

Borough Council of
**King's Lynn &
West Norfolk**



Cabinet

Agenda

Wednesday, 9th September, 2015
at 5.30 pm

in the

**Committee Suite
King's Court
Chapel Street
King's Lynn**



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CABINET AGENDA

DATE: CABINET - WEDNESDAY, 9TH SEPTEMBER, 2015

VENUE: COMMITTEE SUITE, KING'S COURT, CHAPEL STREET, KING'S LYNN

TIME: 5.30 pm

As required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 - There are no items to be considered in private.

1. MINUTES

To approve the Minutes of the Meeting held on 28 July 2015 (previously circulated pages 164 - 170).

2. APOLOGIES

To receive apologies for absence.

3. URGENT BUSINESS

To consider any business, which by reason of special circumstances, the Chairman proposes to accept, under Section 100(b)(4)(b) of the Local Government Act 1972.

4. DECLARATIONS OF INTEREST

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not

already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the member should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

5. CHAIRMAN'S CORRESPONDENCE

To receive any Chairman's correspondence.

6. MEMBERS PRESENT UNDER STANDING ORDER 34

To note the names of any Councillors who wish to address the meeting under Standing Order 34.

7. CALLED IN MATTERS

To report on any Cabinet Decisions called in.

8. FORWARD DECISIONS

A copy of the Forward Decisions List is attached

9. MATTERS REFERRED TO CABINET FROM OTHER COUNCIL BODIES

To receive any comments and recommendations from other Council bodies which meet after the dispatch of this agenda. Copies of any additional comments made will be circulated as soon as they are available.

- Resources and Performance Panel – 1 September 2015
- Joint Regeneration & Development and Environment & Community Panels – 2 September 2015
- Audit Committee – 7 September 2015

10. ANNUAL GOVERNANCE STATEMENT 2014/15 (Pages 6 - 32)

11. STATEMENT OF ACCOUNTS 2014/2015 AND REPORT TO THOSE CHARGED WITH GOVERNANCE (Pages 33 - 58)

12. REVIEW OF THE EFFECTIVENESS OF THE AUDIT AND RISK COMMITTEE (Pages 59 - 74)

13. NON DOMESTIC RATES: EXTENSION OF TRANSITIONAL RELIEF (Pages 75 - 79)

14. 2016/17 DRAFT COUNCIL TAX SUPPORT SCHEME FOR CONSULTATION (Pages 80 - 99)

15. **BUSINESS CONTINUITY MANAGEMENT POLICY STATEMENT & STRATEGY** (Pages 100 - 117)
16. **SOUTH WOOTTON AND BRANCASTER PARISH NEIGHBOURHOOD PLANS** (Pages 118 - 290)
17. **NAR OUSE BUSINESS PARK ENTERPRISE ZONE** (Pages 291 - 306)
18. **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN - RESPONSES TO INSPECTORS REQUEST FOR FURTHER INFORMATION** (Pages 307 - 551)
19. **REVISIONS TO THE MEMBER CODE OF GOOD PRACTICE FOR PLANNING** (Pages 552 - 562)
20. **FRAMEWORK AGREEMENT FOR CARE & REPAIR GRANT WORKS** (Pages 563 - 566)

To: Members of the Cabinet

Councillors P Beal, A Beales (Vice-Chairman), N Daubney (Chairman),
Lord Howard, A Lawrence, B Long, Mrs E Nockolds, D Pope and
Mrs V Spikings

Cabinet Scrutiny Committee

For Further information, please contact:

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King's Court, Chapel Street
King's Lynn PE30 1EX

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Mandatory	Be entirely within Cabinet's powers to decide	NO	
		Need to be recommendations to Council	YES	
		Is it a Key Decision	NO	
Lead Member: Cllr Nick Daubney E-mail: cllr.nick.daubney@west-norfolk.gov.uk		Other Cabinet Members consulted:		
Lead Officer: Ray Harding E-mail: ray.harding@west-norfolk.gov.uk Direct Dial: 01553 616245		Other Members consulted:		
Financial Implications NO		Policy/Personnel Implications NO	Statutory Implications YES	Equalities Impact Assessment NO
				Risk Management Implications YES

Date of meeting: 9 September 2015

Annual Governance Statement for the year 2014/15

Summary

The preparation and publication of an Annual Governance Statement (AGS) is a statutory requirement. The AGS is a public statement that describes and evaluates the Council's overall governance arrangements during a particular financial year.

This report seeks Cabinet approval of the Council's Annual Governance Statement covering the 2014/15 year – attached at Appendix A.

Recommendation

It is recommended that the Annual Governance Statement for the 2014/15 year as attached be approved for adoption and that the Leader of the Council and the Chief Executive sign accordingly.

Reason for Decision

To comply with the statutory requirements in the Accounts and Audit Regulations (England) Regulations 2011.

1.0 Background

1.1 The Council's Local Code of Corporate Governance sets out six core principles of good governance that focus on the systems and processes for the direction and control of the Council and its activities through which it accounts to, engages with and leads the community. These core principles include:

- Focusing on the purpose of the Council
- Roles and responsibilities of members and officers
- Standards of conduct and behaviour

- Decision making, scrutiny and risk management
- Developing capacity and capability of members and officers
- Engaging with local people and stakeholders

- 1.2 The extent to which the Council adheres to these principles is described in the Annual Governance Statement.
- 1.3 The preparation and publication of an Annual Governance Statement (AGS) is a statutory requirement. The AGS is a public statement that describes and evaluates the Council's overall governance arrangements during a particular financial year. It includes a self-assessment of the effectiveness of the governance arrangements, across all areas of activity, together with a statement of the actions being taken or required to address any areas of concern.
- 1.4 The Statement is signed by the Leader and Chief Executive of the Council and published alongside the Statement of Accounts.

2.0 Proposed Annual Governance Statement

- 2.1 The Statement has been produced in accordance with relevant professional guidance and good practice – the Chartered Institute of Public Finance and Accountancy (CIPFA) published an addendum to their “Delivering Good Governance in Local Government: Framework” in late 2012. The addendum sets out the key areas which should be reflected in the Annual Governance Statement and a comprehensive review has taken place to ensure that these areas are all included in the Council's AGS for 2014/15.
- 2.2 The production of the statement, and the consultation process, has involved input from Management Team, the Audit Manager, the S151 Officer, the Democratic Services Manager, the ICT Manager and the remainder of Extended Management Team. A copy has been provided to the external auditors, no comments have been received from them at the time of writing this report.
- 2.3 The Statement is required to include notification of any significant internal control issues identified and include an action plan to address them. Significant governance issues are covered in section 5 in the Statement, the Action Plan being worked on during the current 2015/16 year is on the final page.
- 2.4 The Statement also comments on actions progressed from the previous year (2013/14).

3.0 Policy Implications

None

4.0 Financial Implications

None

5.0 Personnel Implications

None

7.0 Statutory Considerations

7.1 The adoption of the Annual Governance Statement is required to comply with the Accounts and Audit Regulations.

8.0 Equality Impact Assessment (EIA)

None

9.0 Risk Management Implications

9.1 The Annual Governance Statement forms part of the Council's risk management process and provides reasonable assurance (as defined in section 7 of the AGS itself) that the Council is complying with the adopted Code of Corporate Governance.

9.2 Failure to maintain an effective approach to producing the AGS may lead to the Council being

- unable to meet its statutory duty
- unable to demonstrate it has effective corporate governance arrangements in place
- open to criticism from external audit.

10.0 Recommendations

10.1 From the review undertaken, the assessment and ongoing monitoring work completed and supported by the verification work undertaken by internal audit, we have reached the opinion that key systems are operating soundly and that there are no fundamental weaknesses.

10.2 It is recommended that the Annual Governance Statement for 2014/15 as attached be approved for adoption and that the Leader of the Council and the Chief Executive sign accordingly.

11.0 Declarations of Interest / Dispensations Granted

None

Background Papers

CIPFA/SOLACE Framework including Guidance Notes and Addendum
Annual Governance Statement 2012/13

Borough Council of
**King's Lynn &
West Norfolk**



Annual Governance Statement

2015

Covers the 2014/15 year

1. Scope of responsibility

The Borough Council of King's Lynn and West Norfolk is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The Council also has a statutory duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of the above.

In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs and facilitating the effective exercise of its functions, which includes arrangements for the management of risk.

The Council has approved and adopted a Code of Corporate Governance, which is consistent with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government*. A copy of the code is on our website at www.west-norfolk.gov.uk. This Annual Governance Statement explains how this Council has complied with the code and also meets the requirements of the Accounts and Audit (England) Regulations 2011, regulation 4(3) which requires all relevant bodies to prepare an annual governance statement in relation to the effectiveness of the system of internal control.

2. The purpose of the governance framework

The governance framework comprises the systems, policies, procedures and operations by which the authority is directed and controlled, and its activities through which it accounts to, engages with and leads its communities. It enables the authority to monitor the achievement of its strategic objectives and outcomes and to consider whether those objectives have led to delivery of appropriate services and value for money.

The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an on-going process designed to

- identify and prioritise the principal risks to the achievement of the Council's policies, agreed outcomes and objectives
- evaluate the likelihood and potential impact of those risks being realised
- manage them efficiently, effectively and economically.

The governance framework has been in place at the Borough Council of King's Lynn and West Norfolk for the year ended 31 March 2015 and remains in place to date.

3. The governance framework

The Council's governance framework is made up of the many systems, policies, procedures and operations we have in place to do the following:

3.1 Publish our aims for local people and others who use our services

The Council shares a common ambition with its partners to improve the quality of life in West Norfolk. Broad aims – or outcomes – to work towards for the borough are set out in the West Norfolk Strategy:

- people benefit from a growing economy
- people live in a quality environment
- people maximise their potential
- people lead safe and healthy lives
- people live in thriving communities

These aims are shared with our key partners, many of whom form the West Norfolk Partnership, which brings together the public and voluntary sector leaders in West Norfolk. The same five outcomes – plus one which looks at how the Council wants to use its resources – have been used as the framework for the Council's Corporate Business Plan 2011/12 – 2014/15, which is the overarching strategy for the Council. By using the same outcomes as the West Norfolk Strategy, the Council can clearly show how it contributes and how its vision is aligned with our partner organisations.

The Corporate Business Plan is aligned with the Council's Financial Plan and is available on the Council's website.

3.2 Review our aims and the implications on our governance arrangements

The Council's Corporate Business Plan was refreshed during 2013/14 as the plan was halfway through its life. Officers and Councillors have worked hard to achieve the updated aims set out in the Plan and progress has been reviewed through our Corporate Business Plan Monitoring report, considered every six months by the Resources and Performance Panel. The Council's senior management team are instrumental in the achievement of our aims and through the regular meetings they hold, they ensure that our governance arrangements are consistent with, and support us in this.

In March 2015 the Council's Code of Corporate Governance was reviewed and updated. The revised Code sets out how the Council intends to apply the principles of corporate governance in accordance with CIPFA/SOLACE guidance. The revised Code includes a chart to demonstrate the various elements of the framework and has been refreshed to reflect the Council's current processes and procedures. The Code will be reviewed every three years to reflect any changes in the Council's governance framework and/or any revised guidance.

3.3 Measure the quality of our services and make sure we provide them in line with our aims and that they provide value for money

The Council has a Performance Management Framework which is, in effect, a summary of the key internal processes and components through which the Council sets, delivers, monitors and reports on its priorities and services. As such the Performance Management Framework encompasses elements of strategy, finance, performance, people and risk management, and reporting and accountability. The Framework describes how the Council measures and monitors the performance of our services and is available on the Council's website.

3.4 Define and document the roles and responsibilities of the executive, non-executive, scrutiny and officer functions

The Council's Constitution sets out how the Council operates, how decisions are made and the procedures to be followed to ensure that these are efficient, transparent and accountable to local people. This defines, amongst other things the roles of the Council, Cabinet, how the

scrutiny and overview function operates, the Scheme of Delegation, and the roles and responsibilities of officers and members. The different elements of the Constitution are subject to periodic change either through national legislation or local decision. In the 2014/15 year, the Council's Scheme of Delegation was updated to take account of changes in Portfolio holder's responsibilities, thus ensuring that the decision making structure is in line with the structure of the Council.

Within the Constitution, full Council sets the overall budget and policy framework of the Council, while Cabinet makes decisions within this framework, and is held to account by the overview and scrutiny arrangements. Meetings are open to the public except where exempt or confidential matters are being disclosed. In addition, senior officers of the Council can make decisions under delegated authority. The Council publishes a Forward Decision List which contains details of key decisions to be made by the Council, its bodies and Executive Directors under their delegated powers.

During 2013/14 the Council underwent a Corporate Peer Challenge as part of the LGA's sector level improvement programme. The final report from the Peer Challenge team identified the scrutiny role as one for improvement and development. As a result, the Centre for Public Scrutiny have conducted a review of the current scrutiny process during 2014/15, leading to recommendations for improvements to the structure and arrangements which will be progressed following the 2015 elections.

3.5 Develop, communicate and embed codes of conduct which define the standards of behaviour for members and staff

The Council has in place key documents which communicate the standards of behaviour required of members and all Council staff (officers). These include the

- Members Code of Conduct
- Register of Disclosable Pecuniary Interests
- Protocol for Member/Officer Relations
- Employee Handbook
- Anti-Fraud and Anti-Corruption Strategy
- Whistleblowing Policy
- Fraud Response Plan
- Disciplinary / Grievance procedures
- ICT Email Policy
- ICT Internet Policy
- ICT Security Policy
- ICT Computer Usage Policy

The Anti-Fraud and Corruption Strategy, Whistleblowing Policy and Fraud Response Plan were updated in April 2014 to ensure they remain 'fit for purpose' and reflect current best practice. The Council's employee code of conduct (contained within the Employee Handbook) was refreshed during 2014 to ensure it more closely matched the model Code of Conduct for Local Government employees/HR portal as appropriate.

The Performance Management Framework describes how staff performance, including conduct, is managed. The Council also has a Harassment Procedure in place for staff, which demonstrates the belief that all employees have a right to be treated with dignity and respect, and that the Council will take steps to ensure this right is protected. All policies are available to all staff and Councillors via the Council's Intranet.

3.6 Review the effectiveness of the decision-making framework, including delegation arrangements, decision making in partnerships and robustness of data quality

Effective management is based on a framework of regular management information, financial regulations, standing orders and a structure of varying levels of responsibility. The Council has all this in place and we regularly review them to ensure they remain 'fit for purpose'.

During 2014/15 the Council has adopted new procedures to ensure compliance with 'The Openness of Local Government Bodies Regulations 2014', which requires Officers to record decisions made under a specific authorisation or under a general authorisation relating to, for example, the granting of a licence or awarding a contract which materially affects the body's financial position.

The West Norfolk Partnership, the Council's main partnership, which consists of key local bodies, reviewed and updated its operating protocols in March 2013. An annual review of the operation of the partnership is undertaken each spring, which includes one to one discussions with relevant parties to ensure the arrangements work effectively and that participants continue to obtain value from their participation.

The Council has a Data Quality Policy and Strategy in place and available on its website. The document shows that the Council understands the importance of data quality and is committed to being consistent in its management of data quality within the organisation and in partnership with others, ensuring that the data produced adheres to the 7 principles of data quality.

3.7 Ensure the framework for identifying and managing risks, and for developing counter-fraud and anti-corruption arrangements are effective and well-maintained

The Council recognises it has a responsibility to manage both internal and external risks as a key component of good corporate governance and is committed to making sure that risk identification and management is embedded into the daily operations of the Council. Full details are contained within the Risk Management Strategy, which will be reviewed and refreshed during 2015/16. The Corporate Risk Register is reviewed regularly by the Council's Executive Directors and the Audit and Risk Committee receive reports on a half-yearly basis on the position of the register.

The investigation of Benefits and Council Tax fraud was carried out by members of the Audit and Fraud team in 2014/15 prior to the Benefits investigations being transferred to the Department for Work and Pensions (DWP) on 1st April 2015. During the year an assessment was carried out of the residual fraud investigations workload that would remain with the Council after the transfer. As a result, an Investigations Officer/Auditor post was created and an appointment made to commence on 1st April 2015.

The Council has in place an Anti-Fraud and Anti-Corruption Strategy, which details the approach to its arrangements. The Strategy covers the roles of elected Members, employees and Managers (including contractors and agents), the Internal Audit and Fraud team and External Audit.

Additionally, the Council is actively involved in national anti-fraud initiatives, including the Housing Benefit Matching Service with the Department for Work and Pensions, the National Anti-Fraud Network and the National Fraud Initiative.

In September 2013 a 'Baseline Personnel Security Standard' (BPSS) was introduced by the Cabinet Office to ensure that all users of the Public Services Network (PSN) meet a minimum baseline standard of security checks. The guidelines required existing staff who use the PSN to comply with the standard and also had implications for recruitment processes. In response to this guidance, the Council took steps to ensure that all users of PSN services or data and all users of PSN e-mail accounts had been validated to the BPSS during early 2014/15. As a result the Council was fully compliant with the standard for its 2014 PSN compliance audit. A further requirement to have all users of the a PSN connected network validated to the BPSS was subsequently removed following further guidance from the Cabinet Office issued during the summer of 2014. The Council has implemented revised recruitment and appointment processes to ensure compliance is maintained for all new employees who use PSN services/data and all new users of a PSN e-mail account.

3.8 *Ensure effective management of change and transformation*

The Council has a good history of dealing with change and transformation. Recent years have necessitated considerable changes to take place in order to accommodate reductions in government grants and council tax freezes. This work has continued throughout 2014/15 with Members being actively involved in identifying and approving areas where change and transformation can take place to ensure the required savings are achieved whilst protecting front line services.

Senior officers are trained in effective project management techniques to deliver the required change and the Council's Performance Management Framework shows how the corporate aims translate into targets for staff. During the 2013/14 year a number of project groups, consisting of Service Managers from across the authority, were set up to review and implement changes in key areas, such as Asset Rationalisation, Channel Shift, Optimisation of ICT, Printing and Procurement. These projects have medium to long-term timescales in terms of delivery, and a programme of regular updates is in place. Progress with these projects is reported regularly to Management Team and Extended Management Team, who cascade the update to their staff. In addition, staff across the Council have been trained in 'Lean' techniques and work is being undertaken in priority areas to review major processes from a 'Lean' perspective with the aim of maximising efficiencies by removing duplication, implementing process improvements and realising savings.

3.9 *Ensure the authority's financial management and governance arrangements conform to the governance requirements of the latest CIPFA statements on the 'Role of the Chief Financial Officer in Local Government' and the 'Role of the Head of Internal Audit'. Where they do not, explain why and how they deliver the same impact*

The two CIPFA statements mentioned above are helpful tools to allow the Council's arrangements to be benchmarked against a clearly defined framework. Arrangements in place conform to the requirements outlined in the CIPFA 'Role of the Head of Internal Audit'.

In respect of the CIPFA statement on the 'Role of the Chief Financial Officer in Local Government', the Council's arrangements largely comply, with the exception that during 2014/15 the Chief Financial Officer did not report directly to the Chief Executive and was not a member of the Leadership Team. Instead, the Chief Financial Officer reported to the Deputy Chief Executive, as reflected in the Council's Scheme of Delegation. However, the Chief Financial Officer did attend the Leadership Team meetings when a report contained financial or other relevant information, and did have direct access to the Chief Executive,

Executive Directors, Members, the Audit and Risk Committee and external audit as required. Revisions to the organisation structure which will result in the Chief Financial Officer reporting directly to the Chief Executive, and forming part of the Leadership Team, will take effect early in the 2015/16 year.

3.10 Ensure effective arrangements are in place for the discharge of the Monitoring Officer and Head of Paid Service functions

The Council employs a Monitoring Officer who is responsible for ensuring compliance with established policies, procedures, laws and regulations. After consulting with the Head of Paid Service, the Monitoring Officer will report to full Council if it is considered that any proposal, decision or omission would give rise to unlawfulness or maladministration. In addition, a report is taken to the Audit & Risk Committee on the areas of responsibility that the Monitoring Officer has.

The Chief Executive is the Council's Head of Paid Service and has overall responsibility for the management and co-ordination of the employees appointed by the Council. The Chief Executive is required to report to the Council as appropriate with regard to the way in which the different functions of the Council are co-ordinated, the number and grades of staff required for the discharge of these functions, the way in which these people are organised and managed and the way in which they are appointed.

3.11 Carry out the main functions of an Audit Committee, as identified in CIPFA's 'Audit Committees: Practical Guidance for Local Authorities'

Good corporate governance requires independent, effective assurance about the adequacy of financial and operational management and reporting, and this assurance is best provided by a committee that is independent from the executive and scrutiny functions, in this Council, the Audit and Risk Committee.

The Audit and Risk Committee was set up in 2006 with Terms of Reference drawn up in line with guidance from CIPFA. These were reviewed in 2013 and the next review will take place in 2016/17.

A review is undertaken each year of the effectiveness of the Audit and Risk Committee. Although the Committee membership has changed following the Election in May, a review of the work of the previous Committee in 2014/15 was presented to Cabinet on 9th September 2015. The review concluded that the Committee is functioning correctly as an audit committee and is effective in its role.

3.12 Ensure compliance with relevant laws and regulations, internal policies and procedures, and that expenditure is legal

The Council's Constitution provides a comprehensive framework for the management of the authority's business and ensures compliance with relevant laws, regulations, internal policies and procedures. Policy Review and Development Panels assist Cabinet and Council to ensure that compliance is considered where appropriate and report templates for those panels and for Cabinet ensure all elements are considered at the time the report is presented. Statutory Officers – Head of Paid Service, Monitoring Officer and Chief Financial Officer – are in post to monitor and ensure adherence. During 2014/15 a compliance check undertaken by HMRC identified the need to improve processes for the payment of self-employed contractors via the creditors system. The Council's financial regulations and contract standing orders will be updated to reflect the required changes, and are scheduled to be reported to Cabinet in July 2015.

All initiatives undertaken, including those with financial elements, are either progressed due to being a statutory requirement or because it will contribute to a key aim of the Council. All initiatives are reviewed by regular meetings of the Management Team and senior managers in order to ensure compliance and that spend is legal. Additionally, the Chief Executive and Deputy Chief Executive or another representative from Management Team meet weekly with the Leader and Deputy Leader to ensure the senior members are aware of any matters that are relevant.

3.13 Ensure arrangements are in place for whistleblowing and receiving and investigating complaints from the public

The Council has a Whistleblowing Policy in place, produced in accordance with the provisions of the Public Interest Disclosure Act 1998. This Policy was updated in April 2014 to reflect current best practice and was re-issued to staff at that time.

The Council has a Corporate Complaints procedure, available on the Council website or on paper on request. These are reviewed regularly to ensure they remain up-to-date. The Council also deals with any incidents of racial complaints, or complaints relating to a disability, in a similar but separate process. The complaints received are analysed and results presented to the Resources and Performance Panel on an annual basis.

3.14 Identify development needs of members and senior officers in relation to their strategic roles, supported by effective training

The Council provides a complete programme of learning and development to officers and members, demonstrated by the Workforce Learning and Development plan 2012-15. Learning and development needs for staff are identified through the performance management process and in response to organisation/service level needs and these are translated into an annual training plan. The Council has a commitment to Management Training and has a rolling programme of Management Development courses of differing levels, including specific sessions to support the development of Service Managers.

Member's development needs are identified through use of a questionnaire following their election, and are also identified during the year as matters arise at meetings and questions of training needs arise. The Policy Review and Development Panels regularly receive updates on relevant topics as part of their agenda, for example planning, licensing, local flooding issues, car parking and current initiatives. The topics are identified either by officers or members and helps to ensure members are better informed and have input at an early stage.

Additionally, a series of briefings offered to all members, which take place before Full Council meetings, have been undertaken during this year; topics covered in the past year have included updates on major projects such as bus station and major housing project, the Code of Conduct, Clinical Commissioning Group functions and changes in benefits legislation.

3.15 Establish clear channels of communication with all sections of the community and other stakeholders, ensuring accountability and encouraging open consultation

The Council welcomes views from the public and community as part of the constitutional process. These views are considered through formal and informal consultation processes. Examples of these are: consultations undertaken as part of the scheme [to develop the Saturday Market Place](#); improvements to the bus station; enhancements to the Town Hall and the major housing scheme.

In November 2013, the first meeting of a new King's Lynn Area Consultative Committee took place. The Committee, which was established as a consultative forum for the unparished

areas of King's Lynn, was initially scheduled to operate until 1 May 2015. A report to Council on 23 April 2015 agreed that it would continue to operate for a further four years.

The Council undertakes customer satisfaction surveys for customers who visit the Council Offices or contact us via the telephone. The Council's website has 'Govmetric' on its pages, a method through which customers can tell us how they rate the information or service.

The Council is increasingly using social media to communicate and engage. Social media guidelines were rolled out to staff during 2013/14 to ensure this form of communication is used effectively and responsibly. Results of all methods of communication are fed back into service delivery, ensuring accountability. The Council also monitors feedback from residents and service users through compliments and complaints received.

3.16 Incorporate good governance arrangements in respect of partnerships and other joint working and reflect these in the authority's overall governance arrangements

The Council participates in a range of joint working arrangements with other bodies, some of which are more significant than others in terms of the potential for a detrimental impact on the Council should the partnership fail. Formal, service delivery partnerships such as CNC Building Control, delivery of Home Improvement Agency services with Fenland District Council, car parking arrangements with North Norfolk District Council, civil parking enforcement arrangements and the joint venture agreement for housing on the NORA site with Norfolk County Council, are subject to formal governance arrangements and include processes for reviewing the delivery of benefits and arrangements for termination should the arrangement not be serving the purpose for which it was created.

During 2014/15 the Council participated in a joint procurement exercise for a new banking provider in conjunction with other Norfolk Authorities. As a result a single banking provider is now in place, but with each participant having its own contract that reflects its own service specification. The combined transactions volumes of this joint approach have helped make this tender more attractive to potential suppliers, leading to the achievement of a competitive price for the service.

The Council also operates informal, collaborative partnerships, such as the West Norfolk Partnership and the Youth Advisory Board. Although the West Norfolk Partnership, for example, is now an informal arrangement, regular reports are presented to the Resources & Performance Panel, to ensure that members are kept informed of initiatives and progress. The Council is particularly mindful of the financial and reputational risks that can arise through entering into joint working and collaborative arrangements. It therefore actively supports open and transparent arrangements in all its partnership working.

Appendix A

The table at Appendix A demonstrates how the core and supporting principles of corporate governance, as detailed in the Council's adopted Code of Corporate Governance have been upheld during the year 2014-2015.

4. Review of effectiveness

The Council has a responsibility to review the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work

of Internal Audit and the senior managers within the authority who have responsibility for the development and maintenance of the governance environment, the Audit Manager's annual report, and also by comments made by the external auditors and other review agencies and inspectorates, where undertaken.

The process of maintaining and reviewing the effectiveness of the system of internal control includes the following measures and actions:

- Overview and Scrutiny arrangements are in place; Scrutiny Panels review the work of the Council throughout the year and report annually to Council
- The Audit and Risk Committee carries out an overview of the activities of the Council's internal and external audit functions. Members of the Audit & Risk Committee are provided with copies of all reports produced by Internal Audit and the external auditors, and also receive regular reports on matters relating to finance, fraud and risk management. The Committee approves the annual plans for each, and receives regular progress reports throughout the year. The Audit Manager submits to the Committee an Annual Report and Opinion, and the external auditors submit an Annual Audit letter. The Audit Manager has included an audit opinion on the adequacy and effectiveness of the council's systems of internal control in the Annual Report and Opinion on work completed during 2014/15 which went before the Audit and Risk Committee on 21 July 2015. The report states that in the Audit Manager's opinion, the Council's control arrangements were adequate and effective in 2014/15, with sound controls in all key areas.
- The Internal Audit service is a directly employed in-house service, providing a continuous review in accordance with the Council's obligations under the Local Government Act 1972, and the Accounts and Audit Regulations 2011. Since 1 April 2013 the service has operated under the Public Sector Internal Audit Standards (PSIAS). To ensure the internal audit function meets the PSIAS requirements, an independent external quality assessment was completed, resulting in the function being found to 'Generally Conform' in 50 criteria out of 56. The subsequent report was presented to the Audit and Risk Committee on 28 October 2014 and a further self-assessment effectiveness review has been presented on 21 July 2015.
- The Audit Manager has also completed a review of the effectiveness of the Audit & Risk Committee itself. The result was reported to the Audit and Risk Committee on 21 July 2015 and concluded that the Committee is continuing to perform effectively and the Council is meeting its requirements under the Accounts and Audit Regulations 2011.
- The Council's external auditors review the activities of the Council, approve the annual accounts and certify grant claims (where required). Conclusions and significant issues arising are detailed in various reports from the auditors. Their 'Audit Results Report' (formerly known as the 'Report to those charged with Governance (ISA 260)) went before Cabinet on 8 September 2014; the Annual Audit Letter went before the Audit & Risk Committee on 25 November 2014. These reports from the external auditors refer to the 2013/14 financial year (the latest available) and raised no concerns of a material nature.
- A Member / Officer protocol is in place and forms part of the Council's constitution.
- Additionally, it is the responsibility of the statutory officers to report to Council on any issues concerning the review of the effectiveness of internal control arrangements. There have been no issues arising during 2014/15 which have required the full Council to exercise its role.

- In 2013/14 the Council underwent a LGA Corporate Peer Challenge and a report outlining the headline findings of this review was presented to Cabinet on 7 October 2014. Various actions identified by Management Team in response to the Peer Challenge's conclusions, covering corporate issues (such as the scrutiny function and developing the role of Extended Management Team) and heritage issues (including the Borough's programme of events and activities) were endorsed by Cabinet at this meeting, and have subsequently been progressed, with further work to be undertaken during 2015/16.
- The new arrangements in relation to Alive Management Limited have only been in place for six months and will be reviewed in full during the preparation of the Annual Governance Statement for 2015/16.

In summary, a review of arrangements for the 2014/15 year has been undertaken; the review has not highlighted any issues as significant weaknesses in governance or internal control during the year. The arrangements outlined above are in place and operating as planned.

5. Significant governance changes

There were three significant governance changes identified during the year under consideration:

5.1 On 1st September 2014 new arrangements for the operation of the Council's leisure and arts facilities took effect. A Charitable Company (Alive Leisure) gained responsibility for the strategic direction of leisure and arts in West Norfolk, and for managing its leisure and cultural facilities. At the same time a wholly owned Local Authority Company (Alive Management Limited) was established to deliver the operational side of leisure and cultural facilities.

Alive Leisure is independent from the Council and has a Service Level Agreement in place to deliver the leisure and cultural offering in West Norfolk. The Council has one of seven places on the Board of Alive Leisure and a lead nominated officer who oversees the day to day liaison between the Council and the Charitable Company. In addition, the Service Level Agreement requires the Trust to report formally to the Council's Regeneration, Environment and Community Panel on two occasions each year, reporting on performance against agreed performance indicators.

To enable the Charitable Company to deal effectively with the operation of leisure and arts facilities it reached an agreement with Alive Management Limited for the day to day delivery and management of operational aspects of the service. The Local Authority Company has its own Board and will report its results to the Resources and Performance Panel on an annual basis. The accounts for Alive Management Limited will be consolidated into the Council's accounts annually.

A funding agreement exists between the Council and the Charitable Company which sets out the requirements for the operation of the council's five leisure facilities, and to provide a sports development service. This agreement will operate on a rolling three year basis, which, at the end of each financial year, may be extended for an additional year (subject to the agreement of both parties).

5.2 The Council has operated a commissioning model for the provision of legal services for the past 2 – 3 years, overseen by an in-house Legal Services Manager, which has proved to be a successful method of reducing costs whilst broadening the range of

professional expertise available to the Council. As a result of staff turnover, the opportunity was taken to delegate provision of legal services to Eastlaw (North Norfolk District Council) on a rolling annual agreement basis. This agreement retains a legal resource within the Council, provides general legal advice to Senior Officers and oversees the commissioning of work.

5.3 During 2014/15 the Council has complied with the requirements of the Local Government Transparency Code 2014 as issued on 1 May 2014 and subsequently re-issued on 3 October 2014 and again in February 2015. The Code, which is issued under the Local Government, Planning and Land Act 1980 and two statutory instruments passed during 2014/15 make it a legal requirement for local authorities to publish specified data by prescribed deadlines and thereafter annually. The Council published all specified data on its website, in the prescribed format, by the required deadline.

The aim of the Code is to meet the Government's desire to place more power into citizens' hands to increase democratic accountability and make it easier for local people to contribute to the local decision making process and help shape public services. This makes a direct line to the requirement to establish clear channels of communication with all sections of the community and other stakeholders, ensuring accountability and encouraging open consultation.

6. Action Plan

In the Annual Governance Statement for 2013/14 (presented to Cabinet on 10 September 2014) a 7 point Action Plan for 2014/15 was set out to deal with governance issues identified during the review for that year. All 7 points on that Action Plan have been completed, although some now have further actions which will be incorporated into the 2015/16 action plan. An Action Plan to be worked on during 2015/16, containing new items identified through the review undertaken on the 2014/15 year, is attached at Appendix B.

7. Assurance summary

From the review undertaken, the assessment and ongoing monitoring work completed¹ and supported by the verification work undertaken by internal audit, we have reached the opinion that key systems are operating soundly and that there are no fundamental weaknesses.

No system of internal control could provide absolute assurances against material misstatement or loss; this statement is intended to provide reasonable assurance. There is an on-going process for identifying, evaluating and managing key risks. These risks are reflected in the audit plan, the Corporate Risk Register and are the subject of separate reports during the course of the year.

We are satisfied that an on-going process for identifying, evaluating and managing key risks exists. We propose over the coming year to take steps to address matters identified to further enhance our governance arrangements. We are satisfied that the steps outlined at Appendix B will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation and operation as part of our next annual review.

¹ By the Audit and Risk Committee

Signed:

Cllr Nick Daubney
Leader of the Council
24 September 2015

Ray Harding
Chief Executive
24 September 2015

APPENDIX A: APPLICATION OF THE PRINCIPLES OF GOOD GOVERNANCE

Principles	Requirements	Evidence
1. Focusing on the purpose of the Council and on outcomes for the community including citizens and service users and creating and implementing a vision for the local area		
1.1 Exercising leadership by clearly communicating the Council's purpose and vision and its intended outcome for citizens and service users	<ul style="list-style-type: none"> Develop & promote the authorities' purpose & vision 	Corporate Business Plan West Norfolk Operating Protocols Website and / or PR activity
	<ul style="list-style-type: none"> Review on a regular basis the authority's vision for the local area and its implications for the authority's governance arrangements 	Code of Corporate Governance, Cabinet report and evidence Review of Corporate Business Plan
	<ul style="list-style-type: none"> Ensure that partnerships are underpinned by a common vision of their work that is understood and agreed by all partners 	WN Partnership Operating Protocols Leisure and Arts Legal Services King's Lynn Development Partnership Town centre partnership College / council liaison committee Downham Market leisure centre joint management committee Hunstanton Green Management Committee West Norfolk Alliance Press release: Norfolk Waste, New Anglia Local Enterprise, West Norfolk Alliance
	<ul style="list-style-type: none"> Publish an annual report on a timely basis to communicate the authority's activities and achievements, its financial position and performance 	Annual Financial Statement of Accounts Annual Governance Statement
1.2 Ensuring that users receive a quality service whether directly, or in partnership or by commissioning	<ul style="list-style-type: none"> Decide how the quality of service for users is to be measured and make sure that the information needed to review service quality effectively and regularly is available 	Corporate Business Plan Annual Directorate Plans Medium term financial strategy Performance Management Framework Customer satisfaction results
	<ul style="list-style-type: none"> Put in place effective arrangements to 	Complaints procedure

Principles	Requirements	Evidence
	identify and deal with failure in service delivery	Disciplinary procedure Annual complaints report
1.3 Ensuring that the Council makes best use of resources and that tax payers and service users receive value for money	<ul style="list-style-type: none"> Decide how value for money is to be measured and make sure that the authority or partnership has the information needed to review value for money and performance effectively. Measure the environmental impact of policies, plans and decisions. Explore and rigorously test opportunities for shared services and joint procurement 	Performance Reports Benchmarking - LG Inform Environment Monitoring Report Joint refuse contract procurement (current contract) Conditions of Purchase Financial Regulations Contract standing orders Corporate Procurement Strategy Banking Tender Pay Policy Statement
2. Members and officers working together to achieve a common purpose with clearly defined functions and roles		
2.1 Ensuring effective leadership throughout the Council by being clear about executive and non executive functions and of the roles and responsibilities of the scrutiny function	<ul style="list-style-type: none"> Set out a clear statement of the respective roles and responsibilities of the executive and of the executive's members individually and the authority's approach to putting this into practice 	Constitution Record of delegated decisions Scheme of Delegation Portfolio Holders areas of responsibility on website
	<ul style="list-style-type: none"> Set out a clear statement of the respective roles and responsibilities of other authority members, members generally and of senior officers 	Constitution Member / Officer protocol Management Team responsibilities
2.2 Ensuring that a constructive working relationship exists between elected Members and officers and that the responsibilities of Members and officers are carried out to a high standard	<ul style="list-style-type: none"> Determine a scheme of delegation and reserve powers within the constitution, including a formal schedule of those matters specifically reserved for collective decision of the authority, taking account of relevant legislation, and ensure that it is monitored and updated when required 	Scheme of delegation Constitution Member / Officer Protocol Standing Orders Financial Regulations
	<ul style="list-style-type: none"> Make a chief executive or equivalent responsible and accountable for all aspects of operational management 	Conditions of employment Scheme of delegation Comprehensive Equality Policy Chief Executive Job description / specification Performance management framework

Principles	Requirements	Evidence
	<ul style="list-style-type: none"> Develop protocols to ensure that the leader and chief executive (or equivalent) negotiate their respective roles early in the relationship and that a shared understanding of roles and objectives is maintained 	Member / officer protocol
	<ul style="list-style-type: none"> Make a senior officer (the s151 officer) responsible to the authority for ensuring that appropriate advice is given on all financial matters, for keeping proper financial records and accounts, and for maintaining an effective system of internal financial control 	Section 151 responsibilities (job description) Financial Regulations Budget documentation Job description / specification HMRC compliance check
	<ul style="list-style-type: none"> Make a senior officer (usually the Monitoring Officer) responsible to the authority for ensuring that agreed procedures are followed and regulations complied with 	Job description / specification
2.3 Ensuring relationships between the authority, its partners and the public are clear so that each knows what to expect of the other	<ul style="list-style-type: none"> Develop protocols to ensure effective communication between members and officers in their respective roles 	Member / officer protocol Baseline Personal Security Standard
	<ul style="list-style-type: none"> Set out the terms and conditions for remuneration of members and officers and an effective structure for managing the process, including an effective remuneration panel (if applicable) 	Pay & conditions Member Allowance Scheme Published pay and expenses of senior officers Published remuneration and expenses of members
	<ul style="list-style-type: none"> Ensure that effective mechanisms exist to monitor service delivery 	Performance management framework Performance reporting schedule Meeting schedule Panel and Cabinet reports
	<ul style="list-style-type: none"> Ensure that the organisation's vision, strategic plans, priorities and targets are developed through robust mechanisms, and in consultation with the local community and other stakeholders, and that they are clearly articulated and disseminated 	Corporate Business Plan Directorate Plans Performance Management Framework Budgets Budget consultation with business ratepayers
	<ul style="list-style-type: none"> When working in partnership, ensure that members are clear about their roles and responsibilities both individually and collectively in relation to the partnership and to the 	WN Partnership Operating Protocols Guidance from insurers when sitting on outside bodies

Principles	Requirements	Evidence
	authority.	Safer Neighbourhood Action Panels (SNAP) Norfolk Waste Partnership
	<ul style="list-style-type: none"> • When working in partnership: <ul style="list-style-type: none"> - Ensure that there is clarity about the legal status of the partnership - Ensure that representatives of organisations both understand and make clear to all other partnerships the extent of their authority to bind their organisations to partnership decisions 	WN Partnership working protocols Leisure and Arts Legal Services
3. Promoting the values of the Council and demonstrating the values of good governance through behaviour		
3.1 Ensuring Council Members and officers exercise leadership by behaving in ways that uphold high standards of conduct and exemplify effective governance	<ul style="list-style-type: none"> • Ensure that the authority's leadership sets a tone for the organisation by creating a climate of openness, support and respect 	Members Code of Conduct Corporate Business Plan Code of Corporate Governance CofCG - Cabinet report Extended Management Team meetings Staff Briefing sessions Management Team updates
	<ul style="list-style-type: none"> • Ensure that standards of conduct and personal behaviour expected of members and staff, of work between members and staff and between the authority, its partners and the community are defined and communicated through codes of conduct and protocols 	Members code of conduct Officer code of conduct Performance appraisal system Induction process Complaints procedures Anti-fraud & anti-corruption policy Whistle Blowing Policy Data Protection Act 1998 staff guidance Equality Policy Computer Usage Policy Travelling Abroad with Council Devices Policy Data Sharing Agreement Employment Monitoring Data Protection e-learning

Principles	Requirements	Evidence
	<ul style="list-style-type: none"> Put in place arrangements to ensure that members and employees of the authority are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders and put in place appropriate processes to ensure that they continue to operate in practice 	Standing orders Codes of conduct Financial regulations Register of Interests Harassment Procedure
3.2 Ensuring that organisational values are put into practice and are effective	<ul style="list-style-type: none"> Develop and maintain shared values including the leadership values for both the organisation and staff reflecting public expectations, and communicate these with members, staff, the community and partners 	Codes of conduct Corporate Business Plan Directorate Plans Employee Handbook Internal Affairs Members Bulletin Whistleblowing Policy
	<ul style="list-style-type: none"> Put in place arrangements to ensure that systems and processes are designed in conformity with appropriate ethical standards, and monitor their continuing effectiveness in practice 	Codes of conduct Internal Audit Strategic Plan Constitution Audit & Risk Committee Equalities Impact Assessment process Equality Policy Officer membership of professional bodies
	<ul style="list-style-type: none"> Develop and maintain an effective standards committee 	Terms of reference Reports to Council
	<ul style="list-style-type: none"> Use the organisation's shared values to act as a guide for decision-making and as a basis for developing positive and trusting relationships within the authority 	Decision-making practices Directorate Plans Financial Regulations Contract Standing Orders Weekly meetings of Management Team and CEO / Deputy CEO or another representative from Management Team and Leader / Deputy Leader Portfolio Holder meetings with senior management Planning Scheme of Delegation Scheme of Delegation
	<ul style="list-style-type: none"> In pursuing partnership working, agree a set of values against which decision-making and actions can be 	WN Partnership working protocols CNC Partnership

Principles	Requirements	Evidence
	judged. Such values must be demonstrated by partners' behaviour both individually and collectively	Agreement Civil parking enforcement arrangements
4. Taking informed and transparent decisions which are subject to effective scrutiny and managing risk		
4.1 Exercising leadership by being rigorous and transparent about how decisions are taken and listening to and acting upon the outcome of constructive scrutiny	<ul style="list-style-type: none"> Develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the authority's performance overall and that of any organisation for which it is responsible 	Cabinet Scrutiny Committee Audit & Risk Committee Scrutiny and Overview Liaison Committee Agendas and minutes of meetings Internal Audit provision
	<ul style="list-style-type: none"> Develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based 	Record of decisions and supporting materials Agendas and minutes of meetings
	<ul style="list-style-type: none"> Put in place arrangements to safeguard members and employees against conflicts of interest and put in place appropriate processes to ensure that they continue to operate in practice 	Members' code of conduct Register of Interests Employee handbook Declaration of Interests – standing item on meeting agendas Register of Members Financial and other interests Scheme of delegation Revenues and Benefits Register of Interests
	<ul style="list-style-type: none"> Develop and maintain an effective audit committee which is independent of the executive and scrutiny functions 	Audit and Risk Committee - Terms of reference and associated annual review Membership of the Cttee
	<ul style="list-style-type: none"> Ensure that effective, transparent and accessible arrangements are in place for dealing with complaints 	Complaints procedure
4.2 Having good quality information, advice and support to ensure that services are delivered effectively and are what the community wants/needs	<ul style="list-style-type: none"> Ensure that those making decisions whether for the authority or the partnership are provided with information that is fit for purpose – relevant, timely and gives clear explanations of technical issues and their implications 	Cabinet / Portfolio report templates Standard timetable for production and circulation of agendas Clear scheme of delegation Data Quality Strategy
	<ul style="list-style-type: none"> Ensure that proper professional advice on matters that have legal or financial implications is available and 	Record of decisions and supporting materials Reports available prior to

Principles	Requirements	Evidence
	recorded well in advance of decision-making and used appropriately	meetings Section 151 Officer, Monitoring Officer and professional Officers available for queries
4.3 Making sure that an effective risk management system is in place	<ul style="list-style-type: none"> Ensure that risk management is embedded into the culture of the authority, with members and managers at all levels recognising that risk management is part of their jobs 	Corporate Risk Register Risk Management Strategy Financial Regulations Directorate Plans Equality Impact Assessments Risk section in cabinet reports Anti-Fraud and Anti-Corruption Policy Reports to Audit and Risk Committee
	<ul style="list-style-type: none"> Ensure that effective arrangements for whistle-blowing are in place to which officers, staff and all those contracting with or appointed by the authority have access 	Whistle-blowing policy on Intranet and Website Fraud response plan
4.4 Recognising the limits of lawful action and observing both the specific requirements of legislation and the general responsibilities placed on local authorities by public law, but also accepting responsibility to use their legal powers to the full benefit of the citizens and communities in their area	<ul style="list-style-type: none"> Actively recognise the limits of lawful activity placed upon them by, for example, the ultra vires doctrine but also strive to utilise their powers to the full benefit of their communities 	Constitution Monitoring Officer provisions
	<ul style="list-style-type: none"> Recognise the limits of lawful action and observe both the specific requirements of legislation and the general responsibilities placed on authorities by public law 	Monitoring Officer provisions Officer code of conduct Enforcement Policy
	<ul style="list-style-type: none"> Observe all specific legislative requirements placed upon them, as well as the requirements of general law, and in particular to integrate the key principles of good administrative law – rationality, legality and natural justice – into their procedures and decision-making processes 	Monitoring Officer provisions Job description / specification Member / Officer protocols Forward decision list
5. Developing the capacity and capability of Members to be effective and ensuring that officers – including the statutory officers – also have the capability and capacity to deliver effectively		
5.1 Making sure that Members and officers have the	<ul style="list-style-type: none"> Provide induction programmes tailored to individual needs and opportunities for members and 	Training and development plan – Members and Officers

Principles	Requirements	Evidence
skills, knowledge, experience and resources they need to perform well in their roles	officers to upgrade their knowledge on a regular basis	
	<ul style="list-style-type: none"> Ensure that the statutory officers have the skills, resources and support necessary to perform effectively in their roles and that these roles are properly understood throughout the authority 	Job description / person specifications Workforce Learning and Development plan
5.2 Developing the capability of people with governance responsibilities and evaluating their performance, as individuals and as a group	<ul style="list-style-type: none"> Assess the skills required by members and officers and make a commitment to develop those skills to enable roles to be carried out effectively 	Training & development programmes – Members and Officers Performance Management Framework
	<ul style="list-style-type: none"> Develop skills on a continuing basis to improve performance, including the ability to scrutinise and challenge and to recognise when outside expert advice is needed 	Continuing Professional Development (CPD)
	<ul style="list-style-type: none"> Ensure that effective arrangements are in place for reviewing the performance of the executive as a whole and of individual members and agreeing an action plan which might, for example, aim to address any training or development needs 	Cabinet Scrutiny Committee Monitoring of members' attendance at Panels
5.3 Encouraging new talent for membership of the Council so that best use can be made of resources in balancing continuity and renewal	<ul style="list-style-type: none"> Ensure that effective arrangements are in place designed to encourage individuals from all sections of the community to engage with, contribute to and participate in the work of the authority 	Information on website
	<ul style="list-style-type: none"> Ensure that career structures are in place for members and officers to encourage participation and development 	Workforce Learning and Development plan
6. Engaging with local people and other stakeholders to ensure robust local public accountability		
6.1 Exercising leadership through a robust scrutiny function which effectively engages local people and all local institutional stakeholders including	<ul style="list-style-type: none"> Make clear to themselves, all staff and the community to whom they are accountable and for what 	Code of Corporate Governance Corporate Business Plan Scrutiny Panels Media releases
	<ul style="list-style-type: none"> Consider those institutional stakeholders to whom the authority is accountable and assess the effectiveness of the relationships and 	WN Partnership provides mechanism for strengthening links with key stakeholders

Principles	Requirements	Evidence
partnerships, and develops constructive accountability relationships	<p>any changes required</p> <ul style="list-style-type: none"> Produce an annual report on the activity of the scrutiny function 	Regular Reports from the Chairs of the Panels
6.2 Taking an active and planned approach to dialogue with and accountability to the public to ensure effective and appropriate service delivery	<ul style="list-style-type: none"> Ensure clear channels of communication are in place with all sections of the community and other stakeholders, and put in place monitoring arrangements and ensure they operate effectively 	Broadcasting Task Group Website Customer Information Centre Community Information Points Press releases Social Media ICT – Email policy ICT – Internet policy ICT – Security policy
	<ul style="list-style-type: none"> Hold meetings in public unless there are good reasons for confidentiality 	Constitution Agendas and minutes Safer Neighbourhood Action Panels (SNAP)
	<ul style="list-style-type: none"> Ensure that arrangements are in place to enable the authority to engage with all sections of the community effectively. These arrangements should recognise that different sections of the community have different priorities and establish explicit processes for dealing with these competing demands 	Equalities Policy Customer survey results Customer comment form Safer Neighbourhood Action Panels (SNAP) Equality Act 2010 requirements
	<ul style="list-style-type: none"> Meaningfully consult on or engage with the public and service users on a range of relevant issues, including feedback mechanisms for those consultees to demonstrate what has changed as a result 	Equality Impact Assessments Local Development Framework – Statement of Community Involvement
	<ul style="list-style-type: none"> On an annual basis, publish a performance plan giving information on the authority's vision, strategy, plans and financial settlements as well as information about its outcomes, achievements and the satisfaction of services users in the previous period 	Annual financial statements Corporate Business Plan Corporate Monitoring Report Media releases
	<ul style="list-style-type: none"> Ensure that the authority as a whole is open and accessible to the community, service users and its staff and ensure that it has made a 	Constitution Corporate Business Plan Minutes of meetings

Principles	Requirements	Evidence
	<p>commitment to openness and transparency in all its dealings, including partnerships, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so</p>	<p>FOI Publication Scheme Transparency and Open Data pages Media releases FOI guidance notes/obligations FOI guidance – staff FOI / EIR regulations</p>
<p>6.3 Making best use of resources by taking an active and planned approach to meet responsibility to staff.</p>	<ul style="list-style-type: none"> Develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making 	<p>Internal consultation and engagement Internal communications channels Senior MT/Union meetings</p>

APPENDIX B: ACTION PLAN FOR THE 2015/16 YEAR

	Issue	Action	Responsible Officer	Target Date
1	Risk Management	Review and update the Council's Risk Management Strategy to ensure risk identification and management is embedded into the daily operations of the Council	Chief Executive/ Assistant Director	March 2016
2	Financial Procedures	Review and update the Council's Financial Regulations and Contract Standing Orders to reflect changes in legislation and current best practice	Assistant Director	July 2015
3	Leisure Trust and Local Authority Company – governance arrangements	Ensure that the governance arrangements in place for the new arrangements, particularly with regards to reports to Council panels, are adhered to	Executive Director, Commercial Services	March 2016
4	Requirements of the Baseline Personnel Security Standards (BPSS) for the Public Services Network	Continue to comply with the requirements of the BPSS and any further updates in the application of the standard	Executive Director, Central and Community Services	March 2016
5	Public Services Network (PSN) compliance	i) Ensure PSN compliance during 2015/16 including progressing any actions identified as a result of the 2015 audit ii) Roll out 2 factor authentication for Councillors	Executive Director, Central and Community Services	March 2016 July 2015
6	Payment Card Industry (PCI) compliance	i) Respond to issues identified during the 2015 PCI audit ii) Investigate and implement an upgrade to the current cash receipting system to ensure ongoing compliance	Executive Director, Central and Community Services	March 2016 March 2016
7	Transparency	Produce an annual action plan for refreshing published transparency data	Executive Director, Central and Community Services	March 2016
8	Corporate Projects	Ensure that progress on the work of the corporate project groups is regularly reported to Management Team and Extended Management Team	Chief Executive	March 2016

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Mandatory/	(a) Be entirely within Cabinet's powers to decide	NO	
	Operational	(b) Need to be recommendations to Council	YES	
		(c) Be partly for recommendations to Council and partly within Cabinet's powers –	NO	
None				
Lead Member: Cllr N Daubney E-mail: cllr.nick.daubney@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Toby Cowper E-mail: toby.cowper@west-norfolk.gov.uk Direct Dial: 01553 616523		Other Officers consulted: Management Team. Service Managers.		
Financial Implications YES	Policy/Personnel Implications NO	Statutory Implications (incl S.17) YES	Equal Opportunities Implications NO	Risk Management Implications NO

Cabinet Date: 9 September 2015

STATEMENT OF ACCOUNTS 2014/2015 AND REPORT TO THOSE CHARGED WITH GOVERNANCE (ISA 260)

Summary

The report introduces the Statement of Accounts (SOA) 2014/2015 – essentially the Statement is the final accounts set out in a format which includes the Council's balance sheet and associated notes. The report also considers the report from the auditor on the audit for the accounts 2014/2015 – the International Auditing Standard (ISA 260).

