policy LP34 necessary, given that Policy LP02 of the Plan supports limited development within SVHs and makes it clear that they are not part of the rural areas where it is necessary to carefully control new development?

## **Residential Annexes**

365. Should Policy LP35 require the replacement of garages, which are proposed for conversion to living accommodation?

This depends on the size and characteristics of the site. Conversion of garage should not be permitted if it requires construction of a new garage that is harmful to the street scene or results in the parking of cars on the road or in a front garden which damages the street scene.

## **MATTER 7 – SOCIAL AND COMMUNITY**

**Issue 7: Is the Plan justified, effective and consistent with national policy in respect of its policies for community and culture?**

### **Community and Culture (Policy LP36)**

Is clause 1 of LP36 correct – it doesn't seem to make sense?

366. Is Criterion 6 of Policy LP36 justified and consistent with national policy in resisting development which would result in the loss of existing cultural facilities, irrespective of whether the those facilities are required or remain viable?

### **Community Facilities (Policy LP37)**

367. For effectiveness and to ensure consistency with national policy in promoting healthy communities, should Criterion 2 of Policy LP37 permit development resulting in the loss of an existing community facility, if the proposal would replace the facility in a suitable alternative location?

There is substantial overlap between LP36 and LP37. It would make sense to combine the two policies and this would simplify the plan.

## **MATTER 8 – ENVIRONMENT**

**(NB with the exception of AQ 116 (Biodiversity Net Gain) all the remaining matters and issues in the AQ's document refer back to the MIQs below and therefore will no longer be referenced in our comments)**

**Issue 8: Is the Plan justified, effective and consistent with national policy in respect of its policies and proposals for the environment?**

### **Coastal Areas (Policy LP15)**

The PC has a number of concerns about this policy including whether it is up to date.

The nomenclature for management status in the supporting text (6.1.3) has been superseded – (eg Managed Retreat is now Managed Realignment) and this could lead to misinterpretation. Reference to 'Flood Zone 3' might also be regarded as unhelpful in the context of widely used subdivision 'Flood Zone 3a' and 'Flood Zone 3b' used across the Planning System (supporting text 6.1.4) and should be changed.

368. Should the reference to Tidal Hazard Mapping be removed from the supporting text to Policy LP15 for effectiveness?

The reference to Tidal Hazard Mapping excludes many other areas on the Coast which are at risk of deep flooding.

The 'Coastal Area' is not defined and there is no map showing where the policy applies. The supporting text at 6.1.6 refers to The Wash SMP (ie SMP 4 Gibraltar Point to Hunstanton) but makes no reference to SMP 5 (Hunstanton to Kelling Hard) which covers the entire north facing coast of the Borough).

369. Is Policy LP15 effective in balancing the needs of the local economy and the protection of the natural environment?

Clause 1 of the Policy promotes 'protection' but Clause 2 promotes 'visitor access' which is now recognised as a major threat to the integrity of the North Coasts Protected Sites as evidenced by Natural England's review (State of the North Norfolk Coast, Natural England 2019) and by the need for a GIRAMS policy to mitigate the impacts of visitor pressure.

In its current form it is suggested that the two sections of this policy are fundamentally incompatible and it is very difficult to see how they could be found effective in a properly conducted HRA evaluation.

It is unclear how a decision maker would use this policy. The BC is urged to review the policy, describe an accurate baseline position in the supporting text and redraft in order to give clear guidance as to how the demands of developing the tourist economy should be balanced against the need to conserve and enhance the Protected Sites when making planning decisions.

### **Norfolk Coast AONB (Policy LP16)**

370. Do references to the current AONB Management Plan require updating in the supporting text to Policy LP16?

**YES**

371. Is it appropriate that Policy LP16 requires development to meet the aims of the Norfolk Coast AONB Management Plan, which is not part of this Local Plan, or should reference to this be included in the supporting text?

NO- The revised Management Plan has not undergone public consultation as part of the Local Plan.

372. Is Policy LP16 justified and effective in respect of the protection of the AONB and its extent?

This is a welcome and much needed policy – but could benefit from greater clarity.

Further explanation is required to add clarity for decision makers. There is no description in the supporting text of the 'special qualities' and 'distinctive character' of the Norfolk Coast AONB that the policy is seeking to protect.

It would be helpful to make clear that settlements are covered by the AONB designation as well as countryside

The practical, local interpretation of 'conserve and enhance' in clause a) is unclear. This should be added to the physical description in the supporting text, together with an explanation of how proposals can 'conserve and enhance' the landscape.

373. Should reference be made to the relevant parts of the NPPF in the supporting text in order for Policy LP16 to be effective?

YES – also an explanation of what is meant by 'satisfactorily mitigated' in clause (a) would be helpful along with some examples.