Recommendation

It is recommended that Cabinet;

1. approve the authority for any changes required to the Statement of Accounts is delegated to the Assistant Director (designated Section 151 officer), in consultation with the Leader of the Council, to authorise amendments and if necessary present an updated Statement to Council.
2. notes the comments of the auditor in the ISA260

It is recommended that Council;

1. approve the Statement of Accounts for 2014/2015
2. notes the comments of the auditor in the ISA260

Reason for Decision

The Council must approve the Statement of Accounts for 2014/2015 before 30 September 2015 and consider the comments from the auditor on the ISA 260.

1 Introduction

- 1.1 The report introduces the Statement of Accounts for 2014/2015 – a statutory document that must be approved by the Council before 30 September 2015. The Statement has been subject to external audit by Ernst & Young (the Council’s auditors for 2014/2015) during the summer period.
- 1.2 Cabinet has already received a report on the outturn of the budget for 2014/2015 in June. This report presents to members the formal set of accounts that are required for audit purposes. The format of the Statement of Accounts is subject to prescription under the International Financial Reporting Standards (IFRS) which is in accordance with the relevant Audit and Account Regulations.
- 1.3 The report from the auditor on the audit for the accounts 2014/2015 – the International Auditing Standard (ISA 260) – provides members with an overview of the findings of the audit.

2 Statement of Accounts 2014/2015

- 2.1 The Council must formally approve the SOA for 2014/2015 by 30 September 2015. Ernst & Young, the external auditor has audited the document over the past few months and has indicated that they are likely to express an opinion that the accounts present fairly the position of the Council as at 31 March 2015 and its income and expenditure for the year then ended.
- 2.2 As the Council’s designated S151 Officer, the Assistant Director is responsible for the SOA and certifies her acceptance of the accounts. Associated with the final accounts, the Council is required to sign off an Annual Governance Statement (AGS) which has been signed by the Leader of the Council and the Chief Executive.
- 2.4 The Balance Sheet from page 13 of the Draft Statement of Accounts 2014/2015 document (as published 30 June 2015) is copied below. The Balance Sheet is a ‘snapshot’ of the Council’s financial position at the 31 March 2015. The auditor’s ISA 260 report is based on this draft set of the financial statements.

31 March 2014		31 March 2015
£'000		£'000
105,518	Property, Plant and Equipment	113,219
17,954	Heritage Assets	17,954
28,146	Investment Property	24,081
609	Intangible Assets	706
5,047	Long Term Investments	6,044
1,537	Long Term Receivables	2,959
158,811	Long Term Assets	164,963
15,115	Short Term Investments	14,213
117	Inventories	87
7,500	Short Term Receivables	7,511
11,560	Cash and Cash Equivalents	7,431
386	Assets Held for Sale	654
34,678	Current Assets	29,896
(3,441)	Provisions	(3,121)
(3,098)	Short Term Borrowing	(140)
(9,043)	Short Term Payables	(13,290)
(15,582)	Current Liabilities	(16,551)
(1,866)	Grants Receipts in Advance	(1,144)
(13,600)	Long Term Borrowing	(13,400)
(312)	Other Long Term Liabilities	(244)
(44,421)	Pension Liabilities	(54,673)
(60,199)	Long Term Liabilities	(69,461)
117,708	Net Assets	108,847
(25,415)	Usable Reserves	(25,811)
(92,293)	Unusable Reserves	(83,036)
(117,708)	Total Reserves	(108,847)

3 The International Auditing Standard (ISA 260).

- 3.1 At the time of writing this report the auditor is still finalising the audit of the Council's Statement of Accounts for 2014/2015 and will verbally provide an update to the attached ISA 260 report at the Audit and risk committee meeting on the 7 September 2015.

4 Financial Implications

- 4.1 There are no financial implications that follow the presentation of the Statement of Accounts.

5. Policy Implications

None.

6 Statutory Considerations

The Statement of Accounts must be approved by the Council by 30 September 2015.

7. Consultations

Leader of Council

8. Access to Information

Council agenda/minutes
Financial Plan 2013 - 2017

Borough Council of King's Lynn and West Norfolk

Audit and Risk Committee Summary

For the year ended 31 March 2015

Audit Results Report – ISA (UK and Ireland) 260

September 2015

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Section 1

Executive summary

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Executive summary – key findings

Audit results and other key matters

The Audit Commission's Code of Audit Practice (the Code) requires us to report to those charged with governance – the Audit and Risk Committee – on the work we have carried out to discharge our statutory audit responsibilities together with any governance issues identified. This report summarises the findings from the 2014/2015 audit which is substantially complete. It includes the messages arising from our audit of your financial statements and the results of the work we have undertaken to assess your arrangements to secure value for money in your use of resources.

Financial statements

- ▶ As of 18th August 2015 we expect to issue an unqualified opinion on the financial statements. Our audit results demonstrate, through the few matters we have to communicate, that the Council has prepared its financial statements adequately.

Value for money

- ▶ We expect to conclude that you have made appropriate arrangements to secure economy, efficiency and effectiveness in your use of resources.

Whole of Government Accounts

- 40
- ▶ We will undertake our work on the Whole of Government Accounts return following the completion of our work on the Council's financial statements. It is likely that the Council will be below the materiality threshold set by the National Audit Office (NAO) and therefore the audit work required will be minimal. We will update Members of the Audit and Risk Committee in the unlikely circumstance that significant issues arise from this work.

Audit certificate

- ▶ The audit certificate is issued to demonstrate that the full requirements of the Audit Commission's Code of Audit Practice have been discharged for the relevant audit year. We expect to issue the audit certificate at the same time as the audit opinion.

Section 2

Extent and purpose of our work

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Extent and purpose of our work

The Council's responsibilities

- ▶ The Council is responsible for preparing and publishing its Statement of Accounts, accompanied by the Annual Governance Statement. In the Annual Governance Statement, the Council reports publicly on the extent to which it complies with its own code of governance, including how it has monitored and evaluated the effectiveness of its governance arrangements in the year, and on any planned changes in the coming period.
- ▶ The Council is also responsible for putting in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources.

Purpose of our work

- ▶ Our audit was designed to:
 - ▶ Express an opinion on the 2014/2015 financial statements and the consistency of other information published with them
 - ▶ Report on an exception basis on the Annual Governance Statement
 - ▶ Consider and report any matters that prevent us being satisfied that the Council had put in place proper arrangements for securing economy, efficiency and effectiveness in the use of resources (the Value for Money conclusion)
 - ▶ Discharge the powers and duties set out in the Audit Commission Act 1998 and the Code of Audit Practice

In addition, this report contains our findings related to the areas of audit emphasis and any views on significant deficiencies in internal control or the Council's accounting policies and key judgments.

As a component auditor, we also follow the NAO group instructions and report the results on completion of the WGA work through the Assurance Statement to the NAO and to the Council..

This report is intended solely for the information and use of the Council. It is not intended to be and should not be used by anyone other than the specified party.

Section 3

Addressing audit risks

Addressing audit risks – significant audit risks

We identified the following audit risks during the planning phase of our audit, and reported these to you in our Audit Plan. Here, we set out how we have gained audit assurance over those issues.

A significant audit risk in the context of the audit of the financial statements is an inherent risk with both a higher likelihood of occurrence and a higher magnitude of effect should it occur and which requires special audit consideration. For significant risks, we obtain an understanding of the entity's controls relevant to each risk and assess the design and implementation of the relevant controls.

Audit risk identified within our audit plan	Audit procedures performed	Assurance gained and issues arising
<p>Significant audit risks (including fraud risks)</p> <p>1. <u>Assessment of the BCKL&WN group boundary</u> IFRS 10: Consolidated Financial Statements and IFRS 11: Joint Arrangements have been adopted into the Local Authority Accounting Code of Practice for the first time in 2014/15. These new accounting standards introduced into the Code a number of changes to the classification and accounting requirements for potential group entities. The Council are therefore required to revisit on an annual basis its assessment of the group boundary, especially in the light of these new standards.</p> <p>During recent years the Council has entered into a number of arrangements with other entities regarding service delivery, most significantly: Nar Ouse Regeneration Agreement (NORA); Alive Leisure Trust (ALT); and Alive Management Limited (AML)</p>	<p>We assessed where overall control lies with regard to the operation and delivery of services of potential group bodies.</p> <p>In relation to those bodies that are identified as being within the Council's group boundary, we:</p> <ul style="list-style-type: none"> ➤ assessed whether the bodies have been correctly classified and accounted for in accordance with IFRS 10 and 11; and ➤ Scoped the group audit requirements for those entities that are within the group boundary based on their significance to the group accounts. For those significant entities not audited by EY; liaised with the external auditors of those entities, issuing them with group audit instructions that detail the required audit procedures that we required them to undertake to provide us with assurance. ➤ for each body ensured that the accounting framework and accounting policies are aligned to those of the BCKL&WN group and ensuring that appropriate consolidation procedures have been applied. 	<p>The Council concluded that under IFRS 11 a joint venture relationship exists between the Council and NORA and that this relationship would be accounted for using the equity method within the Council's group accounts. The Council concluded that under IFRS 10 the relationship with AML is one of parent and subsidiary as the Council holds 100% shareholding and the subsidiary has been fully consolidated within the group accounts. The Council concluded that under IFRS 10 and 11 the relationship between them and ALT is outside of the group boundary. We reviewed management's assessment of its group boundary and concurred with the conclusions drawn.</p> <p>We have contacted and are awaiting assurances from the subsidiary auditor for AML, Ensors, with regard to the significant balances consolidated within the group statements.</p> <p>We have completed our procedures to confirm that the accounting framework and policies are aligned. No issues arise.</p>

Addressing audit risks – significant audit risks (cont'd)

- ▶ We identified the following audit risks during the planning phase of our audit, and reported these to you in our Audit Plan. Here, we set out how we have gained audit assurance over those issues.

Audit risk identified within our Audit Plan	Audit procedures performed	Assurance gained and issues arising
<p>Significant audit risks (including fraud risks)</p> <p>2. <u>Management override</u> As identified in ISA (UK and Ireland) 240, management is in a unique position to perpetrate fraud because of their ability to directly or indirectly manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively.</p>	<ul style="list-style-type: none"> ▶ Tested the appropriateness of journal entries recorded in the general ledger and other adjustments made in the preparation of the financial statements; ▶ Reviewed accounting estimates for evidence of management bias; and ▶ Evaluated the business rationale for any significant unusual transactions. 	<p>Our planned procedures in relation to this risk are complete. There are no issues to report to the Committee</p>

Section 4

Financial statements audit – issues and findings

Financial statements audit – issues and misstatements arising from the audit

Progress of our audit

- ▶ The following areas of our work programme remain to be completed. We will provide an update of progress at the Audit and Risk Committee meeting:
 - ▶ Verification that the agreed audit amendments have been made to the final version statement of accounts
 - ▶ Response to group instructions and conclusion on agreed procedures from AML's auditors
 - ▶ Receipt of a Letter of Representation
- ▶ Subject to the satisfactory resolution of the above items, we propose to issue an unqualified audit report on the financial statements.

47 Uncorrected misstatements

- ▶ We have identified one misstatement within the draft financial statements, which management has chosen not to adjust.
- ▶ We ask the Audit Committee to consider approving management's rationale as to why these corrections have not been made and, if approved, include this in the Letter of Representation.
- ▶ Appendix A to this report sets out the uncorrected misstatement.

Corrected misstatements

- ▶ Our audit identified a number of further misstatements which our team have highlighted to management for amendment. These have been corrected during the course of our work. None of these are considered significant enough to warrant reporting to Members.

Other matters

- ▶ As required by ISA (UK&I) 260 and other ISAs specifying communication requirements, we are required to communicate to you significant findings from the audit and other matters that are significant to your oversight of the Authority's financial reporting process including the following:
 - ▶ Qualitative aspects of your accounting practices; estimates and disclosures;
 - ▶ Matters specifically required by other auditing standards to be communicated to those charged with governance. For example, issues about fraud, compliance with laws and regulations, external confirmations and related party transactions;
 - ▶ Any significant difficulties encountered during the audit; and
 - ▶ Other audit matters of governance interest

We have one matter we wish to report:

The Council's bank reconciliation included a £1,041k reconciling item. Further details are provided on the following page.

In addition to this issue, the Council encountered a number of other accounting difficulties arising from the establishment of Alive Management Limited and Alive Leisure Trust. For example, the year end sundry debtors report included all three entities and this report had to be manually split out by the financial services team between the Council, AML and ALT. Whilst these difficulties were satisfactorily resolved, they resulted in some extra effort preparing the accounts and also some extra audit work.

Financial statements audit – other matters

Bank Reconciliation

During closedown procedures, financial services identified an error within the bank control account at year end, resulting in an overstatement of cash at bank in the draft financial statements of £1,041k. This error was identified through bank reconciliation procedures. To ensure that the control account was not amended, an adjustment was made to the debtor balance to offset the identified overstatement in the cash balance, resulting in the current asset total in the balance sheet being correct.

We undertook procedures to identify and understand this error which was identified through the bank reconciliation process, in order to conclude on the appropriateness of the correcting entries.

Our procedures identified that the error was made up of two transactions of the same value of £520k. The first was an incorrect adjustment which increased cash and reduced debtors to account for an amount owed to the Council by Alive Management Limited (this adjustment was incorrect as this amount had been settled by AML with the Council). When this first incorrect adjustment was identified, financial services processed a second transaction designed to reverse that error, however this second adjustment was incorrectly made, having the effect of actually doubling the original error.

We have agreed an adjustment with management to correct this error by reducing the cash balance and increasing the debtor balance in the financial statements by £1,041k.

Our audit procedures in regards to this risk are now complete. There are no further issues to report to the committee.

Financial statements audit – application of materiality

Our application of materiality

- ▶ When establishing our overall audit strategy, we determined a magnitude of uncorrected misstatements that we judged would be material for the financial statements as a whole.

Item	
49 Planning Materiality and Tolerable error	<p>We determined planning materiality to be £1.6 million (2014: £1.7 million), which is 2% of gross expenditure reported in the accounts of £78 million adjusted for parish precepts, levies, pooling of housing capital receipts and interest payable. We determined group planning materiality to be £1.7m using the same basis as above.</p> <p>We consider gross expenditure to be one of the principal considerations for stakeholders in assessing the financial performance of the Council.</p> <p>We set a tolerable error for the audit. Tolerable error is the application of planning materiality at the individual account or balance level. It is set to reduce to an appropriately low level the probability that the aggregate of uncorrected and undetected misstatements exceeds planning materiality. The level of tolerable error drives the extent of detailed audit testing required to support our opinion.</p> <p>We have set tolerable error at the lower level of the available range because there were a number of material and significant corrected errors in the prior year financial statements.</p>
Reporting Threshold	<p>We agreed with the Audit and Risk Committee that we would report to the Committee all audit differences in excess of £84k (2014: £86k). We have set the group audit difference threshold as £85k.</p>

We also identified the following areas where misstatement at a level lower than our overall materiality level might influence the reader. For these areas we developed an audit strategy specific to these areas. The areas identified and audit strategy applied include:

- Remuneration disclosures including any severance payments, exit packages and termination benefits. Strategy applied : verification of all disclosures made.
- Related party transactions. Strategy applied : verification of all disclosures made.

We evaluate any uncorrected misstatements against both the quantitative measures of materiality discussed above and in light of other relevant qualitative considerations.

Financial statements audit – internal control, written representations and whole of government accounts

Internal control

- ▶ It is the responsibility of the Council to develop and implement systems of internal financial control and to put in place proper arrangements to monitor their adequacy and effectiveness in practice. Our responsibility as your auditor is to consider whether the Council has put adequate arrangements in place to satisfy itself that the systems of internal financial control are both adequate and effective in practice.
- ▶ We have tested the controls of the Council only to the extent necessary for us to complete our audit. We are not expressing an opinion on the overall effectiveness of internal control.
- ▶ We have reviewed the Annual Governance Statement and can confirm that:
 - ▶ It complies with the requirements of CIPFA/SOLACE Delivering Good Governance in Local Government Framework; and
 - ▶ It is consistent with other information that we are aware of from our audit of the financial statements.
- ▶ We have not identified any significant deficiencies in the design or operation of an internal control that might result in a material misstatement in your financial statements of which you are not aware.

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Request for written representations

- ▶ We have requested a management representation letter to gain management's confirmation in relation to a number of matters. In addition to the standard representations, we have requested a specific representations in regards to heritage assets and their valuation.

Whole of Government Accounts

- ▶ Alongside our work on the financial statements, we also review and report to the National Audit Office on your Whole of Government Accounts return. The extent of our review and the nature of our report are specified by the National Audit Office.
- ▶ It is likely that the Council will be below the materiality threshold set by the National Audit Office (NAO) and therefore the audit work required will be minimal. We will update Members of the Audit and Risk Committee in the unlikely circumstance that significant issues arise from this work.

Section 5

Arrangements to secure economy, efficiency and effectiveness

Arrangements to secure economy, efficiency and effectiveness

The Code of Audit Practice (2010) sets out our responsibility to satisfy ourselves that Borough Council of King's Lynn and West Norfolk has put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources. In examining the Council's corporate performance management and financial management arrangements, we have regard to the following criteria and focus specified by the Audit Commission.

Criteria 1 – arrangements for securing financial resilience

- ▶ 'Whether the Authority has robust systems and processes to manage financial risks and opportunities effectively, and to secure a stable financial position that enables it to continue to operate for the foreseeable future'
- ▶ Since issuing our Audit Plan on 24 March, we have identified a significant risk in relation to this criteria:
 - ▶ In the Council's Financial Plan 2014/18, approved in February 2015, the Council identified a cumulative budget gap of £1 million over the next three years. The Financial Plan is based on a number of assumptions, including an estimate of the future levels of Government funding. The Financial Plan currently places reliance on £3.3 million of funding from New Homes Bonus in 2016/17 and 2017/18 and a planned use of reserves of £2.1million in 2017/18 to fund the base budget. Any reduction in Government funding in future years, together with an increased use of reserves represents a risk to achievement of the Council's future budgets.
 - ▶ This risk reflects the size of the budget gap the Council is facing over the next few years, as a result of reduced funding and increasing demands for services. This is in line with the challenges being faced by many other council's across the country.
 - ▶ We have now completed our work in this area and have concluded that the Council has adequate arrangements in place for securing financial resilience. We set out how we addressed the identified risk on the next page.

Criteria 2 – arrangements for securing economy, efficiency and effectiveness

- ▶ 'Whether the Authority is prioritising its resources within tighter budgets, for example by achieving cost reductions and by improving efficiency and productivity'
- ▶ We did not identify any significant risks in relation to this criteria
- ▶ We have no issues to report in relation to this criteria.
- ▶ Our work did not identify any other matters relating to aspects of your corporate performance and financial management framework which are not covered by the scope of the two specified criteria above.

Addressing audit risks – significant VFM risks

As detailed on page 15 we identified a significant risk after completion of planning procedures. Here, we set out how we have gained audit assurance over this risk.

A significant audit risk in the context of the value for money conclusion is the risk that the auditor may issue the wrong value for money conclusion. Where auditors identify a significant value for money conclusion risk they will need to undertake additional audit work to enable them to reach an appropriate conclusion.

VFM risk identified	Audit procedures performed	Assurance gained and issues arising
<p>Financial Resilience</p> <p>In the Council's Financial Plan 2014/18, approved in February 2015, the Council identified a cumulative budget gap of £1 million over the next three years. The Financial Plan is based on a number of assumptions, including an estimate of the future levels of Government funding. The Financial Plan currently places reliance on £3.3 million of funding from New Homes Bonus in 2016/17 and 2017/18 and a planned use of reserves of £2.1million in 2017/18 to fund the base budget. Any reduction in Government funding in future years, together with an increased use of reserves represents a risk to achievement of the Council's future budgets.</p>	<p>We considered the following factors in relation to the risk identified :</p> <ul style="list-style-type: none"> ▶ The Council's historic financial performance, including its ability to deliver challenging savings targets; ▶ The Council's current financial position and level of reserves; ▶ The Council's processes for setting its budget, and the nature of the budget assumptions; ▶ The competency of the Council's finance team; and ▶ The political stability of the Council. 	<p>The Council's track record of achieving savings and high level of general fund reserves, which are forecast to remain above the required minimum level over the period of the Financial Plan 2014/18, reduce the risk of the Council failing to effectively set and achieve its budgets over the medium term. The Council should continue to identify the savings necessary to reduce the 2017/18 budget gaps and progress the service delivery reviews to minimise the use of reserves over the longer term.</p>

Section 6

Independence and audit fees

Independence and audit fees

Independence

- ▶ We confirm there are no changes in our assessment of independence since our confirmation in our Audit Plan dated 24 March 2015.
- ▶ We complied with the Auditing Practices Board's Ethical Standards for Auditors and the requirements of the Audit Commission's Code and Standing Guidance. In our professional judgement the firm is independent and the objectivity of the audit engagement partner and audit staff has not been compromised within the meaning of regulatory and professional requirements.
- ▶ We confirm that we are not aware of any relationships that may affect the independence and objectivity of the firm that we are required by auditing and ethical standards to report to you.
- 5 ▶ We consider that our independence in this context is a matter that should be reviewed by both you and ourselves. It is therefore important that you consider the facts of which you are aware and come to a view. If you wish to discuss any matters concerning our independence, we will be pleased to do so at the forthcoming meeting of the Audit and Risk Committee on 7th September 2015.

- ▶ We confirm that we have met the reporting requirements to the Audit and Risk Committee, as 'those charged with governance' under International Standards on Auditing (UK and Ireland) 260 – Communication with those charged with governance. Our communication plan to meet these requirements were set out in our Audit Plan of 24 March 2015.

Audit fees

- ▶ The table below sets out the scale fee and our final proposed audit fees.

	Proposed final fee 2014/2015	Scale fee 2014/2015	Variation comments
	£	£	
Audit Fee: Code work	TBC	68,388	See below
Certification of claims and returns	TBC	31,280	See below

- ▶ Our actual fee is yet to be confirmed, but is likely to be different from the scale fee due to the introduction of the group in 2014/15 and the additional procedures that we have needed to undertake to gain assurance over the group financial statements. We will discuss and agree any proposed variation with management and this will also need to be approved by Public Sector Audit Appointments (PSAA).
- ▶ We are yet to complete our work on the certification of claims and returns but our actual fee is likely to be in line with our agreed fee.
- ▶ We confirm that we have not undertaken any non-audit work outside of the Audit Commission's Audit Code requirements.

Section 7

Appendices

Appendix A – uncorrected audit misstatements

- ▶ The following misstatement has been identified during the course of our audit and in our judgement warrants communicating to you as those charged with governance.
- ▶ This item has not been corrected by management.

Balance sheet and statement of comprehensive income and expenditure

Item of account	Nature	Type	Balance sheet	Comprehensive income and expenditure statement
	Description	F, P, J	Debit/(credit)	Debit/(credit)
1. Ongoing impact of the 2012/13 uncorrected misstatement relating to a 99 year lease which had been incorrectly treated as a full disposal in 2012/13.	The correct treatment under IFRS in 2012/13 would have been to retain the asset within long term assets and create a creditor for the sale proceeds, releasing them evenly over the 99 year lease. In 2014/15 this impacts:	F		
	Investment property		497	
	Short term lease liability		(5)	
	Long term lease liability		(431)	
	Reserves		(56)	
	Income from investment Property			(5)
Cumulative effect of uncorrected misstatement			5	(5)

Key

- ▶ F – Factual misstatement
- ▶ P – Projected misstatement based on audit sample error and population extrapolation
- ▶ J – Judgemental misstatement

EY | Assurance | Tax | Transactions | Advisory

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ED None

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REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Mandatory/	Be entirely within Cabinet's powers to decide	YES	
		Need to be recommendations to Council	NO	
		Is it a Key Decision	NO	
Lead Member: Cllr Nick Daubney E-mail: cldr.Nick.Daubney@west-norfolk.gov.uk Cllr Harry Humphrey E-mail: cldr.Harry.Humphrey@West-Norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Kate Littlewood E-mail: kate.littlewood@west-norfolk.gov.uk Direct Dial: 01553 616252		Other Officers consulted: Assistant Director, Resources Democratic Services Manager Democratic Services Officer		
Financial Implications NO	Policy/Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment NO	Risk Management Implications YES

Date of meeting: 9th September 2015

REVIEW OF THE EFFECTIVENESS OF THE AUDIT AND RISK COMMITTEE

<p>Summary This report provides Cabinet with the results of the 'Review of the Effectiveness of the Audit and Risk Committee' for 2014-15 and confirms that the Committee is fulfilling its stated purpose which is 'to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment, and to oversee the financial reporting process'.</p> <p>Recommendation To note the contents of the report.</p> <p>Reason for Decision To ensure the Council continues to meet its obligations under the Accounts and Audit Regulations 2011.</p>
--

1.0 BACKGROUND

1.1 The Audit and Risk Committee was set up in 2006, with Terms of Reference drawn up in line with guidance from the Chartered Institute of Public Finance and Accountancy (CIPFA). These were reviewed during 2013-14 and approved by Council 26th September 2013.

- 1.2 Under the Accounts and Audit Regulations 2011, a council is required ‘to ensure that its financial management is adequate and effective and that it has a sound system of internal control which facilitates the effective exercise of its functions’.
- 1.3 Good corporate governance requires independent, effective assurance about the adequacy of financial and operational management and reporting. This assurance is best delivered by a committee that is independent from the executive and scrutiny functions. This is provided by the Audit and Risk Committee.
- 1.4 In order to ensure that this monitoring of governance is carried out effectively, a regular review of the role and activities of the Audit and Risk Committee is necessary.
- 1.5 The previous review indicated that the Committee was providing an effective service. However it was recommended that:
- The Committee should evaluate if the Internal Audit function complied with the Public Sector Internal Audit Standards. A report was presented to the Committee on 28th October 2014, including an action plan to improve compliance.
 - A review of the Risk Management Strategy was required. The Audit Manager had intended to complete this at the end of 2014, but was absent from work at that time. The review will now be carried out in the next few months and an updated strategy will be presented to the Committee in October 2015.

2.0 REVIEW DETAILS

- 2.1 The review was completed by the Audit Manager using a checklist compiled by CIPFA. The completed checklist is attached as **Appendix 1** of this report. In addition information has been compiled on the reports considered by the Committee. The resulting draft report was then considered by the Chair and Vice Chair of the Audit and Risk Committee.
- 2.2 The responses in the checklist are ticked as:
- ‘Y’ – Yes. The criteria have been met and no action is required.
 - ‘P’ – Partial. The criteria have only been met in part, some action may be required.
 - ‘N’ – No. The criteria have not been met and action may be required.

3.0 ITEMS CONSIDERED DURING 2014-15

- 3.1 Throughout 2014-15 the Audit and Risk Committee held 9 meetings and received a total of 22 reports on a number of issues, including:

Internal Audit

- Internal Audit Annual Report 2013-14.

- External Quality Assessment – Compliance with the Public Sector Internal Audit Standards
- Internal Audit Strategic Plan 2014-15, Progress Reports (2)

External Audit

- Statement of Accounts 2013-14 Report to those charged with Governance (ISA 260).
- Annual Audit Letter
- 2014-15 External Audit Plan
- Annual Certification of Claims and Returns 2013-14 report

Finance

- Revenue Outturn 2013-14.
- Capital Programme and Resources 2013-17
- Annual Treasury Report 2013-14.
- Mid-year review Treasury Report 2014-15.

Fraud

- Annual Report of the Investigations Unit
- Single Fraud Investigation Service update
- Anti-Fraud and Anti-Corruption Strategy, Whistleblowing Policy and Fraud Response Plan.
- Revenues and Benefits Fraud Policy – Introduction of the Civil Penalties for Council Tax.

Corporate Governance and Risk

- Corporate Risk Monitoring Report – 6-monthly report (2 reports).
- Annual Governance Statement 2013-14.
- Review of the Effectiveness of the Audit and Risk Committee.
- Business Continuity update.
- Monitoring Officer Annual Report

A summary of the content of each report and the subsequent discussion has been compiled by Democratic Services and is attached as **Appendix 2**.

- 3.2 During 2014-15 a private briefing was also held for the Audit Manager to notify the Committee of the results of an investigation.
- 3.3 Training was provided to Committee members during the year on the Council's anti-fraud measures.

4.0 OUTCOMES

- 4.1 The outcome of this report will be to:
- Show evidence that the Audit and Risk Committee is effective in its role.
 - Satisfy the requirement of an annual review of the effectiveness of the Audit and Risk Committee.

5.0 CONCLUSIONS

- 5.1 During 2014-15 the Audit and Risk Committee received and commented on all relevant reports and actively monitored risk and internal controls. As a result it is continuing to perform effectively and the Council is meeting its requirements under the Accounts and Audit Regulations 2011.

Policy Implications

There are no policy implications.

Financial Implications

There are no financial implications.

Personnel Implications

There are no personnel implications

Statutory Considerations

The Council can demonstrate that it is meeting the requirements under the Accounts and Audit Regulations 2011.

Equality Impact Assessment (EIA)

There are no equality implications.

Risk Management Implications

Having an effective Audit and Risk Committee is an important element in the Council's risk management framework.

Declarations of Interest / Dispensations Granted

None required.

Background Papers

None.

**Borough Council of King's Lynn and West Norfolk
Audit and Risk Committee Self-Assessment Exercise**

**APPENDIX 1
For the year 2014-15**

No	Issue	Y	P	N	Evidence/ Comment	Action Required
1. ESTABLISHMENT, OPERATION AND DUTIES						
Role and Remit						
1.1	Does the audit committee have written Terms of Reference?	Y			The Terms of Reference were reviewed and approved by Council on 26 th September 2013.	
1.2	Do the Terms of Reference cover the core functions of an audit committee as identified in the CIPFA guidance?	Y				
1.3	Are the Terms of Reference approved by the council and reviewed periodically?	Y			Reviewed every 3 years. The next review is due in May 2016.	
1.4	Can the audit committee access other committees and full council as necessary?	Y			All Members attend Full Council and can attend any other Panel or Committee meeting under Standing Order 34.	
1.5	Does the authority's Annual Governance Statement include a description of the audit committee's establishment and activities?	Y			Section 4 'Review of Effectiveness' includes a description of the Audit and Risk Committee's function.	
1.6	Does the audit committee periodically assess its own effectiveness?	Y			An annual review is carried out.	
Membership, Induction and Training						
1.9	Has the membership of the audit committee been formally agreed and a quorum set?	Y			Formally appointed by Council. Quorum set through Standing Orders.	
1.10	Is the chair independent of the executive function?	Y				
1.11	Has the audit committee chair previous knowledge of, or received appropriate training on, financial and risk management, accounting concepts and standards, and the regulatory regime?	Y			The Chair during 2014-15 had experience through personal work life. He had been a previous member of the Audit and Risk Committee and attended all training offered to the Committee.	

**Borough Council of King's Lynn and West Norfolk
Audit and Risk Committee Self-Assessment Exercise**

**APPENDIX 1
For the year 2014-15**

No	Issue	Y	P	N	Evidence/ Comment	Action Required
1.12	Are new audit committee members provided with appropriate induction?	Y			Training is offered to all Members by Democratic Services. The training is carried out at the start of the meeting to maximise participation.	
1.13	Have all member's skills and experiences been assessed and training given for identified gaps?		P		An analysis of skills and experiences is not carried out. However, a training programme has been designed to cover all previously identified training needs and Members can request specific training if necessary.	A review of the Scrutiny functions is to take place during 2015-16 and will include consideration of the skills required.
1.14	Has each member declared his or her business interests?	Y			Records of interests are kept by Democratic Services. A standing item of each agenda requires Members to declare any relevant interests.	
1.15	Are members sufficiently independent of other key committees of the council?		P		Independent of the Cabinet, but all members of the Audit and Risk Committee also sit as the Resources and Performance Panel.	A review of the Scrutiny functions is to take place during 2015-16.
Meetings						
1.16	Does the committee meet regularly?	Y			9 meetings held in 2014-15. The programme for 2015-16 includes 6 planned meetings, but this may increase if the Committee needs to consider urgent reports in the intervening time.	
1.17	Do the Terms of Reference set out the frequency of meetings?	Y			Minimum of 4 meetings a year, but this can be increased if necessary.	
1.18	Does the audit committee calendar meet the authority's business needs, governance needs and the financial calendar?	Y			A calendar of meetings is published for each year and dates are co-ordinated with Cabinet and specific key events.	
1.19	Are members attending meetings on a regular basis and if not, is appropriate action taken?	Y			A record of attendance is kept by Democratic Services. Any persistent non-attendance is brought to the attention of the relevant party leader.	
1.20	Are members free and open without political influences being displayed?	Y				
1.21	Does the authority's s151 officer or deputy attend all meetings?	Y			In 2014-15, the Deputy Chief Executive, who was the deputy s151 officer, attended all meetings.	

**Borough Council of King's Lynn and West Norfolk
Audit and Risk Committee Self-Assessment Exercise**

**APPENDIX 1
For the year 2014-15**

No	Issue	Y	P	N	Evidence/ Comment	Action Required
1.22	Does the audit committee have the benefit of attendance of appropriate officers at its meetings?	Y			Relevant officers attend to present the reports and answer questions.	
1.23	Are decisions reached promptly?	Y			A decision is made at the end of each item on the agenda.	

2. INTERNAL CONTROL						
2.1	Does the audit committee consider the findings of the annual review of effectiveness of the system of internal control (as required by the Accounts and Audit Regulations) including the review of the effectiveness of the system of internal audit?	Y			Audit Manager's Annual Report for 2013-14 was presented on 22 nd July 2014. An external assessment of the Internal Audit was carried out in 2014 and the results presented to the Committee on 28 th October 2014.	
2.2	Does the audit committee have responsibility for review and approval of the Annual Governance Statement and does it consider it separately from the accounts?	Y			Presented to a Special Meeting on 8 th September 2014 as a separate report from the Statement of Accounts 2013-14.	
2.3	Does the audit committee consider how meaningful the Annual Governance Statement is?	Y			The Committee received a training session on the relevance and content of the AGS in August 2013.	
2.4	Does the audit committee satisfy itself that the system of internal control has operated effectively throughout the reporting period?	Y			Various reports are presented to the Committee throughout the year relating to internal audit, external audit, finance, fraud, corporate governance and risk.	
2.5	Has the audit committee considered how it integrates with other committees that may have responsibility for risk management?	Y			The Chair and Vice Chair attend joint sift meetings with their counterparts on the Regeneration, Environment and Community Panel to review the Cabinet Forward Decisions list.	
2.6	Is the audit committee made aware of the role of risk management in the preparation of the internal audit plan?		P		The report setting the Strategic Internal Audit Plan each year contains reference to the consideration of risk management.	Future reports on the Strategic Audit Plan will contain more explanation of the role of risk management.
2.7	Does the audit committee review the authority's strategic risk register at least annually?	Y			Update reports are presented twice a year in April/May and October/November.	

**Borough Council of King's Lynn and West Norfolk
Audit and Risk Committee Self-Assessment Exercise**

**APPENDIX 1
For the year 2014-15**

No	Issue	Y	P	N	Evidence/ Comment	Action Required
2.8	Does the audit committee monitor how the authority assesses risk?	Y			Included in the 6-monthly reports and the review of the Risk Management Strategy every 3 years.	The Risk Management Strategy will be reviewed during 2015-16.
2.9	Do the audit committee's Terms of Reference include oversight of the risk management processes?	Y			Terms of Reference Sec 4.1(a) and (b) refers.	
2.10	Does the audit committee take a role in overseeing anti-fraud and whistleblowing arrangements?	Y			Terms of Reference Sec 4.1(a) refers.	

3. FINANCIAL REPORTING & REGULATORY MATTERS

3.1	Is the audit committee's role in the consideration and/or approval of the annual accounts clearly defined?	Y			Terms of Reference Sec 3.1(a) and (c) refers. The timetable of meetings includes provision for Special Meetings in June and September each year to consider the Statement of Accounts.	
3.2	Does the audit committee consider specifically: <ul style="list-style-type: none"> ▪ The suitability of accounting policies and treatments ▪ Major judgements made ▪ Large write-offs ▪ Changes in accounting treatment ▪ The reasonableness of accounting estimates ▪ The narrative aspects of reporting? 	Y			The financial reports presented cover all the aspects stated.	
3.3	Is an audit committee meeting scheduled to receive the external auditor's report to those charged with governance including a discussion of proposed adjustments to the accounts and other issues arising from the audit?	Y			Special Meeting in September each year.	
3.4	Does the audit committee review management's letter of representation?	Y			Management responses are included in the covering report to the external auditors report. The responses are also discussed at the meeting.	
3.5	Does the audit committee annually review the accounting policies of the authority?	Y			Included in the Statement of Accounts report.	

**Borough Council of King's Lynn and West Norfolk
Audit and Risk Committee Self-Assessment Exercise**

**APPENDIX 1
For the year 2014-15**

No	Issue	Y	P	N	Evidence/ Comment	Action Required
3.6	Does the audit committee gain an understanding of management's procedures for preparing the authority's annual accounts?	Y			The Chief Financial Officer attended the relevant meetings to present the report and answer questions relating to the preparation of accounts.	
3.7	Does the audit committee have a mechanism to keep it aware of topical legal and regulatory issues, for example by receiving circulars and through training?	Y			'Members Bulletin' is circulated to all Members, which contains general updates and circulars when they occur. For issues specifically relevant to the Committee, a report is presented. In 2014-15, reports were presented on the transfer of benefit fraud investigation work to DWP.	

4. INTERNAL AUDIT						
4.1	Does the audit committee approve annually, and in detail, the internal audit strategic and annual plans including consideration of whether the scope of internal audit work addresses the authority's significant risks?	Y			The Internal Audit Strategic Plan is usually presented in February each year for approval. Details of how the plan is compiled are included in the covering report. Due to the Audit Manager's absence the plan for 2015-16 was presented in June 2015.	
4.2	Does internal audit have an appropriate reporting line to the audit committee?	Y			Direct access to the Chair is included in the revised Terms of Reference, along with the potential for Internal Audit to meet with the Committee, without Senior Management being present, if necessary.	
4.3	Does the audit committee receive periodic reports from the internal audit service including an annual report from the Audit Manager?	Y			The Committee receives reports on progress against the Strategic Plan, and the Audit Manager presents the Annual Report in June/ July.	
4.4	Are follow-up audits by Internal Audit monitored by the audit committee and does the committee consider the adequacy of implementation of recommendations?	Y			Included in the progress reports. Officers can be asked to attend the meetings to answer questions if progress is not satisfactory.	
4.5	Does the audit committee hold periodic private discussions with the Audit Manager?	Y			The facility is available within the Terms of Reference if required. During 2014-15 the Audit manager did hold a briefing session with the Committee concerning some investigation work.	
4.6	Is there appropriate co-operation between the internal and external auditors?	Y			Meetings are held to discuss the content of the respective audit plans.	

**Borough Council of King's Lynn and West Norfolk
Audit and Risk Committee Self-Assessment Exercise**

**APPENDIX 1
For the year 2014-15**

No	Issue	Y	P	N	Evidence/ Comment	Action Required
4.7	Does the audit committee review the adequacy of internal audit staffing and other resources?	Y			Included in the Strategic Audit Plan report and the quarterly progress reports.	
4.8	Has the audit committee evaluated whether its internal audit service complies with Public Sector Internal Audit Standards (PSIAS)?	Y			An external quality assessment was completed in 2014 by the Chartered Institute of Internal Auditors and the resulting report was presented to the Committee in October 2014.	
4.9	Are internal audit performance measures monitored by the audit committee?	Y			Performance Indicators are set as part of the Strategic Plan and monitored in the progress reports.	
4.10	Has the audit committee considered the information it wishes to receive from internal audit?	Y			No requests for specific reports or training were made in 2014-15, although further information was provided in response to requests from Members.	

5. EXTERNAL AUDIT						
No	Issue	Y	P	N	Evidence/ Comment	Action Required
5.1	Do the external auditors present and discuss their audit plans and strategy with the audit committee (recognising the statutory duties of external audit)?	Y			Ernst Young attend meetings to present their reports and answer questions.	
5.2	Does the audit committee hold periodic private discussions with the external auditor?			N	The facility is available within the Terms of Reference if required.	No action required.
5.3	Does the audit committee review the external auditor's annual report to those charged with governance?	Y			Report is presented at the Special Meeting in September.	
5.4	Does the audit committee ensure that officers are monitoring action taken to implement external audit recommendations?	Y			Recommendations are taken into account when preparing the Internal Audit Strategic Plan.	
5.5	Are reports on the work of external audit and other inspection agencies presented to the committee, including the Audit Commission's annual audit inspection letter?	Y			Report to those charged with governance (ISA260) – September 2014 Annual Audit Letter – November 2014 Audit Plan 2014/15 – March 2015 Certification of Claims and Returns Annual Report 2013/14 – March 2015.	
5.6	Does the audit committee assess the performance of external audit?	Y			Considered as reports are presented.	

**Borough Council of King's Lynn and West Norfolk
Audit and Risk Committee Self-Assessment Exercise**

**APPENDIX 1
For the year 2014-15**

No	Issue	Y	P	N	Evidence/ Comment	Action Required
6. ADMINISTRATION						
Agenda Administration						
6.1	Does the audit committee have a delegated secretary from Committee/Member Services?	Y			Wendy Vincent, Democratic Services.	
6.2	Are agenda papers circulated in advance of meetings to allow adequate preparation by audit committee members?	Y			A timetable is set for the year detailing meeting dates and deadlines for reports to be submitted.	
6.3	Are outline agendas planned one year ahead to cover issues on a cyclical basis?	Y			Included in the timetable for the year.	
6.4	Are inputs for Any Other Business formally requested in advance from committee members, relevant officers, internal and external audit?			N	'Any Other Business' is not an agenda item. Only 'Urgent Business' is accepted under Standing Order 7.	
Papers						
6.5	Do reports to the audit committee communicate relevant information at the right frequency, time, and in a format that is effective?	Y			The timetable is designed to ensure the timing and frequency of routine reports is appropriate. Ad hoc reports are presented as they arise and also in line with Cabinet requirements if necessary.	
6.6	Does the audit committee issue guidelines and/or a proforma concerning the format and content of the papers to be presented?			N	The format is a corporate template.	No action required.
Actions Arising						
6.7	Are minutes prepared and circulated promptly to the appropriate people?	Y			Minutes are produced within a week of the meeting.	
6.8	Do action points indicate who is to perform what and by when?	Y			If action is required.	

ISSUES DISCUSSED AT MEETINGS OF AUDIT & RISK COMMITTEE 2014 - 2015

<u>Date of Meeting/Length of Meeting</u>	<u>Details</u>	<u>Outcome</u>
27.05.14		
ARC7: Q4 Progress Report	The Chief Financial Officer presented the report which showed the Internal Audit activity for the quarter January to March 2014 against the Strategic Audit Plan 2013/2014.	RESOLVED: The Committee discussed and commented on the report on the Internal Audit Work Plan for January to March 2014.
ARC8: Corporate Risk Monitoring Report (October 2013 to March 2014)	In presenting the report, the Chief Executive reminded Members that the Committee received reports on a half-yearly basis on the position of the Corporate Risk Register, with the last one being presented in October 2013.	RESOLVED: The Committee discussed and commented on the report.
ARC9: Annual Report of Investigations Unit	The Fraud Investigations Manager presented the report that provided Members with information regarding the work undertaken during the 2013/2014 financial year and looked forward into 2014/2015.	RESOLVED: The Committee discussed and commented on the report.
09.06.14		
ARC17: Cabinet Report: Revenue Outturn 2013/2014	<p>The Principal Accountant presented the report and explained that the report covered two areas, namely:</p> <ul style="list-style-type: none"> • Revenue Outturn and proposed transfers to reserves for 2013/2014. • Principle of the calculation for the provision of bad debts and appeals on the Business Rates Retention Scheme. 	<p>RESOLVED: That Cabinet be informed that the Audit and Risk Committee supports the recommendations as set out in the report to Cabinet set out below:</p> <p>It is recommended that Cabinet approves:</p> <ol style="list-style-type: none"> (1) The revenue outturn and proposed transfers to reserves for 2013/2014. (2) The principle of the calculation for the provision of bad debts and appeals on the Business Rates Retention Scheme.
ARC18: Cabinet Report: Capital Programme and Resources 2013/2017	The Chief Financial Officer presented the report that provided details of the outturn of the 2013/2014 Capital Programme and outlined amendments and rephrasing to the spending on schemes, revising the programme for 2014/2017. The Capital Programme outturn for 2013/2014 totalled £9,477,218 against an approved budget of £12,262,100. The Committee was advised that it had been necessary to rephrase a total of £2,801,830 of scheme costs to future years. Capital receipts generated in the year totalled £1,298,268 of which £1,293,890 were useable.	<p>RESOLVED: That Cabinet be informed that the Audit and Risk Committee supports the recommendations as set out in the report to Cabinet as follows:</p> <ol style="list-style-type: none"> (1) That Cabinet note the outturn of the Capital Programme for 2013/2014 of £9,477, 218. (2) That the financial arrangements for the 2013/2014 Capital Programme be approved. (3) That Cabinet approve the revised 2014/2017 Capital Programme as detailed in the report.

24.06.14		
ARC27: Cabinet Report: Revenues and Benefits Fraud Policy – Introduction of Civil Penalties for Council Tax	The Audit Manager introduced the report which outlined that the Investigations Unit undertook work to prevent and detect benefit, Council Tax Support, Council Tax and Business Rates fraud. The report provided information regarding the proposed use of Civil Penalties for Council Tax only and the proposed use of Prosecution and a sanction of a Simple Caution, for Council Tax and Business Rates.	RESOLVED: That Cabinet be informed that the Audit and Risk Committee supports the recommendations as set out in the report to Cabinet. <ol style="list-style-type: none"> 1) The proposal for the use of Civil Penalties for Council Tax only. 2) The proposal for use of Prosecution and a sanction of a Simple Caution, for Council Tax and Business Rates. 3) To note the inclusion of the investigation of Council Tax and Business Rates fraud.
ARC27: Cabinet Report: Annual Treasury Report 2013/2014	The Principal Accountant presented the report and which informed the Panel that the Council had formally adopted the Chartered Institute of Public Finance and Accountancy's Code of Practice on Treasury Management (2009) and remained fully compliant with its requirements.	RESOLVED: That Cabinet be informed that the Audit and Risk Committee supports the recommendations as set out in the report to Cabinet: <ol style="list-style-type: none"> 1) Cabinet is asked to approve the actual 2013/2014 prudential and treasury indicators set out in the report, and to note the report. 2) Cabinet is asked to approve the amendment to the strategy for 2014/2015.
22.07.14		
ARC37: Business Continuity – Update	The District Emergency Planning Officer presented a report which provided an update to the Committee on the current position of the Council's Business Continuity arrangement. The report outlined progress made since the last update in 2013 and outlined work that was to be undertaken over the coming months.	RESOLVED: The Committee noted the progress made, endorsed the approach being taken to the Council's Business Continuity arrangements and confirmed that annual updates on the subject were required.
ARC38: Q1 Progress Report	The Audit Manager presented the report which showed the Internal Audit activity for the quarter April to June 2014 against the Strategic Audit Plan 2014/15.	RESOLVED: Members discussed and commented on the report on the Internal Audit Workplan for April to June 2014.
ARC39: Internal Audit Annual Report and Opinion 2013/14	The Audit Manager presented the report which provided Members with an overview of the work undertaken by the Internal Audit Section during the 2013/14 financial year against the Strategic Audit Plan, and provided an assurance opinion to support the Annual Governance Statement.	RESOLVED: The Committee discussed and commented on the report.

APPENDIX 2

<p>ARC40: Cabinet Report: Review of the Effectiveness of the Audit and Risk Committee</p>	<p>The Audit Manager presented the report which provided the results of the 'Review of the Effectiveness of the Audit and Risk Committee' for 2013/14 and confirmed that the Committee was fulfilling its stated purpose which was 'to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the Council's financial and non-financial performance to the extent that it affected the Council's exposure to risk and weakened the control environment, and to oversee the financial reporting process.'</p>	<p>RESOLVED: That Cabinet be informed that the Audit and Risk Committee supports the recommendation as follows:</p> <p>To note the contents of the report.</p>
<p>08.09.14</p>		
<p>ARC 49: Cabinet Report: Statement of Accounts 2013/2014 Report to those charged with Governance (ISA UK&I) 260)</p>	<p>The Principal Accountant presented a report which introduced the Statement of Accounts (SOA) 2013/2014. It was highlighted that the report also considered the report from the auditor for the accounts 2013/2014 – the International Auditing Standard (ISA 260).</p>	<p>RESOLVED: That Cabinet be informed that the Audit and Risk Committee supports the recommendation as follows:</p> <p>It is recommended that Cabinet:</p> <ol style="list-style-type: none"> 1) Approve the authority for any changes required to the Statement of Accounts is delegated to the Chief Financial Officer, in consultation with the Leader of the Council, to authorise amendments and if necessary present an updated Statement to Council. 2) Notes the comments of the Auditor in the ISA 260. <p>It is recommended that Council:</p> <ol style="list-style-type: none"> 1) Approve the Statement of Accounts for 2013/2014. 2) Notes the comments of the Auditor in the ISA 260.
<p>ARC 50: Cabinet Report: Annual Governance Statement 2013/2015</p>	<p>In presenting the report, the Deputy Chief Executive reminded the Committee that the preparation and publication of an Annual Governance Statement (AGS) was a public statement that described and evaluated the Council's overall governance arrangements during a particular financial year.</p> <p>The report sought Cabinet approval of the Council's Annual Governance Statement covering the 2013/14 year which was attached at Appendix A.</p>	<p>RESOLVED: That Cabinet be informed that the Audit and Risk Committee supports the recommendation to Cabinet as follows:</p> <p>It is recommended that the Annual Governance Statement for the 2013/2014 year as attached be approved for adoption and that the Leader of the Council and the Chief Executive sign accordingly.</p>

<p>ARC 51: Monitoring Officer Annual Report 2013/2014</p>	<p>The Monitoring Officer presented the Annual Report for 2013/2014 and explained that the Annual Governance Statement also covered the areas within the Monitoring Officer's responsibility. Any necessary action points would be presented to the Audit and Risk Committee.</p> <p>The Committee was invited to ask questions.</p>	<p>RESOLVED: The Committee noted the report.</p>
<p>30.09.14 – PRIVATE BRIEFING</p>		
<p>28.10.14</p>		
<p>ARC60: Cabinet Report Mid Year Review Treasury Report 2014</p>	<p>In presenting the report, the Chief Financial Officer reminded the Committee that the Council had formally adopted the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury management (2011) and remained fully compliant with its requirements.</p>	<p>RESOLVED: That Cabinet be informed that the Audit and Risk Committee supports the recommendation as follows:</p> <ol style="list-style-type: none"> 1) Cabinet is asked to note the report and the treasury activity. 2) As part of the budget process and setting of the Treasury Management Strategy for 2015/2016 it is suggested that Cabinet ask officers to bring forward schemes that could generate higher levels of return.
<p>ARC61: External Quality Assessments – Compliance with the Public Sector Internal Audit Standards</p>	<p>The Audit Manager presented the report and explained that Internal Audit were required to undergo an external assessment at least every five years to ensure the service was complying with the Public Sector Internal Audit Standards. The required assessment had been completed and the resulting report was attached.</p>	<p>RESOLVED: The Committee discussed and commented on the report, and confirmed the Audit Manager's responses to the recommendations made.</p>
<p>25.11.14</p>		
<p>ARC71: Corporate Risk Register Monitoring Report</p>	<p>The Deputy Chief Executive explained that the report presented the changes to the Risk Register since the last monitoring report in April 2014 and gave details of the risks falling into the 'Very High' category and the associated work to mitigate the effects.</p>	<p>RESOLVED: The Committee discussed and commented on the report.</p>
<p>ARC72: Annual Audit Letter</p>	<p>The Deputy Chief Executive presented the Annual Audit Letter and explained that its purpose was to communicate to Members of the Borough Council and external stakeholders, including members of the public, the key issues arising from the External Auditor's work, which should be brought to the attention of the Committee.</p>	<p>RESOLVED: The Committee discussed and commented on the Annual Audit Letter.</p>

24.03.15		
ARC 81: Certification of Claims and Returns Annual Report – 2013/2014	Mr R Murray, Ernst and Young presented the Certification of Claims and Returns Annual Report 2013/2014 which summarised the results of the External Auditor’s certification work and highlighted the significant issues.	RESOLVED: The Committee discussed and commented on the Annual Report.
ARC82: 2014/2015 Audit Plan	Mr Murray presented the 2014/2015 Audit Plan which set out how the External Auditor’s intended to carry out their responsibilities as Auditor. It was explained that the purpose of the report was to provide the Audit and Risk Committee with a basis to review the proposed audit approach and scope for the 2015 audit, in accordance with the requirements of the Audit Commission Act 1998, the code of Audit Practice, the Standing guidance, auditing standards and other professional requirements, but also to ensure that the audit was aligned with the Committee’s service expectations.	RESOLVED: The Committee discussed and approved the 2014/2015 Audit Plan and the External Audit fees.

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards None	Discretionary	(a) Be entirely within cabinet's powers to decide NO (b) Need to be recommendations to Council YES (c) Be partly for recommendations to Council NO and partly within Cabinets powers –		
Lead Member: E-mail: Cllr Nick Daubney Cllr.nick.daubney@west-norfolk.gov.uk		Other Cabinet Members consulted:		
Lead Officer: Jo Stanton E-mail: joanne.stanton@west-norfolk.gov.uk Direct Dial:01553 616349		Other Members consulted: -		
Other Officers consulted: Lorraine Gore				
Financial Implications NO	Policy/Personnel Implications NO	Statutory Implications NO	Equal Impact Assessment YES If YES: Pre-screening	Risk Management Implications NO

Date of meeting: 9 September 2015

NON-DOMESTIC RATES: EXTENSION OF TRANSITIONAL RELIEF**Summary**

Government has legislated to allow Councils to adopt a discretionary scheme of Transitional Relief for qualifying ratepayers in their area as the statutory scheme ended on 31 March 2015 and the revaluation has been deferred until 2017. The cost will be met in full by Central Government. This report details the proposed discretionary Transitional Relief scheme for the borough.

Recommendation

Cabinet recommend to Council to adopt the discretionary Transitional Relief scheme for 2015/2016 and 2016/2017 as detailed in this report and shown in Appendix A

Reason for Decision

To ensure a discretionary scheme of Transitional Relief is adopted for 2015/2016 and 2016/2017

1. Background

1.1. Transitional Relief (TR) is part of the Non Domestic Rates system and is designed to protect ratepayers from large increases in their bills if their Rateable Value (RV) increases when there is a revaluation. The relief phases in the impact of the increase in RV over the life of the Rating List.

- 1.2. Until 2010 there has been a revaluation and a new Rating List every five years, with the most recent revaluation due to come in to force on 1 April 2015. In October 2012 central government announced they were deferring the 2015 revaluation by two years to 2017. However the current statutory TR scheme still ends on 31 March 2015 and as a result a number of ratepayers who received TR in 2014/2015 have seen a jump in their bills.
- 1.3. To mitigate some of the effect of the revaluation being deferred, central government has extended the TR provisions to 2015/2016 and 2016/2017 as a discretionary discount. Councils can use their discretionary powers under s47 of the Local Government Finance Act 1988 to adopt a local scheme for TR, within the prescribed provisions, and the cost will be met in full by central government.

2. Proposals

- 2.1 The local scheme of TR will operate within the prescribed provisions and only be awarded in the following circumstances:
- The property has a RV up to and including £50,000,
 - The ratepayer has an increase in their bill due to the 2010 revaluation,
 - The ratepayer received TR in 2014/2015, and
 - The ratepayer is entitled to TR in 2015/2016 and 2016/2017
- 2.2 The local scheme will be based on the regulations for the statutory TR scheme that was in force until 31 March 2015, with the necessary amendments for 2015/2016 and 2016/2017. As TR can be complex this ensures the necessary conditions and regulations are included in the local scheme.
- 2.3 The proposed local scheme for TR is shown at Appendix A

3. Policy Implications

- 3.1. This is a new Discretionary Relief policy lasting for 2015/2016 and 2016/2017.

4. Financial Implications

- 4.1. There are no financial implications to the Council as Central Government will fully fund the cost of the relief.
- 4.2. There are 200 ratepayers whose property has a RV of £50,000 or less and who received Transitional Relief in 2014/2015. Approximately half of these will continue to receive relief into 2015/2016. The cost of TR for 2015/2016 is approximately £65,500.
- 4.3. The European Union classes Discretionary Transitional Relief as State Aid. Businesses are limited to receiving €200,000 of State Aid over

three years and will be asked to confirm their State Aid position when the relief is awarded.

5. Recommendation

5.1. Cabinet recommend to Council to adopt the discretionary Transitional Relief scheme for 2015/2016 and 2016/2017 as detailed in this report and shown in Appendix A

6. Background Papers

6.1. DCLG: Business Rates – Extension of Transitional Relief for small and medium properties - Guidance

Appendix A

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

LOCAL SCHEME FOR TRANSITIONAL RELIEF 2015/2016 and 2016/2017

1. Purpose of the relief

The relief is intended to extend the statutory Transitional Relief scheme which ended on 31 March 2015 to qualifying ratepayers.

The local scheme of Transitional Relief will be effective for 2015/2016 and 2016/2017.

2. Criteria

Local TR will only apply to properties with a Rateable Value of £50,000 or less where the ratepayer is facing an increase in their bill due to the 2010 revaluation.

It will only apply to ratepayers who were in receipt of Transitional Relief in 2014/2015.

No provision exists for ratepayers whose bill has decreased.

3. Regulations

The local scheme for TR applies to properties meeting the criteria above and uses the relevant sections of the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2009 SI 2009/3343 extended into 2015/2016 and 2016/2017, amended as follows:

Regulation 8(1)(b): amend 'is £18,000 or more' to read 'is between £18,000 and £50,000 inclusive'

Regulation 8(2): for the years commencing 1 April 2015 and 1 April 2016, X should be assumed to be 125. Q should be assumed to be 1.019

Regulation 8(3): for the years commencing 1 April 2015 and 1 April 2016, X should be assumed to be 115. Q should be assumed to be 1.019

Regulations 8(4) and (5) do not apply

4. Application of Local TR

Local TR is a discretionary discount and will be applied to a ratepayer's account after all other discounts and reliefs have been awarded. If there is no remaining liability after all other reliefs are awarded then no TR will apply.

5. State Aid

Transitional Relief is a discretionary relief and is classed as State Aid by the European Union. Businesses are limited to receiving a maximum of €200,000 in State Aid over three years and are required to confirm their position with regard to State Aid when TR is awarded.

6. Change of Circumstances / Rateable Value etc.

The provisions as in the Statutory Instrument will apply where a change of circumstances or a change of RV occurs

7. Daily award

Transitional Relief will be awarded on a daily basis.

8. Termination of relief

TR will terminate if the ratepayer's circumstances or RV change and they no longer meet the statutory criteria to qualify for the relief. TR will also terminate if the ratepayer no longer qualifies when the calculation for a new financial year is performed.

As the extended TR scheme is a discretionary discount it can be terminated at the end of a financial year once 12 months' notice has been given.

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards NONE	Mandatory	Be entirely within Cabinet's powers to decide	YES	
		Need to be recommendations to Council	NO	
		Is it a Key Decision	YES	
Lead Member: Cllr Nick Daubney E-mail: cllr.nick.daubney@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Joanne Stanton, Revenues and Benefits Manager E-mail: joanne.stanton@west-norfolk.gov.uk Direct Dial:01553 616349		Other Officers consulted: Lorraine Gore		
Financial Implications YES	Policy/Personnel Implications YES	Statutory Implications YES	Equal Impact Assessment YES If YES: Pre-screening/ Full Assessment YES	Risk Management Implications YES

Date of meeting: 9 September 2015

2016/2017 DRAFT COUNCIL TAX SUPPORT SCHEME FOR CONSULTATION

Summary

The Council must review and agree its Council Tax Support scheme each financial year. This process includes consulting with major preceptors, publishing a draft Council Tax Support scheme and then consulting with interested parties before the final Council Tax Support scheme is approved.

This report details a review of the 2015/2016 Council Tax Support scheme, the consultation responses from Norfolk County Council and Norfolk's Police and Crime Commissioner, and the recommended draft 2016/2017 Council Tax Support scheme to go to public consultation.

Recommendations:

Members:

- 1) Note the consultation responses from Norfolk County Council and Norfolk's Police and Crime Commissioner**
- 2) Agree a public consultation period running online over a six week period from 18 September 2015 to 30 October 2015**
- 3) Agree the Council Tax Support scheme for 2015/2016, with the amendments as shown at Appendix C, as the draft Council Tax Support scheme for 2016/2017 to go to public consultation**

- 4) **Note that a further report detailing the proposed final Council Tax Support scheme for 2016/2017 will be presented to Cabinet, for recommendation to Council, before 31 January 2016.**
- 5) **The cost of the CTS scheme and the impact on the taxbase will be monitored and an update report brought back before Members after six months.**

Reason for Decision

To ensure a Council Tax Support scheme for 2016/2017 is agreed by full Council by 31 January 2016

1. Background

- 1.1. Council Tax Benefit (CTB) was abolished on 31 March 2013 and from April 2013 billing authorities have implemented their own local schemes of Council Tax Support (CTS) to assist people on low incomes with their council tax costs.
- 1.2. Funding was moved from central government to local government with a 10 per cent reduction in year one. Funding for CTS schemes is no longer identified separately and is now rolled into formula funding. As CTS is now a discount the cost is reflected in the Taxbase figures in the Financial Plan.
- 1.3. Central government have prescribed some elements of a local CTS scheme:
 - Pension age claimants are excluded from local CTS schemes and receive CTS based on a national, more generous, set of regulations, although the cost is still met by local Councils,
 - Vulnerable groups must be considered for protection from any reduction in support compared to the national CTS scheme, and
 - Work incentives should be promotedOther than this the Council is free to design its own CTS scheme.
- 1.4. The Council must review and approve its CTS scheme each year. Part of this process is to consult with the Council's major preceptors, agree a draft CTS scheme for consultation and then consult with any interested parties.
- 1.5. Norfolk County Council and the Police and Crime Commissioner have been contacted and their views are included in section 4.
- 1.6. This report recommends the draft CTS scheme to go to public consultation. The results of the consultation and the proposed CTS scheme for 2016/2017 will be brought back to Members later in the year.

2. Review of 2015/2016 CTS Scheme

2.1 2015/2016 is the third year of the CTS scheme and the second year a reduced CTS scheme has been agreed to reflect the initial funding reduction. The 2013/2014 CTS scheme was the same as the old CTB scheme as the Council received a Transitional Funding grant from central government. This grant was only available for one year.

2.2 The 2015/2016 CTS scheme includes protections for certain vulnerable groups so their CTS is calculated using the national, more generous, scheme rather than the local CTS scheme. The spend attributed to these protected groups is shown below.

2.3 The scheme allows people in work to keep an additional £10 of their earnings before they are taken into account in the CTS calculation. The cost of this incentive is also shown below.

2.4 The makeup of the 2015/2016 CTS caseload as at 16 July 2015, compared to the same time last year, is shown below:

Caseload	2015/2016		2014/2015	
	Number of claims	Spend	Number of claims	Spend
Total Caseload	11,806	£9,337,776	12,464	£9,768,609
Pension Age	6,370	£5,249,785	6,693	£5,552,462
Working Age – all	5,436	£4,087,991	5,771	£4,216,147
~Working Age – Protected	3,735	£3,182,949	3,542	£3,036,480
~Working Age – Not Protected	1,701	£905,042	2,229	£1,179,667

2.5 The spend on protected groups and the costs of the work incentives within the scheme are shown below:

Protected Groups	2015/2016		2014/2015	
	Number of claims	Spend	Number of claims	Spend
Total	3,735	£3,182,949	3,542	£3,044,929
Child < 5	1,399	£1,192,221	1,488	£1,275,630
Disability Premium	1,689	£1,439,358	1,453	£1,245,479
Carer's Allowance ¹	76	£64,767	601	£515,371
ESA Support ¹	81	£69,028	-	-
Protection Override ^{1 2}	362	£308,495	-	-
Combination of the above	128	£109,801	-	-

¹ In 2014/2015 these were included under Carer's Allowance but can now be reported individually

² These are cases where the system has not picked up the protected group and includes Disability Premium, Carer's Allowance and Employment and Support Allowance Support Group (where a disability affects a customer's ability to work) claims

Cost of Incentives	2015/2016		2014/2015	
	Number of claims	Extra Cost	Number of claims	Extra Cost
Extra Earnings disregard	779	£81,239	680	£70,914

2.6 A full comparison of the 2014/2015 CTS and 2015/2016 schemes is shown at Appendix B.

2.7 Compared to the same time last year the overall caseload has reduced by 5% and the overall spend by 4%. This is in line with an overall reduction in the Housing Benefit caseload, although this has now started to increase slightly in the past three months.

2.8 Pension age claims still account for the majority of the caseload, although their numbers are lower. The biggest percentage reduction is in the number of working age claims which are not protected. The biggest percentage increase is in the working age claims which are protected on the grounds of disability. There is also a 15% increase in the number of claimants qualifying for the additional earnings disregard.

2.9 As CTS is a council tax discount it impacts on the Council's taxbase and reduces it by the equivalent of 6,159 band D properties. Part of this is offset by Government grant, although this is now rolled into the Council's overall formula funding and not identified separately. Overall growth in the taxbase also offsets part of the cost. The Council's taxbase is growing and as at 1 July 2015 the taxbase is 47,584 compared to 47,284 shown in the Financial Plan 2014/2018.

2.10 As at 1 July 2015 the CTS Discretionary Hardship fund has received 101 applications and has paid £12,819 in additional help. The original £10,000 fund has been increased by a further £20,000.

3. The Welfare Reform Bill 2015 and Universal Credit

3.1. In July 2015 the Chancellor announced a further £12bn of cuts to welfare to take effect from April 2016. The main changes are:

- Significant reductions in Tax Credits,
- A freeze in the levels of most working age benefits, applicable amounts and premiums,
- A reduction in the annual benefit cap from £26,000 to £20,000
- A restriction on backdating claims to four weeks, and
- The Family Premium being abolished for new Housing Benefit claims

3.2. The changes in the Welfare Reform Bill will impact on the cost of the local CTS scheme. As CTS is a means-tested discount, if people are receiving

- less income from other benefits they will be entitled to more CTS, increasing the cost to the Council.
- 3.3. The biggest impact from this will be from the reductions to Tax Credits. Over 1,100 CTS claimants receive Tax Credits and the reduction in the amounts they are entitled to will impact on the cost of the CTS scheme.
 - 3.4. To mitigate some of the impact, and to keep the CTS scheme in line with the Housing Benefit scheme as far as possible, the proposed CTS scheme reflects some of the changes in the Welfare Reform Bill as below.
 - 3.5. CTS is calculated using Applicable Amounts and Premiums. These prescribe the amount of income a claimant can have, based on their individual circumstances, before their CTS is affected. These are normally uprated each year but for 2016/2017 these will not be changed, effectively freezing CTS entitlement at 2015/2016 levels. A table of Applicable Amounts and Premiums and some example calculations are shown at Appendix E. Backdating for new claims will be limited to four weeks.
 - 3.6. The Family Premium will be removed for new claims from April 2016, although families with a child under five are protected from this change. .
 - 3.7. There is no direct impact from the decrease in the Benefit Cap as the reduction is applied by reducing Housing Benefit, which is not taken into account when calculating CTS. However it may cause an increase in applications to the discretionary fund as people have less income to pay their council tax.
 - 3.8. The changes to Tax Credits from April 2016 are estimated to add an additional £240,226 to the cost of the 2016/2017 CTS Scheme. Freezing the Applicable Amounts and Premiums saves just under £20,000, removing the family Premium for new claims saves £18,200 and limiting backdating saves approximately £12,500. The net effect of the changes is an additional cost of £189,634 as shown at Appendix D.
 - 3.9. King's Lynn JobCentre Plus will go live with Universal Credit on 14 March 2016. Universal Credit, excluding housing costs, will be treated as income for the purposes of the local CTS scheme and is not expected to impact on the cost of the scheme in 2016/2017.
 - 3.10. Full details of the proposed 2016/2017 CTS scheme are shown at section 5.
 - 3.11. Further Welfare Reforms are due in 2017/2018, including limiting Child Tax Credit and Universal Credit to two children, and requiring those with a child under 3, rather than under 5, to seek work. These changes, and any others announced for 2017/2018, will be reflected in the draft CTS Scheme for 2017/2018.

4. Requirement To Consult

- 4.1. Before agreeing a CTS scheme the regulations require the Council to consult any major precepting authorities, publish its draft scheme and then consult with other interested persons.
- 4.2. Views have been sought from Norfolk County Council and Norfolk's Police and Crime Commissioner and they have responded with the following comments: **Awaiting Response**
- 4.3. The public consultation will detail the proposed scheme for 2016/2017 and will also outline the alternatives that have been considered and the reasons why they have been discounted.
- 4.4. A consultation exercise for the draft 2016/2017 CTS scheme (as shown in Section 5) is proposed for a six week period from 18 September 2015 to 30 October 2015. The consultation will primarily be carried out online with hard copies of the consultation questionnaire available. The consultation will be publicised through the Council's website, press releases, email alerts and social media. Interested parties such as advice agencies and housing associations will be contacted directly for their views.
- 4.5. Feedback from the consultation and any subsequent amendments proposed to the final CTS scheme for 2016/2017 will be brought back to Cabinet before 31 January 2016.
- 4.6. Recommendation 1: Members note the consultation responses from Norfolk County Council and Norfolk's Police and Crime Commissioner**
- 4.7. Recommendation 2: Members agree a public consultation period running online over a six week period from 18 September 2015 to 30 October 2015**

5. Council Tax Support Scheme for 2016/2017

- 5.1. A summary of the proposed draft CTS scheme for 2016/2017 to go to consultation is shown below. This reflects the current CTS Scheme for 2015/2016.

CTS Scheme Principle: An equal cut is made to everyone apart from those in a protected group.

The key points are:

- Working Age people have to pay 25% of their weekly council tax
- Child Benefit and Child Maintenance are included as income
- Second Adult Rebate is removed
- A weekly deduction for each non-dependent of £10 is made regardless of their income
- The maximum amount of Capital allowed is £6,000

- No Tariff Income is assumed for capital under £6,000
- Self Employed people are assumed to have an income of at least the minimum wage

The following are protected groups and the CTS scheme shown above will not apply - they are paid based on the national CTS scheme:

- Those who have reached the qualifying age for State Pension Credit
- Households with at least one child under the age of 5
- Those entitled to the Disability Premium as part of their needs calculation
- Those in receipt of Carer's Allowance
- Those in the ESA Support group

Work incentives remain at an extra £10 and the disregards are:

- | | |
|-----------------------|-----|
| • Single | £15 |
| • Couple | £20 |
| • Disabled or a Carer | £30 |
| • Lone Parent | £35 |

The following local disregards will continue to apply:

- War Pensions will be fully disregarded in the income calculation

5.2 At this stage no major amendments are proposed to the principles of the CTS scheme however technical updates will be made to reflect changes to Housing Benefit legislation during 2015/2016. The impact of the Welfare Reform Bill (as shown in Section 3) will also be incorporated into the scheme.

5.3 A list of the technical changes to the local CTS scheme is included at Appendix C.

5.4 The 2016/2017 CTS scheme is estimated to cost £9,543,901 compared to £9,337,776 for 2015/2016. The cost is split between the preceptors in proportion to their share of the council tax. The increase is attributed to the estimated additional cost due to the reductions to Tax Credits but is still well within the estimates in the Financial Plan. It is also partly offset by the technical changes to the 2016/2017 scheme. A full analysis of the cost of the 2016/2017 CTS scheme is shown at Appendix D.

5.5 The scheme will not contain any transitional provisions however a Discretionary Hardship fund will continue to assist any person in receipt of CTS who is experiencing hardship and having difficulty paying their Council Tax bill. The hardship provisions form part of the Council Tax Discretionary Reliefs policy agreed by Members in 2014. This will be reviewed as part of a separate report to be brought to a future Cabinet meeting.

5.6 Recommendation 3: Members agree the Council Tax Support scheme for 2015/2016, with the amendments as shown at Appendix C, as the draft Council Tax Support scheme for 2016/2017 to go to public consultation.

6. Other Options Considered

- 6.1. The Council is able to adopt any scheme of CTS for its working age claimants. As CTS is now a discount rather than a benefit it reduces the Council Taxbase which impacts on the Council's income. The Council receives a CTS grant as part of its Formula Funding, although the actual amount for CTS is no longer identified separately by Central Government.
- 6.2. The Council could decide to adopt a CTS Scheme that reflects the national, more generous, scheme of CTS for pension age customers. The national scheme is based on the old scheme of CTB with no cuts to support for any group. However this scheme would not fit within the projections in the Financial Plan and would create a shortfall.
- 6.3. Any CTS Scheme that does not meet the Council's projections will impact financially on the Borough Council as well as the County Council, Police and Crime Commissioner and the Parish Councils in proportion to their percentage of the council tax charge.
- 6.4. The cost of a local CTS scheme based on the national CTS scheme is estimated at £10,418,014 with a reduction on the taxbase of 6,872 band D properties. The deficit between this and the proposed CTS scheme is an estimated £874,113.
- 6.5. This would mean a £664,326 deficit for Norfolk County Council, a £122,376 deficit for the Police and Crime Commissioner and a £87,411 deficit for the Borough and Parish Councils.
- 6.6. The impact on individual parish and town councils, through a reduction in council tax base, will vary throughout the Borough according to the distribution of CTS applicants. The Council will continue to distribute a CTS grant to the parishes.
- 6.7. The Council can choose to implement the national scheme, or a different more expensive CTS scheme, and meet the shortfall from elsewhere within service budgets, increasing charges or by raising council tax. For the past two years the Council has chosen to implement a local CTS scheme which reflects the reduced level of funding and fits with the Financial Plan.
- 6.8. Pension age claimants are excluded from the local CTS scheme and are paid based on the more generous national CTS scheme, with the Council meeting this cost. To continue to meet the projections in the Financial Plan a significant reduction in the level of support needs to be continued for working age claimants. There are limited options available to achieve this and there is not scope for any alternative scheme to be significantly different to the CTS scheme agreed for 2015/2016.
- 6.9. The draft CTS scheme for 2016/2017 is designed to protect vulnerable groups and incentivise work whilst meeting the projections in the Financial Plan. The scheme has been subject to a full Consultation exercise and

Equality Impact Assessment, available in the Cabinet Reports of 21 August 2012 and 4 December 2012.

7. Next Steps

- 7.1. Once the consultation period has closed the results will be collated and used to inform any changes recommended to the draft 2016/2017 CTS scheme.
- 7.2. The consultation responses and details of the proposed final CTS scheme for 2016/2017 will be brought back to Members for agreement. Full Council must agree the final CTS scheme by 31 January 2016.
- 7.3. Recommendation 4: Members note that a further report detailing the proposed final Council Tax Support scheme for 2016/2017 will be presented to Cabinet, for recommendation to Council, before 31 January 2016.**

8. Policy Implications

- 8.1. The draft CTS Scheme for 2016/2017 is a continuation of an existing policy.

9. Financial Implications

- 9.1. The funding for the CTS scheme is now rolled into the Council's overall Formula Funding and is no longer identified separately by Central Government.
- 9.2. The taxbase figures in the Financial Plan 2014/2018 assume the CTS scheme, and the corresponding reduction in the taxbase, remains at the same level as 2015/2016 and that the taxbase will grow by 300 band D properties each year.
- 9.3. The modelled figures for the 2016/2017 CTS scheme (as at Appendix D) show the projected cost to be £9,543,901 which equates to a reduction in the taxbase of 6,295 band D properties. Although this is an increase on 2015/2016 the impact on the taxbase is still within the projections in the Financial Plan.
- 9.4. The cost of the CTS scheme and the impact on the taxbase will be monitored and an update report brought back before Members after six months.
- 9.5. The Council will continue to pay a CTS grant to the affected parishes as detailed in the Financial Plan. The grant is paid in proportion to the cost of the CTS scheme for each parish.

10. Personnel Implications

- 10.1. None

11. Statutory Considerations

11.1. The Council is required to agree a CTS Scheme for the 2016/2017 financial year by the 31 January 2016.

12. Equality Impact Assessment (EIA)

12.1. See Appendix A

13. Risk Management Implications

13.1. CTS is funded by a fixed grant paid by Central Government at the start of the year. The amount of the grant was only identified individually in year one of the new CTS scheme in 2013/2014 and represented a 10% cut based on the cost of the old scheme of Council Tax Benefit. The amount of the CTS grant is no longer identified separately by Central Government and is paid as part of the Council's overall grant.

13.2. The CTS scheme for 2016/2017 is designed to meet the taxbase projections as detailed in the Financial Plan. However any increases in demand, changes in the composition of the caseload, for example an increase in the number of pension age claimants, or changes to other welfare benefits during the year could represent a financial risk by increasing the cost of the CTS scheme and reducing the taxbase further. The impact of the CTS scheme is, and will continue to be, reviewed monthly.


14. Declarations of Interest / Dispensations Granted

14.1. None

15. Background Papers

15.1. None

**Appendix A: Pre Screening Equality Impact Assessment
(also see 4 December 2012 Cabinet Report)**

<p>Pre-Screening Equality Impact Assessment</p>		<p>Borough Council of King's Lynn & West Norfolk</p>			
<p>Name of policy/service/function</p>		<p>Local Council Tax Support Scheme</p>			
<p>Is this a new or existing policy/service/function?</p>		<p>Continuation of an Existing Policy</p>			
<p>Brief summary/description of the main aims of Policy being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations</p>		<p>Local Council Tax Support (CTS) schemes were introduced from 1 April 2013, replacing the existing national scheme of Council Tax Benefit (CTB) to help those on low incomes with their Council Tax bills.</p> <p>Each council is free to design their own CTS scheme although certain parameters have been set by Government:</p> <ul style="list-style-type: none"> • Pensioners must be protected from any reduction in support • Vulnerable groups must be considered for protection from any reduction in support • Work incentives should be promoted <p>Government have also reducing the funding available for CTS schemes by 10% in 2013/2014. From 2014/2015 the funding is rolled into the council's formula funding and not identified separately. As pensioners are protected from any reduction this becomes nearly a 25% reduction in support for working age people if the Council chooses to continue with the 2015/2016 CTS scheme.</p> <p>The 2015/2016 CTS scheme for the Borough was agreed on 29 January 2015 and includes protection for the following groups:</p> <ul style="list-style-type: none"> • Pensioners • Households with a child under 5 • People entitled to the Disability Premium in CTB • People in receipt of Carer's Allowance • People in the ESA Support group <p>The 2016/2017 CTS scheme is a continuation of the 2015/2016 CTS scheme</p>			
<p>Question</p>		<p>Answer</p>			
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of</p>					
		<p>Positive</p>		<p>Negative</p>	
		<p>Neutral</p>		<p>Unsure</p>	
<p>Age</p>				<p>√</p>	

<p>ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>	Disability	√			
	Gender				√
	Gender Re-assignment				√
	Marriage/civil partnership				√
	Pregnancy & maternity				√
	Race				√
	Religion or belief				√
	Sexual orientation				√
	Other (eg low income)		√		
Question	Answer	Comments			
<p>2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?</p>	Yes	<p>The legislation for local CTS schemes states pensioners must be protected from any reduction in the level of support they receive. As the funding has been reduced this means a bigger cut falls on working age people.</p> <p>The legislation also compels councils to have regard to the impact on vulnerable groups and the promotion of work incentives</p>			
<p>3. Could this policy/service be perceived as impacting on communities differently?</p>	Yes	See 2			
<p>4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?</p>	Yes	<p>Pensioners are protected as they are not expected to return to work to increase their income to pay for any reduction in council tax support.</p> <p>Children under 5 are protected in accordance with Child Poverty.</p> <p>Those entitled to the Disability Premium in CTB are protected to reflect their higher living costs.</p> <p>People receiving Carer's Allowance are protected as it is harder for them to take on work or work extra hours to increase their income</p> <p>People in the ESA Support group are protected as they are deemed unable to work</p> <p>Work Incentives are promoted to encourage people back into work to increase their income. This is in line with the government's welfare reform principles.</p>			
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and</p>	No	<p>Actions:</p> <p>A full EIA has been completed as part of the Cabinet Report of 4 December 2012</p>			

list agreed actions in the comments section		
		Actions agreed by EWG member:
Assessment completed by:	Joanne Stanton	
Name		
Job title	Revenues and Benefits Manager	
Date	11 August 2015	

Appendix B

Comparison of the 2014/2015 and 2015/2016 CTS caseloads

Current 2015/2016 CTS Caseload @ 16/07/2015				
Caseload	Claims	% of claims	Spend	% of spend
Total	11,806		£ 9,337,776	
Pension Age	6,370	54%	£ 5,249,785	56%
Working Age - All	5,436	46%	£ 4,087,991	44%
~Protected	3,735	32%	£ 3,182,949	34%
~Not protected	1,701	14%	£ 905,042	10%
Protected Claims	Claims		Spend	
Total	3,735		£ 3,182,949	
Child < 5	1,399	37%	£ 1,192,221	37%
Disability Premium	1,689	45%	£ 1,439,358	45%
Carer's Allowance	76	2%	£ 64,767	2%
ESA Support	81	2%	£ 69,028	2%
Protection Override ¹	362	10%	£ 308,495	10%
Multiple Reasons	128	3%	£ 109,081	3%
Incentives	Claims		Spend	
Earnings Disregard	779		£ 81,239	

¹ In 2014/2015 these were included under Carer's Allowance but can now be reported individually

² These are cases where the system has not picked up the protected group and includes Disability Premium, Carer's Allowance and Employment and Support Allowance Support Group (where a disability affects a customer's ability to work) claims

Caseload 2014/2015 Cabinet Report 10/09/2014				
Caseload	Claims	% of claims	Spend	% of spend
Total	12,464		£ 9,768,609	
Pension Age	6,693	54%	£ 5,552,462	57%
Working Age - All	5,771	46%	£ 4,216,147	43%
~Protected	3,542	28%	£ 3,036,480	31%
~Not protected	2,229	18%	£ 1,179,667	12%
Protected Claims	Claims		Spend	
Total	3,542		£ 3,044,929	
Child < 5	1,488	42%	£ 1,275,630	42%
Disability Premium	1,453	41%	£ 1,245,479	41%
Carer's Allowance ²	601	17%	£ 515,371	17%
ESA Support ²	-	0%	£ -	0%
Protection Override ¹	-	0%	£ -	0%
Multiple Reasons	-	0%	£ -	0%
Incentives	Claims		Spend	
Earnings Disregard	680		£ 70,914	

¹ In 2014/2015 these were included under Carer's Allowance but can now be reported individually

² These are cases where the system has not picked up the protected group and includes Disability Premium, Carer's Allowance and Employment and Support Allowance Support Group (where a disability affects a customer's ability to work) claims

Claims Comparison	2015/2016	2014/2015	Change	%
Total	11,806	12,464	- 658	-5%
Pension Age	6,370	6,693	- 323	-5%
Working Age - All	5,436	5,771	- 335	-6%
~Protected	3,735	3,542	193	5%
~Not protected	1,701	2,229	- 528	-24%
Protected Claims	Claims	Claims		
Total	3,735	3,542	193	5%
Child < 5	1,399	1,488	- 89	-6%
Disability Premium	1,689	1,453	236	16%
Carer's Allowance ²	76	601	46	8%
ESA Support	81	-		
Protection Override ¹	362	-		
Multiple Reasons	128	-		
Incentives	Claims	Claims		
Earnings Disregard	779	680	99	15%

¹ In 2014/2015 these were included under Carer's Allowance but can now be reported individually

² These are cases where the system has not picked up the protected group and includes Disability Premium, Carer's Allowance and Employment and Support Allowance Support Group (where a disability affects a customer's ability to work) claims

Spend Comparison	2015/2016	2014/2015	Change	%
Total	£ 9,337,776	£ 9,768,609	-£ 430,833	-4%
Pension age	£ 5,249,785	£ 5,552,462	-£ 302,677	-5%
Working Age - All	£ 4,087,991	£ 4,216,147	-£ 128,156	-3%
~Protected	£ 3,182,949	£ 3,036,480	£ 146,469	5%
~Not protected	£ 905,042	£ 1,179,667	-£ 274,625	-23%
Protected Claims	Spend	Spend		
Total	£ 3,182,949	£ 3,044,929	£ 138,020	5%
Child < 5	£ 1,192,221	£ 1,275,630	-£ 83,409	-7%
Disability Premium	£ 1,439,358	£ 1,245,479	£ 193,879	16%
Carer's Allowance ²	£ 64,767	£ 515,371	£ 36,000	7%
ESA Support	£ 69,028	£ -		
Protection Override ¹	£ 308,495	£ -		
Multiple Reasons	£ 109,081	£ -		
Incentives	Spend	Spend		
Earnings Disregard	£ 81,239	£ 70,914	£ 10,325	15%

¹ In 2014/2015 these were included under Carer's Allowance but can now be reported individually

² These are cases where the system has not picked up the protected group and includes Disability Premium, Carer's Allowance and Employment and Support Allowance Support Group (where a disability affects a customer's ability to work) claims

Appendix C

Changes to be incorporated into the 2016/2017 CTS scheme

The Applicable Amounts and Premiums are frozen at the same levels as 2015/2016 (see Appendix D)

Claims will only be allowed to be backdated by 4 weeks

Childminders are treated in the same manner as they are in Housing Benefit and not under the standard self-employed rules

The Family Premium will be removed for new claims to CTS

Appendix D

Analysis of the estimated cost of the draft 2016/2017 CTS Scheme

Type	Weekly CTS	Annual CTS
Pensioners	£ 100,161	£ 5,222,680
Protected	£ 61,122	£ 3,374,439
Working Age	£ 17,144	£ 946,782
Subtotal	£ 178,427	£ 9,303,675

Included in the above:

Change	Cases	Weekly CTS	Annual CTS
Effect of reductions to Tax Credits	1,118	£ 4,619.73	£240,226
Effect of not increasing App Amounts	922	-£ 382.53	-£ 19,892
Effect of limiting backdating to 4 weeks	126	-£ 240.38	-£ 12,500
Effect of removing FP for new claims	100	-£ 350.00	-£ 18,200
Total		£ 3,646.82	£189,634

Appendix E

Commonly used Applicable Amounts and Premiums

	Amount 2016/2017	Amount 2015/2016	Amount 2014/2015
Single Person under 25	£57.90	£57.90	£57.35
Single Person over 25	£73.10	£73.10	£72.40
Lone Parent	£73.10	£73.10	£72.40
Couple	£114.85	£114.85	£113.70
Disability Premium	£32.25	£32.25	£31.85
Carer Premium	£34.60	£34.60	£34.20

Example CTS calculations

Single person aged over 25 receiving Jobseeker's Allowance of £73.10 a week and whose council tax is £15 a week

A	Applicable Amount	£73.10
B	Income	£73.10
C	Excess Income (A-B)	£0.00
D	Maximum Weekly Council Tax Support	£15.00
E	Weekly Council Tax Support due (as has to pay 25%)	£11.25

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards All	Mandatory	Be entirely within Cabinet's powers to decide NO		
		Need to be recommendations to Council YES		
		Is it a Key Decision NO		
Lead Member: Cllr Nick Daubney E-mail: cllr.nick.daubney@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Geoff Hall E-mail: Geoff.hall@west-norfolk.gov.uk geoff.hall@west-norfolk.gov.uk Direct Dial: 01553 616618		Other Officers consulted: Management Team		
Financial Implications NO	Policy/Personnel Implications NO	Statutory Implications YES	Equalities Impact Assessment YES If YES: Pre-screen only	Risk Management Implications YES

Date of meeting: 9 September 2015

BUSINESS CONTINUITY MANAGEMENT POLICY STATEMENT & STRATEGY

Summary

The Council is a Category 1 responder under the Civil Contingencies Act 2004, which places a duty on it to develop and maintain plans to ensure that if an incident occurred, the authority is able to continue to perform its critical activities and key services.

The Council's Policy Statement on Business Continuity Management was agreed by full Council in September 2013 and has been updated to reflect the changes to the Management structure with effect from May 2015.

Whilst updating the Policy Statement, the whole document, including details of the council's strategy and approach has been updated.

Recommendation

It is recommended that

1. Cabinet accept the new version of the Business Continuity Policy Statement and Strategy, attached, and that they recommend acceptance by full Council.
2. Delegated authority be granted to the Chief Executive, in consultation with the Leader, as Portfolio Holder for Business Continuity, to make further minor changes if deemed necessary.

Reason for Decision

To ensure that the Council continues to meet the requirements placed upon it by the Civil Contingencies Act 2004 and is well placed to react in the event of a disruption or emergency.

1.0 Background

- 1.1 The Civil Contingencies Act 2004 places a duty on Category 1 responders (as defined by the act and which includes all local authorities) to develop and maintain plans for the purpose of ensuring that, so far as is reasonably practicable, if an emergency occurs they are able to continue to perform their key services / critical activities. This means that, in the event of a disruption or emergency, the Council must have plans available to ensure that it can mobilise the functions it needs to:
- deal with any emergency (which is dealt with separately)
 - ensure that the impact of the emergency on the Council's day-to-day activities is kept to a minimum, and
 - ensure that, so far as possible, vital services for the community can be maintained at appropriate levels.
- 1.2 The Business Continuity Management Policy Statement and Strategy, attached, are the framework documents around which the Council's arrangements are based.
- 1.3 In March 2009, Council considered and endorsed a newly formulated Business Continuity Policy Statement and Strategy document, which had been devised as a result of a Business Impact Analysis undertaken in 2008, in conjunction with the Council's insurers.
- 1.4 In 2011, following an internal audit, which identified development areas, Management Team set up a group of officers from across the authority, and an Executive Director as the lead officer to review the Council's Policy and Strategy, as well as the wider Business Continuity Management arrangements.
- 1.5 Cabinet and Council adopted a revised and updated Policy Statement and Strategy document in 2011 and 2013.

2.0 Policy Statement and Strategy document update

- 2.1 No major changes are planned to the current Policy Statement and Strategy documents. The Executive Director – Environment & Planning has taken over the lead for Business Continuity from the retiring Deputy Chief Executive. The Executive Director – Environment & Planning chairs and leads the Business Continuity Corporate Officer Group (BC COG).