Across the entire Submission Plan it is not clear how planning applications will be judged in the AONB compared to other parts of the Borough which the plan seeks to protect (eg the rural areas v the countryside v the coastal areas covered by LP15 etc).

### **Coastal Change Management Area (Policy LP17)**

This policy supports funding mechanisms and strategies to address the impacts of marine flooding and coastal change in the Borough. It is fundamentally important - and very welcome. However, it suffers from some major omissions and shortcomings.

The policy states that it applies to the area identified as being at risk of flooding during a 1:200 AEP flood event. Much of the Borough (especially the north coast) is at risk of such events but the Coastal Change Management Area (CCMA) covers only a small part of the coast between Hunstanton and Dersingham. The

supporting text (6.3.2) refers to the Wash Shoreline Management Plan (SMP 4 – Gibraltar Point to Hunstanton) but no reference is made to SMP5 (Hunstanton to Kelling Hard).

The CCMA defined in LP17 seeks to protect substantial areas of economically important housing and tourist accommodation to the south of Hunstanton. However, the Norfolk Wildlife Trust Visitor Centre, Norfolk Ornithologists Association HQ and some 85 houses in Holme are likely to be lost to coastal change in the north of the Borough as identified in SMP5. In Holme-next-the-Sea Parish alone, some 40% of the land area is expected to revert to intertidal mudflats by the SMP. Other areas of significant change are expected along the coast and this change needs to be effectively managed. Whilst the Holme NDP contains policy (developed in conjunction with the EA) to deal with the situation locally there is no strategic support at Local Plan level.

NPPF 171 requires areas of the coast where change is expected to be included in a CCMA. Paradoxically, the areas in the north of the Borough are subject to an SMP policy of Managed Realignment whereas currently the areas in the existing CCMA are predominantly Hold the Line.

In its current form the policy is not compliant with the NPPF and should be revised to include a larger CCMA and provisions to help address the problems faced by the coastal settlements to the north of Hunstanton all along the coast.

In 2018 as part of demonstrating compliance with the Duty to Co-operate, the BC signed a Statement of Common Ground for Coastal Zone Management with other Local Authorities in Norfolk and Suffolk. The statement includes a number of aims and commitments which would provide a sound basis for a modified policy. In its current form Policy LP17 gives no indication of how or if these commitments will be met.

374. Are the occupancy restrictions included in Policy LP17 justified and effective?

375. Is Policy LP17 justified and effective in respect of new and replacement dwellings in the Coastal Change Management Area?

376. Should Policy LP17 require that any replacement dwellings and associated landscape works should not encroach any closer to the flood defences than the footprint of the original dwelling?

377. Should the Plan apply an Integrated Coastal Zone management approach?

378. Should reference be made to the ADEPT guidance for the Emergency Flood Plan in the supporting text to Policy LP17 in order to be effective?

379. Is the Local Plan effective in the management of recreational disturbance along the Norfolk coast?

380. Is the Plan consistent with national policy in respect of the protection and enhancement of the AONB?

Against this background the detailed questions above (MIQs 374-380) cannot yet be satisfactorily addressed. However, we remain very concerned about the proposed policy LP09 and associated modifications which will lead to replication of the existing problems faced in the current CCMA.

An Integrated Coastal Zone Management Approach is clearly needed here.

We hope this policy can be given full discussion in Week 4 with a view to producing a satisfactory modification which promotes better planning for the management and resilience to Coastal Change for the affected communities.

### **Design and Sustainable Development (Policy LP18)**

381. Does the Local Plan promote sustainable development in line with the Government's objective of having a carbon neutral economy by 2050?

Over-dependence on car travel, predictions of growing congestion on the road network and the relegation of developments in active travel and alternative modes to background schemes which are not specifically built into the plan's policies must raise doubts about this.

The policy is well-intentioned but the evidence of the Borough's current carbon trajectory is lacking in prominence. The answer to this question may become clearer when the revised windfall policy and additional transport information are produced.

Is Policy LP18 justified and effective in respect of its promotion of high standards of sustainability and energy efficiency?

382. Is the requirement for all new homes across all tenures to meet the Government's Nationally Described Space Standard in Criterion 3(m) of Policy LP18 justified, based on proportionate evidence?

383. Should reference be made to light pollution in the supporting text to Policy LP18?

YES – it would reflect the requirements of NPPF 185(c), help contribute to CO reduction targets and complement the AONB Policy LP16 which recognises the importance of the special qualities of the AONB – a key one of which is its Dark Night Skies (not currently mentioned in LP16).

384. Should Policy LP18 require that a drainage strategy is supplied which has been considered in line with the PPG SuDS discharge location hierarchy and reference be made to the IDB's byelaws?