The following summarises the work that has been carried out by the BC COG and agreed by Management Team:

- The Business Continuity Policy Statement & Strategy have been reviewed and updated
- The BC COG has met regularly and follows an agreed work plan
- The Invocation Process and Incident Checklist has been revised and updated
- Desktop Business Impact Assessment has been completed which reviewed of all business activity to confirm those which are the most critical to the authority
- A review of Council Critical Activities has been completed which include:
 - CIC – response to customer contacts

- Corporate Communications – including website
- CCTV responsive functions control room
- Emergency Planning – response to incidents
- Homelessness
- ICT – to support other teams
- Incident Management Team – Executive Directors and support
- Personnel – for staff contact details
- Electoral Services – if during a critical time
- Env Health – Food Safety / Health & Safety– if during an incident
- Env Health – Environmental Quality – if during an incident
- All Critical Activities has completed Bronze Business Continuity plans
- King’s Court Threat Cards have been updated
- Out of hours Contact Card details revised and updated in view of new Leisure Trust / Local Authority Company arrangements
- The membership of the Critical Incident Team (CIT) was reviewed. Geoff Hall has taken on the lead following the retirement of David Thomason. Mathew Henry and Neil Gromit have been co-opted on to the CIT
- Annual “Metis” training events have taken place

4.0 Next Steps

4.1 The BC COG have a work plan in place for the remainder of the financial year. Work to be undertaken includes:

- Reviewing live incidents after the event and ensuring the lessons learnt are implemented in future planning
- Finalising the Business Continuity emergency web portal
- Planning for and running training exercise Metis 15
- Review and update Business Continuity Management Policy and Strategy ready for adoption
- Updating King’s Court Threat Cards
- Reviewing Bronze Level Business Continuity plans in place
- Commissioning and testing alternative ICT server site

5.0 Policy Implications

5.1 This is an update to a policy adopted by Council in September 2013.

6.0 Financial Implications

6.1 There are no financial implications associated with adoption of this policy.

6.2 In the event that the Council needs to bring Business Continuity plans into operation it will mean that an event has occurred which will threaten service provision in some way. It is highly likely that this will also bring about additional expenditure / lost income and the financial implications will need to be met from the Council’s general fund balance and / or its reserves.

7.0 Personnel Implications

7.1 There are no personnel implications associated with this document.

8.0 Statutory Consideration

8.1 Adoption of this updated Policy Statement and Strategy document will ensure that the Council continues to meet the requirements placed upon it by the Civil Contingencies Act 2004 and is well placed to react in the event of a disruption or emergency.

9.0 Risk Assessment

9.1 Business Continuity planning is a statutory requirement and is aimed at managing risk following the occurrence of an event / disruption. If these plans were not in place managing to maintain critical services during a disruption would be more difficult and could lead to failure which in turn would result in negative publicity and reputational issues.

10.0 Equality Impact Assessments

10.1 An Equalities Impact Assessment pre-screening form has been completed, this is attached for information. The Business Continuity Management Policy Statement does not affect people differently according to their equality communities and therefore a full assessment is not required.

11.0 Access to information

11.1 Insight Business Continuity page

Borough Council of
**King's Lynn &
West Norfolk**



Business Continuity Management

Policy Statement and Strategy

September 2015

Title	Business Continuity Management – Policy & Strategy	
Date of Publication:	Cabinet	September 2015
	Council	September 2015
Published by	Borough Council of King's Lynn & West Norfolk	
Edition	1.0	First Published January 2009
	2.0	Second edition November 2011
	3.0	Third edition September 2013
	4.0	Fourth edition September 2015

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Links to other documents:

This is a strategic document which makes reference to and runs in conjunction with the suite of Business Continuity Management documents within the Council.

Business Continuity Management

Policy & Strategy

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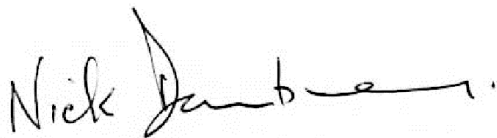
1. Introduction

The Business Continuity Policy Statement set out in this document outlines the Council's vision for Business Continuity Management. It is vital that we are able to continue to provide essential services to the residents and businesses of West Norfolk, whatever disruption or emergency might affect the Council.

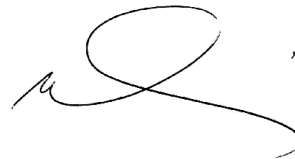
All services have a role, and every member of staff has a responsibility to make sure the Council can continue to service our communities whatever the disruption. The Policy Statement in Section 5 demonstrates that the Council is committed to ensuring that robust and effective Business Continuity Management is in place as a key mechanism to restore and deliver continuity of key services in the event of a disruption or emergency.

Section 6 contains the Council's strategy for achieving the stated policy and outlines how this document – together with other documents such as the Invocation Process and Incident Checklist, Threat Plans and Team Business Continuity Plans – fit together to form the overall Business Continuity Management programme.

Section 7 outlines the methodology that has been undertaken to develop business continuity in the Council since the adoption of the previous plan.



Cllr Nick Daubney
Leader of the Council
September 2015



Ray Harding
Chief Executive
September 2015

2. Background

The Business Continuity Management policy and strategy set the framework for the Business Continuity Management (BCM) Programme.

The policy and strategy indicate the authority's clear buy-in to the implementation of the BCM programme and makes a public statement of intent, endorsed by the Leader and Chief Executive.

The main elements and purpose of this BCM policy and strategy are to:

- Assign accountability for BCM
- Demonstrate strategic support for BCM
- Identify key roles & responsibilities
- Gain assurance that the BCM programme is aligned with the organisational strategic objectives

- Set the framework for compliance with all aspects of the Civil Contingencies Act 2004

3. Relationships to other plans / arrangements

3.1 Civil Emergency

If a civil emergency occurs then the Borough Council will respond as part of a multi-agency response. The Emergency Planning Team will lead the response which may also require support and resources from other Departments and Teams. Such an incident may require the invocation of the Borough Emergency Response & Recovery Plan or Norfolk Resilience Forum Plans or National Emergency Plans.

The same civil incident may also have Business Continuity issues for the Borough Council, which require the invocation of this policy and associated plans. In effect Emergency Planning lead the response to the incident on the wider community whilst Business Continuity will lead the response to an incident internally to ensure that Borough Council critical services are maintained during the incident.

3.2 Critical Incident Team

The Borough Council has a corporate Critical Incident Team (CIT) and related process. The Critical Incident Team will usually be the first point of contact for an incident of a critical nature. The full CIT process is documented at Appendix C of the Invocation Process and Incident Checklist document.

3.3 Invocation Process and Incident Checklist

This document outlines the process within which the decision may be taken to invoke the Business Continuity Plan(s) and includes an outline of the Gold/Silver/Bronze Internal Management Structure, definitions of Recovery Response Times, and an example BC Incident Log. It is designed to demonstrate how accountability will be assigned for BCM within the Council and provides a checklist for use by those involved in any BC incident.

3.4 Business Continuity Threat Cards

The main threats to the continuation of the Council's services and activities have been identified in reference to the Corporate Risk Register and the Community Risk Register. These threats are reviewed annually or earlier if required.

3.5 Critical Activity Bronze Level BC Team Plans

In addition to identifying the main overall threats to the Council's operations, the authority undertakes a Business Impact Analysis which identifies those services that protect life and safety, or are considered essential to support such activity and are considered critical to restore and deliver services in the event of a disruption or emergency. These are termed 'Critical Activities' and identification in this way means that if / when an interruption happens, the response will focus resources – people, space, time and money – to these services first. Detailed plans

are therefore in place to ensure that in the event of an emergency or disruption, these services are restored and delivered within a maximum of 24 hours.

3.6 Site and Service Specific Bronze Level BC Plans

All King's Court based services will use the King's Court Threat cards apart from Critical Activities which have their own Bronze Plans as in para 3.4 above. In addition to this those services that provide contracted out services or are not based in King's Court and have building responsibilities will have their own Bronze Plans.

3.7 Overview of BCM documents

An overview diagram of the suite of documents that form the Council's Business Continuity Management arrangements (including detail on the agreed Threats and Critical Activities) is shown at Appendix A.

4. Updates to the Policy, Strategy and plans

4.1 Responsibilities and timetable for updates

The Executive Director for Environment and Planning, is the Officer responsible for Business Continuity within the Council. Management Team has set up a small BC Corporate Officer Group who will assist the Executive Director in maintaining, reviewing and testing the suite of documentation which form the Council's Business Continuity Management arrangements.

The BC Corporate Officer Group (BC COG) will review the following Business Continuity documents on a regular basis and report to Management Team on the preparedness accordingly of:

- BCM Policy and Strategy
- BCM Invocation Process and Incident Checklist
- agreed Threats
- agreed Critical Activities

The BC COG will also

- ensure that the agreed Critical Activities are kept under review and any proposed changes reported to Management Team as appropriate, outside of this timetable
- regularly assess risks to the Council to establish where new plans are required

Maintenance of and updates to BC plans for agreed Critical Activities and any other specific BC plans are the responsibility of the relevant Service Manager and are included in the Corporate Service Manager responsibilities.

4.2 Shared Services / changes to delivery arrangements

The Executive Director will be made aware of any potential shared service arrangements as well as any other changes to the way the Council delivers its services. Business Continuity Management arrangements will be considered by the relevant Officers at the time

that contracts / activities are put in place for alternative delivery. The BC COG will assist the Executive Director to ensure that relevant changes are incorporated into the BCM arrangements.

4.3 Documentation storage and update protocol

A protocol has been established for the storage of BCM documentation and for the archiving of superseded versions. This is shown at Appendix B.

5. Business Continuity Management Policy Statement

1. The Council is committed to ensuring robust and effective Business Continuity Management as a key mechanism to restore and deliver continuity of key services in the event of a disruption or emergency.
2. The Council's Business Continuity Management (BCM) arrangements will meet the statutory requirements within the Civil Contingencies Act 2004 and will be aligned to the following standards:
 - BS 25999 Business continuity management – Part 1:Code of Practice
 - BS7799 Information Security Management System.
 - Recognised standards of corporate governance.
3. At a corporate level the Council will determine its main Critical Activities and identify the main threats. A review of these will be undertaken regularly and this will determine the priority areas for business continuity planning.
4. Each service delivery process within the Council is owned by a respective Executive Director who will ensure that they understand, support and implement the elements of the BCM programme.
5. Each Executive Director will contribute to an annual review of the BCM documentation, via the Council's Management Team monitoring the review process, challenging the results and providing support where necessary.
6. Contracts for goods and/or services deemed critical to the Borough Council of King's Lynn and West Norfolk Council business continuity will aim to include a requirement for each nominated supplier to provide, for evaluation, a business continuity plan covering the goods and/or services provided. Every tender for business continuity critical goods and/or services will include business continuity as an element of the tender evaluation model.
7. All Council staff will be made aware of the plans that affect their service delivery areas and their role following invocation of any Business Continuity plan(s).
8. The Council will implement a programme of BCM testing exercises.

6. Business Continuity Management – Strategy

6.1 Introduction

This Business Continuity Strategy provides the framework within which the Borough Council of Kings Lynn and West Norfolk complies with the business continuity requirements of the Civil Contingencies Act 2004 and which is consistent with corporate governance best practice. Business Continuity plans will ensure that the Council can continue to deliver a minimum level of service in its critical functions following a significant incident.

The Executive Director for Environment and Planning will provide the focal point for the production, coordination, validation and review of the Council's business continuity activity. Industry best practice guidelines, produced by the British Standards Institute (BS 25999) have been used in the formulation of this strategy.

Corporate business continuity is closely linked to corporate risk management and this strategy should be read in conjunction with the Council's Risk Management Strategy.

The basic principles¹ of the Business Continuity Strategy have been accepted by the Council's Management Team (MT).

6.2 Scope

This strategy applies to all parts of the Council. The requirement to plan applies to activities identified as 'Critical' through the Council's Business Impact Analysis and agreed by Management Team. This allows planning to be focused on the key Critical Activities of the Council in the event of an emergency or disruption.

Business Continuity Planning includes the management of outsourced contracts, and requires those responsible for negotiating and managing them to ensure appropriate business continuity standards are included in contracts so that the service provider is able to deliver acceptable standards of service following a disruption to the Council or the supplying company.

6.3 Definition of Business Continuity Management (BCM)

Business Continuity Management (BCM) can be defined as²:

'A holistic management process that identifies potential threats to an organisation and the impacts to business operations that those threats, if realised, might cause, and which provides a framework for building

¹ BS25999 Part 1: Code of Practice and BS7799 Information Security Management

² BS25999 Business Continuity Management – Part 1: Code of Practice British Standards Institute

organisational resilience with the capability for an effective response that safeguards the interests of its key stakeholders, reputation, brand and value creating activities.’

BCM is therefore about the Council preparing for a disaster, incident or event that could affect the delivery of services. The aim being that at all times Critical Activities are maintained; and that key elements of other services are maintained, where possible, at a basic level and brought back up to an acceptable level of service as soon as possible.

6.4 Statutory Requirements

The Civil Contingencies Act 2004, as it relates to Business Continuity, requires the Council to:

- a. Maintain plans to ensure that they can continue to exercise critical functions in the event of an emergency as far as reasonably practicable
- b. Include exercises within Business Continuity arrangements, to ensure the approach is effective, and arrangements for the provision of training to those involved
- c. Review its BC arrangements and keep them up to date
- d. Have regard to assessment of both internal and external risks when developing and reviewing its BC arrangements
- e. Have a clear procedure for invoking BC plans
- f. Put in place arrangements to make information available to the public about civil protection matters and maintain arrangements to warn, inform and advise the public in the event of an emergency
- g. Provide advice and assistance to businesses and voluntary organisations about business continuity management

6.5 Benefits of Business Continuity Management

Effective Business Continuity Management delivers a number of tangible and intangible benefits to individual services and to the Council as a whole, including:

- a. Develops a clearer understanding of priorities (business impact analysis)
- b. Protects the organisation, ensuring that it can help others in an emergency (facilitated by the BC Policy and Strategy, Invocation Process and Incident Checklist, appropriate BC Team Plans and Threat Cards)
- c. Protects the reputation of the organisation
- d. Provides great confidence of arrangements and resilience to key threats

- e. Facilitates legislative compliance and good corporate governance (implementation of BC management arrangements)

7. Delivering the Strategy

7.1 Methodology

The process being used within the Council is aligned with the BCM model outlined in BS 25999 Business continuity management – Part 1: Code of practice published by the British Standards Institute, shown at Fig.1.

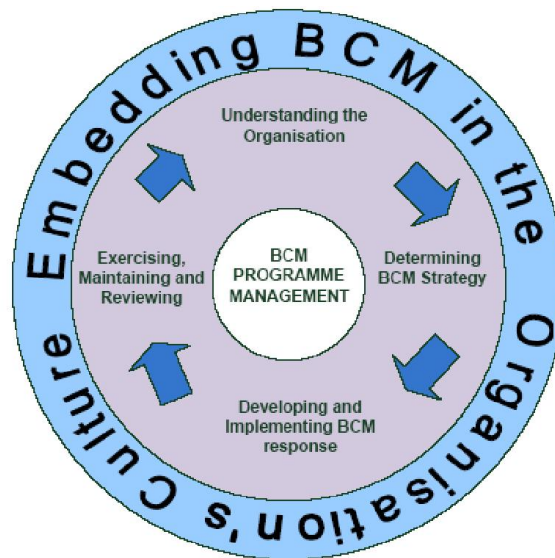


Figure 1

The diagram has at its core, BCM programme management, which is the catalyst for ensuring that robust business continuity plans are developed and maintained. This includes:

- Assigning responsibility for implementing and maintaining the BCM programme within the Council
 - The responsible Officer is the Executive Director for Environment and Planning
- Implementing business continuity in the Council
 - This is the responsibility of the authority's Management Team. All members of staff have a responsibility to be aware of the plans that affect their service area and their role following invocation of any BC plan
- The ongoing management of business continuity – including regular review and updates of business continuity arrangements and plans
 - This has been assigned by Management Team to a small group of officers who assist the Executive Director for

Environment and Planning. The group is known as the Business Continuity Corporate Officer Group (BC COG)

The inner level of the diagram defines four stages to developing and maintaining the business continuity plan.

7.2 Step 1 – Understanding the organisation

Achieved through the use of business impact and risk assessments, to identify critical deliverables, evaluate priorities and assess risks to Council service deliveries.

- Business Impact Analysis (BIA) – identifying the critical processes and functions and assessing the impacts on the Council if these were disrupted or lost. BIA is the crucial first stage in implementing BCM, and helps measure the impact disruptions on the Council
- Risk assessment – once those critical processes and functions have been identified, a risk assessment can be conducted to identify the potential threats to these processes

7.3 Step 2 – Determining BCM strategy

Identifying alternative strategies to mitigate loss and assessment of their potential effectiveness in maintaining the Council's ability to deliver critical service functions.

The Council's approach to determining BCM strategies will involve:

- Implementing appropriate measures to reduce the likelihood of incidents occurring and/or reduce the potential effects of those incidents
- Developing remedial plans to ensure that strategies are workable
- Taking account of mitigation measures in place
- Providing continuity for critical services during and following an incident

7.4 Step 3 – Developing and implementing a BCM Response

Developing individual service responses to business continuity challenges and overarching Business Continuity arrangements to underpin this.

- The Business Continuity Invocation Process and Incident Checklist, Threat Cards and Team BC plans ensure that actions are considered for:

The immediate response to the incident

- Critical Activities – ensuring the critical elements of the activity are continued
- Other services – key elements will be maintained, where possible, at a basic level and brought back up to an acceptable level of service as soon as possible returning to full service

7.5 Step 4 – Exercising, maintaining and reviewing

Ensuring that Business Continuity arrangements are fit for purpose, kept up to date and quality assured. A test programme will enable the Council to:

- Demonstrate the extent to which strategies and plans are complete, current and accurate
- Identify opportunities for improvement

7.6 Embedding BCM in the organisation's culture

- The outer ring of the diagram is possibly the most crucial and elusive step in business continuity terms – embedding BCM in the organisation's culture. This is done by raising awareness throughout the Council and offering training to key staff on BCM issues.

Appendix A: Overview of documents that constitute BCM



Borough Council of
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Appendix B: Documentation Storage & Archiving Protocol

Document Storage

The Borough Council of King's Lynn & West Norfolk Business Continuity Corporate Officer Group (BC COG) have arranged that all documents pertaining to Business continuity are stored on the corporate intranet site.

Examples of documents held under this area include:-

- BC Policy & Strategy
- Recent audits
- Threat plans
- Critical Activity Bronze Level Team plans

The site is administered by the ICT Division, with read and write access granted to members of the BC COG. Regular back-ups of corporate documents are held off site.

Change Control

Any amendments to documents stored on the corporate intranet site will be recorded, and an email notifying the BC COG members of a change will be automatically issued.

Audit information regarding who has made a change to a document and when, will be stored, and up to 20 versions of the document will be archived via SharePoint version control.

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards: Brancaster, South Wootton.	Mandatory	Be entirely within Cabinet's powers to decide	YES	
		Need to be recommendations to Council	NO	
		Is it a Key Decision	YES	
Lead Member: Cllr. Vivienne Spikings E-mail: cllr.Vivienne.Spikings@West-Norfolk.gov.uk		Other Cabinet Members consulted: Cllr. N. Daubney, Cllr. E. Nockolds		
Lead Officer: John Clements E-mail: john.clements@west-norfolk.gov.uk Direct Dial: 01533 616240		Other Members consulted:		
Financial Implications NO		Policy/Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment NO
		Risk Management Implications YES/NO		

Date of meeting: 9th September 2015

SOUTH WOOTTON AND BRANCASTER NEIGHBOURHOOD PLANS: DECISIONS WHETHER TO PROCEED TO REFERENDUMS

Summary

The Borough Council must consider the independent Examiner's recommendations, and decide for itself whether the proposed neighbourhood plans for Brancaster and South Wootton meet the statutory tests, and hence whether they should proceed to a local referendum which would decide they would be brought into force.

Recommendation

- 1) That the submitted South Wootton Neighbourhood Plan
 - a. be amended in accordance with the recommendations of the independent Examiner; and
 - b. so modified, should proceed to a local referendum covering the area of South Wootton Parish.
- 2) That the submitted Brancaster Neighbourhood Plan
 - a. be amended broadly in accordance with the recommendations of the independent Examiner but, subject to consultation, with detailed variation from those recommendations, as set out in Appendix 5; and
 - b. so modified, should proceed to a local referendum covering the area of Brancaster Parish.
- 3) That authority to be delegated to the Executive Director, Environment and Planning, in consultation with the Planning Portfolio Holder, to consider responses to consultation on the proposed decision differing from the changes from the Examiner's recommendations, and determine the final changes to be made to the neighbourhood plan before it proceeds to the referendum. changes to the neighbourhood plans needed to

achieve this, including addressing any issues arising through consultation on variation from the Examiner's recommendations.

Reason for Decision

In line with the Borough Council's obligations under the Localism Act, and in particular to achieve compliance of these neighbourhood plans with the 'Basic Conditions'.

1 Background

1.1 The Council is required to facilitate the production and adoption of neighbourhood plans under the Localism Act 2011. This involves a series of actions and decisions at various stages. The Cabinet agreed a series of delegated powers to facilitate this process at its meeting of 3rd March 2015. However it reserved to itself decisions as to whether a neighbourhood plan should proceed to a referendum, and if so whether the plan must first be amended to meet the relevant statutory requirements. Two neighbourhood plans have now reached the stage where such decisions must be made.

1.2 Brancaster Parish Council's Draft Neighbourhood Plan was the first of this new type of plan to be formally submitted to the Borough Council, and South Wooton Parish Council followed closely behind with its Draft Neighbourhood Plan submission. In both cases the Plan area is for the whole of the relevant Parish.

1.3 In both cases the Borough Council, through its LDF Team, has provided advice and assistance to the parish council in its preparation of the plan, unconditional on the Borough Council's agreement or otherwise with the plan's ambitions and content.

1.4 In both cases these draft neighbourhood plans have been published for by the Borough Council, and comments from the public invited. Both Plans have been formally examined by an independent Examiner (a suitably experienced and qualified person), taking into account the comments received (including these from the Borough Council). (All the relevant documentation is published on the Borough Council's website.)

1.5 An examiner produces a report of the examination, providing recommendations to the Borough Council as to whether the neighbourhood plan meets the statutory requirements (see below). An examiner may recommend that

- the plan does not meet the requirements and should not proceed to a referendum, or
- the plan does meet the requirements and should proceed to a referendum, or
- the plan does not meet the requirements, but should be modified to do so, and then proceed to a referendum.

1.6 In practice, the latter is the most likely recommendation, and that is what is recommended in the case of both of these neighbourhood plans. (Note that legally it is the responsibility of the Borough Council to make any

required modifications, though in practice there is likely to be liaison with the parish council to achieve this.)

1.7 An examiner is also required to recommend whether any local referendum (of registered voters) on the plan should be extended beyond the plan area. This may be the case if, for instance, the provisions of the plan has serious implications beyond the plan area boundary. In the case of Brancaster and South Wootton, neither Examiner recommends that the referendum area is extended beyond the Plan area.

1.8 If a neighbourhood plan proceeds to a referendum and is supported by a majority of those voting, the Borough Council must 'make' (i.e. adopt) the Plan, and it becomes part of the development plan for the area (the starting point for decisions on planning applications, etc.) alongside the Borough Council's own adopted development plans. (In the event of any contradiction between an adopted neighbourhood plan and the adopted Borough Council plans the most recent prevails.) If the neighbourhood plan is not supported by a majority of votes in a referendum, it fails and does not come into force. (The process can be started again from the beginning.)

1.9 The Borough Council must now consider the Examiners' Recommendations and decide for itself whether the statutory tests have been met, or the plan can be modified to meet those tests. If the Borough Council is minded to make a decision different to the Examiner's Recommendations, it must first consult on this before coming to its final decision. (This is not required if the decision accords with the Examiner's Recommendations.)

1.10 The statutory tests a neighbourhood plan must meet are called the 'Basic Conditions'. These are *[wording simplified]*:

- a) the Plan contributes to the achievement of sustainable development,
- b) the Plan is in general conformity with the strategic policies in the Borough development plans;
- c) having regard to national policies and guidance, it is appropriate to bring the Plan into force;
- d) the Plan is compatible with EU obligations;
- e) the Plan is not likely to have a significant effect on a European (habitats) site or offshore marine site;
- f) prescribed procedural, etc. requirements are met;.

1.11 Note that the matters to be taken into account are quite limited. A local planning authority cannot, for example, decide the plan's contents or its progress simply on the basis it agrees or disagrees with it, nor because it considers something different would be preferable or more successful. On the other hand, assessing a plan against criteria 1 to 3, in particular, does involve significant elements of judgement, and therefore a local planning authority might reasonably come to a different conclusion than the examiner.

2 South Wootton Neighbourhood Plan

2.1 The South Wootton Draft Neighbourhood Plan was examined by Andrew Ashcroft BA (Hons) MA, DMS, MRTPI in July 2015. A copy of the submitted Draft Neighbourhood Plan and the Examiner's Report are appended to this Report (Appendices 1 & 2).

2.2 Mr. Ashcroft's Report concludes:

- 'The South Wootton Neighbourhood Plan sets out a wide range of policies to guide and direct development proposals in the period up to 2026. It is concise and distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- Following my independent examination of the Plan I have concluded that the South Wootton Neighbourhood Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- This report has recommended a range of modifications to the policies in the Plan. Whilst I have proposed modifications to several policies and the deletion of some policies, the Plan itself remains fundamentally unchanged in its role, direction and its relationship to wider development in the Borough.
- On the basis of the findings in this report I recommend to the King's Lynn and West Norfolk Borough Council that subject to the incorporation of modifications set out in this report that the South Wootton Neighbourhood Plan should proceed to referendum [covering the area of South Wootton Parish].'

2.3 Mr Ashcroft's Report appears thorough, thoughtful and clear. He has obviously taken care to understand the locality, the Parish Council's perspective and aspirations, and also the strategic context of the Core Strategy's identification of the area as one for growth. Initial feedback from the Parish Council suggests that it considers that the Plan has received a fair and supportive hearing.

2.4 In general, his recommended changes relate to

- making a clearer distinction between policies and other text;
- removing references to the Parish Council's objection to the growth planned for the area by the Borough Council;
- redrafting some policies with greater clarity so that a decision maker can apply them consistently and with confidence when determining planning applications
- deleting some policies which conflict with recent national changes to the planning system (e.g. removing control of building performance, etc.)
- moving some non-land use policies (e.g. on traffic control) to a non-development plan annexe;

2.5 It is considered that the Examiner's recommendations are sound, and there is no clear reason for the Borough Council to depart from them. Hence it is recommended that the Plan is modified as recommended and that a

referendum on the amended neighbourhood plan is held. (Current indications from the Electoral Services team suggests that this would likely take place in November.)

3.0 Brancaster Neighbourhood Plan.

3.1 The Brancaster Draft Neighbourhood Plan was examined by Robert Bryan BA, MRTPI. A copy of the submitted Draft Neighbourhood Plan and the Examiner's Report are appended to this Report (Appendices 3 & 4).

3.2 The Report concludes 'I am therefore pleased to recommend that the Brancaster Neighbourhood Development Plan as modified by my recommendations should proceed to a referendum. I see no reason why the area for the referendum should be altered or extended.'

3.3 The changes Mr. Bryan recommends include:

- A clearer map of the Plan area;
- Various additions to, and re-organisation of, supporting text to explain background information; and
- Revision of various policies for clarity, to provide flexibility etc., and deletion of policies deemed superfluous.

3.4 While the broad thrust of Mr. Bryan's recommendations appears sound, there is some ambiguity in some of the suggested changes and detailed wording he proposes. In some cases these are of little significance, but there is concern about a change to a significant policy in the Draft Plan.

3.5 The Borough Council might quite reasonably consider that the Examiner's recommendations should be followed, but your officers suggest a series of variations from those recommendations to address the concerns, These are discussed below and in Appendix 5.

3.6 The change of greatest concern relates to what is the first policy in the Plan, its position indicating the importance the Parish Council places on it. The Policy is explained in the Plan as a response to concern that the size of new dwellings developed in recent times, usually constructed as second home or holiday lets, are so large as to be unlikely to ever be appropriate as a permanent residence, and also resulting in the erosion of the character of the Conservation Area and the locality more generally.

3.7 The Parish Council is known to have gone to considerable trouble, and consulted with the Borough Council and others, to try to craft a policy (and Plan more generally) which is positive, recognises the reality of, and benefits of, the housing and holiday home market, but has a view on how the village could develop in the longer term to ensure it remains sustainable and with a local resident population alongside visitors. (This is explained more fully in the plan itself.)

3.8 The Draft Policy encourages smaller dwellings of 1, 2 or 3 bedrooms; says that no dwelling should be 5 bedrooms or more; that they should be a

maximum of 2 storeys; and consideration should be given to their impact on views in the Area of Outstanding Natural Beauty.

3.9 The Examiner considers that there should be provision in the Policy to identify in what circumstances dwellings 5 dwellings or more might be allowed, and this is considered reasonable. (See Recommendation 8.) He has suggested (among other things) a new clause to the policy to achieve this. His recommended modification to the Policy on this issue says '*Proposals involving a 5 or more bedroomed dwelling on a single plot may be allowed, exceptionally, where there is a case of demonstrable need to provide accommodation for a family or there are other material planning considerations in support of the proposal.*' [emphasis added]

3.10 This is not an unreasonable suggestion, but there is concern that 'need to provide accommodation' is so broad as to possibly include, for example, a desire to have a holiday let property large enough to potentially accommodate very large families. Such a development would arguably undermine the intention of the Policy.

3.11 It is therefore suggested that an alternative clause is used which more tightly defines the type of circumstances in which a 5 or more bedroomed dwelling might be permitted would be preferable. The suggested alternative is '*Dwellings of 5 bedrooms or more will, exceptionally, be allowed where evidence is provided that this is needed to provide the main residence of a household with long standing residency in the Parish*'. This, it is considered, would ensure the Plan has sufficient regard to the National Planning Policy Framework while staying closer to the Parish Council's intentions.

3.12 The main concerns regarding the recommendations are as follows.

- Recommendation 1: It is difficult to see that the Plan would fail to meet the statutory tests without this addition. While suggested text is correct in itself, it interrupts the flow and tone of the description of the area in the Draft Plan.
- Recommendation 6: The proposed additional text is inaccurate. It is not the case that neighbourhood plans must be in general conformity with the whole of the development plan for the area, only the strategic policies of the local plan.
- Recommendation 8: While the intention of adding precision and flexibility are reasonable and consistent with the NPPF, the proposed wording does not provide a robust mechanism to achieve the policy intentions. (Covered above.) It also loses the positive tone of most of the original policy. Furthermore, the Examiner is mistaken in thinking that the term 'dwelling' does not include apartments.
- Recommendation (un-numbered but is 13th): It is not clear why the Plan's proposed encouragement of affordable housing provision should be removed.

- Recommendation (un-numbered, but is 14th): It is not clear why the Plan's promotion of shops, workshops and businesses in suitable locations would cause confusion and requires deletion.
- Recommendation (un-numbered, but is 15th): It is not clear why the Examiner's suggested AONB views text should be in this policy about heritage assets, rather than the next, which is about landscape. His text which seeks to clarify the extent to which views can be protected is not strictly accurate.
- Recommendation (un-numbered, but is 16th): The Examiner's proposed additional text is inaccurate, and the need for it unclear.

3.13 There are also a range of minor concerns such as proposed replacement or additional text, etc., which is unclear or poorly related to the context in which it would sit.

3.14 Given the extent of concerns about the necessity and suitability of the Examiner's recommended changes to the plan, an alternative set of changes to the neighbourhood plan is proposed. As mentioned above, there is a significant degree of judgement involved in applying the Basic Conditions. The Council might very reasonably agree with the Examiner's recommendations, but the alternative changes set out in Appendix 5 are considered to better ensure conformity with the Basic Conditions while, in the spirit of Localism, retaining as far as possible the Parish Council's proposals.

3.15 If provisionally agreed by the Cabinet, these would need to be advertised and comments invited and considered before a final decision is made. (This is not required if the Examiner's recommendation are accepted.) In order to expedite this process it is recommended that authority to consider responses to that consultation and determine the final changes to the neighbourhood plan is delegated to the Executive Director, Environment and Planning, in consultation with the Planning Portfolio Holder.

3.16 Once the final changes are made to the plan, it would then proceed to a referendum

4 Options Considered

Whether or not the Borough Council agrees the Examiner's recommendations that these plans should be modified to make them meet the Basic Conditions, and then proceed to referendums, and whether the Examiners' recommended modifications are the most appropriate to achieve this.

5 Policy Implications

In the likely event that either neighbourhood plan is successful it will become part of the development plan. While such plans' policies will not be those of the Borough Council, it will be obliged to apply these policies (alongside those of the local plan and national policies) in determining planning applications.

6 Financial Implications

The costs of handling neighbourhood plans is offset to some extent by a grant currently received from Government at certain stages of each neighbourhood plan's preparation.

7 Personnel Implications

The handling of neighbourhood plan proposals is carried out within the existing LDF Team staffing

8 Statutory Considerations

The processing of neighbourhood plans is an obligation placed on local planning authorities by the Localism Act 2011 (which also modifies various planning acts to provide the basis for neighbourhood plans and their preparation). The Neighbourhood Planning (General) Regulations 2012 add detailed requirements and procedures.

9 Equality Impact Assessment (EIA)

(See Pre-screening assessment report as a background paper)

10 Risk Management Implications

None identified.

11 Declarations of Interest / Dispensations Granted

None identified.

12 Background Papers

None.

South Wootton Neighbourhood Plan

2015-2026



December 2014

South Wootton Neighbourhood Plan

2015-2026

Contents

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1. Introduction

The South Wootton Neighbourhood Plan (the Plan) is a new type of planning document based on the views of our local community. It is part of the Government's new approach to planning, which aims to give local people more say about how their area is developed.

This is particularly important for South Wootton as the parish is again under considerable development pressure, primarily as a result of its location, in which two areas for urban expansion have been identified in the King's Lynn and West Norfolk Borough Council's Core Strategy (2011). The Core Strategy Inspector did not examine the individual site characteristics but he said that the Growth Areas identified were "appropriate to accommodate housing of the scale proposed." The Parish Council has argued strongly with the Borough Council that there was an inadequate understanding of the sites or the impact on the Community (see Evidence Base, section 4 – South Wootton Parish Council Documents and section 5 – Joint Parish Councils Documents).

The Borough Council's 'Detailed Policies & Sites – Preferred Options' (2013) consultation document reduced the potential scale of development to 300 and 600 homes on the two sites, west of Hall Lane and North East King's Lynn (land at Knight's Hill), respectively. These numbers were confirmed in the document, 'Site Allocations and Development Management Policies Pre-Submission Document' approved by the Borough Council in November 2014. The Parish Council accepts that a contribution has to be made to accommodate future housing requirements but considers that the proposed levels are still too high. Based on the technical evidence provided (see Evidence Base documents as above and, in particular, the Joint Parish Councils' document – 'Statement of Objections', section 5.3 in Evidence Base) a case was put forward for a further reduction to 225 homes west of Hall Lane and 475 at the Knight's Hill location. The Parish Council will continue to press for the lower level of numbers in our response (at the public consultation process in January 2015) to the latest Borough Council's document.

The Neighbourhood Plan covers the same period as the Borough Council's Core Strategy and will end in 2026. The Plan has been developed by a small team of parish councillors, volunteers and the Clerk, taking into account the views of residents expressed, particularly in response to the questionnaire distributed in February 2013. Additional comments and suggestions have been incorporated into the final document.

King's Lynn & West Norfolk Borough Council has to appoint a qualified person to examine any Neighbourhood Plan, to agree that essential elements comply with their policies. The Borough Council

then arranges for a parish referendum, and if more than 50% of voters agree the Plan becomes part of the Borough Council's Planning Framework. Accordingly it becomes part of the statutory development plan in the Borough. By contrast the previous South Wootton Parish Plan and Village Design Statement were only advisory publications. The approved Plan will implement the Vision which residents have for South Wootton and shape its future to 2026.

Planning Policy Hierarchy in relation to South Wootton Neighbourhood Plan

**National
Planning Policy
Framework
(NPPF)**

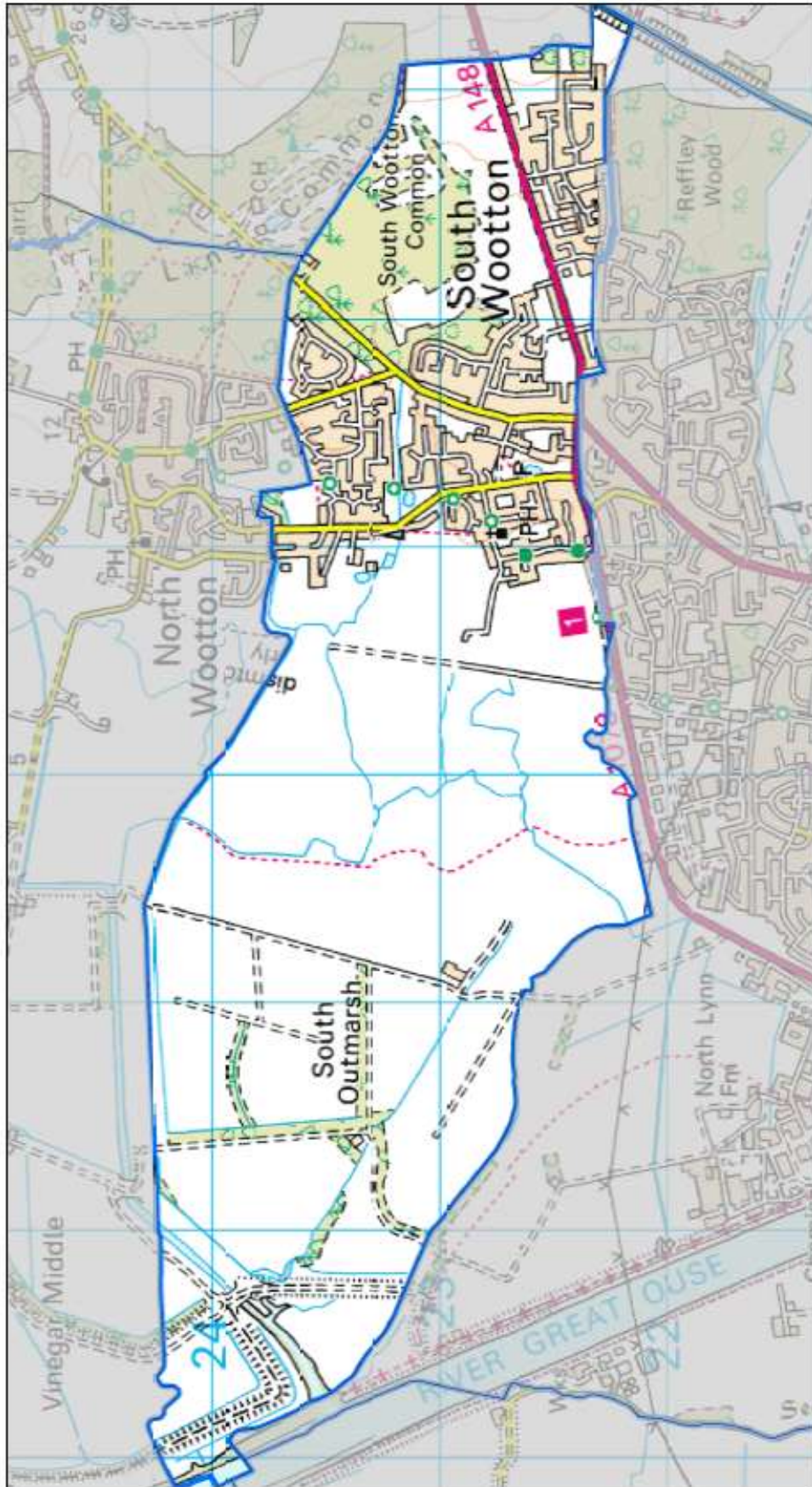
**King's Lynn & West Norfolk Borough Council
Local Development Framework (LDF)**


Core Strategy 2011

**Local Plan Pre-submission
'Site Allocations & Development Management Policies' Plan 2014**

1998 Local Plan Policies still in effect (to 2015)

Parish/Neighbourhood Plans



 Borough Council of King's Lynn & West Norfolk Tel. 01553 616200 - Fax. 01553 691663		Title South Wootton Parish and Neighbourhood Plan Area		Scale 1:23,691		© Crown copyright and database rights 2013 Ordnance Survey 100024314	
				Date 15/01/2014		Drawn by / Department AD/Tech Support	
		Drawing / Reference Number 20140115/DC Map					

2. Village Locality

South Wootton is an attractive residential village on the northern side of King's Lynn. It has its own identity, a Quality Status Parish Council and a village centre with all the iconic features – The Green with a pond, the post office, a large gastro-pub and the church tower. Residents are very aware of physical distinctions in our surroundings that mark a change between suburban Gaywood and the parish area; there is generally a softer appearance with more trees within the street scene and housing areas fringed by blocks and belts of woodland, with immediate access to countryside.

The area north of Grimston Road is part of the designated Norfolk Coast Area of Outstanding Natural Beauty (AONB), with Reffley Wood and Roydon Common SSSI on the east end of the parish. To the west, the salt marshes and the sea defence areas which border the Wash are National Nature Reserves (part of the Norfolk Coast AONB). They are host to a variety of waders and wild fowl. When the tide recedes, the exposed mudflats are vital feeding areas. Barn owls and marsh-harriers hunt untroubled in this quiet, undisturbed environment. A very small part of the west end of the Parish is included in The Wash Site of Special Scientific Interest (SSSI), a component of The Wash Special Protection Area (SPA) and Ramsar site, and The Wash and North Norfolk Coastal Special Area of Conservation (SAC). In July 2014, Norfolk Wildlife Trust supervised a Community Project to map the Habitats of the Parish of South Wootton. Their report provides an interesting insight into the flora and fauna present in the Parish. (See Evidence Base section 6 – Norfolk Wildlife Trust report, "Putting South Wootton on the Map")

There are three Grade II listed buildings in the Parish, which are the Old Hall, St Mary's Church and the War Memorial located in the churchyard. These historic buildings are found in a small area close to The Green. From the 1920s onwards, this area and Castle Rising Road/Grimston Road were beginning to be built up. By the 1960s, higher density housing development in Gaywood along Wootton Road had reached the parish, and the planned expansion of King's Lynn began to be visible here in many culs-de-sac of new private housing. In the 1970s and 1980s, substantial housing estate developments were planned and completed, almost linking South and North Wootton save for a series of woods and open spaces. These natural areas create the boundaries that distinguish between two distinct villages, as well as retaining the separate focal points of each village. South Wootton housing also extended alongside Reffley Wood in a detached area almost one mile from the village centre, but is now linked by later development including shopping.

South Wootton, as a location, provides an important segment of the housing choice available in the King's Lynn area, and as so much of the

housing in the parish dates from the past 45 years it is generally of the best standard. Whilst affordable housing provision for the King's Lynn built up area is 15% of new allocated housing areas, for South Wootton the level has been set at 20%. Work opportunities, sub-regional public services, and retailing are within the built up area of King's Lynn, but the Community Identity of the parish stands separately and must be encouraged and enhanced by the provision of further community services and leisure facilities in relation to any new development. At the time of the 2011 census, the village population was 4247; currently there are 1825 residential properties.

The Parish Council, and residents who have responded to community consultations, are opposed to the scale of the strategic housing areas west of the old village and at Knights' Hill which will increase the population by more than 40% in a 15 year period. This will undoubtedly impact on the existing community; it will distort the distribution of the population and their access to facilities, and will greatly increase traffic movements on Grimston Road and Low Road.

The character of new development must be focused on the creation of 'places' around spaces and landscape features attractive to wildlife interest that can truly augment this village community, and through the extended foot and cycle path links and services that must enhance the integration of the already outlying and any additional new areas.

3. Plan Content and Status

The Neighbourhood Plan for South Wootton covers the whole of the parish. Its boundaries are mostly clearly defined and well established. In the context of the expansion site at Knights' Hill, the parish boundary is less clear. The majority of the Knights' Hill site falls beyond both the parish and neighbourhood plan boundary, and Sandy Lane is the only feature.

The Plan provides a vision for the future of the parish, which has been established through engagement with local residents. It sets out the parish's objectives, together with the policies required for their realisation. Objectives and policies were formulated following an analysis of the natural environment of the parish, of the social and economic characteristics of its settled population, and of the responses of residents and other interested parties to consultation.

4. Plan Development

From the outset of the plan-making process, the Parish Council decided that the community would be involved as fully and as soon as possible. A Statement of Community Involvement was issued early in 2013 (see

Evidence Base). Public consultations had begun in November 2012. Planning Group meetings were held every fortnight. Progress in plan making was reported to the monthly meetings of the Parish Council, in its regular Newsletter, in a special Neighbourhood Plan Newsletter and through the Church's Contact Magazine

An important part of the plan-making process was to test evolving policies against

- National Planning Policy
- The Borough Council of King's Lynn & West Norfolk Core Strategy
- EU Legislation
- Human Rights Obligations
- appropriate contribution to achievement of sustainability

A questionnaire survey was carried out in February 2013. Some 484 questionnaires were returned, which represented a response rate of 27.2%. After taking into account the responses from the questionnaire, a draft document was prepared and delivered to all residents and relevant consultees in February 2014. A six week period was allowed for responses after which the document was revised to incorporate the comments and recommendations expressed. The revised draft was then submitted for a pre-submission check (suggested and paid for by the Borough Council) by an independent examiner provided by the Neighbourhood Planning Referral Service, NPIERS, in September 2014. In his report, the examiner suggested some minor corrections to the text and additions to the Maps for clarity. The recommendations were incorporated into the final document, which was then submitted to the Borough Council for examination by an Independent Inspector. Assuming that the document is approved by the Inspector, it will be delivered to all residents for their approval in a referendum to be organised by the Borough Council.

5. The Vision: South Wootton 2026

This statement is based on consultations carried out amongst parish residents in November 2012 and March 2013. It defines what the residents of South Wootton wish their parish to be like up to 2026 and beyond. It provides the framework for the objectives and policies which follow.

Residents see South Wootton as a pleasant and safe place to live and wish to retain its independent village status and distinctive character.

They wish to see the “semi-rural” nature of the village, with its open and green spaces, not only maintained but also enhanced, acknowledging and reinforcing the village character.

It is accepted that a contribution has to be made to accommodate future requirements for housing as identified by the Borough Council’s Core Strategy. New development must provide adequate provision for community facilities and services.

Residents wish to see the “semi-rural” character of the village acknowledged through new developments with the adoption of appropriate building styles, choice of local materials and appropriate densities, and levels of green infrastructure which reflect the local village character.

Within new developments, adequate provision should be made for community facilities, including healthcare, improvements in transport infrastructure, cycle and footpaths, as well as green open spaces.

6. The Objectives of the Neighbourhood Plan

The aim of the Plan is to realise a Vision for South Wootton up to, and beyond, 2026. Objectives are :

- to preserve the village identity and maintain separateness from King’s Lynn, and to encourage greater geographical cohesion within the community.
- to ensure integration of the existing and new neighbourhood areas within the village through appropriate pedestrian and cycle links.
- to preserve and enhance the landscape setting and internal character of the village, minimising the visual impact of new development when seen from the approach roads to King’s Lynn.
- to create layouts for new development which incorporate strong landscape frameworks with open space.
- to create a village where sustainable development has assessed any impact on the natural environment, promotes bio-diversity, encourages wildlife, works towards being carbon neutral and mitigates the expected effects of climate change.
- to sustain the vitality, health and safety of the community and to allow residents of all ages the opportunity of remaining part of it.
- to contribute towards the wider King’s Lynn area economy.

- to provide new housing which is high-quality in design, layout, size and materials, adapted to the expected results of climate change, and in harmony with the immediate locality.
- to reduce, in the long term, the need to use private motor vehicles, and to encourage alternative means of travel.
- to ensure that movement within the village is appropriate and secure by means of better traffic management of the principal routes.
- to improve village facilities to meet the demands of future development.

7. Neighbourhood Planning Policies

To meet the objectives set out above policies have been designed to ensure that new development enhances the setting and character of the village, promotes a sense of community, and provides for the social and economic needs of residents. Infrastructure mentioned in the Plan, and considered to be fundamental to the implementation of the Borough Council of King's Lynn & West Norfolk Core Strategy and to physical growth, will be delivered through the Local Plan (Site Allocations & Development Management Policies). These essential projects in the parish include improvements to schools, medical/dental facilities, and local roads and transport which go with development on this scale and which will be decisions of Norfolk County Council and the Health Authorities.

7.1 Policies for the Environment

The location of South Wootton has now put considerable pressure on the natural environment of the parish, especially at the edges of the built-up area. There is no brownfield redevelopment land available in the parish area. The Neighbourhood Plan seeks to conserve and enhance the environmental setting of South Wootton in line with the Borough Council's Core Strategy document.

Gardens and trees are important elements in the existing built-up area of South Wootton. They provide diversity and richness to the landscape, as well as forming wildlife havens and corridors and a rich source of food for insects, birds and wild animals. Existing hedges and trees, associated with potential development sites, divide the landscape into recognisable units and give them soft edges - these should always be considered for retention as the landscape framework. The Norfolk Coast Area of Outstanding Natural Beauty around the villages includes the wooded

skyline to the north east, augmented by the Woodland Trust's Reffley Wood to the south east and Norfolk Wildlife Trust east of the A149.

There are 3 listed buildings in the western part of the village, and no Conservation Area, but the quality of housing in treed grounds is the dominant character in areas such as Castle Rising Road, and parts of Priory Lane and Nursery Lane.

The Borough Council's 1998 Local Plan Inset Map for North & South Wootton included character areas [Built Environment type A] which are within the village but protected from development. These same areas have been identified now as 'Local Green Spaces', whose woodland or open quality is essential to the character of the village, whether or not there is public access in future.

E 1 Landscape character

Woodland and tree belts, the quality of existing residential areas amongst mature trees, and the hedgerows as shown on the Proposals Map for assessment as the potential framework of the Growth Areas, shall be protected during the development period and retained as part of local distinctiveness, and, where appropriate, should be enhanced as part of any adjacent development.

E 2 Sustainable drainage

There are parts of the proposed Growth Areas where land drains are fundamental to layout design and geo-technical surveys will be needed. Where it is feasible, sustainable drainage schemes should be used to provide wildlife areas, linking where possible with the biodiversity of existing natural environment areas and County Wildlife Sites [ie. at Knights' Hill - Reffley Wood, and west of Hall Lane towards The Wash SAC and SPA]. These should be designed with the appropriate level of percolation and safety in mind and as an integral part of the green infrastructure.

E 3 Open spaces

The Local Green Spaces shown on the Proposals Map will be protected against building developments. Where feasible, new open spaces and community woodland should interconnect and provide defined areas for public access and as wildlife corridors. There will be opportunities to improve the quality of existing green spaces where they are close to development proposals.

(Reference KLWNBC Green Infrastructure Strategy 2009-10).

E 4 Strategic landscape framework

The visual impact of the proposed Growth Areas, when viewed from approaching main roads and the surrounding countryside, shall be minimised by the use of appropriate landscaping and permanent management arrangements with the relevant local authorities.

E 5 New growth areas

All new estate developments shall include planting programmes incorporating native arboreal species to enhance the landscape character.

7.2 Policies for Housing

In 2013, the Borough Council's Detailed Policies & Sites – Preferred Options document reduced the potential scale of development in the two Growth Areas in South Wootton to 300 homes west of Hall Lane and 600 in the Knight's Hill area. These numbers were confirmed in the Pre-Submission document 'Site Allocations & Development Management Policies Plan approved by the Borough Council in November 2014. Both locations are to be subject to detailed assessment, master-planning and appraisal as set out in the representations of South Wootton, North Wootton and Castle Rising Parish Councils. South Wootton Parish Council continues to object to the scale of numbers proposed and has provided credible technical evidence in support of a further reduction to 225 homes west of Hall Lane and 475 in the Knight's Hill area (see documents in sections 4 and 5 in Evidence Base).

The Neighbourhood Plan recognises that development on the scale required will have a profound effect on the village and its community. It provides an opportunity for holistic planning to create high quality, attractive places to live, in which a sense of community is retained and the natural infrastructure and environment is enhanced.

H 1 Growth Areas

Detailed proposals for the "Strategic" housing areas S WOOTTON1 and KL-Knights' Hill will be masterplan led. These will be prepared by developers for approval by the Borough Council in consultation with South Wootton Parish Council.

H 2 Encouraging High Quality Design

Layouts for new development should be designed to the highest possible standard, taking account of the characteristic of the village, and dependant on site size

- make sensitive use of natural landscape.
- make generous provision for open green space, linked to the wider natural environment and accessible to the public.
- provide streets characterised by sections comprising tree-lined roads with provision for parking, footpaths, soft-boundary treatments and the promotion of well-managed front and rear gardens.
- provide well-designed groups of houses, located in attractive, inclusive and secure spaces.

- respond to local character and history, and reflect the identity of local surroundings and materials, whilst not preventing or discouraging appropriate innovation.
- maintain a 'human scale' in which individuals feel comfortable and secure.
- provide for sustainable water management and run-off from rainfall recognising the current increased incidence of higher than average rainfall.
- incorporate Sustainable Drainage Systems where appropriate.
- create safe and accessible environments – where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion – by incorporating “Secured by Design” standards.
- enclose entrances to driveways carefully, taking account of the immediate context, avoiding garden walls that are too tall and defensive looking, or too small and suburban; hedge planting in non-thorn species is preferred.
- consider the impact of cabling, satellite dishes, aerials, burglar alarms and security lighting.

H 3 Infill Developments

Infill plots or the sub-division of existing large gardens within the village development boundary may be acceptable where the character, due to building densities in the surrounding neighbourhood, is not compromised. Developers of sites larger than 0.165 ha within the village development boundary (where the Borough Council housing quota policy CS09 applies) must assess the site and demonstrate the balance between retained vegetation, local amenity and privacy, before determining the amount and massing of housing proposed.

H 4 Density

To preserve the open and green character of the village, building densities should not exceed 16 dwellings per hectare average on each scheme, including roads and open spaces.

H 5 Building for life

New dwellings should make provision for the changing needs and life-style of an ageing population and should be assessed against the 'Building for Life' criteria (CS08), or successor documents as appropriate.

Maintenance of a stable population and community in the village requires the provision of dwellings capable of adapting to the needs of the elderly, including sheltered housing and a care home.

Overall, South Wootton aims to be a place for whole of life living, enabling residents to grow up and stay in South Wootton throughout their lives.

H 6 Sustainable Development

All dwellings should be energy efficient and the use of renewable energy sources will be encouraged, at least in line with the Borough Council's Renewable Energy Policy(CS08) and NPPF 97. In the Growth Areas the traffic noise from the principle routes (A148/A1078 and A149) shall be assessed for its potential impact within dwellings and in garden areas, and appropriate mitigation installed (NPPF 123).

H 7 Space and Mass

The amount of space provided in each dwelling should seek to achieve the minimum standards recommended by the RIBA in 'The Case for Space' (2011) and the Homes and Communities Agency.

It is felt that a ridge height of two floors and an attic is the appropriate scale in the village, subject to a master planning exercise assessment of each particular scheme.

H 8 Garages

Garages should

- be built in direct association with the houses whose inhabitants may be expected to use them.
- be spacious enough to accommodate modern cars and bicycles—refer to Norfolk County Council standards.
- not be prominently sited.
- not be built in blocks.

Proposals for rear or separate parking courts will normally not be encouraged. Hard standings should be kept to a minimum, with permeable surfaces. Rolled shingle for driveways can be an effective finish as it is locally appropriate and less urban than an expanse of tarmac, but loose gravel may create problems.

H 9 Affordable Housing

The affordable housing provided shall be dispersed in small groups, where possible, throughout the development site, in accordance with the Borough Council's Core Strategy. It should be of the same general design as other dwellings in the development and must not be conspicuous.

7.3 Policies for Business & the Local Economy

The majority of the economically active population of South Wootton work in King's Lynn and the surrounding area. Employment hubs are situated at the North Lynn Industrial Estate, the town centre, Queen Elizabeth Hospital site, and Hardwick and Hardwick Narrows Industrial Estates. The village of South Wootton itself is predominantly residential, but it contains a supermarket (ASDA) with a petrol station, and a number of other small businesses. These include a Tesco Express, a post office, a pharmacy, a public house, a nursery/garden centre, a chinese takeaway and two fish and chip shops; close by are a hairdresser, a pub, 2 hotels, and a second pharmacy. There are also a number of residents who work from home or are self-employed in professions and services from a home base. The Parish Council will seek to retain existing businesses, identify deficiencies in local services, such as medical and dental facilities, and help to facilitate the creation of employment opportunities.

B 1 Local Shops retained

The retention of existing local shopping facilities will be supported.

B 2 Local Shops

Proposals for local scale shops development (A1 retail units, up to 1000 sq.m gross) may be acceptable, provided that they have no significant adverse impact on the local environment and transport network including the Growth Area residential distributor roads and are not contrary to national planning guidance.

The amount of any such development shall be directly related to the scale of the local housing development, and is not an opportunity for District shopping whose location would be a Core Strategy issue.

B 3 Home working

Proposals for new business development that combine living and small scale employment will be encouraged, provided there is no adverse impact on the character and amenity of nearby houses.

B 4 Employment and Access

Applications for new development generating employment should include adequate provision for vehicle and cycle parking, vehicle turning and servicing, as recommended in 'Parking Standards for Norfolk 2007' and its imminent update.

B 5 Local Business Units

Proposals for local small scale storage/light industry/offices (B1/B8) units less than 500 sq.m gross size may be acceptable, provided that they have no significant adverse impact on the local environment and transport network including the Growth Area residential distributor roads and are not contrary to national planning guidance.

B 6 Broadband provision

Improved broadband infrastructure should be continually updated to guarantee the fastest available speed and thus assist with community integration and business activity.

7.4 Policies for Society, Community and Culture

The residents of South Wootton enjoy a wide range of social contacts. Numerous organisations meet in the parish and make use of the village Hall, the Parish Office meeting room, or at Wootton Park. The Parish Church is well supported, Scouting and Guiding are active locally, and sport is popular (the Parish Council has in the past discussed an extension to the village hall to accommodate further activities). At present, an Infant School caters for 180 pupils, and the Junior School has 240 pupils. With the expansion of the village, further school provision will be necessary, including the potential for merging these as a single enlarged Primary school. A veterinary surgery is nearby in North Wootton, along with an established GP practice providing medical care, but there is limited room for expansion on the existing GP surgery site.

Continued house building in the parish, as proposed by the Borough Council, could increase the total population to a conservative estimate of 6,300 by 2026. Pressure on existing services and facilities has already increased with the occupancy of the Wootton Meadows development in 2008 to 2011. Consequently, further house building in the parish will outpace our community facilities, especially new medical and dental services which are needed locally.

Anticipated demand for more social/cultural facilities may lead to the inclusion of a new community centre with adjacent playing fields, as the existing village hall is extensively used. Most of the new facilities suggested in S3 will be funded by the Parish Council's portion of a future Community Infrastructure Levy through the planning procedures in the Borough Council.

S 1 Education

Provision must be made in relation to major areas of new development for adequate LEA primary school, and pre-school, provision in the locality. Other education infrastructure contributions will also be negotiable with Norfolk CC through the Community Infrastructure Levy (or Sec 106 planning agreement).

S 2 Primary Health Care

This plan advises the NHS Commissioning Group that a Primary Health Care Centre should be developed in South Wootton to meet the current,

and greatly increased future, population demand. The preferred location should be at a focal point in the parish, close to cycling and bus routes, and a site near ASDA, or a potential re-use of the Infants school site, would be supported. The Growth Areas are not well placed to provide these facilities for the whole population, and financial contributions to a selected site may be relevant.

S 3 Community infrastructure

The Borough Council will lead on requirements for contributions to Norfolk CC services, utility services infrastructure, and affordable housing, being aware of the extent to which these might render unviable an appropriate residential development.

Funding from the Parish Council's portion of any Community Infrastructure Levy or Section 106 Agreements will be used to meet the following priorities (arising from public consultation and discussions):

- a community centre with library.
- community sports facilities with additional playing fields and changing facilities.
- furthering the development of youth activities in the locality in liaison with the Borough-wide Youth Advisory Board.
- maintenance or acquisition of community open spaces and woodland belts.
- expansion of post office services in South Wootton.

S 4 Sustainable construction

The construction methods and furnishing of buildings to be managed by community associations should seek to minimise energy and water use, and promote alternative energy sources.

S 5 Play areas

Play areas for children, within residential areas, must be provided and maintained in accordance with the guidelines at the time.

(Refer to Fields in Trust advice and emerging SADMP policy DM16)

S 6 Cemetery and Allotments

Land should be set aside for the provision of adequate adjacent Cemetery space (in Growth Area SW1), and extra Allotment Gardens if required.

7.5 Priorities for Transport

The local highway authority is Norfolk County Council, which is responsible for all transport policies and maintenance issues in the parish. The Parish Council has a consultative and advisory role through the county councillor and county staff.

South Wootton is divided by the A148/A1078 (Grimston Road/Low Road). This road is a designated route for HGV, and other vehicular transport, to King's Lynn town centre and the Docks. Using evidence of traffic flow issues from Bidwell's 2012 report, significant traffic management improvements are necessary to secure accessibility and ease of movement within the village. These are essential not only to the socio-economic life of the village but, also, to the integration of its community. There is plenty of evidence currently showing peak hour queues in both directions along the main arterial route through the village. The two major issues are capacity and safety at Castle Rising Road traffic lights and at the Langley Road junction for ASDA, and access to large housing estates not in the parish of South Wootton. Current road infrastructure would be stretched beyond breaking point during the development of the large housing Growth Areas at both ends of the village.

The 2013 SW Parish NP questionnaire suggested that 83% of households used private cars for their primary travel needs with 9% using bus and community transport. There is now a single bus company providing regular services from South Wootton to the centre of King's Lynn, although they cannot be described as direct routes.

The Borough Council's policies for the two Growth Areas propose two new junctions on to the main A148/A1078 route. These would be on to Grimston Road at the steepest part of Knights' Hill, and on to Edward Benefer Way west of Hall Lane.

Growth Area SW1 (west of Hall Lane) will require a distributor road through it from Edward Benefer Way to Nursery Lane, and this new link will divert and reduce traffic flows in the southern part of Nursery Lane and at its junction with Low Road. Most of the Knights' Hill Growth Area off Grimston Road is suggested as a vehicle cul-de-sac with one secondary access and connecting to the Ullswater Avenue area only by paths and cycleways (including emergency use).

The Local Highway Authority (Norfolk County Council) is responsible for all the traffic and transport policies and maintenance, but the Parish Council will be alert in seeking to achieve changes and improvements, such as the following:

T 1 Wootton Gap

Review and install any appropriate modification of the traffic management system currently at Wootton Gap - the junction of Castle Rising Road, and A1078 Low Road, with A148 Wootton Road / Grimston Road - in relation to safety and the increased traffic movements. (Proposals Map T1)

T 2 Grimston Road

Improved traffic management and capacity is required at the junction of Langley Road and A148 Grimston Road, following evidence from NCC

surveys in 2010-11, and a Parish Council commissioned report in 2012.
(Proposals Map T2)

T 3 Public transport

The use of bus routes connecting South Wootton and King's Lynn, in particular, should be enhanced by:-

- frequent and direct routing to the town centre for commuting to work and for the Railway Station.
- a direct link to Queen Elizabeth Hospital, for work and daytime use.
- weekend, and early/late timetabled services.

T 4 Walking & cycling in new development

Walking and cycling in the Parish is to be encouraged by the provision of new routes in and through new development, providing natural surveillance of public spaces, safe footpaths and cycle ways, as well as satisfactory lighting, in accordance with national planning guidance.

T 5 New paths & cycle ways

In addition to current designated (joint use) cycle paths, integration of the village will be improved by seeking the construction of appropriate walking and cycling routes between, and within, neighbourhoods. In particular (as on the Proposals Map):

- extension of a path/cycle path along Grimston Road from Langley Road into the lower part of the Knights' Hill growth area
- a new route from Priory Lane towards Langley Road (and Sandy Lane), using drains and woodland to be separate from existing housing.
- a new route associated with the Growth Area, using Sandy Lane (and a bridge over the Bypass A149) towards Roydon Common.
- promoting 'Quiet lane' links between the Woottons (at Nursery Lane, North Wootton) and to Castle Rising (in the verges and tree belts of Castle Rising Road).

T 6 Primary School traffic

Existing 2014 schools in Church Lane and Hall Lane require continued management of traffic and safety issues, and encouragement to reduce parents' car use. Arising from the Growth Area development and enlarged School, in future there will be a new access and a car park for the South Wootton Junior school using the distributor road from Edward Benefer Way/Nursery Lane. (Proposals Map T6)

T 7 Speed calming measures

There should be continuing assessment and introduction of "Traffic Calming" methods for specified roads - Church Lane/Hall Lane, Castle Rising Road, and Nursery Lane within South Wootton.

T 8 On-street parking

Higher density housing estates have resulted in increased parking on footways. In new housing estates and developments, design solutions should be used to reduce on-street parking in access routes, and to avoid pavement parking.

T 9 Bus shelters

The continuing provision by NCC Highways and the bus company of improved bus shelters and stopping places will be needed, in particular as part of the Growth Areas' transport assessments and public transport strategy.

7.6 Proposals Map

The Parish Council's spatial policies for realising its Vision for South Wootton 2026 are shown on the Proposals Map. While some of the mapping is indicative and suggests where circulation routes should run and various facilities could be located, the implementation of other appropriate policies will be the responsibility of major site developers, or subject to contributions by them.

However, other elements in the maps are definitive and non-negotiable. These include the retention of ancient hedgerows, trees with TPOs, the enhancement or creation of the green infrastructure framework in the parish, and the creation of any green space where necessary. Similarly, any buildings of local historic interest should be retained.

8. Sustainability

A complete sustainability appraisal has been carried out on the Plan, using a matrix to compare policies against objectives. The results are set out in the Evidence Base and show that the assessments are all positive or neutral.

The relevant Strategic Environmental Assessment is contained in the Borough Council's draft Sustainability Appraisal Report (December 2013). Natural England has stated they are satisfied that the Plan Vision, objectives, and policies generally seek to protect and enhance environmental issues within their remit, such as biodiversity, including designated sites, green infrastructure, local landscape and access.

9. Risk Assessment

The Plan has been subjected to a risk assessment in order to identify threats that could destabilise the Parish's Vision for South Wootton 2026 and affect its delivery.

Most of these are outside the control of the Parish Council:

9.1 Changes in planning policies at national and district level before the end of the planning period in 2026.

9.2 An inconsistent interpretation of national and local planning policy by decision makers, including appeal decisions.

9.3 The transfer of responsibility for planning and providing the transport infrastructure away from the Borough and County Council, or a change in status of the Parish Council.

9.4 The use of imprecise language leading to ambiguity in Neighbourhood Planning policies that obscures the intentions of this Plan, or allows unintended interpretation.

9.5 Failure to relate the Neighbourhood Plan adequately to the Borough Council of King's Lynn and West Norfolk planning policies.

10. Monitoring and Review

The Neighbourhood Plan covers the period 2015 to 2026. Development will take place during this time, both in the Parish and outside it, and will have an impact on the community as well as on the physical fabric of the village. Each new development will influence what happens next, and where. It is, therefore, essential to the long-term success of the Plan that developments in South Wootton, and neighbouring parishes, are monitored and reviewed against the Plan's objectives, and against the policies designed to implement them.

The Parish Council will make arrangements to monitor developments and carry out an annual review.

11. Evidence Base

1. National Planning documents

1.1 National Planning Policy Framework

2. Borough Council of Kings Lynn & West Norfolk (BCKLWN) Local Planning documents:

2.1 Core Strategy 2011

2.2 Preferred Options for detailed Policies and Sites Plan 2013

2.3 Site Allocations and Development Management Plan 2014

3. Other BCKLWN Published sources:

3.1 Wild Frontier Ecology Report – July 2013

3.2 Affordable Housing Policy – April 2011

3.3 Landscape Character Assessment – March 2007

4. South Wootton Parish Council Documents

4.1 South Wootton Parish Council (SWPC) – Village Design Statement 2007

4.2 Traffic Impact Appraisal – August 2012 – (Bidwells)

4.3 Archaeological and Development Report – (J P Smallwood)

4.4 The Landscape Report – (J P Smallwood)

4.5 SWPC Neighbourhood Plan Questionnaire

4.6 SWPC Consultation responses

4.7 Statement of Community Involvement (updated Nov 2014)

4.8 Basic Conditions Statement – June 2014 (updated Nov 2014)

4.9 Matrix Summaries of Sustainability Appraisal relating to the Objectives and Policies of the Neighbourhood Plan

4.10 SWPC's response to the Borough Council's Site Allocations and Policies – Issues and Options Consultation

4.11 'Objections to the Scale of Proposed development in South Wootton' – Nov 2011

4.12 SWPC response to the Borough Council's 'Preferred Options for a Detailed Policies and Site Plan' document – Statement of Objections – Oct 2013 – (Bidwells)

4.13 Representations to the Borough Councils 'Draft Sustainability Appraisal Report for the details Policies and Sites Plan preferred options – Jan 2014 (Bidwells)

5. Joint Parish Councils Documents

5.1 Castle Rising, North and South Wootton Parish Councils – Flood Risk and Drainage Statement – Sept 2012 – (Bidwells)

5.2 Castle Rising, North Wootton and South Wootton Parish Council – Traffic Impact Appraisal – Aug 2012 (Bidwells)

5.3 Combined response of Castle Rising, North and South Wootton Parish Councils to the above Borough Councils consultation document – Nov 2011 (Bidwells)

5.4 Castle Rising, North and South Wootton Parish Councils response to the Borough Councils 'Preferred Options' document – Statement of Objections – Oct 2013 – (Bidwells)

6. Other

6.1 Rural East Anglia Partnership – Strategic Housing Market Assessment – July 2007

6.2 RIBA - Case for Space – Sept 2011

6.3 Norfolk Geodiversity Partnership - 2012

6.4 North East Knights' Hill growth area; Ecological issues (Sue Everett, Ecologist and Sustainability Consultant) – Nov 2011

6.5 Parking Standards for Norfolk 2007

6.6 Communities and Local Government – Designing sustainable Communities for all.

6.7 Lifetime Homes

6.8 South Wootton Junior School – Travel Plan 2008

6.9 Norfolk Wildlife Trust Report

7. Comments from potential developers

7.1 Ashdale Homes

7.2 Maxey Grounds & Co

7.3 One Planning Consultants

7.4 Januarys

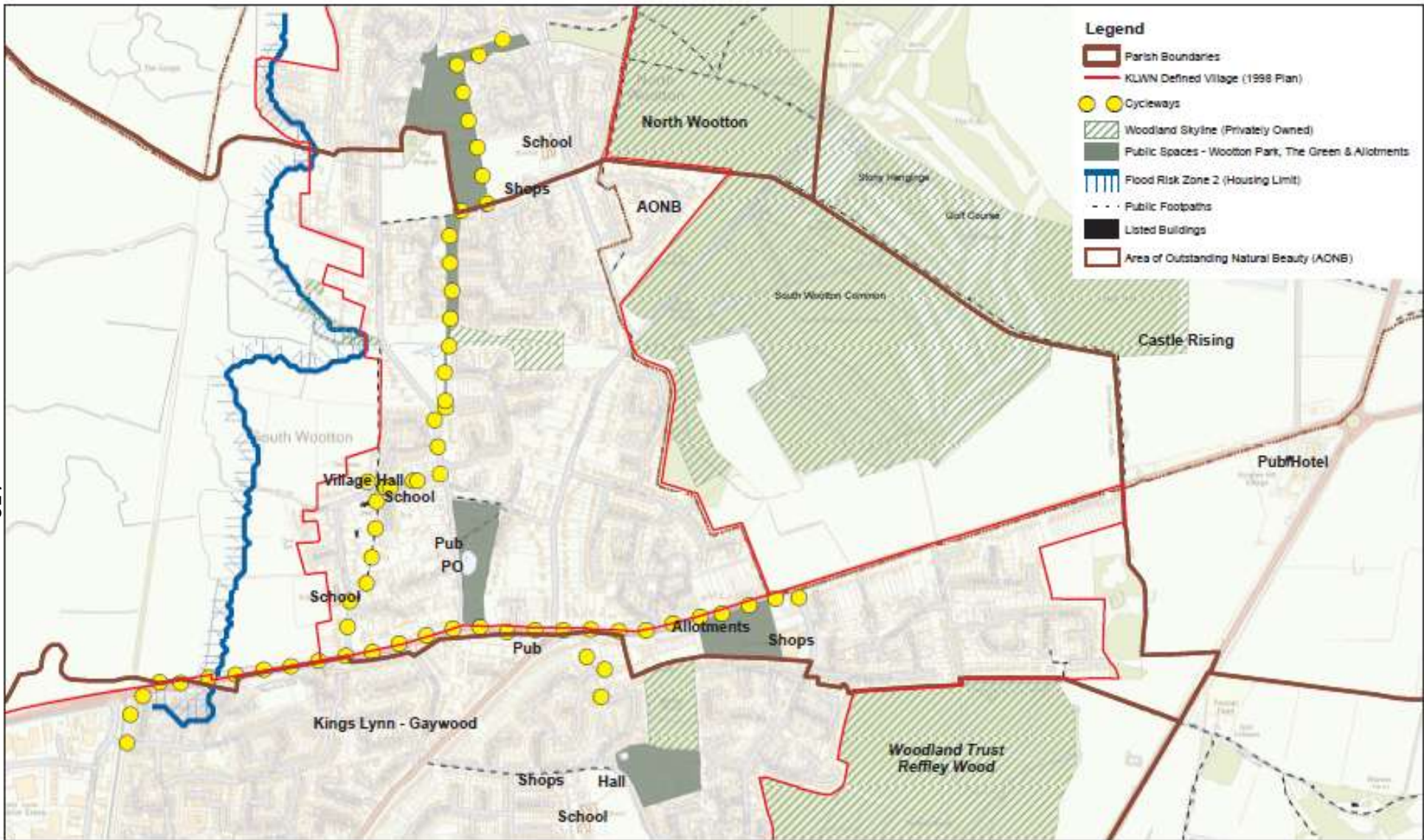
GLOSSARY OF TERMS

AONB	Area of Outstanding Natural Beauty
BCKLWN	Borough Council of King's Lynn & West Norfolk
CS	Core Strategy 2011
LDF	Local Development Framework
NPPF	National Planning Policy Framework
Ramsar	The Ramsar (a city in Iran) Convention on Wetlands of International Importance
RIBA	Royal Institute of British Architects
SAC	Special Area of Conservation
SADMP	Site Allocations & Development Management Policies
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
SWPC	South Wootton Parish Council
TPO	Tree Preservation Order

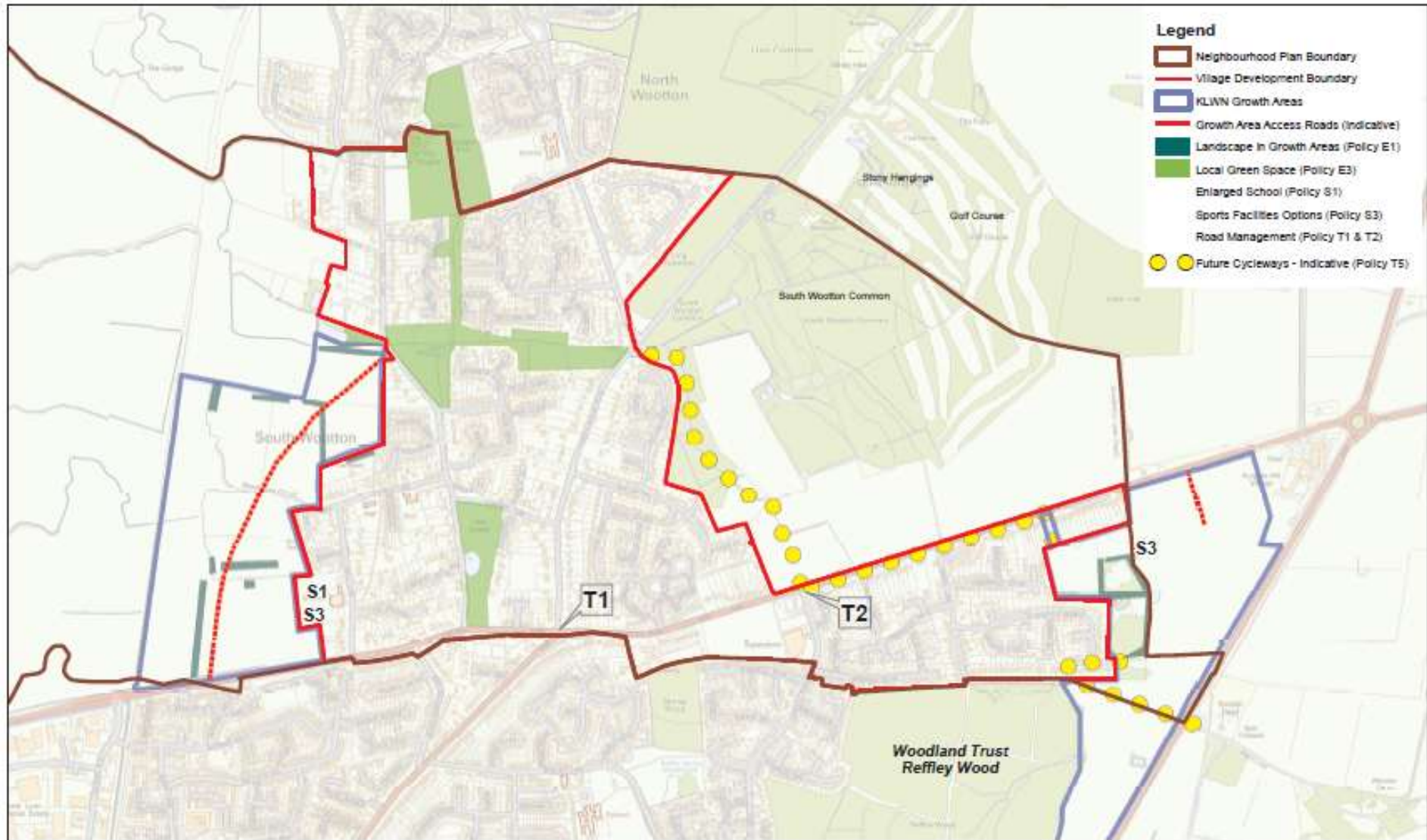
The Neighbourhood Plan Team

Cllr David Price (Chairman)
Mrs Tracey Cornwell (Parish Clerk)
Mrs Moira Kirby (Assistant Clerk)
Cllr Derek Steward-Brown
Cllr Alan Evans
Cllr Brian Clapham
Cllr Theresa Banks
Cllr Rev David Tate


Mr Adrian Parker
Dr Peter Tasker
Dr Robert Outred
Ms Sheila Borrman
Mr Clifford Walters
Mr Charles Abbs
Mr Robert Gardner
Mr John Marrow



<p>Borough Council of King's Lynn & West Norfolk</p> <p>Tel: 01553 616200 - Fax: 01553 691603</p>	<p>Title</p> <h3>Existing Map</h3>			<p>Date</p> <p>12/01/2016</p>	<p>Scale at A3:</p> <h2>1:10,000</h2>
	<p>Project / Details</p> <h3>South Wootton Neighbourhood Plan</h3>			<p>Drawn by / Department</p> <p>AD/Tech Support</p>	
			<p>Drawing / Reference Number</p> <p>20160112/SouthWoottonProposal</p>		<p>© Crown copyright and database rights 2014 Ordnance Survey 100024314</p>



- Legend**
- Neighbourhood Plan Boundary
 - Village Development Boundary
 - KLWN Growth Areas
 - Growth Area Access Roads (Indicative)
 - Landscape in Growth Areas (Policy E1)
 - Local Green Space (Policy E3)
 - Enlarged School (Policy S1)
 - Sports Facilities Options (Policy S3)
 - Road Management (Policy T1 & T2)
 - Future Cycleways - Indicative (Policy T5)

 Borough Council of King's Lynn & West Norfolk Tel: 01553 616200 • Fax: 01553 691603	Title Proposals Map	Date 12/01/2016	Scale at A0: 1:10,000	
	Project / Details South Wootton Neighbourhood Plan	Drawn by / Department ADiTech Support	© Crown copyright and database rights 2014 Ordnance Survey 100024314	
		Drawing / Reference Number 20160112/SouthWoottonProposal		

South Wootton Neighbourhood Plan 2015-2026

**A report to King's Lynn and West Norfolk Borough
Council on the South Wootton Neighbourhood Plan**

**Andrew Ashcroft
Independent Examiner
BA (Hons) MA, DMS, MRTPI
Assistant Director – Economic, Environment & Cultural Services**

Executive Summary

- 1 I was appointed by King's Lynn and West Norfolk Borough Council in June 2015 to carry out the independent examination of the South Wootton Neighbourhood Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 10 July 2015.
- 3 The Plan proposes a wide range of policies and seeks to bring forward positive and sustainable development in the parish. There is a very clear focus on safeguarding the very distinctive character of the village and its open spaces.
- 4 The Plan is underpinned by community support and engagement. It seeks to achieve sustainable development in the parish and which reflects the range of social, environmental and economic issues that it has identified.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the South Wootton Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
27 July 2015

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the South Wootton Neighbourhood Plan 2015-2026 (SWNP).
- 1.2 The plan has been submitted to King's Lynn and West Norfolk Borough Council (KLWNBC) by South Wootton Parish Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework in 2012 and which continues to be the principal element of national planning policy.
- 1.4 This report assesses whether the SWNP is legally compliant and meets the Basic Conditions that such plans are required to meet. It also considers the content of the plan and, where necessary, recommends changes to its policies and supporting text.
- 1.5 This report also provides a recommendation as to whether the SWNP should proceed to referendum. If this is the case and that referendum results in a positive outcome the SWNP would then be used to determine planning applications within the plan boundary and sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the legislative and procedural requirements.
- 2.2 I was appointed by KLWNBC, with the consent of the South Wootton Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both the KLWNBC and the South Wootton Parish Council. I do not have any interest in any land that may be affected by the Plan.
- 2.2 I possess the appropriate qualifications and experience to undertake this role. I am Assistant Director – Economic, Environment and Cultural Services at Herefordshire Council and I have over 30 years' experience in various local authorities. I am a chartered town planner and have experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute.
- 2.3 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the SWNP is submitted to a referendum; or
 - (b) that the SWNP should proceed to referendum as modified (based on my recommendations); or
 - (c) that the SWNP does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.4 As part of this process I must consider whether the submitted SWNP meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State; and
 - contribute to the achievement of sustainable development; and
 - be in general conformity with the strategic policies of the development plan in the area; and
 - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

I have examined the submitted SWNP against each of these basic conditions, and my conclusions are set out in Sections 6 and 7 of this report. I have made specific comments on the fourth bullet point in paragraphs 2.5 to 2.8 below.

- 2.5 In order to comply with the Basic Condition relating to European obligations the Borough Council has undertaken a screening opinion. This process establishes whether the SWNP would require a Strategic Environmental Assessment (SEA) under the provision of the SEA Directive and UK regulations. I am satisfied that KLWNBC followed the required process in consulting with English Heritage, the Environment Agency and Natural England.

- 2.6 This process resulted in the following opinions:
- SEA Screening Opinion – an SEA of the SWNP is not required as the plan is unlikely to have significant environmental effects because it constitutes a minor modification to the provision of the King’s Lynn and West Norfolk Core Strategy (adopted 2011).
 - HRA Screening Opinion – an Appropriate Assessment of the SWNP is not required because the Plan is not likely to have a significant effect on a European site or a European off-shore marine site (either alone or in combination with other plans or projects).
- 2.7 Having reviewed the information provided to me as part of the examination I am satisfied that a thorough, comprehensive and proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns with regard to either the neighbourhood plan or to European obligations. In the absence of any evidence to the contrary, I am satisfied that the submitted SWNP is compatible with this aspect of European obligations.
- 2.8 In a similar fashion I am satisfied that the submitted SWNP has had regard to the fundamental rights and freedoms guaranteed under the ECHR and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis I conclude that the submitted SWNP does not breach, nor is in any way incompatible with the ECHR.
- 2.9 In examining the SWNP I am also required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.10 Having addressed the matters identified in paragraph 2.9 of this report I am satisfied that all of the points have been met subject to the contents of this report.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted SWNP.
- the SWNP Basic Conditions Statement.
- the SWNP Consultation Statement.
- the SWNP SEA & HRA Screening Opinions.
- the representations made to the SWNP.
- the saved policies of the King's Lynn and West Norfolk Local Plan 1998.
- the adopted King's Lynn and West Norfolk Core Strategy 2011.
- the King's Lynn and West Norfolk Proposed Site Allocations and Development Management Policies Plan as submitted for examination on 22 April 2015.
- the National Planning Policy Framework (March 2012).
- Planning Practice Guidance (March 2014 and subsequent updates).
- the Ministerial Statement (March 2015).

3.2 I carried out an unaccompanied visit to the Plan area on 10 July 2015. I looked at the position of the plan area to its wider context , to the character of the village core and to the identified areas of local green space. I paid particular attention to the growth areas to the extreme west and east of the Plan area. In doing so I looked at the relationship between these areas and the policies proposed in the SWNP. My site inspection is covered in more detail in paragraphs 5.8 to 5.10 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the SWNP could be examined without the need for a public hearing. I advised KLWNBC of this decision early in the examination process.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plan become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. This statement helpfully includes the Parish Council's own statement of community involvement that sets out the basic principles and standards that were applied to the wider consultation process.
- 4.3 It is clear that consultation has underpinned the Plan's production. Progress on the Plan was regularly reported within the community and a special neighbourhood plan newsletter was prepared. Detailed consultation with the community was carried out in February 2013 by means of a questionnaire survey.
- 4.4 A series of meetings took place between the Parish Council and the Borough Council's Planning Policy Team. This collaborative approach is good practice. It also reflects the overlapping processes of the parish council's production of the SWNP and the Borough Council's production of its own proposed Site Allocations and Development Management Policies Plan (and as submitted for its own examination in April 2015).
- 4.5 In response to specific questions that I raised during the course of the examination the Parish Council has provided me with additional detail on the scale and level of the consultation feedback in general, and the extent to which responses made to the draft Plan assisted in the formulation of the submitted Plan.
- 4.6 From all the evidence provided to me as part of the examination, I can see that the SWNP has promoted an inclusive and comprehensive approach to seeking the opinions of all concerned throughout the process. On this basis I am satisfied that the consultation process has complied with the requirements of the Regulations.

Representations Received

- 4.7 Consultation on the submitted plan was undertaken by the Borough Council from 23 April 2015 to 4 June 2015. This exercise generated comments from the following persons or organisations:
 - The Environment Agency
 - Sport England
 - Norfolk County Council
 - George Goddard Ltd

- Ashdale Land and Property Company Ltd
- Historic England
- Camland Development
- Natural England
- Mrs A Isted
- JCJ Planning
- King's Lynn and West Norfolk Borough Council

5 The Plan Area and the Development Plan Context

The Plan Area

- 5.1 The Plan area covers the full extent of the South Wootton parish. South Wootton is an attractive village on the northern side of King's Lynn. The separate settlement of North Wootton lies to the immediate north. The village of South Wootton itself is located in the eastern part of the Plan area. The remainder of the Plan area to the west consists of agricultural land and marshes and extends to the River Great Ouse.
- 5.2 There is a clear historic core to the village based around Nursery Lane/Church Lane/The Green. At the heart of this historic area are the three listed buildings of Old Hall, St Mary's Church and the War Memorial. There are several brown slip carstone buildings with red brick detailing in the core of the village and which contribute significantly to its character and appearance. Beyond this historic core there are a variety of predominantly residential properties of differing size and character. Different parts of the village have different characteristics. Nursery Lane has an open character and which stems from the significant open spaces and the positioning of the buildings in relation to the road. The differing types and styles of buildings also add to its visual interest. Castle Rising Road is characterised by large, individual houses set in large plots and with substantial landscaping and trees. Grimston Road to the east of the village is very different in character. It is one of the principal main roads in the King's Lynn area (A418). It provides strategic access to and from King's Lynn and its northern industrial estates to the wider road network (A149 & A47). To the south of the Grimston Road there is an extensive area of residential properties of varied age.

Development Plan Context

- 5.3 The development plan context is both comprehensive and up-to-date. This has provided a clear framework for the preparation of the neighbourhood plan.
- 5.4 The King's Lynn and West Norfolk Core Strategy was adopted in 2011. South Wootton is designated as one of the settlements adjacent to King's Lynn in that document. It is also identified as one of the 'strategic locations' forming 'urban expansion areas' and which together will accommodate a significant proportion of the town's growth over the plan period to 2026.
- 5.5 A Site Allocations and Development Management Policies Plan is now at an advanced stage of preparation. It will provide detail to give effect to the implementation of the Core Strategy. The Plan was submitted to the Secretary of State in April 2015 and the examination hearings commenced on 7 July 2015. Proposed policies of particular relevance to South Wootton include:

Site specific policies

- E3.1 Hall Lane South Wootton – allocation for 300 dwellings (wholly within the Plan area).
- E4.1 Knight's Hall – allocation for 650 dwellings (partly within the Plan area).

Development Management Policies

- DM2 Development Boundaries
- DM9 Community Facilities
- DM12 Strategic Road Network
- DM13 Environment Design and Amenity

- 5.6 These policies in general and the site specific policies in particular, have evolved as the Site Allocations Plan has developed. The dwelling numbers in E3.1 and E4.1 have been reduced from 800 to 750 dwellings respectively as set out in an earlier draft of the plan.
- 5.7 There are also a variety of saved policies from the King's Lynn and West Norfolk Local Plan 1998 that remain extant in the Plan area.

Site Visit

- 5.8 I carried out an unaccompanied visit to the Plan area on 10 July 2015. I walked along Low Road to the North Lynn Industrial Estate, along Nursery Lane to the Plan boundary, along Castle Rising Road to the King's Lynn Golf Club, and along Grimston Road to the Plan boundary to the east. I looked in detail at the community and commercial facilities in Nursery Lane, Church Lane and Hall Lane. I also looked at the various identified areas of Local Green Space (policy E3).
- 5.9 It was very clear that there is a strong sense of community in the Plan area. The quality of the public realm was very high in general, and the open spaces around the pond and Nursery Lane were beautifully maintained. There were also clear signs of environmental sustainability and local pride. In particular several trees have been planted in recent years at the junction of Bracken Road and Meadow Road, and a new hedge has been planted at the junction of Common Lane and Nursery Lane.
- 5.10 This sense of local pride and maintenance is also reflected in the local building stock. Properties and gardens are very well-maintained. Several modern houses have been constructed using local vernacular materials. In other cases houses have incorporated sections or panels of these same vernacular materials in their walls/garages and extensions. The whole effect is one of a favoured residential area with its own distinct identity. The plan area has a pleasant, well-maintained character with mature trees and gardens and generally low density housing.

6 The Neighbourhood Plan and its priorities

6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions.

6.2 The Plan needs to meet all the basic conditions to proceed to referendum. This section provides an overview of the extent to which the Plan meets three of the four basic conditions. Paragraphs 2.5 to 2.8 of this report have already addressed the issue of conformity with the European Union legislation.

National Planning Policies and Guidance

6.3 The key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in March 2012.

6.4 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the South Wootton Neighbourhood Plan:

- be genuinely plan led – in this case the relationship between the neighbourhood plan, the adopted 2011 Core Strategy and the emerging Site Allocations and Development Management Policies Plan.
- proactively drive and support sustainable development (homes, businesses and thriving places).
- recognise the intrinsic character and beauty of the countryside and supporting thriving local communities.
- support the transition to a low carbon future.
- conserve heritage assets.
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.
- take account of and support local strategies to improve health, social and cultural well-being.

6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, which is identified as a golden thread running through the planning system. Paragraph 16 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in Local Plans and plan positively to support local development that is outside the strategic elements of the Local Plan.

6.6 In addition to the NPPF I have also taken account of other elements of national planning guidance including the Planning Practice Guidance and the ministerial statements of March and May 2015.

- 6.7 Having considered all the evidence and representations submitted as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the parish and promotes sustainable growth. At its heart are a suite of policies that set out to safeguard its distinctiveness and character. Whilst there are different views on the scale of the proposed strategic allocations this does not detract from the approach that has been taken.
- 6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 & 154). This has been reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) comments that policies in neighbourhood plans should be drafted with sufficient clarity that a decision maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision and are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear to me that the submitted Plan has set out to achieve sustainable development in South Wootton. In the economic dimension the Plan supplements the approach in the Borough Council's development plan with regard to both the South Wootton and Knight's Hill strategic housing allocations. The Plan also seeks to retain existing shops and promote new retail outlets. It also has a positive policy for local business units. In the social role it includes policies with regard to education, primary health care facilities and community infrastructure. In the environmental dimension the Plan positively seeks to protect the natural, built and historic environment of the parish. It has policies that address landscape character, sustainable drainage, Local Green Spaces and the quality of design.

General conformity with the strategic policies in the development plan

- 6.11 I have already commented in detail on the development plan context in King's Lynn and West Norfolk in paragraphs 5.3 to 5.7 of this report.

- 6.12 It is clear that the submitted SWNP seeks to supplement the strategic detail already included in the adopted Core Strategy (2011) and the emerging Site Allocations and Development Management Policies Plan (2015). The latter document in particular provides significant detail on its expectations for the development of the site specific policies in the SWNP areas (in its policies E3.1 and E4.1). I make specific comments on this matter in paragraph 7.11 of this report.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the range of policies in the Plan. In particular it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases I have recommended changes to the text to reflect proposed modifications to policies.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is concise and distinctive to the Plan area. Other than to comply with national guidance I do not propose that major elements of the Plan are removed or that new sections are included. The community and the Parish Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This gets to the heart of the localism agenda.
- 7.4 In some cases I have recommended that non-land use policies are repositioned into a separate part of the Plan from the main land use policies. This approach directly reflects the approach in Planning Policy Guidance (41-004-20140306) and which indicates that neighbourhood plans must address the development and use of land. The same paragraph identifies that the neighbourhood planning process can inspire local people to consider other ways to improve their neighbourhood than through the development and use of land. Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land uses matters should be clearly identifiable.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. In some cases there are overlaps between the different policies.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated changes to the text of the Plan are set out in italic print.

Sections 1-6 of the Plan

- 7.8 These introductory elements of the Plan set the scene for the range of policies. They do so in a concise and proportionate way.
- 7.9 In two parts of the Introduction (Section 1) to the Plan reference is made to the dialogue that continues to take place between the Parish Council and the Borough Council on the scale of development to be accommodated on the two strategic housing sites. This matter also appears in Section 7.2 of the Plan (in policies for housing).

- 7.10 Paragraph 184 of the NPPF is clear that neighbourhood plans must be in general conformity with the strategic policies of the local plan and that such plans should not promote less development than set out in the Local Plan or undermine its strategic policies. I recognise that there is an important debate on the scale and nature of development on these and other strategic housing sites in the Borough. However that is a debate for the Proposed Site Allocations and Development Management Policies Plan. I am aware that the Parish Council has submitted its own comments directly to the Plan inspector and for a reduced scale of development as set out in the Introduction and Paragraph 7.2 of the submitted SWNP.
- 7.11 In all the circumstances I recommend the removal of sections of text from the submitted plan and as detailed below. In so doing the SWNP will not conflict with the NPPF. Irrespective of the outcome of the Planning Inspector's examination of the Site Allocations Plan, the submitted SWNP will retain its own integrity on this matter. In particular its policy H1 centres on a master plan led approach. This approach is largely supported by the developers concerned.

Delete the following sections of supporting text from the Plan

Introduction

Second paragraph: From 'The Parish Council (5th line) to Councils Documents' (12th line).

Third paragraph: From 'The Parish Council (7th line) to Borough Council's document' (17th line).

Section 7 – SWNP Policies Paragraph 7.2

First paragraph: From 'South Wootton Parish Council (9th line) to Evidence Base' (13th line).

Policies in General

- 7.12 The presentation of the Plan does not make any contrast between the policies themselves and the remainder of the Plan. In most cases the distinction between policy and supporting text is clear. In other cases it is less obvious. This issue is more than one of taste or preference. Once made the neighbourhood plan will form part of the development plan and decision-makers will need to have clarity on the policies in the SWNP. The current presentation of the Plan is a matter addressed in the comments made by the Borough Council in its capacity as the Local Planning Authority. On this basis I recommend:

Make a clear distinction between policies and other text in the Plan.