YES – and it would be extremely beneficial to incorporate a requirement to consult the IDB/WMA who have extremely detailed understanding of flood/surface water management in the Borough.

385. Should the Additional Modification to the supporting text at paragraph 6.4.1 of the Plan, proposed by the Council<sup>5</sup>, be treated as a suggested Main Modification, as it identifies key design principles to be followed?

### **Environmental Assets (Policy LP19)**

**AQ116** – This is a valuable policy but it is unclear where it stands in relation to mandatory Biodiversity Net Gain which currently doesn't cover all development. The extent of proposed windfall in the plan could result in a significant amount of development which falls below the BNG threshold so this policy has a useful purpose but would benefit from greater clarity. The Policy should reflect the Borough Council's approach to implementing BNG – especially with respect to off-site provision.

386. Is Policy LP19 effective in respect of the roles performed by the area's soils?

387. Is Policy LP19 effective and justified in respect of the approach to the creation, protection, enhancement of networks of biodiversity? Should reference be made to the Norfolk GIRAMS and biodiversity net gain?

388. Is Policy LP19 effective in respect of the mitigation hierarchy of avoid, mitigate and compensate?

389. Would Policy LP19 be effective in ensuring sustainable development?

### **Historic Environment (Policy LP20)**

390. Is Policy LP20 consistent with national policy in respect of heritage assets and archaeology?

391. Should Policy LP20 include a specific reference to 'non-designated heritage assets' in order to be consistent with national policy?

The Character Statements for the Borough's Conservation Areas are very dated but still provide a good basis for helping to assess the impact of planning applications. Greater clarity on how non-designated assets can be identified and assessed would help this policy. The character of many of the villages in the rural areas benefits from undesignated heritage assets and added clarity would contribute to their effective exploitation, conservation and management.

Is the supporting text effective and consistent with national policy in its reference to non-designated heritage assets?

**Environment, Design and Amenity (Policy LP21)**

392. Is Policy LP21 and its supporting text justified and effective in respect of infill development?

YES – but the Policy wording should explicitly reflect the requirements of paragraph 6.7.3 of the supporting text. It would also be helpful to add 'street scene' impacts to the criteria in clause 2.

393. Should references to national policy in Policy LP21 and its supporting text be updated in order for it to be effective?

YES

**Provision of Recreational Open Space for Residential Developments (Policy LP22)**

394. In order to be effective, should Policy LP22 be referenced in development policies which require the delivery of Green Infrastructure and/or have been identified as part of the Green Infrastructure Study?

**Green Infrastructure (Policy LP23)**

395. Is Policy LP23 positively prepared in respect of the projects supported and detailed in the Green Infrastructure Study set out in Criterion 3?

396. Is Policy LP23 and its supporting text effective in respect of the provision of SANGS?

LP23 should specifically recognise that SANGS is likely to be of little benefit in areas very close to the Protected Sites which are subject to recreational disturbance.

More widely, environmental policies in the plan should also recognise that proposals to increase biodiversity adjacent to some of the richest biodiversity sites in Europe are unrealistic.  
– For these locations policy should refer to halting the decline in biodiversity which is evident in the Protected Sites of the Borough.

**Renewable Energy (Policy LP24)**

397. Is the absence of support for wind energy development in Policy LP24 justified based on proportionate evidence and is it consistent with national policy, which expects plans to provide a positive strategy for energy from renewable and low carbon sources?

398. Is Policy LP24 justified and consistent with national policy in respect of renewable energy, given the omission of wind energy development from the policy?

399. Should Policy LP24 set out specific targets for new renewable energy developments and indicate how these would contribute to national

climate change targets?

400. Is Policy LP24 consistent with national policy in respect of the weight given to renewable energy developments in appropriate locations?

401. Should Policy LP24 refer to sites of international nature or landscape conservation importance as well as national and local?

**Sites in Areas of Flood Risk (Policy LP25)**

402. In order to be justified and effective should reference to the latest SFRA be included in the supporting text to Policy LP25 and reference to the Environment Agency removed from Criterion 4 of the policy?

403. Should the Plan include proposals for new coastal defence infrastructure to protect farmland and coastal settlements from future rises in the sea level?

Please see comments made under Policy LP17 Coastal Change Management Area. A number of these apply here.

Currently there is no support in the Parish of Holme-next-the-Sea for maintaining natural sea defences. These are deteriorating under an SMP policy of Managed Realignment and visitor pressure. Other North Coast Parishes are doubtless in the same predicament.

This proposed addition would be a major step in the right direction. The clean up after breaching of the sea defences and flooding of property in 2013 fell almost entirely to the local community – yet the Borough Council continues to grant consents for development in these parts of the Parish.