Policy E1 Landscape Character

- 7.13 This policy is well-developed and seeks to safeguard woodlands, tree belts and hedgerows which feature heavily in the character and appearance of the area. The policy has the general support of developers and the Borough Council. However these bodies suggest that a greater degree of flexibility would be appropriate. Given the scale of development promoted in the SWNP area by the Site Allocations Plan it will be appropriate to introduce a degree of flexibility into the policy and to require appropriate replacement planting in circumstances where the loss of existing vegetation is unavoidable. As such I recommend:

Insert full stop after distinctiveness on the fifth line.

Amend policy thereafter to read:

Where appropriate such features should be enhanced as part of any adjacent development. Where the removal of vegetation identified on the Proposals Map is required to facilitate development any such removal should be kept to a minimum and appropriate replacement planting should be delivered as part of the detailed proposal.

Policy E2 Sustainable Drainage

- 7.14 This policy reflects the drainage and ecological issues that affect much of the Plan area. It is both appropriate and distinctive. The first sentence of the policy as set out in the submitted plan is supporting text rather than policy. On this basis I recommend:

Reposition the first sentence of policy as drafted from Policy E1 into the supporting text at Paragraph 7.1.

Policy E3 Open Spaces

- 7.15 This policy sets out to protect identified local green spaces against built development. It is a distinctive policy that clearly relates to the local character of the Plan area. Open spaces feature heavily in my summary of this character in paragraphs 5.8/5.9 of this report. I am satisfied that the areas identified on the Proposals Map are important local green spaces that should be safeguarded.
- 7.16 Given the scale of these areas it would be helpful if the various component parts could be listed in the policy and annotated as such on the Proposals Map. This would add both clarity and certainty for the general public and decision makers throughout the Plan period. By way of example the rectangular open space to the east of Nursery Lane could be identified as Local Green Space 1 (Village Green/Duck Pond). I recognise that open spaces have little regard for administrative or parish boundaries. Nevertheless in order to comply with legislation the area of local green space overlapping the northern boundary of the Plan area and extending into North Wootton should not be shown on the Proposals Map. I have also

recommended a minor revision to the wording of the policy. In summary I recommend:

Replace ‘building developments’ with ‘built development’ in the second line of the policy.

List the component Local Green Spaces in the policy and refine the Proposals Map as such.

Remove the element of Local Green Space (in the north of the Plan area) that extends beyond the SWNP area itself.

Policy E4 Strategic Landscape Framework

- 7.17 This policy sets out to minimise the visual effect of the growth areas from main roads and the surrounding countryside. It meets the basic conditions.

Policy E5 New Growth Areas

- 7.18 This policy sets out to ensure that new developments will include appropriate planting to safeguard and enhance the landscape character of the area. It meets the basic conditions.

Policy H1 Growth Areas

- 7.19 This policy relates to the two growth areas identified either wholly or partially with the SWNP area. It specifies that the development should be masterplan led. This policy reflects the community’s wish that new development is sensitively incorporated into the existing village. As a policy it supplements the extensive policy base for both sites as set out in the submitted Site Allocation Plan. I have read the representations on this policy and I am satisfied that it meets the basic conditions without any further elaboration. For clarity it would be helpful if the policy indicated that only part of the Knight’s Hill site is within the SWNP boundary. As such I recommend the inclusion of the following wording into the policy:

Insert ‘insofar as it is within the Plan boundary’ after ‘Knight’s Hill’ in the second line of the policy.

Policy H2 High Quality Design

- 7.20 This policy sets out the Plan’s expectations for high quality design. In my view this policy is both important and appropriate given the character of the environment in the Plan area. This policy gets to the heart of the environmental aspect of sustainable development. The policy has been positively supported through the consultation process. It is particularly encouraging that it has achieved support from the development industry.

- 7.21 Historic England usefully suggested the incorporation of an additional bullet point in the policy to require new housing developments to respect views of the church tower where it is visibly across the open land to the west of the existing settlement. This is a helpful comment and reflects the importance of the historic environment as recently established in case law. I reflect this below in my proposed modifications.
- 7.22 I have also proposed some modifications to tidy up the wording of two of the bullet points to provide clarity. I have also proposed some minor working changes to the policy so that it is capable of clear and consistent application by decision makers. In summary I recommend the following modifications:

Replace initial part of the policy with the following:

Layouts for new development should be designed to the highest possible standard taking into account the character of the village. Dependant on the size and scale of individual sites, planning applications will be expected to:

After each bullet point replace existing full stop with a semi-colon followed by 'and'.

Insert additional bullet point to read:

Respect views of the church tower both within the village and across existing open land to the west of the existing village.

Replace the third bullet point with:

Provide highways and vehicular accesses that incorporate trees and landscaping and include car parking, footpaths, soft-boundary treatments and sensitively designed and located gardens.

Replace the ninth bullet point with:

Create safe and accessible environments by incorporating 'Secured by Design' principles.

Policy H3 Infill Development

- 7.23 This policy sets out the Plan's policy for infill development within the village development boundary. This is likely to be a significant policy for decision makers throughout the Plan period.
- 7.24 As drafted the policy is unclear in its extent and purpose. This is reflected in the comments from the Borough Council. Historic England has also usefully commented that the policy should be extended to ensure that the setting of listed buildings is respected. As the policy sits in the housing part of the Plan, I have proposed modifications to reflect the scale and character of future housing development that is likely to come forward in the Plan period. As such I recommend that the policy is modified as set out below:

Within the village development boundary the residential development of infill plots or of existing residential garden areas will be acceptable subject to the following criteria:

- **the development is sensitively designed and of high quality; and**
- **the proposed development has due regard to the character and density of the surrounding area; and**
- **the proposed development would not have significant harmful impacts on the amenities of surrounding residential properties and other activities; and**
- **the proposed development would not have significant harmful impacts on the local road network.**

Policy H4 Density

- 7.25 This policy sets out to identify a specific standard for building density in the Plan area.
- 7.26 All parties support the principle of achieving spacious and well-designed residential development in the Plan area in general and within the growth areas in particular. However the proposed introduction of a prescriptive density (of 16 dwellings per hectare average on each scheme) is a blunt mechanism. It may also have unintended consequences and prevent the development of creative and innovative proposals. It may also have an impact on the viability and/or delivery of strategic proposals contrary to national planning policy.
- 7.27 However within the context of the existing character of the Plan area I can see that there would be real merit in retaining a modified version of this policy. In order to meet the basic conditions its focus should be on retaining and reflecting local character rather than prescribing specific densities for new residential development. In summary I recommend that the policy should be modified as follows:

H4 Local Character

Proposed residential development densities will be required to demonstrate that they respond to their context and help preserve the open and green character of the village.

H5 Building for Life

H6 Sustainable Development

H7 Space and Mass

- 7.28 The submitted Plan includes three policies that address the issues of lifetime properties (H5), building sustainability (H6) and internal space standards (H7). These policies as drafted and included in the submitted version of the Plan were previously entirely appropriate and reflected both local circumstances and plan-making practice elsewhere in England.

- 7.29 However the Written Statement to Parliament on 25 March 2015 by the Secretary of State introduced significant changes to national planning policy with regard to these three proposed policy approaches. In particular the statement set out the government's new national policy on the setting of technical standards for new dwellings. The statement indicates that it should be taken into account in applying the NPPF, and in particular the policies on local standards or requirements at paragraph 95, 174 and 177 in both plan-making and decision-taking.
- 7.30 The effect of this statement is that local planning authorities and qualifying bodies preparing neighbourhood plans should not set in their emerging local plans or neighbourhood plans any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. This includes any policy requiring any level of the Code for Sustainable Housing to be achieved by new development.
- 7.31 I recognise that this statement may result in an outcome that the Parish Council could not have anticipated at the time of the finalisation of the Plan. Nevertheless the SWNP needs to take account of this recent guidance. As such I recommend the deletion of these three policies from the Plan. In effect these issues will now fall to be considered against current and future Building Regulations.

Delete Policies H5/H6/H7.

H8 Garages

- 7.32 This policy sets out specific guidance for residential garages. Whilst it is a very detailed policy its inclusion in the Plan is important given the character of the SWNP area.
- 7.33 There are elements of the policy which are supporting text rather than policy and are reflected in my recommendations below. It will also be useful if the policy title clarifies that it refers to residential garages. In summary I recommend the following modifications to the policy.

Change title to 'Residential Garages'

Change second bullet point to read:

Be of a size to accommodate modern cars and bicycles having regard to Norfolk County Council standards.

Delete 'Rolled shingle create problems'.

H9 Affordable Housing

- 7.34 This policy sets out to ensure that affordable housing is dispersed through new developments. This policy is entirely appropriate and meets the basic conditions as drafted.

B1 Local Shops retained

- 7.35 This policy sets out to retain local shopping facilities. The policy is appropriate to the Plan area. I recommend that the policy title be modified slightly by the deletion of the word 'retained' and its replacement with 'The Retention of ...'.

**Amend policy title to read:
Retention of Local Shops**

B2 Local Shops

- 7.36 This proposal provides policy guidance for planning applications for new shops in the Plan area.
- 7.37 As currently drafted the policy does not specify whether it applies throughout the Plan area or specifically within the growth areas. In development plan terms neighbourhood shopping facilities in the growth areas would be acceptable. This approach is included within the policy wording of both policies E3.1 and E4.1 of the Site Allocations and Development Management Policies Plan. Elsewhere in the Plan area retail development would be determined in accordance with Policy CS02 of the adopted Core Strategy. In addition the policy also lacks clarity on the number of retail units that would be approved. It is also unclear whether the italicised text at the end of the policy is intended to be part of the policy itself. Its wording indicates that it is supporting text rather than policy.
- 7.38 I propose modifications to the policy to address these various issues. In particular I have recommended modifications to the policy so that it refers exclusively to the growth areas. Any applications that may come forward within the wider Plan area can be determined on their own merits and against national and local planning policy. In summary I recommend that the policy is modified as follows:

Modify policy title to read:

'Development of local shops in growth areas'

Modify policy to read:

Proposals for local scale retail development within the identified strategic growth areas will be acceptable subject to the following criteria:

- **they are of a scale and nature directly related to the residential development concerned; and**
- **they are consistent in location and scale with the master plan for the development of the strategic housing site concerned; and**
- **they will not have a detrimental impact on the local highway network; and**

- they make appropriate provision for customer car parking and the loading and unloading of goods within the context of the masterplan for the strategic housing site concerned.

B3 Home Working

- 7.39 This policy promotes homeworking insofar as any proposal may require planning permission. As submitted the policy is entirely appropriate and meets the basic conditions.

B4 Employment & Access

- 7.40 This policy sets out requirements for access requirements to new developments generating employment. Its application is slightly unclear as it refers to rather dated guidance from Norfolk County Council (2007) and indicates that an update to that guidance is imminent.
- 7.41 In order to simplify the policy, and to ensure its applicability throughout the Plan period, I recommend that the policy is replaced with the following:

Proposals for new employment development will be expected to incorporate adequate and appropriate provision for vehicle turning and servicing, and adequate and appropriate associated provision for staff and customer vehicle and cycle parking.

B5 Local Business Units

- 7.42 This policy sets out guidance on the development of local small scale business units. My comments overlap with those on policy B2. The language of the policy suggests that it applies to growth areas.
- 7.43 As with the approach that I have adopted to policy B2 I recommend that the policy is modified so that it applies specifically to the growth areas. Similarly any application that may come forward for business use within the remainder of the Plan area can be determined on its own merits and against national and local planning policy. In summary I recommend that the policy is modified as follows:

Modify policy title to read:

'Development of local business units in growth areas'

Amend policy to read:

Proposals for local small scale storage/light industrial units/offices (B1/B8) units within the identified growth areas will be acceptable subject to the following criteria:

- they are of a scale and nature directly related to the development of the strategic growth area; and

- they are consistent in location and scale with the master plan for the development of the site concerned; and
- they will not have a detrimental impact on the local highway network; and
- they make appropriate provision for service traffic and staff and customer car parking.

B6 Broadband Provision

7.44 This policy sets out to ensure that broadband infrastructure should be continually updated. I am satisfied that this is a land-use policy as it refers to the physical elements of broadband infrastructure (insofar as it may require planning permission). Improved broadband facilities will assist in business activity in general and homeworking (Policy B3) in particular. As such this policy directly contributes to the economic dimension of sustainable development. As submitted this policy meets the basic conditions.

S1 Education

7.45 This policy sets out to ensure that appropriate provision is made for the delivery of education infrastructure associated with the strategic growth identified in whole or in part in the Plan area.

7.46 A policy of this type is appropriate given the planned residential growth in the Plan area. The policy reflects policies E3.1 and E4.1 in the submitted Site Allocations Plan produced by the Borough Council and which also sets out requirements for financial contributions towards additional primary and secondary school places. However the Policy is either unclear or uncertain in two areas. The first area is its indication that other education infrastructure contributions will also be negotiable but without any guidance or clarification. The second area is that these negotiations are indicated to take place through the Community Infrastructure Levy. Whilst work is well underway on this important piece of work and comments have been invited on the Preliminary Draft Charging Schedule, its eventual adoption remains some time away.

7.47 On this basis I recommend that the policy is modified as follows:

Proposed residential development in the identified housing allocations in the Plan area should make appropriate financial contributions towards the following education provision:

- pre-school provision.
- primary school provision.
- any improvements and/or extensions that may be required to the catchment high school.

S2 Primary Health Care

- 7.48 This policy as drafted sets out the Parish Council's views about the need for a care facility in the Plan area. It provides advice to the NHS Commissioning Group.
- 7.49 Whilst its ambitions are laudable the policy is not a land use policy – it does not identify or safeguard a site for this purpose. On this basis, and in accordance with national guidance as identified in paragraph 7.4 of this report, I recommend the following course of action.

Reposition the policy as drafted to a separate, non-land use part of the Plan.

S3 Community Infrastructure

- 7.50 This policy sets out the Plan's approach to community infrastructure. As drafted the policy includes land use and non-land use elements. It also includes elements of supporting text within the policy itself.
- 7.51 This is a policy that should properly remain in the Plan given the scale of new residential growth proposed. In order to resolve the various issues set out above I recommend that the policy is modified to read as follows:

The Parish Council will liaise with the Borough and County Councils to ensure that local infrastructure funding is applied to ensure that local facilities are developed in association with new residential growth in the Plan area. Funding will be directed towards the following priorities:

- **a community centre with library.**
- **community sports facilities with playing fields and changing facilities.**
- **the development of youth facilities and activities.**
- **the maintenance or development of community open spaces and woodland belts.**
- **the expansion of post office services.**

Insert new text in Section 7.4 of the Plan between second and third paragraph as included in the Submitted Plan as follows:

There will be significant opportunities to improve and extend community infrastructure in the Plan area as a result of a delivery of the strategic housing allocations. Some of this infrastructure will be of a strategic nature (transportation and educational facilities). Some of this will be of a more local level through either a section 106 agreement or through the local proportion of the Community Infrastructure Levy once introduced. Policy S3 sets out the Plan's priority for the application of this local funding.

S4 Sustainable Construction

- 7.52 This policy proposes guidance for construction methods and furnishing of buildings.
- 7.53 It is not a land-use policy, and as with Policy S2, I recommend the following course of action:

Reposition the policy as drafted to a separate, non-land use part of the Plan.

S5 Play Areas

- 7.54 This policy sets out to ensure the provision and maintenance of children's play areas. I recommend that it is modified to read as follows:

Play areas for children within residential areas shall be provided and maintained for an appropriate period.

Insert new text in Section 7.4 of the Plan (after the third paragraph as included in the submitted Plan):

Policy S5 requires the provision of appropriate play space in residential areas to standards and guidelines in place at the time of the granting of planning permission. At the time of the making of the Plan advice from Fields in Trust is particularly supported by the Parish Council.

S6 Cemetery and Allotments

- 7.55 This policy makes provision for cemetery and allotment garden space. It meets the basic conditions in general, and promotes sustainable development in particular.

T1 Wootton Gap

- 7.56 This policy seeks the review and installation of appropriate modifications to traffic management systems at Wootton Gap.
- 7.57 I can understand its inclusion in the Plan. Nonetheless it is a non-land use policy. As with earlier policies in the submitted Plan I recommend the following course of action:

Reposition the policy as drafted to a separate, non-land use part of the Plan.

T2 Grimston Road

- 7.58 This policy requires improved traffic management and capacity at the junction of Langley Road and A148 Grimston Road. The same comments apply as in paragraph 7.57 of this report in relation to Policy T1.

Reposition the policy as drafted to a separate, non-land use part of the Plan.

T3 Public Transport

- 7.59 This policy proposes the enhancement of bus routes between South Wootton and King's Lynn. The same comments apply as in paragraphs 7.57 and 7.58 of this report in relation to Policies T1 and T2 respectively.

Reposition the policy as drafted to a separate, non-land use part of the Plan.

T4 Walking and cycling in new development

T5 New paths and cycle ways

- 7.60 These policies set out to encourage walking and cycling in new developments. T5 proposes certain new routes. As drafted, Policy T4 is partly promotional and partly a combination of policy and supporting text.
- 7.61 As drafted T5 sets out an ambition for the development of new footpaths and cycle paths that are not directly related to new development and which would improve the wider integration of existing networks. The specific proposals in T5 are neither programmed nor costed. In some cases the proposals have attracted representation from land owners (Priory Lane/Langley Road) and the Borough Council (Sandy Lane towards Roydon Common).
- 7.62 Given the characteristic of the Plan area these policies are understandable. However the routes are not specific and there is no clarity on their implementation or delivery. Taking all these factors together I recommend that policies T4 and T5 are combined into a single policy to read as follows:

Walking and cycling facilities

Where appropriate footpaths and cycle routes should be incorporated within new developments. Satisfactory lighting of these facilities should be included within their design.

The development of additional footpaths and cycle routes more generally within the Plan area will be supported particularly where they have the ability to integrate new residential developments into existing footpaths and cycle routes.

Insert new text in Section 7.5 of the Plan (immediately after the penultimate paragraph) to read:

Good walking and cycling routes already exist in the Plan area, and new facilities should be incorporated into new developments. These facilities encourage healthy lifestyles; will provide sustainable transport opportunities and natural surveillance of public spaces and the public realm. The Plan also actively encourages the creation

of new routes within the wider Plan area. They provide an opportunity to integrate new developments into the existing village environment and community. Potential opportunities include an extension of a path/cycle path along Grimston Road from Langley Road into the lower part of the Knight's Hill strategic housing allocation and the promotion of quiet lane links.

T6 Primary School Traffic

7.63 This policy seeks to manage traffic movements to the schools in Church Lane and Hall Lane.

7.64 It is not a land-use policy. As such I recommend the following course of action:

Reposition the policy as drafted to a separate, non-land use part of the Plan.

T7 Speed Calming Measures

7.65 The policy suggests that there should be continuing assessment and introduction of traffic calming measures for specified roads in the Plan area. It is not a land-use policy. As such I recommend the following course of action:

Reposition the policy as drafted to a separate, non-land use part of the Plan.

T8 On-street Parking

7.66 The policy seeks to reduce on-street and pavement parking. As drafted it is mixture of policy and supporting text. As such I recommend that it is modified to read as follows:

In proposals for new residential development design solutions should be planned and implemented to minimise car parking other than in designated parking areas. Particular attention should be given to ensuring that access routes are designed to prevent or discourage on-street car parking.

T9 Bus Shelters

7.67 The policy sets out the need for the provision of bus shelters in general, and in the strategic residential areas in particular.

7.68 However it is not a land-use policy. As such I recommend the following course of action:

Reposition the policy as drafted to a separate, non-land use part of the Plan.

8 Summary and Conclusions

Summary

- 8.1 The SWNP sets out a wide range of policies to guide and direct development proposals in the period up to 2026. It is concise and distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the South Wootton Neighbourhood Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.
- 8.3 This report has recommended a range of modifications to the policies in the Plan. Whilst I have proposed modifications to several policies and the deletion of some policies, the Plan itself remains fundamentally unchanged in its role, direction and its relationship to wider development in the Borough

Conclusion

- 8.4 On the basis of the findings in this report I recommend to the King's Lynn and West Norfolk Borough Council that subject to the incorporation of modifications set out in this report that the South Wootton Neighbourhood Plan should proceed to referendum.

Referendum Area

- 8.5 I am required to consider whether the referendum area should be extended beyond the Plan area. I consider the neighbourhood area to be appropriate and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the Borough Council on 5 June 2013.
- 8.6 It is very clear to me that a huge amount of hard work and dedication has been injected into the preparation of this Plan. I would like to record my thanks to all those who have assisted me in a variety of ways in the examination of the Plan. I am particularly grateful to those who have patiently and kindly responded to my requests for information and clarification throughout this time.

Andrew Ashcroft
Independent Examiner
27 July 2015

Brancaster Parish Draft Neighbourhood Plan

for



2015 - 2026

Covering the villages of
Brancaster, Brancaster Staithe and
Burnham Deepdale

Prepared by Brancaster Parish Council

2014



Borough Council of King's Lynn & West Norfolk  Tel. 01553 816200 - Fax. 01553 691663	Title Neighbourhood Plan Area (the whole parish) Proposed by Brancaster Parish Council	 Scale 1:41,046
	Project / Details Neighbourhood Planning	Date March 2013
		Drawing / Reference Number NASW

This Neighbourhood Plan, once finalised, approved and in place, will be used to help guide decisions on planning applications within the Parish of Brancaster.

Brancaster Parish Council has prepared this draft, developed after extensive consultation throughout the area (see appendix). It takes into account an earlier Parish Design Statement and Parish Appraisal. It was circulated for further consultation with appropriate bodies and parishioners. The Parish Council reviewed the plan in the light of comments received in response to this consultation. It was finalised and approved it for submission to the Borough Council on 2nd December 2014.

The 'final' draft plan has been formally submitted to the Borough Council. The Borough Council will publish and advertise it, inviting comments for a period of six weeks. The plan and comments will then be considered by an independent examiner who will check its legal and compliance and conformity with national planning policies and the planning strategy for the Borough etc. and advise the Borough Council accordingly. If these tests are considered successfully met, and with any appropriate alterations made to the Plan, a referendum will be held in the Parish. If the plan receives more than 50% of the votes cast it will become part of the official development plan for the area.

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General Introduction

The villages of Brancaster, Brancaster Staithe and Burnham Deepdale are situated on the North Norfolk coast. To the north are salt marshes and the sea; to the south is arable land. There are two churches within the villages and many 18th and 19th century cottages. There is a small port that is home to the local fishing industry and a base for leisure boating. The villages contain a small supermarket and some shops and businesses.

The villages are part of the North Norfolk Coast AONB, which enjoys equal status in landscape protection terms as our National Parks. They also border the North Norfolk Heritage Coast, which has multiple national and international nature conservation designations.

A characteristic feature of this area is for the buildings to be set at right angles to the main road (which runs East-West). More recent building does not follow this pattern and we have several small 'estate type' developments and individual houses. In Brancaster Staithe there are still several examples of rows of cottages and several single dwellings gable end to the road, dating from the early 18th century. Their placing was necessary for practical use of the available space. Inhabited by fisher families, with gardens and smallholdings between the road and the marsh, the need was for a 'yard' for sheds, barns and working space. There was also a need for a track down to the marsh where a fisherman's hard was thought to exist. At that time there was a cart road running along the marsh, the length of the village, connecting Brancaster Staithe and Burnham Deepdale with Brancaster on the West and Burnham Norton on the east.

The permanent community here is relatively small with the majority of houses in the villages being 'holiday homes', either second homes or properties available for holiday lets. There is a certain amount of 'affordable' housing and an active Housing Society that works alongside Housing Associations and the Parish Council.

Brancaster includes some very significant, nationally designated heritage assets, including the site of the Roman Fort, St Mary's Church Brancaster (listed at Grade I), Staithe House Brancaster Staithe (listed at Grade II*) and St Mary's Church Burnham Deepdale (listed at Grade II*). There is also a conservation area designated at Brancaster.

There is more detail about the villages, amenities and facilities, services, development etc. in two excellent documents; *Brancaster, Brancaster Staithe and Burnham Deepdale Parish Design Statement* and *Brancaster, Brancaster Staithe and Burnham Deepdale Parish Appraisal*. These documents were produced through a process of consultation with residents in 2000 and their recommendations are still valid today. Several of the recommendations that have emerged from this Neighbourhood Plan questionnaire were made in the Parish Design Statement. Anybody applying for planning permission should read both these documents alongside this Neighbourhood Plan as the information within the documents is as relevant now, if not more so, than when they were produced.

The book, *Brancaster Staithe: The Story of a Norfolk Fishing Village*, written by Maurice de Soissons, gives a good background to the development of Brancaster Staithe from a working village with a self-sufficient and independent community of fisher families to the very different village you see today.

Background to the Neighbourhood Plan project and the rationale behind the questions

There has been a considerable amount of recent building in the villages, including some relatively large developments, such as Powell's Yard in Brancaster. The Parish Design Statement, a document which involved a considerable amount of work and consultation and which was adopted by the Borough Council of King's Lynn and West Norfolk in October 2000, recommended that new buildings should respect the context of their particular site. 77% of respondents consulted said that they thought any more new housing in the area would spoil it. There has, of necessity, been considerable new building in the area since then and, as a Key Rural Service Centre, our villages have been identified as somewhere where more houses will be built. This is something over which parishioners have little influence. However where they may be able to exert some influence is in ensuring that new houses that are built not only fit with Borough and National guidelines but also take account of local people's views, experience and knowledge of living in the area.

The King's Lynn and West Norfolk Borough Local Development Framework Core Strategy recognises the need to ensure that we are able to meet the housing needs of future generations so, having regard for this and the National Planning Policy Framework (NPPF), Brancaster Parish Council decided that the focus of this Neighbourhood Plan would be on the size and style of houses that will be built in the village, to try to ascertain what parishioners felt were appropriate buildings that would be functional and useful to the residents both now and in the future, and would preserve and promote the character of the villages whilst taking account of the changing face of our villages and national and regional policies.

There is an acceptance that our villages are changing; they are no longer, and will never again be, small Norfolk working villages with the entire population living and working within the area. Our villages have a reducing percentage of permanent residents, and within this population the percentage of retired people is increasing. The number of second homes has increased dramatically here, as in other places, and tourism is a big part of our economy. This change is inevitable, however the challenge seems to us to be to provide housing that can accommodate that change whilst still providing for all sectors of the community into the future.

So, the aim of this Neighbourhood Plan is to provide some guidelines, formulated and accepted by the people who live in these villages, which will influence the future growth of Brancaster, Brancaster Staithe and Burnham Deepdale. We have consulted widely with local inhabitants and have had regard for the Borough Core Strategy and the National Planning Policy Framework. We have consulted with appropriate organisations to ensure that our recommendations would have no adverse effect on habitats and the environment. Our aim is not to restrict necessary development; we want to ensure the sustainability and growth of our community and to ensure appropriate housing for those living in our villages and to support the social, environmental and ecological qualities of this special area.

Method

- A working group within Brancaster Parish Council produced a draft questionnaire to cover the areas previously agreed by the Council.
- The questionnaire was considered at a Parish Council meeting, open to the public. Suggestions for further questions/alteration of existing questions were made and adopted.
- Parishioners were informed via the Parish Council Minutes and notifications in the Parish News that a questionnaire would be circulated. They were told that additional questionnaires would be available from identified councillors' houses and from the two village post offices.
- The questionnaire was delivered to all houses within a copy of the Parish News, and copies placed in the post offices.
- Parishioners were given two months to complete the questionnaires.
- The results were collated and two 'drop in' afternoons/evenings were held in the two village halls for villagers to call in, discuss the results and put their views forward.
- These further views were incorporated into the results and a draft document was produced which was presented to the Parish Council.
- Advice was taken regarding the need for Strategic and Habitat assessments.
- The draft document was put out for consultation (notification in the Parish News and on notices in the village). Printed copies were available for perusal at the Clerk's Office and the post offices. An electronic version was available on the Parish Website. Copies were submitted as detailed in the Consultation statement and copies were also provided to organisations that may have an interest, including the National Trust, for their comments.
- In the light of this further consultation, appropriate changes were made to reflect further comments.
- On the advice of the Borough Council a 'Health Check' was performed on the draft Plan and suggested improvements made.
- The Parish Council took a formal decision to submit the completed Plan.
- The completed Draft Neighbourhood Plan was submitted to the Borough Council for it to be formally published, comments received, subjected to an independent examination, any necessary alterations made, and then, if appropriate, be the subject of a Parish referendum (please refer to Project Plan on pages 30 – 35)

Results

Q1. Size of Houses. Considering the number of bedrooms in a house and realising that the village needs a spread of different sized houses to provide for a variety of needs, could you rank the following sizes in order with 1 being the size you think we need most of and 5 being the size of house we need least of

The overall quantitative feedback shows that most people think two and three bedroom houses are sufficient and appropriate for this area. A significant number feel that one and four bedroom houses have a place. The comments show a concern that the villages do not have enough housing suitable for young people or enough family homes for permanent full time residents.

The size of houses being built is felt to be excessive and, while there may be a need for a small number of large houses, the villages have a disproportionate number of four and five or more bedroom houses. Many comments show a dissatisfaction that the large properties, a considerable number of which have been built recently, are almost all second homes and remain empty for a large proportion of the year.

The price of new houses is a worry as the permanent population here contains a high proportion of retired people and families with relatively low incomes (relative to the cost of the housing).

Q2. Height of houses. Again we realise the value of diversity among our buildings. Could you, as before, rank the following in order, ranking 1 as the height you think should be most prevalent and 4 as the least prevalent.

There is concern being voiced here about houses that are higher than two storeys. The quantitative results show a wish for two storey houses with a proportion of bungalows. If extra space is needed the feeling is that they should be two storey with rooms in the roof rather than three storeys.

The villages are in an Area of Outstanding Natural Beauty and they have seen a considerable amount of 'infill' building. The comments to this question raise worries about overlooking and also about blocking the views previously enjoyed by residents and visitors.

Q3. Thinking about materials, and again being mindful of the need for variety, please rank in order of prevalence you would like to see, the building materials for houses.

Although, as you might expect, there is an overwhelming preference for brick and flint and chalk, traditional materials, as shown in the quantitative analysis, there are some comments that show a concern about 'modern' flint and chalk construction using traditional materials but overpowering adjacent dwellings due to size and scale. There seems to be a concern about wood predominating in a house such as one recently built in one of the villages. People feel that a

mixture of materials is appropriate with, where possible, materials sourced locally.

Q4. Similarly with the style/materials you would like to see roofs built with.

People seem to prefer traditional pantiles or slates, with very little support for flat roofs, partly because of the problems they cause. Eco friendly roofs had some support with some comments suggesting that they should be considered for outbuildings (garages, summerhouses etc.) where possible.

Q5. Parking. New developments of necessity need parking for vehicles (cars, boats etc.) How many off road parking spaces do you think should be provided for each house?

Quantitative feedback shows a wish for two or three parking spaces per house however the comments indicate a need for more; there is worry about people parking on the main road due to inadequate off road parking provision. Larger houses with more bedrooms need more parking; it is suggested that one space per bedroom is needed. There is a suggestion that within a development communal parking areas should be provided.

Q6. Footprint of house compared with size of plot. This question is asking you to consider how much space there should be around houses, how much garden & drive you would like to see. How much of an individual plot should be covered by the house and associated buildings? Please ring the appropriate fraction.

There is a definite indication that the house and outbuildings shouldn't take up more than a half of the plot; with a significant number of people considering that a quarter of the plot covered by buildings would be appropriate. People need a 'family sized' garden so that residents can grow vegetables and flowers and have a place for children to play. It also provides for run off and drainage of rainwater.

Concern about coverage of the plot by buildings is linked to concerns about size of houses and a preponderance of holiday homes; one comment made is that local people won't buy houses without proper gardens as they are aimed at the second home market. This does not preclude a house with a garden being used as a second home; it may then provide local employment maintaining the garden etc.

Q7. Thinking about the ratio of affordable/shared ownership houses to 'open market' houses, what do you think should be applicable?

The numbers show a wish for a high ratio of 'affordable/shared' ownership to 'open market'; to have one 'affordable' house provided for every three 'open market' houses. However, as the comments show, it isn't quite that straightforward. Many comments note that there is no point in providing social housing unless there is a need for it. If there isn't work in the area the permanent population will not increase unless it is by retired people (who, on the whole, tend not to need large houses).

One comment makes the point that if the open market houses were conventionally sized family houses, there might not be such a need for 'affordable/shared ownership' housing. The overall impression seems to be that housing is needed for local permanent residents, be they single people, young families or retired. If that need is for 'affordable' housing then that should be provided – either social housing or more realistically priced 'open market' housing. The need at the time can be ascertained by liaison with the local Housing Society and the Parish Council.

Discussions with respondents have shown a concern that wages don't match up with house prices (presumably because of the desirability of the area for holiday homes and holiday lets) so that even houses that are available for local people to rent are out of their reach financially. So houses available for Housing Association rents are desirable. Concern has also been expressed in discussions about 'affordable housing' being allocated to people from outside of this area rather than local people having priority.

Q8. In our villages we have both modern and traditional design of houses. Accepting that the modern house of today is the traditional house of tomorrow, and the advisability of a variety in appearance of houses, what ratio of modern to traditional type design would you like to see?

Unsurprisingly the numbers show a bias towards traditional design of houses, although a large number were happy with a 1:1 ratio. On the whole people want to see the traditional character of the villages retained although that doesn't necessarily mean that modern design can't look appropriate and fit in if new houses are designed to blend in. A recently built, wood clad, contemporary house attracts unfavourable comment, as do large modern houses, even though they may be built of traditional materials, whose size means they are overpowering.

One comment makes the point about extensions on the rear of houses, specifically in Brancaster Staithe, on the North side of the road looking out of place when viewed from the marsh, sea and island. New traditional-looking buildings could, and should, incorporate new ideas such as eco roofs if appropriate, and, where possible, locally sourced materials should be used.

Q9. Thinking about the structure of developments, should styles of houses (such as modern/traditional, bungalow/house etc.) be kept together or mixed up?

In the quantitative part of the questionnaire, more people preferred intermingled houses in order to preserve a village feel to new developments, but those making comments seemed to prefer houses grouped together. Design seems to be more important and diversity can be of benefit to the character of the villages.

Q10. How do you think planning legislation can be used to encourage local employment?

This picks up some of the themes that emerged from the previous questions such as the need for affordable houses for the people who live here permanently and the need for jobs. Many people highlight a need for workshops/small units to give small businesses somewhere to set up and increase work locally. Many suggest placing restrictions on the building of large properties especially those targeted at the second home market; the point is made regarding the inappropriateness of recent new developments in the villages that have houses densely packed on the site (inappropriate that is for sustainability of the community).

Some comments wonder about the possibility of ensuring that if building does take place the use of local tradesman and local materials is encouraged by prioritising planning applications that provide this sort of benefit to the community.

*Q11. What do **you** think are the most important planning issues affecting our Parish?*

Again, this picks up on the main points from the previous questions; too many large homes being built whose size and price is such that they are unlikely to ever be anything other than second homes that are rarely used; overdevelopment and too much infilling (especially if the required infrastructure doesn't develop); lack of an overall strategy to deal with ongoing building in the villages; and the price of new houses.

Comments pick up on the need to provide for the younger people who wish to stay and work here, including the need for provision not only of accommodation (in terms of more appropriate housing and 'affordable/shared ownership' housing) but of units to allow small businesses to grow here and somewhere for retail businesses.

Mention is made that smaller houses are being bought and enlarged to the point where they are, like the new builds, too big to be of use as a family home. This also applies to the size of extensions built onto existing family-sized homes.

One comment notes the recent demolition of bungalows with gardens – ideal accommodation for retired/young families – and their replacement with large houses covering most of the plot. There is a comment expressing concern about the amenities here (shop, garage, school etc.). Permanent residents, be they young, families or retired, need these amenities (especially if they have difficulty travelling) but as the permanent population reduces as a percentage of the whole it becomes unfeasible to maintain such amenities.

Summary

The main points running through these responses are;

The need to sustain a community all the year round; the NPPF requires us to support strong vibrant communities and the Borough Core Strategy (6.5.2) says that the Council's approach to housing in rural areas will seek to sustain rural communities. Our villages contain a number of people who live here permanently. There is a vast increase in population for a small number of weeks in the year. It is said that in excess of 65% of the houses in the villages are now holiday homes or lets. The ratio of permanent residents to holiday residents is perceived to be reducing rapidly. If the permanent population, which is made up of working people, families and retired people, is to survive, a long term planning strategy has to consider provision of units for shops, workshops, small businesses etc. to provide local work. It should also address the need for appropriate housing for the people who live and work here permanently as well as for those who live here part time and our temporary visitors.

In order to do the above, and ensure that the houses built over the next few years will provide what the Government needs in terms of housing stock (houses that are used rather than stand empty) we need to look very carefully at the type of houses that are being built. The strategy has to consider the accommodation required for a full time population as well as for second homeowners and holiday lets.

Large houses do little to fill this need. They are seen as being built for the second home market and will remain empty for a large part of year. The number of these large houses is seen as swamping the 'reasonably sized' houses that would make the community more sustainable yet would still, if required, provide a functional second home. Building more appropriately sized dwellings seems to us to fit with the aim of the Borough Core Strategy, which aspires to promote adaptable, high quality development which is capable of being modified to suit people with different needs.

In order to provide the housing that is required for people who wish to live and work in the villages, as well as for second homes and holiday lets, houses should be of a modest size with two or three bedrooms, preferably one or two storeys high. They can be built of a mixture of materials providing that the design is such that it blends in with adjacent properties and maintains the character of the village.

Houses should have adequate off road parking (at least two spaces, or possibly communal parking) and the buildings should not cover more than half the area of the plot. This should apply to extensions and demolition/rebuilds - if bungalows or houses are demolished they should be replaced like for like. Houses, be they new build, redeveloped or extended, need adequate space around them to provide for parking and also for a garden. Gardens are important for family homes – to give children room to play – and also for wildlife and water management. The NPPF says in its Ministerial foreword that 'our natural

environment is essential to our wellbeing'. In these days of intensive development because of the need for housing, our gardens are places where we can, to a small extent, preserve this natural environment. It is felt that buildings should not cover more than 50% of the area of a dwelling's plot. It is possible that some of our attractive, traditional housing might not comply with this criterion; however when that housing was built there were far more communal areas available for children to play in, wildlife had more countryside to exist in, and there wasn't such a need for vehicular parking and storage; we live in an age of compromise!

None of these requirements would make houses unsuitable as second homes, but they do mean that permanent residents with average incomes may be able to own such houses, rather than the houses forever being unsuitable for permanent residency. Although there is a concern about the number of large holiday houses, second homeowners are a part of the community in the area; they are part and parcel of our villages in the 21st century. Second homes provide work for local people (gardening, cleaning, maintenance etc.) and their owners play their part in village life, even though they may be here for a limited amount of time. The concern is more related to the size and type of the houses that are being built for this second home market and the limitations of this housing stock for use as accommodation for other sectors of our community. They are dwellings incapable of being modified to suit people with different accommodation needs and, as such, do nothing to promote community cohesion.

Affordable/shared ownership, housing. Accommodation is needed for people and families in order to ensure that the village has a sustainable permanent population. If these people cannot afford to live here they move elsewhere and thus the continued existence of the amenities that we do have (school, shops etc.) becomes even more precarious. Dispersal of the population, and its effect on the community, because of the unavailability of appropriate accommodation is very much a concern of the Borough, which is committed to affordable housing, and we look forward to its continued provision.

However, our respondents clearly make the point that affordable housing must be provided according to need and allocated sensitively and appropriately to support the community. The need can be ascertained by liaison with the Parish Council and the local Housing Society. These bodies will be able to inform the decision on numbers of affordable houses needed at any particular time. Affordable housing can, as identified in the Borough Core Strategy, be delivered through section 106 planning agreements and can, by liaising with the Parish Council and local Housing Society, meet the NPPF suggestion that housing density can be set to reflect local circumstance.

When the research was done for the Parish Design Statement in 1999/2000 57% of people were in favour of more jobs in the villages and 42% of respondents wanted the area to develop as a working community. Development of the area for tourism attracted very little support. Little seems to have changed in people's attitudes in that respect. It is, however, our opinion that most people are aware of the need for, and the value of, tourism, and there is little opposition to smaller

houses, many of which are rented out for the majority of the year and thus contribute to the local economy and community.

There is a widely held view that, in order for these villages to be sustainable, more support must be given to the permanent residents, without whom there would not be a 'village' in any sense of the word and thus nothing to contribute to the tourism of the area. The provision of small business premises and small-scale industrial workshops attracted much support and has been a recurrent theme throughout this report. The size, type and design of the housing built in the future must be appropriate to support the growth of the villages, to provide the economic sustainability mentioned in the NPPF.

The Borough Core Strategy talks about improving the facilities for young people so that they don't leave the area, about developing a place where skilled people want to live and work and about improving skills and raising aspirations. In addition 7.2.14 discusses the need to provide the housing necessary to support local employment opportunities and also the need to make housing accessible and inclusive. The feeling of our respondents is that the young and people on lower wages have considerable difficulty in this regard. If they have to live elsewhere and travel here to work we are perpetuating unsustainable transport patterns, but the size and price of housing in our villages is such that they have to disperse in order to find somewhere suitable and affordable to live. We need to support the building of appropriate houses if we are to retain and nurture a sustainable community – something that the Borough Core Strategy has at the heart of its planning agenda.

It is interesting to revisit some of the recommendations of the Parish Design Statement. Formulated in 2000 they are still applicable. Major recommendations included that significant open spaces in the village should not be compromised by the insertion of new building; overdevelopment affects amenities such as views, privacy and quiet; new buildings should respect the context of their particular site; when using locally occurring materials such as flint, pebble or cobble for facings, take account of the availability of craft skills; choose and combine materials with care.

It is the hope of Brancaster Parish Council that the submission of this Neighbourhood Plan, building as it does on the work done for the Parish Design Statement, can inform the further development of the housing in our villages in order to provide the building necessary to sustain and accommodate the communities living in our villages be they working families, retired people, second homeowners or tourists.

Draft Policies

1. Size of houses

The provision of smaller dwellings (those with one two or three bedrooms) will be encouraged, and no new dwelling shall exceed four bedrooms (rooms otherwise designated on plans but clearly capable of use as bedrooms will be counted as bedrooms for the purposes of this policy).

New dwellings should be a maximum of two storeys in height. If extra room is needed it should be obtained by putting rooms in the roof rather than an extra storey.

Care and consideration should be given to retaining the views within, and of, the Area of Outstanding Natural Beauty.

A limit on the number of bedrooms for new houses will ensure that a balance is regained in terms of size of houses, giving a spread and variety of house size. It will ensure that there are appropriate houses available to maintain and develop a sustainable community, house young people, young families, working families and retirees. It will also ensure that there are reasonably sized houses available for holiday homes and for rent.

A limit on the height of new houses will ensure that the views of the Conservation Area are not blocked for residents and tourists alike. It will also preserve the views of our heritage assets, such as St Mary's Church Brancaster and St Mary's Church Burnham Deepdale.

2. Design, Style and Materials used

Any new dwelling, redevelopment or extension to a dwelling in the area should be carefully designed to blend in with adjacent properties and areas to maintain the character of the village.

The use of traditional materials, especially those sourced locally, and of low ecological impact materials and techniques is to be encouraged.

An example would be 'eco' roofs used, where appropriate, for outbuildings such as garages, summerhouses and sheds.

3. Footprint for new and redeveloped dwellings

New, redeveloped and extended residential buildings should occupy no more than 50% of the plot unless the setting of a listed building, or the character and appearance of the conservation area, would be better conserved by higher plot coverage.

This is in order to allow space for adequate parking (see policy 4) and also for a garden. We are again looking at encouraging a sustainable population by providing houses that would be suitable for families. Gardens are needed to give children room to play, room to grow vegetables etc. as well as encouraging wildlife and providing a quality environment for our village population.

An exception might be a small fisherman's cottage, in a row of similar cottages, being redeveloped. This cottage might already have coverage of more than 50%. In this case preservation of the character and heritage of the cottages could mean that like for like redevelopment would take precedence.

4. Parking provision

New dwellings should have adequate off road parking, with a minimum of two parking spaces per house. In determining whether a higher number should be provided regard should be given to the number of bedrooms in the dwelling.

This is essential in our villages, especially in the summer months when holiday homes are occupied and we have a large influx of visitors. Our roads are small and on road parking causes congestion and compromises safety within the villages. Several small estate developments have been built recently and in the future we would want to see consideration given to communal parking areas within the housing estates.

5. Replacement dwellings

Replacement dwellings should occupy no more than 50% of their plots, and where the replaced dwelling occupied greater than 50% of the plot the replacement dwelling should occupy a smaller proportion than its predecessor. An increase in number of dwellings above those replaced will only be acceptable where the resulting plot coverage does not exceed 50%.

These requirements will be relaxed where the setting of a listed building, or the character and appearance of the conservation area, would be better conserved by greater plot coverage.

An increase in height over the replaced building will only be acceptable where this is compatible with the appearance of adjacent buildings and the amenity of their occupiers.

6. Affordable/Shared ownership homes

Provision of affordable housing/shared ownership should be encouraged; the Parish Council and a registered provider should be involved to help identify the scale and nature of need for such housing locally.

We are concerned that a blanket policy of provision, which doesn't take account of the actual affordable/shared ownership housing need in the area, could be counterproductive. The Parish Council and local Housing Association should be able to suggest the scale and type of housing that is needed in the area and so should be involved in decisions regarding its provision.

7. Development of shops, workshops and business units

The development of shops, workshops and business units should be encouraged in appropriate locations, as should the development and growth of existing businesses in the villages.

This is necessary to encourage a permanent population within the villages and to minimise the amount of travelling people need to undertake. This sort of support is essential to develop a sustainable population and to support our young people and retain them within the area.

8. Protection of heritage assets and views

The siting of new buildings shall have due regard for, and respect the setting of, designated heritage assets. Any listed buildings should be appropriately conserved to maintain the buildings, its features and setting. Developments will be expected to preserve or enhance the character, appearance and views of the Brancaster Conservation Area with regards to the built/cultural heritage.

Views of our two churches are especially cherished; villagers have been disappointed that views of St Mary's Church Brancaster have been affected by recent developments and wouldn't want to see any further loss of this amenity.

9. Protection and enhancement of the natural environment

Development will protect, conserve and where possible enhance, the natural environment, local landscape and wildlife. New development should not adversely affect the statutory purposes of the Area of Outstanding Natural Beauty.

National Planning Policy Framework para 115 says that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty. The conservation of wildlife and cultural heritage are important considerations. We feel these last two policies will address these considerations, also bearing in mind the need to safeguard rural industries and the social needs of our local communities. Views of Scolt Head Island across the marshes are particularly valuable, as are views of the village seen from the bay across the marsh.

Brancaster Neighbourhood Plan and the wider planning agenda

The three dimensions to sustainable development, as identified in the NPPF, are economic, social and environmental.

- **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.
- **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and
- **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Our policies address the need to support the members of our community, be they permanent residents, second home owners or visitors, by attempting to ensure that appropriate housing is available for all sectors and that houses are built that would be able to be used for any of the sectors as the need arises. We attempt, through policies 6 and 7 to encourage the rural business economy and to encourage people to work and live in the villages. This will minimise pollution and encourage low carbon emissions by reducing travelling and thus improving the conditions in which people live and work. The NPPF specifically mentions the essential need for a rural worker to live permanently at or near their place of work; this is also addressed in the Borough Core Strategy which wants people to have access to good quality housing, close to places of employment.

Policies 3 and 5 encourage support for our natural environment in gardens – aiding the retention, and attempting to halt the decline, of biodiversity. Small open spaces – our gardens – are as important to protect as the wide-open spaces in the National Parks. All policies contribute towards maintaining our built environment and widen the choice of high quality homes by ensuring that all houses are well designed and are of a style and size that suits all sectors and doesn’t limit the provision of houses to high cost, large dwellings. This gives the required flexibility to adapt to change and provides a good standard for existing and future occupants. Policy 2 attempts to ensure that houses reflect high standards in design and architecture and that they are sensitive to the defining characteristics of the local area.

The use of ecologically friendly materials is addressed in policy 2 and the requirement to consider the impact on the views of the AONB will preserve this visual asset for future generations of residents and tourist visitors. Without

adequate appropriate housing our community will dwindle to a size which makes it uneconomic and unsustainable to run buses, run shops, run businesses, and sustain our schools, meeting halls and local clubs. Without those facilities being available locally people will have nowhere to meet, car use will increase, thus increasing pollution, the cultural wellbeing of the community will suffer and the community will eventually become unsustainable; something which would be counter to the basic tenets of the Borough Core Strategy which aims to promote sustainable communities, sustainable patterns of development, and a strong hierarchy of successful rural settlements and supporting a range of jobs. If this is successful it will not only benefit our residents but also visitors to the area, thus creating a virtuous circle, which would be of benefit to the villages and the Borough as a whole and would encourage economic growth and inward investment.

Smaller houses, even taking into account the 50% plot requirement, will mean, in effect, that more houses can be built. This will supply more, less expensive houses for permanent residents. It will also mean that more dwellings will be available as holiday lets, thus supporting rural tourism and bringing more people to our villages all year round to enjoy the views we hope to preserve and to use the buses, shops, pubs and other visitor facilities. It will also provide work for local tradesmen, cleaners, gardeners, and letting businesses. It will benefit visitors as well as the permanent population.

The NPPF talks about a 'strong sense of place'. We feel that houses built with regard to our policies will benefit our villages, enhance the local character which is engendered by the many old traditional buildings in the villages, and attempt to recover that feeling of identity that has been lost with the proliferation of large, inappropriate, often empty dwellings. The Borough Core Strategy aims to protect the historic environment and to enrich the attraction of the Borough as a place to live, work and to visit. Our Neighbourhood plan will help address the compromises necessary to ensure a sustainable permanent community while also providing for second homes, visitors, and the retention of our traditional character vital for the well being of those who live here as well as for the interest of visitors. In preparing the plan we have been mindful of the desirability of conserving listed buildings, their features and their settings.

We feel that our Neighbourhood Plan conforms to the objectives of the NPPF. The benefits conferred on our community and visitors to the area are in agreement with the sentiments expressed within the NPPF. It will provide a sustainable way forward for the development of the villages, enhancing the region in all three areas identified in the Framework. We also feel that our Neighbourhood Plan is supportive of, and supported by, the Borough Core Strategy in its wish to foster sustainable communities with appropriate housing and is in keeping with CS06, which aims to promote sustainable communities and sustainable patterns of development, ensuring that employment and appropriate housing (including affordable housing) are provided in close proximity.

Policies 8 and 9 address protection of our traditional buildings and our countryside. If possible we would like to see the character and distinctiveness of our natural and built environment enhanced by new development proposals. Such proposals should be encouraged to contribute to the objectives and targets of any local Green Infrastructure Strategy, Landscape Character Assessments and Biodiversity Action Plans. This is a very sensitive area as regards conservation (it is, as has already been stated, part of the Norfolk Coast AONB and borders the North Norfolk Heritage Coast with its multiple conservation designations). The NPPF has strong policies on the protection of Heritage Coasts, AONB's and National Parks (paras 114-116) and on protecting wildlife and this should always be given due emphasis when development is considered in this area.

We hope that housing and other development in Brancaster will contribute towards improving local services and infrastructure. An increase in population within the villages means an increase in the need for transport, education, library services etc. There are mechanisms to do this (for example CIL, section 106 agreements and planning conditions) and it is important that these mechanisms are used to ensure that the infrastructure grows with the population.

Conditions Statement

This statement explains how the Brancaster Neighbourhood Plan meets the requirements of the Neighbourhood Planning regulations.

Brancaster Parish Council applied to Kings Lynn and West Norfolk Borough Council on 26th March 2013 for the Parish to be designated a neighbourhood area (to enable a neighbourhood plan to be prepared). After the appropriate advertisement and consultation the whole of Brancaster Parish was designated a neighbourhood area by King's Lynn and West Norfolk Borough Council on 5 June 2013. Brancaster Parish Council is a 'relevant body' for the purposes of neighbourhood planning by virtue of Section 61 G(2) of the Town and Country Planning Act 1990.

Neighbourhood Development Plans must meet the following basic requirements (**Paragraph 8, Schedule 4B, 1990 Act**):

(1) The examiner must consider the following—

(a) whether the draft neighbourhood development plan meets the basic conditions (see sub- paragraph (2)),

(b) whether the draft neighbourhood development plan complies with the provision made by or under sections 61E(2), 61J and 61L,

(d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates, and

(e) such other matters as may be prescribed.

(2) A draft neighbourhood development plan meets the basic conditions if—

(a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan,

(d) the making of the neighbourhood development plan contributes to the achievement of sustainable development,

(e) the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),

(f) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations, and

(g) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.

(6) The examiner is not to consider any matter that does not fall within subparagraph (1) (apart from considering whether the draft neighbourhood development plan is compatible with the Convention rights).

Neighbourhood Plans must not breach, and must be compatible with, EU and human rights obligations. The National Planning Policy Framework makes clear that a sustainability appraisal should be an integral part of the plan preparation process, but the particular assessment requirements need to respond to the scale, status and scope of the plan being developed.

Brancaster Neighbourhood plan is a small scale neighbourhood plan and as such a sustainability appraisal was not considered necessary. Similarly as regards a Strategic Environmental Assessment and a Habitats assessment; Brancaster Neighbourhood plan is almost entirely concerned with the design and style of the houses to be built in our villages so will not cause any significant environmental effects, and because any development would come under the provisions of the Borough of Kings Lynn and West Norfolk Local Development Framework, it was felt that that these assessments would be unnecessary. However, to ensure that this was the fact, on 14th January 2014 the draft plan was submitted to Natural England with a request that the organisation take a view as regards the necessity of a Habitat Assessment and a Strategic Environment Assessment. It was similarly submitted to English Heritage.

Natural England took the view that the Plan would not require assessment under the Habitat Regulations, as it does not propose any additional development over and above that contained within the Borough Council Local Plan. In addition the Borough Council of Kings Lynn and West Norfolk has confirmed that it is of the opinion that a Strategic Environmental Assessment is not required.

English Heritage suggested that because Brancaster includes some very significant, nationally designated heritage assets, including the site of the Roman Fort, St Mary's Church Brancaster (listed at Grade I), Staithe House Brancaster Staithe (listed at Grade II*) and St Mary's Church Burnham Deepdale (listed at Grade II*) and because there is also a conservation area designated at Brancaster, it would be helpful if the plan also included a policy specifically safeguarding the setting of heritage assets. This is now addressed in policy 8.

The replies received from English Heritage, Natural England, Borough and County Councils are included in Appendix 4.

Section 1. The examiner must consider the following;

- a. *Whether the draft neighbourhood development plan meets the basic conditions (see sub paragraph (2)).*

See section 2 below.

- b. *Whether the draft neighbourhood development plan complies with the provision made by or under sections 61E(2), 61(J) and 61(L).*

This is a reference to the provisions of 38A and 38B.

38A.

Brancaster Parish Council is a 'relevant body' for the purposes of neighbourhood planning by virtue of Section 61 G(2) of the Town and Country Planning Act 1990.

The neighbourhood plan policies relate solely to the Brancaster Parish area.

38B

1.
 - a) Brancaster Neighbourhood plan is for the period 2014 – 2026, chosen to align with the Kings Lynn and West Norfolk Borough Council's Local Development Framework Core Strategy.
 - b) It does not include any provision for excluded development such as national infrastructure.
 - c) It does not relate to any other neighbourhood area.
 2. There is no other neighbourhood plan in place in this area.
 4. This refers to process and consultation procedures. Brancaster Parish Council has submitted, as part of the Neighbourhood Plan, a Consultation Statement detailing the consultations that have taken place. Brancaster Neighbourhood Plan will not affect European Sites (habitats).
- d. *Whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates.*

This Neighbourhood plan is only relevant to dwellings and developments within the villages of Brancaster, Brancaster Staithe and Burnham Deepdale and it would be inappropriate to extend it outside the boundaries of the Parish of Brancaster.

- e. *Such other matters as may be prescribed.*

There are none.

Section 2. A draft neighbourhood development plan meets the basic conditions if;

- a. *Having regard to national policies and advice contained in guidance issued*

by the Secretary of State it is appropriate to make the neighbourhood development plan.

The plan is consistent with the National Planning Policy Framework and in particular gives effect to its policies on localism, local distinctiveness, heritage and conservation. As such it is appropriate to make it.

- d. *The making of the neighbourhood development plan contributes to the achievement of sustainable development.*

This plan aligns with the NPPF and the Borough Core Strategy in promoting sustainable development, attempting to ensure that necessary future development enhances rather than detracts from the quality of life of the residents of Brancaster in the future, maintains its valuable environment and promotes appropriate economic development.

- e. *The making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority.*

This plan is in accordance with the Kings Lynn and West Norfolk Borough Council Core Strategy and conforms to it in terms of strategy.

- f. *The making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.*

Brancaster Parish Council has taken advice and, since it will have no significant environmental effects and will not affect any European Sites, a Strategic Environmental Assessment is not considered necessary.

- g. *Prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.*

There are no prescribed conditions.

This draft Neighbourhood Plan has been developed to support the social, environmental and ecological qualities of this area; it is not an attempt to stop development but to ensure that the development that takes place contributes to the future growth of our area in a sustainable manner.

We have considered the European Convention of Human Rights and there is nothing in this draft Plan that would conflict with any of its tenets.

It is considered that the Brancaster Parish Council Neighbourhood Plan meets the conditions set out in Paragraph 8 of Schedule 4B of the 1990 Act.

Consultation Statement

Brancaster Parish Draft Neighbourhood Plan was developed through wide consultation with local people. A range of relevant organisations, as well as local people, were consulted on an initial draft of the plan, which was revised to take account of the responses to form this Draft Plan.

Parishioners and local businesses

1. Initial Questionnaire. As detailed earlier in the explanation of method, questionnaires were produced and delivered to every household in the area with the Parish News. People were made aware of the process through updates in the Parish News. Extra questionnaires were available from the two post offices in the villages. 135 questionnaires were returned. We didn't ask for names on the questionnaires in order to encourage people to reply. However we did give people an opportunity to give us their email addresses (for updates) and so we are aware of some of the people who returned questionnaires. It was gratifying to see that these were from a range of people: permanent residents, holiday home owners and owners of property to let. We also had replies from landowners and employers in the area as well as owners of local businesses.
2. The results were collated and made available to the parishioners on the website and again at the post offices but primarily at two local 'open day' events. These were held on Friday September 20th 2013 at Brancaster village hall and Thursday September 26th 2013 at Brancaster Staithe village hall. These were open from 2pm to 7pm in order to give people the opportunity to attend after work if that suited them better. For these open days the results were printed out on large, flip chart sheets and also on laminated A4 sheets. People were encouraged to write down their comments and there were also Parish Council representatives present at all times to discuss the results with the attending public. These events were advertised in the Parish News (as was the availability of the results and comments on the website etc.). Attendance at the events was disappointing with no more than a dozen people attending each event. These were mainly permanent residents within the villages together with a few second-home owners. Further discussion with villagers lead us to the conclusion that people felt little need to discuss it further and were happy for it to go forward: this might explain the poor attendance. Several people emailed comments regarding the results, including our Borough Councillor and a local landowner, business owner and employer. All comments from the meeting and emails etc. were taken into account in writing up the document.

3. The document was written up and, when completed and accepted by the Parish Council, it was made available for further consultation for two calendar months from 1st April 2014 to 31st May 2014. This was important as it now contained the draft policies distilled from the questionnaire results. Parishioners were again made aware that the document was ready for consultation through the advertisements in the Parish News, on the Parish Notice Boards and on the Parish Website. The document itself was put onto the Parish website, emailed to all those people who had registered an interest previously, and was also available in hard copy for viewing at the two post offices, the Parish Clerk's Office and one of the Parish Councillor's houses. Further comments were invited. Again, comments received were incorporated into the document.

Throughout this process regular updates on progress were given at Parish Council meetings.

Consultation Bodies

The following Consultation Bodies were considered. Several were thought to be not applicable – reasons are given for this below.

- (a) *The Mayor of London*
Brancaster is not a London Borough and so this is not applicable.
- (b) *Local Planning Authority, county council or parish council any part of whose area is in or adjoins the area of the local planning authority*
The Borough Council of Kings Lynn and West Norfolk is being consulted, as is Norfolk County Council.
Copies of the plan have been sent to adjacent Parishes.
- (c) *The Coal Authority*
Not applicable in this area.
- (d) *The Homes and Communities Agency*
This was not considered to be applicable in this case.
- (e) *Natural England*
Although this Neighbourhood Plan will not have an impact upon protected species and area environmental designations it was felt relevant to consult with Natural England in view of the designations on the surrounding area. A copy of the plan has also been submitted to the National Trust for comments. Comments were also invited (and received) from the *Norfolk Coast Partnership*.
- (f) *The Environment Agency*

Again, although this Neighbourhood Plan will not have an impact on drainage, rivers, water quality, flood risk etc. it was felt that consultation with the Environment Agency would be advisable.

- (g) *English Heritage*
It was considered relevant to consult with English Heritage, especially with regard to policy 8.
- (h) *Network Rail*
Infrastructure Limited. As there are no railways in the area this was not considered applicable.
- (i) *The Highways Agency*
There are no designated 'Trunk Roads' in the area so this is not applicable.
- (j) *The Marine Management Organisation*
This Neighbourhood Plan does not impinge on the offshore and fringe of coast interests of the Marine Management Organisation and so was not considered applicable.
- (k) *Electronic Communications considerations*
This Neighbourhood Plan does not contain any policy that impinges upon telecoms infrastructure or its future development.
- (l) *PCT, Electricity, Gas, sewerage undertaker, water undertaker*
None of these will be affected by any proposal in the Neighbourhood Plan and so none were considered applicable.
- (m) *Voluntary bodies some or all of whose activities benefit all or any part of the neighbourhood area*
There are none locally that are applicable.
- (n) *Bodies that represent the interests of different racial, ethnic or national groups in the neighbourhood area*
There are none locally that are applicable
- (o) *Bodies that represent the interests of different religious groups in the neighbourhood area*
There are none locally that are applicable
- (p) *Bodies that represent the interests of persons carrying on business in the neighbourhood area*
There are no representative bodies of this type locally, however local businesses were consulted by the same process as parishioners.
- (q) *Bodies that represent the interests of disabled persons in the neighbourhood area*
There are none locally that are applicable.

In conclusion, it was felt appropriate to consult with the following bodies;

Kings Lynn and West Norfolk Borough Council
Norfolk County Council

Adjoining Parish Councils
Natural England
Environment Agency
English Heritage
The Norfolk Coast Partnership
National Trust

Copies of the plan were submitted to these organisations before 1st April 2014 and the organisations were asked to respond by 31st May 2014.

Issues and Concerns arising from the Consultation

The main issues and concerns arising from the pre-submission consultation have been addressed within this draft plan as follows;

Despite there being significant interest in the draft Plan by parishioners, and several requests for emailed copies, no further suggestions have been received from that quarter. We consider that to be a vindication of the way the plan has been put together; wide consultation by means of a questionnaire and open meetings has meant that parishioners/local businesses feel that the draft Plan is a fair representation of the aspirations of the Community.

Consultee Organisations; The responses from the organisations we consulted with have been included in full later in the document (Appendix 4). The document was revised in the light of these comments. They have been taken account of in the policies (notably policies 8 and 9) and, where appropriate, within the text of the Plan.

Project Plan

This project was initiated in early 2013 with the application for designation of the area being made in March 2013. The draft plan was produced as has already been described and it was submitted for a 'health check'. The report arising from this was received on 6th August 2014 with a recommendation that a project plan be included in the documentation for the further stages of the process. The following project plan covers the work due to take place from 1st November 2014 on to implementation.

Estimated date	Estimated timescale	Parish Council actions	Borough Council actions
01/11/2014	1 month		<p><u>UNDERTAKES A 'STRATEGIC ENVIRONMENTAL ASSESSMENT' (SEA) SCREENING.</u></p> <p>This is to check whether (as expected) a full assessment is not required.</p> <p>The Borough Council will undertake the necessary consultation, etc. and advise the Parish Council accordingly.</p>
01/12/2014	2 weeks	<p><u>FORMALLY AGREE THE PLAN IT WANTS TO SUBMIT</u> (and also accompanying documentation).</p> <p>It must send —</p> <p>(1) a map or statement which identifies the area to which the proposed neighbourhood development plan relates;</p> <p>(2) a consultation statement (a document which—</p> <p>(a) contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;</p> <p>(b) explains how they were consulted;</p> <p>(c) summarises the main issues and concerns raised by the persons consulted)</p> <p>(d) describes how these issues and concerns have</p>	

Estimated date	Estimated timescale	Parish Council actions	Borough Council actions
		<p>been considered and, where relevant, addressed in the proposed neighbourhood development plan.)</p> <p>(3)the proposed neighbourhood development plan; and</p> <p>(4)a statement explaining how the proposed neighbourhood development plan meets the statutory 'basic conditions'.</p>	
15/12/2014		<p><u>SUBMISSION OF DRAFT PLAN TO BOROUGH COUNCIL</u> Note that once the plan is submitted to the Borough Council it is largely out of the Parish Council's hands.</p>	
15/12/2014	2 weeks.		<p><u>CHECK ON VALIDITY OF SUBMITTED PLAN</u> Decide whether all the required documents have been submitted and that procedural legal requirements have been met.</p>
01/01/2015	3 months		<p><u>PUBLISHES THE PLAN PROPOSAL FOR COMMENT</u> Publishes proposed plan on its website, etc., inviting comments within 6 weeks.</p>
	(During publication period above)		<p><u>CONSULT PARISH COUNCIL ON CHOICE OF EXAMINER</u> Identify suitable candidates Examiner must be suitably qualified and experienced, and with no conflicts of interest.</p>
	(During publication period above)	<p><u>AGREE CHOICE OF EXAMINER WITH BOROUGH COUNCIL</u> Examiner cannot be appointed without the Parish Council's agreement. The Borough Council will probably identify two or three potential examiners.</p>	
	(During publication period above)		<p><u>APPOINTMENT OF EXAMINER</u> Borough Council appoints and pays for the examiner.</p>
01/04/2015	2 months		<p><u>EXAMINATION</u> LPA sends examiner plan and other</p>

Estimated date	Estimated timescale	Parish Council actions	Borough Council actions
			<p>submission documents, and copies of all representations received in the preceding consultation.</p> <p>Examiner reads all the documents and comments, and visits the area (usually alone). May hold a hearing if she/he considers it necessary.</p> <p>The examiner sends a report to LPA (and copied to PC) advising the LPA whether he/she considers the plan meets the 'basic requirements', and recommends whether it should</p> <ul style="list-style-type: none"> (a) Proceed to referendum, and if so whether the referendum should extend beyond the plan area (usually because it affects other areas). (b) Proceed to referendum only after changes have been made, recommending appropriate modifications (c) Should not proceed to referendum.
01/06/2015	2 months		<p><u>DECISION WHETHER PLAN SHOULD PROCEED TO REFERENDUM</u></p> <p>Borough Council has to consider each of examiner's recommendations and make its own decisions whether the basic conditions and legal requirements have been met, or modifications should be made to make it do so, and hence whether it proceeds to referendum, and also whether the referendum area should extend beyond the plan area.</p>
01/08/2015	1 month		<p><u>CONSULTATION ON ANY DECISIONS CONTRARY TO RECOMMENDATIONS</u></p> <p>If the LPA is minded to make any decisions differing from those recommended by examiner, it must first consult.</p>
01/09/2015	2 weeks	<p><u>RECEIVES DECISION WHETHER PLAN will PROCEED TO REFERENDUM</u></p> <p>Will also learn whether LPA will make any changes to the Plan before the referendum.</p>	<p><u>PUBLICATION OF DECISIONS</u></p> <p>The Borough Council must publish its decisions (and notify the Parish Council) as to whether the Plan may proceed to referendum, and if so whether it will first be modified to meet requirements.</p>

Estimated date	Estimated timescale	Parish Council actions	Borough Council actions
		If the decision is that the Plan cannot proceed to referendum, the process stops. It can only be re-started by the Parish Council submitting a new plan.	
15/09/2015	1 month		<u>MAKES ANY CHANGES it considers necessary to the neighbourhood plan</u> to satisfy the legal requirements Note such changes are solely the Borough Council's responsibility and decision, but in practice if it decided changes were needed it would probably consult the Parish Council about them.
15/10/2015	1 month		<u>REFERENDUM HELD</u> The Borough Council organises and pays for this. (The date of the referendum may be timed to coincide with an election or by-election to save costs.) Those who can vote in the referendum are those on the electoral register with an address in the referendum area and entitled to vote in Borough Council elections. The usual polling stations in the area would probably be used.
	(included in above time)	<u>PARISH COUNCIL RECEIVES NOTIFICATION OF REFERENDUM RESULT.</u> Note if the plan fails referendum (see to right), the process stops and can only be restarted by Parish Council submitting a new plan.	<u>REFERENDUM RESULT</u> If more than 50% of those voting in the referendum support the Plan, the Borough Council must proceed to bring it into force. If 50% or less support it, the plan fails.
15/11/2015	1 month		<u>BOROUGH COUNCIL BRINGS PLAN INTO FORCE</u> The LPA makes formal decision to 'make' the plan as soon as reasonably practicable after the referendum. From the date it comes into effect the Plan remains in force until the end date specified in the Plan, unless it is previously superseded by a new neighbourhood plan.
15/12/2015	2 weeks	<u>PARISH COUNCIL NOTIFIED</u>	<u>PLAN PUBLISHED</u>

Estimated date	Estimated timescale	Parish Council actions	Borough Council actions
		<p><u>WHEN PLAN IS IN FORCE.</u></p> <p>Also receives a copy of the Plan (which may differ from the draft Plan submitted).</p>	<p>LPA must publish the plan on its website.</p> <p>A copy of the Plan (which may now differ from that submitted) is sent to the Parish Council, and potentially other bodies specified in regulations.</p>
<p>01/01/2016</p> <p>Until 2026 (unless previously replaced)</p>			<p><u>IMPLEMENTATION</u></p> <p>Once 'made', the Plan forms part of the development plan for the area, along with the local plan (prepared by the LPA) and minerals and waste plans (prepared by the County Council).</p> <p>Decisions on planning applications and appeals (by the LPA, planning inspectors, or the Secretary of State) must start by consideration of the development plan (which includes the neighbourhood plan). Decisions should, by law, be made in accordance with the development plan, unless 'material considerations' indicate otherwise. Material considerations can include any relevant planning matter, but will typically include national planning policies, and matters not included or anticipated in plans.</p> <p>Note that almost all planning application/appeal decisions will involve some balancing of the development plan against other material planning considerations, or of different development plan policies which pull in different directions. Therefore while development plans are a strong guide to decisions, they are not regulations and cannot be expected to be mechanically applied.</p> <p>Where there is any conflict between a neighbourhood plan and the local plan (Borough's adopted plans), the most recent one prevails.</p>
		<p><u>MAY PROPOSE A NEW PLAN</u></p> <p>The Parish Council may at any time an existing neighbourhood plan is in force propose it is</p>	

Estimated date	Estimated timescale	Parish Council actions	Borough Council actions
		<p>replaced by a new one. (This could be wholly new, or partly new and partly the same as previous plan). The procedure is the same as for the original plan. The old plan will be superseded if and when the new neighbourhood plan is brought into force.</p>	

Appendix 1 – The Questionnaire

This questionnaire is so that your Parish Council can gauge village opinion in order to influence the building development that will happen in our villages in the future. You can answer as many questions as you wish and we would like every villager to express a view so please photocopy this to give one for each person. We would also welcome your comments; please attach extra sheets if there isn't enough room on this sheet.

Firstly a question about you. Please ring the appropriate answer(s).

Are you a: permanent resident
 holiday home owner
 visitor
 other (please specify)

1. Size of Houses. Considering the number of bedrooms in a house and realising that the village needs a spread of different sized houses to provide for a variety of needs, could you rank the following sizes in order with 1 being the size you think we need most of and 5 being the size of house we need least of;

- One bedroom flat/house —
- Two bedroom flat/house —
- Three bedroom house —
- Four bedroom house —
- Five or more bedroom house —

Comments:

2. Height of houses. Again we realise the value of diversity among our buildings. Could you, as before, rank the following in order, ranking 1 as the height you think should be most prevalent and 4 as the least prevalent:

- One storey —
- Two storey —
- Three storey (or two storey with rooms in roof) —
- Other (please specify) —

Comments:

3. Thinking about materials, and again being mindful of the need for variety, please rank in order of prevalence you would like to see, the building materials for houses:

- Brick —
- Flint and Chalk —
- Wood —
- Other (please specify) —

Comments:

4. Similarly with the style/materials you would like to see roofs built with:

- Slate —
- Pantiles —
- Flat roofs —
- Grass (or other eco-friendly) —
- Other (please specify) —

Comments:

5. Parking. New developments of necessity need parking for vehicles (cars, boats etc.) How many off road parking spaces do you think should be provided for each house? —

Comments:

PTO

6. Footprint of house compared with size of plot. This question is asking you to consider how much space there should be around houses, how much garden & drive you would like to see. How much of an individual plot should be covered by the house and associated buildings? Please ring the appropriate fraction:

Less than ¼ ¼ ½ ¾ More than ¾

Comments:

7. Thinking about the ratio of affordable/shared ownership houses to 'open market' houses, what do you think should be applicable?

AF/S : OM 1:1 1:2 1:3 1:4 1:5 1:6 other (please specify)

Comments:

8. In our villages we have both modern and traditional design of houses. Accepting that the modern house of today is the traditional house of tomorrow, and the advisability of a variety in appearance of houses, what ratio of modern to traditional type design would you like to see?

Modern 4:1 3:1 2:1 1:1 1:2 1:3 1:4 Traditional

Comments:

9. Thinking about the structure of developments, should styles of houses (such as modern/traditional, bungalow/house etc.) be kept together or mixed up? Please ring the appropriate answer.

Grouped together intermingled

Comments:

10. How do you think planning legislation can be used to encourage local employment?

.....

11. What do **you** think are the most important planning issues affecting our Parish?

.....

Thank you for taking the time to complete this questionnaire. Please return it to the box in one of the post offices, or to Cyril Southerland, Richard Seppings or the Parish Clerk before **30th July 2013**. You will have a chance to talk about this further with us at one of our open days at the village halls. Keep an eye on the Parish News for further information.

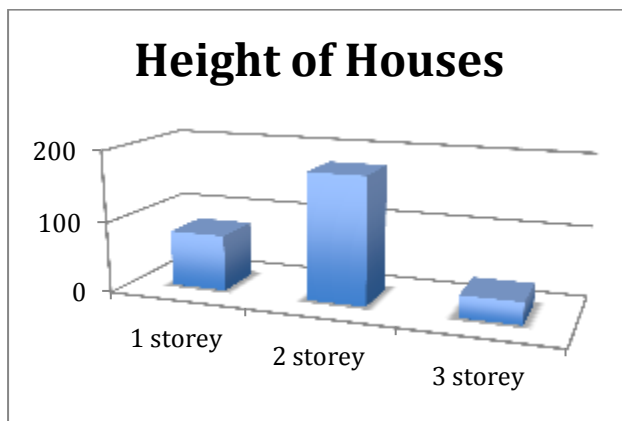
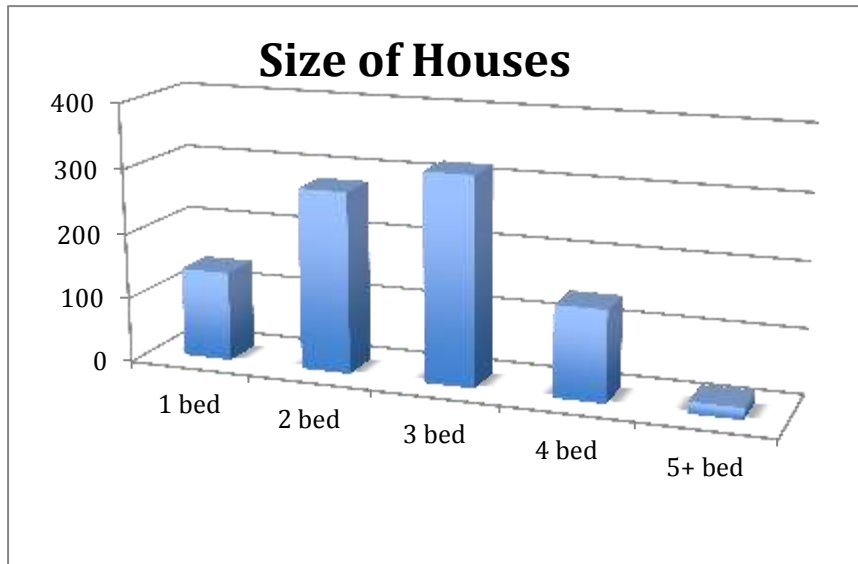
We will consult on the final document before you get the opportunity to vote on its acceptance; it would be great if we could send it to you by email so if you could give us your email address it would be very useful.

Email (optional):

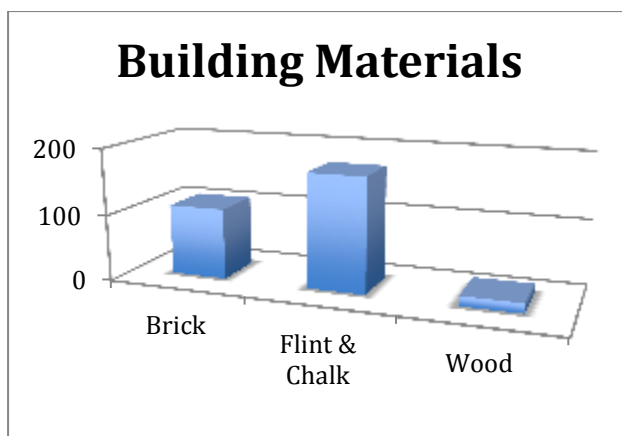
June 2013

Appendix 2 – The Quantitative results

135 questionnaires were received and points allocated to ratings as appropriate. Although the majority of respondents were, as might be expected, permanent residents, a significant number (21%) were holiday home owners.

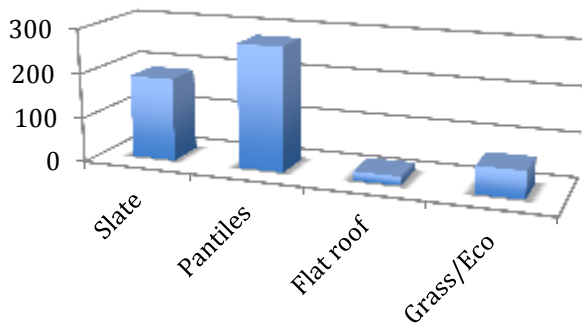


Chalet bungalows were mentioned by two people and rated 1 by one of them.
 3+ storeys rated least priority by two people.
 3+ including basement rated 3 by one person.
 One person mentioned 3 bed bungalows.



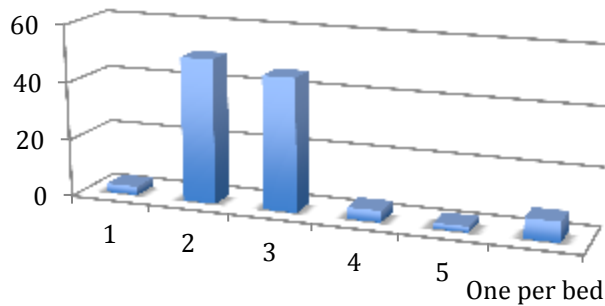
Four people rated flint/brick mixture 1 or 2.
 One person mentioned a mix of carstone/chalk/flint.
 One person rated carstone 3.
 One person mentioned rendering with wood.
 One person rated steel and glass 3.
 Two people mentioned rendering.

Roof Materials



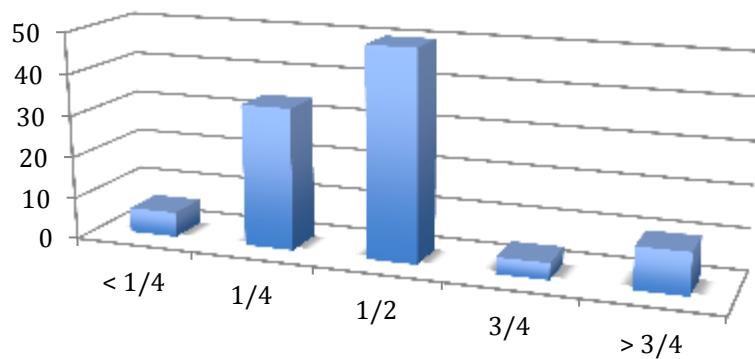
Five people mentioned flat/standard/normal/plain tiles and rated them 2 or 3.
 One person rated concrete tiles as 2.
 One person rated a mixture as 3.

Parking spaces per house

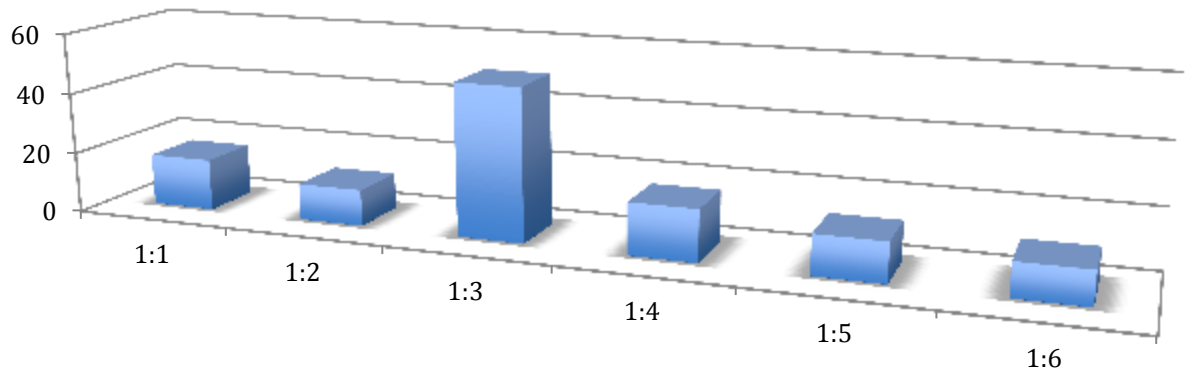


Six people said 1 space per bedroom even though this wasn't a choice on the questionnaire.
 One person said 0.75 spaces per bedroom.
 Several people said 2 spaces as a minimum.

Footprint

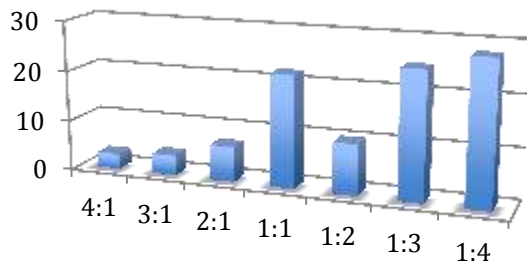


Affordable/Shared ownership:Open Market



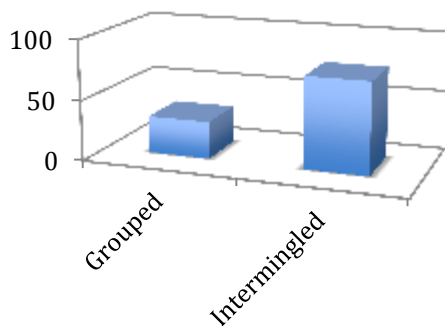
Several people noted the need to ascertain the demand for affordable housing.

Modern:Traditional



Two people said as traditional as possible.

Arrangement



Appendix 3 - The Qualitative results (reproduced verbatim)

Comments.

Question 1. Size of Houses.

- Currently too many big expensive houses. Need ordinary family homes.
- 4 bedroom houses rarely needed. 5 bedroom house not needed at all.
- Smaller houses would encourage first time buyers.
- One bedroom places needed for single elderly. 4 beds for shared rent needed for young.
- The largest houses in the village seem to be mainly second homes and very underused.
- Affordable housing required.
- Houses are needed for village families, either young/?2 children (3 bed houses) or older couples (2 bedrooms).
- No more houses needed – many/most sit unoccupied for most of the year. New houses should be only for people to live in full time.
- Less expensive houses for people who work here would be a good idea.
- I don't think we need any more houses unless they are for permanent residency.
- There should be a good mix of 1 – 3 bed houses.
- Need for smaller properties so local families can be provided for.
- A mix of houses for full time users.
- It seems the larger properties that are built remain empty while a smaller property seems to be occupied fully in most cases, and are affordable to be lived in and employed in the area.
- This is a high cost housing area and affordable housing is essential for young people and those, including the retired, having smaller incomes.
- The young have to be considered.
- A humble not fixed up cottage.
- No need for more houses – some need for accommodation for lower paid.
- It should not be necessary for more than a few 4 or 5 bedroom houses to be built.
- The bedrooms must be of a reasonable size.
- The bedrooms must be of a correct size.

Question 2. Height of Houses.

- Mixture.
- Not really a single storey (bungalow) village.
- Two storeys with rooms in roof are preferable to full three storey.
- Houses should not be built that block existing houses' views.
- More terraces and houses 'beyond' as on North side of road would be good.
- A mix is best, avoids uniform appearance and provides interest, provided surrounding gardens are allowed for.

- 3 storey houses not really wanted.
- None higher than three.
- Very large properties and absent owners can be a problem.
- No houses with three or more storeys are appropriate.
- Too high spoils people's view of the area.
- For rebuilds storeys remain the same.
- Overlooking is becoming a problem.

Question 3. Building materials for houses.

- Variety good but in keeping.
- I would like to see a mixture. Too much 'modern' flint and chalk is overpowering. Some wood, some brick, mixed in would enhance the look of the village.
- I would expect contemporary architects will use more glass given the composition of glass and improved insulation materials.
- A mix is best, avoids uniform appearance and provides interest.
- It doesn't matter; they just need to be well designed.
- A mixture of materials. So long as wood does not predominate I am happy to see it used.
- A mixture would be acceptable.
- Modern design using local/trad materials.
- Wood can be unsuitable; see new house in Brancaster Staithe.
- Depending where it is.
- A good mixture.
- The traditional materials maintain the character of the villages.
- All mentioned would be suitable.
- Local materials essential.
- It is best to use materials in sympathy with the area.
- Any materials used must be compatible with those used for other nearby houses.
- Norfolk villages have their own charming style.
- Local materials.
- Again a good mix of brick/flint etc – not wood.

Question 4. Roofing Materials.

- A good mixture.
- Flat roofs are not good to look at and do not wear well.
- Flat roofs leak.
- Dormers are great new but heavy. Victorian-style dormers are a disaster.
- A mixture of roof styles within a single development.
- I would like to see some eco-friendly roofs where appropriate e.g. On a garage, summerhouse etc.
- Flat, grass etc. for garages.
- Traditional emphasised.
- Norfolk villages have their own style.

- Flat roofs, grass, other materials are unsuitable and are unlikely to be cost efficient in the longer term.
- No preference – whatever suits house/surroundings.
- No non-conforming materials.
- Unsure about grass as I haven't seen this.

Question 5. Number of off road parking spaces per house.

- Already holiday homes block up the road.
- Unfortunately upon reviewing our ratings above, we can see that most current developments comprise the worst of our ratings.
- At least 2 spaces per household.
- Single garage, plus space per bedroom in house.
- Fed up with e.g. Saxon Close having all cars parked on main road.
- 2 minimum, 3 preferred.
- 2 minimum, 3 maximum.
- In this area many people have boats, work vans etc. and with the threat of losing the Coasthopper, it is difficult to see how working families (often at least two people having to travel to work) could manage without a minimum of three spaces per house.
- Stop the half space syndrome.
- 1 and 2 beds need 2 spaces and so on upwards.
- As most people seem to use their garages for purposes other than putting cars in I have ignored them in arriving at proposed spaces.
- 2 – but problematic; people have visitors. I would rather see communal parking and space left for gardens.
- Adequate space provided on either side of entrances off the main road for safety purposes.
- 2 spaces but more if the house has more than 2 bedrooms.
- At least one space for each bedroom.
- At least 2 but it depends on the likely number of occupants. I would say number of bedrooms = number of car spaces needed.
- Parking in the village is already inadequate, so the problems should not be made worse.
- 2 for a 3 bedroom house.
- 4 plus boat.
- 2 maximum. Is parking needed for boats?
- 2 as a maximum.
- Minimum of 1.
- 2 cars – 3 for bigger houses.
- No less than 2.
- Two to each house depending on size of house.
- 2 but not always possible with terraced rows.
- 2 at the very least. Parking on the street is an increasing problem.
- One car per adult required.
- Any fewer than 2 and people park on the road.
- 2 plus one boat.

- Consider neighbour liaison so that unused holiday home could be used by neighbours.
- The village is too congested with parked cars etc.
- 2, not 1.5 as no such thing as half a car.
- Essential to create off road parking.
- 0.75 per bedroom rounded up.
- Depending on size of plot of course but of necessity at least two for cars if nothing else.
- Commercial vehicles should not be parked in areas allocated for private off road parking.
- Two or three – family and visitors to each home.
- Don't forget local tradesmen need a place to park their vans.
- Parking should be within property boundaries.
- The Ship refurbishment has changed London Street – drunk, loud, parking everywhere.
- Depends on size of house. 1 space per adult.
- 2+ with garage.
- Planning permission for extensions should not be given if it results in cars parked on the road.

Question 6. Footprint of house compared with size of plot.

- Modern lifestyle doesn't allow for garden.
- Cars and garages should be hidden from road if possible.
- $\frac{1}{4}$ may be too ambitious, $\frac{1}{2}$ OK.
- If families are to live in houses they need gardens.
- $\frac{1}{2}$ for smaller properties but a bit more generous space for larger houses with more occupants and more vehicles.
- $\frac{1}{4}$ seems very small, $\frac{1}{2}$ seems not enough space.
- Various, depends what people want.
- It depends on where it is in the village. It doesn't matter providing it is well designed. There are up to 100% coverage in Burnham Market and beautiful.
- Houses without proper gardens are unlikely to be bought by local people (if they can afford them) and are aimed at, and bought by, 2nd home owners who are seldom here.
- Depends on size of plot, larger house needs more parking.
- Depends on type of property.
- I think there should be AT LEAST $\frac{3}{4}$ plot garden. Then people have room to grow veg., children can play and there is drainage into the ground for rainwater, flowers for bees and insects etc. and natural places for wildlife.
- $\frac{1}{4}$ plot covered; this does not seem to be current practice.
- Various houses need various sizes.
- A house should have a garden the same size as the house and a drive.
- Houses for young families need more space.
- Where there is space there should be a garage.
- The village is being spoilt by infilling and overcrowding.
- Not crammed estates.

- We would not like to see crammed estates (e.g. Powell's Yard).
- Some recent developments look crammed in.
- Large gardens in second homes have to be cared for.
- ½ could be increased to allow for off road parking.
- Space to off road park and land to grow vegetables and flowers for insects and wildlife to continue to flourish and a place to relax.
- Depends on use of house – residential larger garden, holiday use less garden but more parking (off road).
- Very much depends on property and who would be in it.
- Houses are too different to answer.
- Depends on resident and needs i.e. lone person or family.
- Enough to enable sufficient off street parking.

Question 7. Ratio of affordable houses/Shared ownership to 'open market' housing.

- To be decided on NEED of the community at the time, not a fixed ratio.
- No regulations should be set.
- This is a difficult, possibly irrelevant question. There should be enough affordable housing to fulfil the need for it. We have little work here in the village, and too many houses already. The future of this village depends on retired people living here permanently, together with consideration to increase work (working from home etc.). I'm not convinced that there is need for ANY houses. Without the work there is no need for the houses.
- We seem to have enough affordable at the moment.
- More affordable homes needed.
- If large quantity of homes ratio should be higher.
- The ratio could well change as development takes place.
- (1 affordable:2 'market') could be commercially viable if developers were not so greedy.
- What is the demand for affordable? That must be met.
- Applications for small developments should be considered in the light of other recent applications so that overall the 1:3 ratio should be achieved.
- Considering the present development of more expensive owner occupied houses having developed in the village I think more affordable/rented accommodation is needed.
- To keep the village it needs houses for people who want to live there. It does not need more holiday (usually empty) houses.
- Only affordable/shared ownership are needed.
- I do not know how great has been the demand for AF. If great it should be 1:2.
- Important to ascertain how many affordable homes are required.
- Allowing for infill where appropriate.
- Does it not rely on the demand for AF/s, which is dictated by those who want to work/live in the area, which is dictated by jobs available? How are we going to get more employers in the area?
- It would be OK if open market houses were family houses instead of huge properties miles out of locals' price ranges.

- I would like families to remain.
- Not in a position to judge but suspect we have too few affordable houses.
- Essential for affordable housing.
- Houses for local residents are most important.
- Do not know the demand for affordable houses. It depends upon that.
- Bias towards homes for younger and permanent residents.
- Such a measure should increase the amount of housing available to young people.
- Brancaster has become a posh, snobby, empty place!
- The affordable/shared ownership housing also needs to be appealing to local families e.g. if it is 3 beds it should have a garden.
- 1:10000

Question 8. Modern:Traditional design of houses.

- Traditional. It is not a modern village.
- Encouragement should be given to eco building in traditional styles.
- No strong opinion.
- Brancaster is an attractive old village, houses built mainly of stone (local).
- The quality of modern designs has not been high. C.f. wooden house in Brancaster Staithe opposite Snellings.
- Houses like the new one opposite Snellings should not be entertained.
- Copies of older houses are rarely successful. A new/modern design is usually far more pleasing – and often exciting, and can successfully use traditional materials.
- Attention should be paid to blending the houses so that the smaller older properties are not dwarfed by large modern developments (as in Thornham where a new house is so much larger that the surrounding properties).
- Many poor modern designs.
- But they (modern houses) must be above average in design.
- Provided the ‘modern house’ is well designed.
- I am not averse to contemporary design and would welcome some in the village. You will always be up against design being in the eye of the beholder.
- General view is that more modern houses are changing the character of the village.
- We are a traditional village. It is nice to see well designed modern houses but they should be the exception rather than the rule because it is important, in my view, to retain the character of the village. However, big modern houses, built in traditional materials, trying to look like cottages, look silly. There are also some massive modern square extensions that have, in my view, ruined the view from the North, e.g. next to the White Horse in the Staithe.
- The outside of the house should be in keeping with the village but modern inside.
- Modern houses can look appropriate if they have characteristics reflecting some thought to ‘blend’ into the existing character of the village.

- I do not accept that a modern house of today is the traditional house of tomorrow. Currently wood facias are popular and are not including flint or brick at all. Mostly glass and chrome ... appalling.
- Problem comes when decent houses are knocked down and huge unsuitable houses put in their places.
- Whatever the ratio, the extremes of house design should be avoided to ensure no clashes of style, incongruities.
- A good mix of both.
- Do not want to see the character of the village change dramatically.
- The authorities should look at design quality.
- Design is the important thing.
- Traditional build can also involve eco methods of construction.
- Whatever the design it is important to use local material, and in keeping with surrounding properties.
- Maintain the character of Brancaster as much as possible, modern is modern and thus cannot become traditional.
- Don't like wood cladding.
- It depends on style.
- The characters of the villages should remain dominant.
- Good modern is better than out of proportion 'pretend' traditional. Important to use local sympathetic materials.

Question 9. Should styles be intermingled or grouped together?

- Intermingled gives a richer mix.
- Grouped together, but there are unlikely to be more than 10 on any site.
- It would depend on location within village and space around houses.
- But the character of the main road through the village should be preserved.
- Grouped together; Branodunum a good example.
- Intermingled; a village is a mixture, not a series of estates.
- Intermingled is usually very unsatisfactory.
- Grouped together; please not modern unless using wood or stone.
- Grouped is ideal but practically means they most contrive to be intermingled.
- At the moment properties seem to be intermingled and it seems to work.
- Design is the important matter.
- Design is the most important thing.
- The diversity of buildings is one of the most attractive features of the villages.

Question 10. How can planning legislation encourage local employment?

- Train young people in the service industries. Well qualified gardeners, painters, carpenters, fencers are constantly needed.
- More affordable houses needed for people who live here.
- Speed up the process to encourage building and construction.
- Set aside land to enable the building of light industrial units/office space.