Should Policy LP25 and/or its supporting text refer to the need for a drainage strategy to accompany development proposals?

404. Is Policy LP25 justified in requiring a site-specific flood risk assessment for proposed developments on all sites at risk of flooding or should the policy include a specific threshold?

405. Does the policy reflect the revised NPPF in dealing with 'all sources of flooding'?

**Protection of Local Open Space (Policy LP26)**

406. In order for Policy LP26 to be effective, should local open space be identified on the Policies Map?

407. Does Policy LP26 recognise the importance of the views of local people when considering the impact of development proposals on local open space?

### **Habitats Regulations Assessment (Policy LP27)**

It is unclear how the equivalent (approved) policy in the SADMP should work and whether it is effective. The same applies to this policy.

SANGS located close to the sites is likely to have little bearing on visitor pressure – their attractiveness and draw is huge.

There is a lack of clarity with respect to which developments the Mitigation/GIRAMS payments can be used to mitigate. The mitigation strategies were based on visitor surveys carried out by Footprint Ecology at the time the SADMP was being prepared. The Footprint study at that time only assessed the visitor impact of new housing allocated in the plan. This may have been broadened slightly under GIRAMS but clarity is needed in the policy – especially in respect of tourist accommodation (eg caravans were screened out of the SADMP HRA but mitigation payments are taken for caravans in the Borough).

It is not clear how windfall development is intended to be covered by the policy as the HRAs were based only on housing allocations at known distances from the Protected Sites.

Monitoring visitor pressure was an integral theme in SADMP policy and is prominent in this policy. However, it is extremely difficult to find published visitor numbers. In Holme – an automated monitoring device (traffic counter) reliably counts visitor numbers to the Protected Site Area and NNR in the Parish. This has revealed that the figure for visitor numbers used in the SADMP HRA (c. 40,000 pa) massively underestimates the actual number (more than 200,000 pa). This revised policy appears to rely on the same data – though the HRA mentions plans to update the visitor surveys in 2023.

Recent evidence highlights increasing signs of degradation in these sites raising questions about the effectiveness of these policies. At this point there is nothing better – but greater clarity over the type of development included together with more frequent and more transparent monitoring and reporting of visitor numbers is now needed. The policy should include thresholds indicating when direct mitigation interventions will take place if visitor numbers become too high at particular hotspots.

It is in the Council's interest to address these issues by strengthening this policy so that they are seen to comply with the Habitats Regulations, are on top of a developing problem and also because maintaining the sites and ensuring an enjoyable experience for visitors is contributing to one of West Norfolk's biggest attractions/income generators.

408. Is Policy LP27 clearly written and unambiguous, so that it is evident how a decision maker should react to development proposals? In particular:

- a) Do the Monitoring and Mitigation Strategy measures set out in Criterion 1 of the policy apply to development proposals which have

- an adverse impact on European Sites? If so where is this stated?
- b) In Criterion 2, is it clear who will be expected to make the interim Habitat Mitigation Payment (HMP) of £50 per house and how it will be secured and collected? Does the policy need to state when the Norfolk RAMS will take effect and replace the interim HMP?
  - c) In Criterion 3:
    - (i). Who will provide local Green Infrastructure and open space to mitigate potential impacts from recreational pressure and to what standards?
    - (ii). How will developer contributions to mitigate residual effects be calculated?
  - d) Are Criteria 4 and 5 necessary as part of the policy, given that they are not specifying requirements for planning applications and development?
  - e) Is Criterion 6 fully consistent with the advice in the HRA about 'masked development? Should the second sentence make clear that a 1,500m buffer zone applies in 'other parts of the Borough' where the qualifying features exist, rather than 'beyond the Breckland SPA', which could include land within the buffer adjacent to the SPA? Should the SPA buffer zone be identified on the Policies Map?

409. Is a Main Modification necessary to Policy LP27 and its supporting text to clarify that the Council, as a competent authority under the Habitats Regulations, will consider the nutrient impacts of any new development proposals on European sites and whether those impacts may have an adverse effect on the integrity of a European site that requires mitigation, including through nutrient neutrality?
410. The Council has suggested Main Modifications to the supporting text to clarify the requirements for project level HRAs and the role of the HRA undertaken for the Plan. Are these necessary to ensure that the Plan is sound or can they be treated as Additional Modifications?

## **MATTER 9 - MONITORING AND IMPLEMENTATION**

### **Issue 9: Is the strategy for the implementation and monitoring of the Plan appropriate and robust?**

411. Is the monitoring framework of the Plan clear and unambiguous?
412. Are the indicators described likely to be effective in monitoring:
- a) Progress in delivering the Strategic Objectives of the Plan; and
  - b) The significant economic, social and environmental effects of the Plan?
- If so, how?