- New developments must include a shop and be within reach of a surgery, petrol/diesel station, Church.
- It can't.
- Helping home-based enterprises to develop.
- It can't. Leave it to the market.
- Give planning permission to small industries.
- Ensure provision is made for small start-up businesses and other established small business.
- Commercial space integrated within space e.g. Artist studio, shop.
- By insisting that any new buildings have to be permanently occupied for at least 2 years. These people would then use local amenities all year round.
- Permitting some limited house/flat construction will help local employment.
- Have any employment potential planning applications been submitted and due to current legislation been refused?
- Small-scale businesses should be encouraged. Siting them in this parish might be more difficult, but a site for sale in Docking would be ideal.
- By creating some form of retail space or light industry/offices.
- To allow a small amount of small starter units for local business.
- Allowing more business use of land not allowing change of use business to holiday home.
- Allow sites within our villages be able to be used as workshops/light industrial use. Barn conversions would be suitable. It should not be necessary for people to have to travel to work in Docking/Fakenham etc.
- Affordable housing plus shared ownership housing encourages people to move into villages.
- 'Infilling' should be encouraged rather than new small estates on green field sites on the edges of villages.
- I know this will be unpopular but the villages of Brancaster and Brancaster Staithe need to own their own windmill on the Common or nearby.
- You could specify local materials be used where possible and give a tax incentive say a small VAT rebate for people using them.
- Allow businesses to develop. Allow houses to be used for commercial purposes.
- At a national level, legislation to rein in the 'free market' where house prices are concerned. Locally, more social housing, possibly funded by higher council tax on 2nd homes.
- Possible workshop and office space may help.
- Limit use of builders to those located within a set radius of village.
- Restrict building of large expensive properties.
- Firstly to build traditional types of building which will give better opportunities for local and specialised tradesmen. Secondly to include better access to the information highway and connections to superfast broadband (for home businesses).
- I do not consider the planning legislation is against local employment, it should be strongly promoted by the community and the Parish Council.

- It should not be, it is pointless.
- Small shop/workshop provision may help provide local employment and support the village community. No more over large second homes. Restrict houses to a type that can be lived in permanently, even if they may be sold as second homes they could revert to permanent residency in the future.
- Impossible to legislate. It's a free market choice now and should continue to be so. If local employment is as good as it can be, then it will be used anyway.
- Only build when there is a proven need for local people i.e. cut down 'on spec' development for second homes. Note; when local affordable houses have come on the market, both for sale or rent, the take-up by local people has been very slow.
- More 2 bedroom houses and less 4+ bedroom houses.
- We despair! Recent developments have mainly involved imported labour or companies and have been for the benefit of transient, rather than local able bodied working folk. Bring back the days when a local person could build a property for themselves, utilising local labour, on their land without it being considered an extension of the village envelope – the nationwide 'need' for considerable additional housing makes it clear that such envelopes must be extended. Brancaster is a prime example.
- Reduction of costs for those living and working within the community, possible a percentage reduction on all services and council tax.
- Give planning permission for a business (such as a shop or food outlet) to be built. Then it could employ local people.
- Encourage commercial development e.g. of redundant buildings.
- Small units could be developed on sites within the village, for people to start up their own businesses and employ others.
- Tasteful and appropriate development generates jobs.
- Would it be possible to impose a requirement for local trades to be considered/used first in preference to those from further afield.
- By encouraging a mix of development. Not just big profit holiday housing but affordable retirement housing schemes and the use of section 106 agreements to generate employment opportunities via planning gain e.g. the funding of a small shop.
- By putting covenants on properties that ensure they are re-sold to local people or permanent residents to prevent the properties becoming holiday/second homes.
- Many young adults are forced to live with their parents because of a lack of affordable housing, and the mortgage deposit is so large.
- Stop charging VAT on modernising old buildings and put it no new build.
- People need affordable housing to be able to work in the area.
- Not allow too many very large houses. This takes them off the market permanently for local people.
- No permission for holiday homes – too many already.
- Various sorts of building work – shops.
- The development of small businesses linked with residential accommodation.

- The release of building land.
- Small industrial units with no change of use covenant.
- To encourage small industrial units for small businesses.
- Main employers are tourism and fishing. Planning should be sympathetic to supporting employers in these fields.
- Provide more affordable housing.
- Ensure provision of small business units for enterprises that will flourish in the local environment.
- More full time jobs mean full time residents essential to maintaining local influence.
- Use housing associations/shared equity.
- Encourage clusters of small industrial units.
- Build lock up units for small business.
- Provision of 'start up' business premises.
- Modern start up units for small (micro) businesses.
- Encourage locally traditional houses e.g. flint which use the skills of local people.
- Probably best achieved by limiting space for car parking as discouraging use of cars would energise local shops. Branodunum got this right back in the '80s by one car garages but off road parking has blossomed since then.
- With affordable housing. Green belt should not be encroached on. Solar panels should not be visible from the road.
- I believe that there should be no more housing built unless skilled work is available which would enable people to earn enough to afford a decent home.
- Traditional houses require traditional skills. Local builders skills and knowledge encouraged.
- More affordable housing to keep locals around and keep schools and services used. Maybe some retail units?
- Lower cost/affordable housing must rate high on the list of priorities but it is essential that these properties do include a garden and drive and are maintained to a high standard.
- It is vital to support local craftsmen. It is important that planners take notice of the community and act accordingly.
- Any multi property development must include on its site or elsewhere a ratio of affordable houses. Push for better broadband so people can work from home; speeds have deteriorated over the last year!
- When planning granted list of local craftsmen sent to homeowner.
- Obviously be granting permission for developments but then you are defeating the object of maintaining traditional character. Therefore permission should be mainly limited to traditional developments.
- As I've said, more parking at houses to allow families to travel to work.

Question 11. What are the most important planning issues affecting our Parish?

- There are too many private houses being built that will end up as second homes for people who are not local and therefore they will not stay in the

village long enough to contribute to it. Therefore more 'affordable' housing for locals need to be built.

- Local residents' views and wishes being ignored.
- Too much tree felling and infilling is taking place. The Parish is rapidly becoming a weekend/holiday period dormitory. The recent redevelopment of 'Powells Yard' is of no benefit to the village or its Parishioners whatsoever. Local residents should be allowed to develop their land/plots, if possible, to the benefit or usage of themselves.
- Main road.
- Only build when there is a proven need for local people; you have to ask the question – how many more houses are required for local people. Development for second homes should be cut down although a new development, e.g. Powells Yard, will employ local gardeners, cleaners etc.
- Seemingly no overall vision for;
 - The second home rebuild/renovation programme on an ever-increasing scale.
 - New developments on smaller plots.
 - Selling off pockets of agricultural land for new builds (or affordable housing).
- The village has too many houses and they are FAR too big. Houses should be built that can be holiday homes, family homes or retired homes. Very large houses with no gardens, built specifically as second homes, can never revert to be houses for normal families. House size MUST be limited.
- Too many new, large houses being built for second home absentee owners. Overload of holiday homes being built by/for absentee landlords.
- The erection of large expensive dwellings for absentee owners, which local people can not afford to purchase.
- Lack of an overall 10/20/30 year plan as to where in the villages should be building sites. No point in having a plot by plot permission. The rest unbuilt land should be frozen for 30 years as farmland.
- Too many new developments considering we already have lots of rarely used holiday homes. New houses not catering for locals – too big/expensive. Need real houses for real people!
- You will never satisfy all the people all the time. The underlying foundation should be to create a planning agenda that maintains the requirements of a wholesome living community.
- Overdevelopment of expensive and larger properties restricting the number of reasonably price alternatives.
- Rural workshop provision.
- With weekend or holiday homes much more thought should be given to parking both vehicles and trailers and boats.
- Keep playing fields/parks/recreation areas.
- We have noted some 'horrific' wooden houses (near harbour entrance) which seriously affect the character of the village – one wonders how planning permission was ever granted.

- We do not need more houses, as they do not help the housing shortage as they are all sold as second homes. Also a large number unsold at the moment.
- Second homes.
- Traffic speed on Whiteways Road approaching the T-junction with the A149. Also persistent flooding on the A149 in front of Leftleys. These are both NCC matters.
- Build more small houses as they are needed by permanent residents and are not good for holiday letting.
- That Brancaster Staithe retains its character of a working port and that no caravan parks are allowed. New housing should help the local community and be built for their benefit.
- Too many large expensive houses encouraging second home buyers.
- The granting of seemingly unrestricted numbers of houses way out of reach of villagers financially.
- Affordable housing available to encourage permanent residency as compared to holiday home owners in our village.
- Affordable homes for younger people who are permanent residents. Need for more affordable retirement houses for housing association tenants to free up council houses with 3 bedrooms but only occupied by one person.
- More say for Parish on planning control.
- Main issue not about planning but transport and employment.
- Overdevelopment e.g. new houses by The Ship and Powells Yard.
- Over development.
- More affordable/social housing needs building, no more second homes that sit empty for most of the year.
- NIMBY/2nd home domination.
- Providing enough housing and jobs for residents and blending together the full and part time residents. Part time residents often feel excluded from village activities.
- If you have the money it seems you can build what you like.
- Considered growth of good quality housing should be permitted to help local employment and investment in the Parish.
- Not allowing any further building developments that result in more holiday homes making the villages ghost towns for half the year.
- Affordable housing for local residents otherwise the local area will die as schools will close, shops will be uneconomic to run, facilities will decline – ghost villages in winter – no sustainable employment.
- No more holiday homes. The proportion of houses for living in and holiday homes needs to reflect the need for affordable/shared ownership.
- To provide sufficient housing for local families/people who want to live in the village, not just own houses to rent out for a few weeks a year.
- The major issue is the balance between local owner-occupiers and holiday homes. Recent developments in Powells Yard, Manor Farm, Saxon Fields and Common Lane, when completed and sold will affect the balance. The resulting percentage will indicate what influence or planning action should be taken.

- Stop small bungalows being dismantled to allow large holiday homes to be built on the plot.
- Overcrowded infills and overlooking balconies and dormers.
- Slums were done away with because of too close proximity of houses, there needs to be a restriction on 'too-close' building.
- It is wrong the villagers have no say - we have to live next to it.
- Not enough affordable (i.e. around £80-100,000).
- That it doesn't become a wealthy retirees ghetto.
- Don't extend the village envelope.
- Brancaster is over developed. There should be some limit on how many more holiday houses are built.
- To build houses that 'fit in' with the environment. Use local materials and avoid the 'seaside brick bungalow' at all costs. Landscaping around new houses is very important.
- Lack of broadband – not strictly planning. +20mph speed limit.
- Sensible sized and priced homes for local families to live and work and raise children here – keeping schools etc. alive in the villages.
- Appropriate style/design and compatibility with the area.
- Too much infilling on small plots. Over development of a plot.
- The disappearance of retail units. Having backed and failed with the support of the village shop, given the continuing expansion of houses, at what stage is it worth another go to try and establish a small cluster of retail units (more likely to succeed than just one)? Affordable housing.
- Homes should not be squeezed into every little space available, car parking and traffic general will be the problem.
- Lack of amenities for those who are unable to, or prefer not to, travel to find these i.e. shops, garage, traditional pub etc. Also, and most importantly, the continuation of a reliable and regular bus service.
- Councillors in Lynn agreeing rebuilding of sufficient decent sized houses for huge second homes. Continuing to be aware of affordable housing needs.
- If you buy a bungalow you must replace (if a rebuild) with another bungalow. If this is a second home, you cannot increase footprint and number of bedrooms and storeys.
- We are fortunate that there is now a high proportion of affordable houses in this village, but recent developments in Powells Yard/Manor Farm etc will only go to people from outside the village – I would oppose more unaffordable housing.
- Preserve the character of the villages. Keep cars from parking on the roads overnight.
- The rate of development far exceeds the present infrastructure namely roads and drains in particular. Infilling without road frontage should be restricted to smaller 2/3 bedroom houses.
- Overdevelopment, and building on farmland.
- Getting more jobs into the area.
- Lack of off road parking throughout the village.
- Extensive recent building - Powells Yard, barn conversions (main road) - creating many holiday homes.

- Recent large building estate. Over large houses,
- Provision of off road car parking and restriction on parking on the side of the main road in the summer months.
- Allow village to grow for full time residents.
- Affordable housing for local people or those who work in the area.
- Ensuring that those with money and influence do not dictate planning policy and planning decisions.
- Too much growth in holiday homes.
- Overbuilding. BPC must stop increasing number of houses being built of they will change character of village irreparably.
- We don't get enough say, and it is overridden most times when we are listened to.
- Small retail start-up shops administered by Parish Council with Covenant regarding no change of use.
- Making sure the infrastructure can cope with new development.
- To retain the character of the villages at the same time allowing new developments of affordable housing to encourage local people to remain, particularly young people.
- Guarding against too much 'urbanisation' and keeping as much of the 'wild ' and country feel as possible.
- Not enough affordable houses for local youngsters.
- Need for affordable homes to benefit the local community, and amenities.
- Large holiday homes that are left empty for most of the year are never going to be affordable for locals in the future or beneficial to the village for most of the year.
- As an area of outstanding natural beauty it is most important to protect the visual character of the Parish in every way. Any lowering of standards, such as washing being permitted to be hung out close to the main road (as seems to be currently allowed) should be unacceptable.
- Parish Council does not have much choice.
- Too many houses are owned by second home owners.
- Too many empty, large houses bought by the rich and only used 3 or 4 times a year.
- Buildings that are passed that clearly should not, such as the 'boatshed' which is clearly a separate dwelling at the bottom of Black Horse cottage.
- Speed of some cars, lack of a cross walk and congestion near the sailing club and Leftleys.
- Planning consent is being given to too many very large houses which don't fit in with existing buildings and are much too big to be affordable to local families.
- As far as I can see no notice is taken of P.C. views.
- An uneven development balance, too many big profit holiday homes and not enough housing for young families or less affluent retirees. We must find a way to ensure the continued viability of at least one small shop.
- Empty houses, too many urban insensitive bossy new owners who are loud and rude and have no interest in community or landscape or birds or dunes – dog fouling too.

- The need for sufficient housing for local people who may well be earning below average wages.
- To avoid the errors of the 60's and 70's when too many inappropriate properties were built. Tasteful development is the desire.
- People get dissatisfied about not being heard. Planning seems to be in progress before we have a chance to object, and no matter what the media say, things just go ahead.
- Density. Look at Powells Yard in Brancaster and the two houses in Deepdale on the corner.
- Density.
- Overdevelopment on infill sites. Lack of highways planning.

Appendix 4 - Responses to Consultation.

English Heritage response to Consultation

English Heritage is supportive of parishes wishing to prepare Neighbourhood Plans; our interest is primarily concerned with the historic built environment and our comments will therefore focus on those aspects of the plan.

Brancaster includes some very significant, nationally designated heritage assets, including the scheduled site of the Roman Fort, St Mary's Brancaster (listed at Grade I) Staithe House, Brancaster Staithe (listed at Grade II*) and St Mary's Burnham Deepdale (listed at Grade II*). There is also a conservation area designated at Brancaster. We are therefore concerned that there is no mention to the historic environment in the plan.

The plan is succinct and contains a series of 7 policies, and while we have no objection to these policies a situation could arise where, say, the provision of new affordable homes or development of commercial units might adversely impact on the setting of heritage assets. It would therefore be helpful if the plan also included a policy specifically safeguarding the setting of heritage assets. Alternatively, the existing policies might be expanded to make appropriate reference to the historic environment.

Such a policy might read: *'The siting of new houses, including affordable homes, together with the development of shops, workshops and business units, shall have due regard for, and respect the setting of, designated heritage assets. Development will also be expected to preserve or enhance the character and appearance of the Brancaster Conservation Area.'*

24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582 700 Facsimile 01223 582 701 www.english-heritage.org.uk

English Heritage is subject to the Freedom of Information Act. All information held by the organisation will be accessible in response to a Freedom of Information request, unless one of the exemptions in the Act applies.

EAST OF ENGLAND REGION

English Heritage has prepared guidance on the setting of heritage assets and a pdf version of this guidance is attached.

It should also be noted that any development within the Scheduled area will require Scheduled Monument Consent and early discussions with English Heritage on any such proposals are strongly recommended.

Yours sincerely

David Grech. Historic Places Adviser

Natural England response to requests for view on assessment

21st February 2014

Dear Mr Seppings

Planning Consultation: Brancaster Parish Council Neighbourhood Plan – Habitats Regulations Assessment

Thank you for your inquiry regarding the need for Habitat Regulations Assessment (HRA) for the Brancaster Neighbourhood Plan which was received by Natural England on 14 January 2014

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

From the information that you sent to us regarding the Brancaster Parish Council Neighbourhood Plan we understand that the Plan deals only with the design and style of houses and does not propose any development allocations. We note that the latest stage of the Kings Lynn & West Norfolk Site Allocations Development Plan Document is proposing small scale development within your parish and that this will be progressed through this document rather than the Neighbourhood Plan. We also acknowledge that the Council's Core Strategy has been adopted (2011) which has an accompanying HRA report. This HRA concludes that any potential adverse effects on the integrity of European Sites have been adequately avoided or mitigated for.

I can therefore confirm that the Brancaster Neighbourhood Plan would not require assessment under the Habitat Regulations provided that it does not propose any additional development over and above that contained within the Local Plan.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Roslyn Deeming on 0300 060 1524. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Roslyn Deeming

Land Use Adviser

Natural England response to Consultation

7th April 2014

Dear Mr Seppings

Brancaster Parish Draft Neighbourhood Plan

Thank you for consulting Natural England on the above in your email of 2nd March 2014.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The Plan area incorporates parts of North Norfolk Coast Site of Special Scientific Interest (SSSI), a component SSSI of the North Norfolk Coast Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site. However, as we mentioned in our response dated 21st February 2014 (ref: 109715), Habitats Regulations Assessment is not required since the Plan deals only with the design and style of houses and does not propose any additional development over and above that proposed through the Local Plan; this has been addressed through a separate Habitats Regulations Assessment. Whilst it is unlikely that plan policies will have an adverse effect on the natural environment we believe that draft Policy 8 should be expanded to require that new development will protect, and where possible enhance, the natural environment.

The Plan area also incorporates part of the Norfolk Coast Area of Outstanding Natural Beauty (AONB). Whilst the Plan generally seeks to protect and enhance the interest features of this nationally designated landscape we believe that draft Policy 8 should be expanded to include requirements which will ensure that new development will not affect the purposes of the protected landscape. You are advised to consult the Norfolk Coast Partnership for its views and advice on this matter.

Proposals may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. The Plan should encourage proposals to contribute to the objectives and targets of the local Green Infrastructure Strategy, Landscape Character Assessment and Biodiversity Action Plan wherever possible.

I hope these comments are helpful. For clarification of any points in this letter, please contact Janet Nuttall on 0300 060 1239.

Borough Council of Kings Lynn and West Norfolk response to Consultation

Borough Council of Kings Lynn and West Norfolk

14th April 2014

The LDF Task Group, on behalf of the Borough Council,

- (i) commends Brancaster Parish Council for its endeavours in preparing a draft neighbourhood plan;
- (ii) has no objection to the Draft Neighbourhood Plan
- (iii) recommends that the Parish Council
 - a. reviews the recently published National Planning Practice Guidance in relation to neighbourhood plans before it finalises its plan for submission; and
 - b. makes it explicit in the submission plan that it has given special regard to
 - i. the desirability of conserving listed buildings, their setting and features,
 - ii. the character and appearance of the Brancaster Conservation Area, and
 - iii. the purpose of conserving and enhancing the natural beauty of the Norfolk Coast Area of Outstanding Natural Beauty;
- (iv) confirms that the Borough Council is of the opinion that a Strategic Environmental Assessment is not required; and
- (v) confirms the Borough Council will continue to advise and assist the Parish Council in progressing its neighbourhood plan.

Norfolk County Council response to Consultation

Norfolk County Council Response to Brancaster Parish Council Neighbourhood Plan

Reg 14 consultation

April 2014

1.
Preface
- 1.1. The officer-level comments below are made on a without prejudice basis and the County Council reserves the right to make further comments on the emerging Brancaster Neighbourhood Plan (BNP).
2. **General**
- 2.1. The County Council welcomes the opportunity to comment on the BNP. The County Council suggests the PC might want to consider adding some broad sustainability aims/objectives.
3.
Infrastructure Delivery
- 3.1. The PC may want to consider including a policy on infrastructure delivery indicating that:

Housing and other development will be expected to contribute towards improving local services and infrastructure (such as transport, education; library and fire hydrant provision) through either the payment of a Community Infrastructure Levy (CIL) and/or planning obligations (via a s106 agreement / planning condition).

The emerging plan should make it clear that new or improved infrastructure will be funded/delivered through CIL and/or S106 agreements.
- 3.2. Should you have any queries with the above comments please call or email Stephen Faulkner on 01603 222752 / stephen.faulkner@norfolk.gov.uk.
4.
Settlement Limits
- 4.1. *PC may consider clarifying the extent of the parish the plan covers by including a map.*
- 4.2. Should you have any queries with the above comments please call or email Stephen Faulkner on 01603 222752 / stephen.faulkner@norfolk.gov.uk.
5.
Minerals and Waste Comments
- 5.1. The Mineral Planning Authority has no specific comments to make regarding the draft Brancaster Neighbourhood Plan. It is noted that the NP does not

propose making allocations, and proposed allocations contained in the current draft of King's Lynn and West Norfolk Detailed sites plan have been subject to comments made by the MPA where it is considered appropriate.

- 5.2. Officer contact: Richard Drake
(Acting Principal Planning and Policy officer: Minerals and Waste Policy)
Telephone: 01603 222349
Email: richard.drake@norfolk.gov.uk

Additional Comments from Norfolk Coast Partnership

It might be worth mentioning in the general introduction that the villages are in the Norfolk Coast AONB, which has equal status in landscape protection terms to our national parks, and that they border the North Norfolk Heritage Coast which has multiple national and international nature conservation designations – in order to emphasise the sensitivity of their setting, which I'd see as supporting your aims, although I fully agree that villages need to remain living, working communities within this context.

It might also be worth mentioning somewhere that NPPF still has strong policies on the protection of Heritage Coasts, AONBs and national parks (paras 114-116) and on protecting wildlife – the 'sustainable development' and economic growth aspects often tend to be quoted without this balance.

On policy 8, the statutory purpose of AONB designation is 'conservation and enhancement of natural beauty'. This covers built / cultural heritage as well as landscape and wildlife but is quite confusing in itself, so I suggest the policy might say "*...and will conserve, and where possible enhance, local landscape and wildlife.*" (since the built environment bit is already dealt with in the first part of the policy).

Strategic Environmental Assessment

In order for a formal decision to be taken as to whether a full Strategic Environmental Assessment is required Natural England, English Heritage and the Environment Agency must be consulted on this specific question. The Borough Council of King's Lynn and West Norfolk agreed to undertake this consultation. The notice below was sent to Natural England, English Heritage and the Environment Agency.

Consultation on SEA Screening: Brancaster Draft Neighbourhood Plan

(Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004)

I am writing to consult you on the Environmental Assessment Screening of the above neighbourhood plan, which is being prepared by Brancaster parish Council.

The Borough Council is of the opinion, subject to the results of this consultation, that a full environmental assessment is not required because the plan determines the use of only a small area at a local level, as provided by Regulation 5 (6), and, having regard to Schedule 1, is of the provisional opinion that is unlikely to have environmental effects.

I would be grateful for your advice on the matter. Please provide any response you may have within 28 days of this consultation – i.e. by Wednesday 26th November 2014.

I attach a copy of the Draft Neighbourhood Plan. (Note that you were previously consulted on this plan, but did not make any comment on the question of SEA screening.)

Should you have any queries on the above, please do not hesitate to contact me.

Yours faithfully,

John Clements

BA(Hons), BTP, MSc, MRTPI
Principal Planner (Policy)

Borough Council of King's Lynn and West Norfolk

Tel (direct line): 01553 616240

Email: john.clements@west-norfolk.gov.uk



Responses to Borough Council's SEA Consultation

English Heritage

Dear Mr Clements

Thank you for email dated 28 October consulting English Heritage on the SEA Screening Opinion for the above plan.

For the purposes of this consultation, English Heritage will confine its advice to the question, "Is it likely to have a significant effect on the environment?" in respect of our area of concern, cultural heritage. Our comments are based on the information supplied in your email, including the June 2014 version of the draft Brancaster Neighbourhood Plan. It is for the Council to make the final decision in terms of whether SEA is required.

Your email indicates that the Council considers that the Neighbourhood Plan will not have significant environmental effects within the plan area, which presumably includes effects on cultural heritage. It would appear that the Neighbourhood Plan focuses on shaping how development comes forward and will respond to allocations in the Local Plan rather than allocating land itself. On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], English Heritage concurs with the Council that the preparation of an SEA is not required.

The views of other statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made. I would be pleased if you can send a copy of the determination as required by Regulation 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

We should like to stress that this opinion is based on the information provided by you with your email dated 28 October as well as the June 2014 version of the draft Neighbourhood Plan. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SA/SEA process and, potentially, object to specific proposals which may subsequently arise in the Neighbourhood Plan where we consider that, despite the absence of SA/SEA, these would have an adverse effect upon the historic environment.

We hope that the above comments are of assistance.

Yours sincerely

Tom Gilbert-Wooldridge

Tom Gilbert-Wooldridge | Principal Historic Environment Planning Adviser

Direct Line: 01223 582775

Mobile: 07826 532954

Email: tom.gilbert-wooldridge@english-heritage.org.uk

English Heritage | East of England Office
24 Brooklands Avenue | Cambridge | CB2 8BU

www.english-heritage.org.uk

Environment Agency

Dear John Clements

Thank you for your email.

Due to resource pressures we are no longer able to provide you with bespoke advice on screening opinions. If there is a specific issue which you require our expert advice on before issuing the screening opinion then please contact us with details and we will endeavor to assist you. We remain a statutory consultee for scoping opinions so please continue to submit these for our review and comment.

Attached is a copy of our planning application guidance which provides general information on the type of detail we expect to be submitted as part of planning applications as well as more information about our charged for planning advise service.

Please could all future consultation emails be sent to our team email inbox - planning_liaison.anglian_central@environment-agency.gov.uk

Regards,

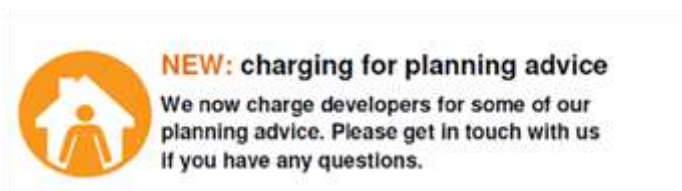
Emily Crook

Sustainable Places Senior Planning Advisor
(Cambridgeshire and Bedfordshire Area)

✉ Environment Agency, Bromholme Lane, Brampton, Huntingdon, Cambs. PE28 4NE

☎ Internal: 750 3924 ☎ External: 01480 483924

💻 emily.crook@environment-agency.gov.uk



The Borough Council of King's Lynn and West Norfolk agreed on 1st December 2014 that an SEA is not required for this draft Neighbourhood Plan

I can confirm the Borough has today agreed that SEA is not required.

The Environmental Assessment of Plans and Programmes Regulations 2004

Having had regard to Schedule 1 of the Regulations, and consulted the relevant statutory bodies, the Borough Council considers that an SEA of the Draft Brancaster Neighbourhood Plan is not required as that plan is unlikely to have significant environmental effects because it constitutes a minor modification of the provisions of the King's Lynn & West Norfolk Core Strategy (adopted 2011).

Regards,

John

John Clements

BA(Hons), BTP, MSc, MRTPI
Principal Planner (Policy)

Borough Council of King's Lynn and West Norfolk

Tel (direct line): 01553 616240

Email: john.clements@west-norfolk.gov.uk



Acknowledgements

- The Borough of King's Lynn and West Norfolk Planning Department, specifically Mr John Clements for his help and encouragement.
- We owe thanks and appreciation to the authors of the two documents; *Brancaster, Brancaster Staithe and Burnham Deepdale Parish Design Statement* and *Brancaster, Brancaster Staithe and Burnham Deepdale Parish Appraisal*. We have, with permission, used information from these documents and the work done by the team in 1999/2000 has been valuable in informing our thinking regarding the Neighbourhood Plan project.
- Maurice de Soissons who helped with the background information and allowed the use of quotes from his book *Brancaster Staithe: The Story of a Norfolk Fishing Village*.
- Josephine Luddington for her help with arranging distribution of the questionnaires with the *Parish News* – and her team of compilers.
- Liz Chaney for her invaluable assistance and advice regarding language, layout etc.
- The local sub postmaster and sub postmistress for their help and for allowing us to distribute and collect questionnaires at their post offices.
- Jim Herculson for advice regarding the functions of the Housing Society.
- Those who helped with the questionnaires and the drop in days in the village halls.
- All those parishioners who took the time to fill in questionnaires and visit our drop in days.

For copies of this plan contact the Parish Clerk Janet Lake;

ljaneve@aol.com

For queries regarding the plan contact Richard Seppings;

Richard@seppings.net

BRANCASTER NEIGHBOURHOOD DEVELOPMENT PLAN

THE EXAMINER'S REPORT

JUNE 2015

R J Bryan BA, MRTPI

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INTRODUCTION

1. This is an independent examination of a Neighbourhood Plan prepared by Brancaster Parish Council in consultation with the local community. The Localism Act 2011 provided local communities with the opportunity to have a stronger say in their future by preparing neighbourhood plans, which contain policies relating to the development and use of land.

2. If the plan is made following a local referendum, which must receive the support of over 50% of those voting, it will form part of the statutory development plan. As such it will be an important consideration in the determination of planning applications as these must be determined in accordance with development plan policies unless material considerations indicate otherwise.

3. The Plan covers the whole of Brancaster Parish and takes in the settlement of Brancaster, Brancaster Staithe and Burnham Deepdale with a total population of around 900 persons.

4. I have been appointed by the Borough Council of King's Lynn and West Norfolk, in consultation with Brancaster Parish Council, to carry out this independent examination.

5. I confirm that I am independent of the Parish Council and the local planning authority and have no interest in any land, which is affected by the Neighbourhood Development Plan. I am a Chartered Town Planner with over 30 years experience as a chartered town planner, working at a senior level in local government and as a private consultant. I am a member of the Royal Town Planning Institute.

6. This report is the outcome of my examination of the Publication Version of the Plan. My report will make recommendations based on my findings on whether the Plan should go forward to a referendum. If the plan then receives the support of over 50% of those voting then the Plan will be made by the Borough Council as the Local Planning Authority.

BACKGROUND DOCUMENTS

7. The main documents which I have used in the examination are:

The Proposed Plan
Basic Conditions Statement
Consultation Statement
Strategic Environmental Assessment Consultation

Officer summary of representations received during public consultation¹ 23/04/15-04/06/15
Statement by Local planning Authority, which refers to relevant local planning policies

8.All these documents were supplied by the Local Planning Authority.

THE EXAMINATION

9.The nature of the independent examination is set out in Section 8 of Schedule 4B to the Town and Country Planning Act 1990. (as amended)

10.The examiner has to make a recommendation as to whether the Plan should be submitted to a referendum, with or without modifications, and whether the area for the referendum should extend beyond the plan area.

11.As a general rule the examination should be carried out on the basis of written representations unless a hearing is necessary to allow adequate consideration of an issue or to allow a person a fair chance to put a case. I am satisfied from the information that has been made available to me both in the form of the documents provided by the local planning authority that the examination can be carried out without a hearing.

PROCEDURAL MATTERS

12.It is necessary to determine that the plan complies with the following procedural matters²;

- The Plan has been prepared and submitted by a qualifying body
- The Plan has been prepared for an area that has been properly designated
- The Plan specifies the period to which it has effect, does not include provisions about excluded development and does not relate to more than one neighbourhood area
- The policies relate to the development and use of land for a designated neighbourhood area.

13.The Parish Council is authorized as the qualifying body³ to act for the purposes of a neighbourhood development plan if the area of the plan includes the whole or any part of the area of the Council.

¹ Carried out under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012

² Paragraph 8(1) of Schedule 4 B of the Town and Country planning Act 1990 (as amended)

³ as determined by Section 61G(2) of the Town and Country Planning Act 1990

14. On 26th March 2013 the Parish Council applied to the Borough Council for the designation of the parish as a Neighbourhood Area. Following advertisement and public consultation the Council approved the neighbourhood area application on the 5th June 2013.

15. The Plan clearly states that it relates to the period 2015-2026. This accords with the timescale for the adopted Core Strategy⁴.

16. The Plan does not include any provision about development that is “excluded development”⁵, such as minerals, waste disposal and major infrastructure projects.

17. I am satisfied that the plan does not relate to more than one neighbourhood area.

18. Neighbourhood plans sometimes refer to aspirational policies that relate to wider community matters. These need to be distinguished from those relating to the core issues under examination concerning the development and use of land. I am satisfied that the Plan does adequately distinguish these matters.

BASIC CONDITIONS

19. It is necessary to decide whether the Neighbourhood Development Plan meets the “basic conditions” specified in the Act.⁶ This element of the examination relates to the contents of the Plan.

20. The Plan meets the basic conditions if:

- a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the plan,
- b) the making of the plan contributes to sustainable development,
- c) the making of the plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
- d) the making of the plan does not breach, and is otherwise compatible with, EU obligations and human rights requirements.
- e) prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the or neighbourhood plan

⁴ meets the requirements of Section 38B of the Town and Country Planning and Compulsory purchase Act 2004 Act paragraph (1) (a).

⁵ as defined in Section 61K, of the Town and Country Planning Act 1990

⁶ Contained Paragraph 8(2) of Schedule 4B of the Town and Country planning Act 1990 (as amended)

21. In relation to e) above, Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 set out basic conditions in addition to those set out in the primary legislation. The relevant one is

the making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects).

22. The analysis of conformity with the basic conditions is carried out below

SUSTAINABLE DEVELOPMENT

23. The Plan seeks to give a local dimension to national and local policies concerning sustainable development. It concentrates on maintaining the attributes of this Area of Outstanding Natural Beauty (AONB), whilst promoting social and economic balance through recognition of the need to promote appropriate affordable housing and business development to maintain sustainable communities. I am satisfied that it contributes to sustainable development.

24. It should be made clearer what the planning context is in an AONB. In terms sustainability and management of development there is a specific statutory requirement and national guidance in the NPPF, to give preference to conservation and enhancement of the natural beauty of the area. These points are made by Natural England and the Norfolk Coast Partnership in their response to the consultation. It is recommended, therefore, to include the following:

RECOMMENDATION 1

Include the following as the last three sentences in the second paragraph in the "General Introduction" on page 5.

The Countryside and Rights of Way Act 2000 places a statutory duty on relevant authorities to have regard to the purpose of conserving and enhancing the natural beauty of the AONB when exercising or performing any functions affecting land within it. "Relevant authorities" are any public bodies including local and statutory authorities, parish councils and statutory regulators. This is backed up by planning policies in the NPPF, which states in paragraph 115 that in AONB'S like national parks, great weight should be attached to conserving landscape and scenic beauty.

EU OBLIGATIONS, HUMAN RIGHTS REQUIREMENTS AND PRESCRIBED CONDITIONS

25. A neighbourhood plan must be compatible with European Union obligations as incorporated into UK law, in order to be legally compliant. Key directives are the Strategic Environmental Assessment Directive, the Environmental Impact

Assessment Directive and the Habitats and Wild Birds Directives. A neighbourhood plan should also take account of the requirements to consider human rights.

26. A Strategic Environmental Assessment (SEA) Screening Determination was made on 1st December 2014 concluding that an Environmental Assessment of the emerging Neighbourhood Plan is not required as it is unlikely to have significant environmental effects, because it constitutes a minor modification of the provisions of the adopted Core Strategy. This Screening Determination was included in the Basic Conditions Statement and was subject to consultation with English Heritage have confirmed in writing that they consider an SEA is not required on the basis the Plan is responding to the local plan and concerned with “shaping” development rather than allocating sites. The Environment Agency has written to confirm that they have no comments on the screening determination.

27. On the basis of these consultations and the minimal environmental impact represented by the policies I concur that an SEA is not required.

28. It is noted that within the plan area there are parts of the North Norfolk Coast Site of Special Scientific Interest, a component SSI of the North Norfolk Coast Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site. However Natural England have expressed a view that a Habitats Regulations Assessment is not required, since the Plan only deals with design and the style of houses and does not propose additional development in addition to that in the Local plan. I agree with this view but during this examination I noted that no formal screening opinion has been issued with respect to this element. Following discussions with the Borough Council a formal screening opinion of the 17th June 2015 was forwarded to me by the Parish Council in consultation with the Borough Council, which conforms to the prescribed conditions in e) above in paragraph 20. I recommend this be added to the Basic

29. RECOMMENDATION 2

The screening opinion of 17th June 2015 be added to the Basic Conditions Statement as an appendix and the following extra text added to the last sentence of the third paragraph on page 24 after “Strategic Environmental Assessment” as follows: “Habitats Regulations Assessment”

30. I am satisfied that there are no human rights issues which need addressing

PUBLIC CONSULTATION

31. The submitted consultation statement identifies the public consultation process and notes that a range of relevant organisations and local people were consulted during the Plan process.

32. The process began with an “Initial Questionnaire” to every household in the parish. The circulation was also highlighted in the parish news and copies of the

questionnaire made available in post offices. After two months responses were collated and two events were arranged for the public to discuss the findings and provide further views.

33.A further document incorporating draft policies was circulated for a consultation lasting 2 months by notification in the Parish News and notices in the village. Printed copies were available at post offices and the clerk's office and electronic versions available on the web site. The document was emailed to those persons who had registered an interest.

34.Participation in the plan has been disappointing in view of the commendable efforts of the Parish Council to engage people. However, I consider that the consultation effort was sufficient and it appears there are no outstanding matters emanating from the consultation⁷ carried out by the Borough Council from 23/04/15 to 4/6/15.

35.It is further evident from the consultation statement that a systematic effort was made to carry out consultations with appropriate consultation bodies.

36.I am satisfied that the consultation exercise carried out by the Parish Council has met the requirements of the regulations⁸

GENERAL COMMENTS ON THE PLAN IN RELATION TO BASIC CONDITIONS

37.In order to comply with the NPPF requirements development plan policies should be clear to allow the public to easily interpret them and avoid any unnecessary confusion. The Plan is on the whole successful in achieving this but I wish to make recommendations of a general nature.

38.It is very helpful if users of the Plan can readily reference specific text as well as policies. I recommend the introduction of paragraph numbers to help the plan be more users friendly

39.RECOMMENDATION 3

Insert paragraph numbers to all text in the main body of the report.

40.The map of the neighbourhood area on my copy of the Plan has a rather blurred background, which makes it difficult to interpret the boundary in relation to individual properties and land features. It is recommended that the quality of the map be improved to achieve this

41.RECOMMENDATION 4

⁷ carried out under Regulation 16 of the Neighbourhood Planning Regulations 2012

⁸ regulation 14 of the Neighbourhood Planning Regulations 2012

The map of the neighbourhood area on the inside cover of the Plan needs to be reproduced such that it clearly identifies buildings and landforms in order that the boundary can be interpreted more precisely.

42. The sections relating to the “Method” and “Results” of the survey on pages 8 to 12 provides detailed explanation of results followed by a “Summary” on pages 13 to 15. It would make the Plan easier to understand and readable if the “Method” and “Results” sections were placed in an appendix, which was referred to at the start of the “Summary” section.

43. RECOMMENDATION 5

The sections on ‘Method’ and ‘Results’ on pages 8 to 12 be relocated in an appendix. The “Summary” section needs to be retitled “Summary of Public Participation”. The following sentence be introduced as the first paragraph to the start ‘summary’ section. An initial survey was carried out of all the households in the Parish and the “Method” and “Results” are included as appendix?

44. The section “Brancaster Neighbourhood Plan and the wider planning agenda” provides a useful planning context for the plan policies. It helps to illustrate that the Plan is in general conformity with national policies and local strategic development plan policies. However, in the interests of clarity the Plan needs to highlight more specifically the situation regarding the Core Strategy, current saved Local Plan policies and the emerging “Sites Allocations and Development Management Policies Document” which is being considered at an examination hearing in July 2015. Whilst the emerging Plan is not technically the statutory development plan, as it is at a late stage in the process, it is good practice that the Parish and Borough Council’s have collaborated to ensure general conformity between the Plans.

45. I am satisfied that there is general conformity with the emerging Plan, existing statutory development plans and the NPPF. However the relationship between these needs to be highlighted more clearly and towards the beginning of the Plan.

46. RECOMMENDATION 6

I suggest inserting the following section after the (reworded) “Summary and Public Participation” section.

National and Local Strategic planning policies

The NPPF is a statement of national planning policies, which all local development plans, must conform to. The Development Plan for the area, to which the Neighbourhood Plan must be in general conformity, currently consists of the Kings Lynn and West Norfolk Core Strategy adopted in 2011 and a few saved policies of the 1998 Kings Lynn and West Norfolk Local Plan.

The Borough Council is at an advanced stage in the preparation of its “Site Allocations and Development Management Policies Plan Document”. This will provide detailed policies to give effect to the Core Strategy and replace the last of the saved Local Plan policies.

47.I suggest the introduction of a Glossary to explain some references and acronyms It should be at the end of the plan with a reference to it on page 3 as an extra paragraph

48. RECOMMENDATION 7

Insert as an extra paragraph on page 3

A Glossary is provided as appendix in order to explain certain technical terms and acronyms

Insert the following as a Glossary as an Appendix.

GLOSSARY

Affordable housing: Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

AONB: Area of Outstanding Natural Beauty.

CIL: Community Infrastructure Levy – a system whereby developers are required to subsidise improvements to local infrastructure in accordance with an adopted charging schedule prepared by the Borough Council.

Development plan: This includes adopted Local Plans, neighbourhood plans and the London Plan, and is defined in section 38 of the Planning and Compulsory Purchase Act 2004.

Environmental Impact Assessment: A procedure to be followed for certain types of project to ensure that decisions are made in full knowledge of any likely significant effects on the environment.

European site: This includes candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation and Special Protection Areas, and is defined in regulation 8 of the Conservation of Habitats and Species Regulations 2010.

Green infrastructure: A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

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

Heritage Coast: Areas of undeveloped coastline, which are managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors.

Historic environment: All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

International, national and locally designated sites of importance for biodiversity: All international sites (Special Areas of Conservation, Special Protection Areas, and Ramsar sites), national sites (Sites of Special Scientific Interest) and locally designated sites including Local Wildlife Sites.

Local Plan: The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. Current core strategies or other planning policies, which under the regulations would be considered to be development plan documents, form part of the Local Plan. The term includes old policies, which have been saved under the 2004 Act.

NPPF: This is the National Planning Policy Framework which is a document prepared in 2012 to explain national planning policies

Ramsar sites: These are wetlands of international importance designated under the Ramsar Convention.

Special Areas of Conservation (SACs): Strictly protected sites designated under the EC Habitats Directive on the basis of their value as habitats for protected species

Special Protection Area (SPA): These are strictly protected sites classified in accordance with Article 4 of the EC Birds Directive, which came into force in April 1979. They are classified for rare and vulnerable birds (as listed on Annex I of the Directive), and for regularly occurring migratory species

Site of Special Scientific Interest (SSI): An area designated by Natural England, which by reason of its flora and fauna or geological features, it is in the national interest to conserve.

SPECIFIC RECOMMENDATIONS REGARDING THE DRAFT POLICIES AND BASIC CONDITIONS

Size of houses

49. This policy is a response to concerns raised at the public participation stage that there needs to be more housing of a smaller scale to meet the needs of the local community. I am satisfied that on the basis of the overriding local opinion a policy of this nature is justified. Furthermore, the policy is in accordance with the aims of the NPPF to "deliver a wide choice of high quality homes". I understand the policy is aimed at providing housing which is "more affordable" and related to the needs of the local community in addition to policies in the local development plan aimed specifically at affordable housing provision.

50. However, the policy lacks clarity. Use of the term "encourage" is imprecise and does not help implement the intentions of the policy when under challenge. In its current form, the policy when read literally could be interpreted as allowing a 4-bedroom house in any situation whether it is on a single plot or all dwellings with 4 bedrooms on a larger site. It is noted that the Borough Council's emerging plan proposes two sites accommodating up to 5 or 10 dwellings.

51. Paradoxically, the policy is also somewhat prescriptive with no flexibility, for example, to accommodate proposals where there is a genuine family need for provision of a replacement dwelling or there are other material considerations, such as the provision of care accommodation. I agree with the comments of the Borough Council that the policy therefore needs to be made flexible.

52. The phrase "those with one, two or three bedrooms" is cumbersome and could be improved.

53. There is a need to clarify in the explanation of the policy that two storey is defined as two floors plus roof. Recommend after the phrase "if extra room is needed" replace "should" with "could".

54. The policy needs to refer to apartments in addition to dwellings as they can have a range of bedrooms.

55. I have recommended a redrafting of the policy, which is clearer, and will more effectively meet the wishes of the community as expressed in the results of the survey.

56.RECOMMENDATION 8

Reword Policy1 Size of houses as follows:

Proposals for single dwellings or apartments shall normally be a maximum of 3 bedrooms. Proposals for more than one dwelling unit shall provide a range of dwelling sizes, based on the number of bedrooms, with a predominance of 1,2 and 3 bedroomed dwellings.

New dwellings providing 5 or more bedrooms will not normally be allowed.

Proposals involving a 5 or more bedroomed dwelling on a single plot may be allowed, exceptionally, where there is a case of demonstrable need to provide accommodation for a family or there are other material planning considerations in support of the proposal.

New dwellings shall be a maximum of two storeys in height. In some cases, subject to compliance with design guidance, it may be acceptable to provide rooms in the roof.

Care and consideration should be given to retaining the views within and of this Area of Outstanding Natural Beauty.

In the explanation of the policy include the following as the second paragraph.

It is acknowledged that in exceptional cases there may be a need to provide 5 or more bedrooms to accommodate the needs of a family or a to provide care facilities. This should be demonstrated in a statement submitted with a planning application.

Alter the second paragraph, as follows;

A limit on the height of new houses will ensure that the important public views of the Area of Outstanding Natural Beauty are retained.

Design Style and Materials used

57.The term “used’ in the title is superfluous and should be deleted.

58.The policy reinforces other policies in the development plan and emerging plan. It is necessary to cross-refer to these in order to put the Plan’s policy in context and emphasize the importance of the designation of the area as an AONB.

59.The policy explanatory advice needs to echo the results of the survey and the clear message that uniformity in design solutions should be avoided.

60.RECOMMENDATION 9

Delete term “used” from the title.

Add the following to the policy explanation.

The importance of design to protect the status of the AONB designation is recognized in the NPPF paragraph 115 and Borough Council development plan policies. The highest design standards should be maintained in the plan area particularly in Conservation Areas.

The Parish Council produced a “Parish Appraisal” and “Parish Design Statement” adopted by the Borough Council in 2000 and which are still important references for good design .

It is important that sustainable design solutions are achieved and in this area the use of traditional materials sourced locally is to be encouraged to retain the distinct local character of the area. It is not necessary to be restricted to uniform design solutions. There is scope for variety in complimentary traditional design and the use of appropriate materials from local sources.

Footprint for new and redeveloped dwellings

61.This policy is in conformity with national and local development plan policies to facilitate sustainable development and protect the AONB from inappropriate over development of dwelling plots, to maintain the character of the area. It also responds to a desire from the local community to ensure new development is relatively spacious with reasonable sized gardens where appropriate. However, where there are traditional areas of high-density building, the plan has flexibility to allow more intensive development.

62.The policy does not appear to prejudice the dwelling totals referred to in the emerging plan.

63.I am satisfied it meets basic conditions, therefore, but I recommend some minor alterations to the explanation of the policy.

64.The term “like for like” implies a precise reflection of the scale of previous development which is inflexible and unreasonable.

65.RECOMMENDATION 10

In the last paragraph of the policy explanation I recommend the last sentence be reworded as follows ;

In this case, preservation of the character and heritage of cottages could mean that a higher plot coverage is acceptable in the interests of maintaining the character of the area. This is of course, subject to conformity with other planning policies particularly parking provision and those aimed at protecting the amenities of neighbours.

Parking provision

66.The need to provide adequate parking is in conformity with NPPF policies to achieve high standards of design and reflects local concerns expressed in the survey. However, setting a minimum requirement for 2 off road spaces for every dwelling is inflexible and does not, for example, take into account provision for one bedroom apartments and communal provision.

67.The policy needs to be made more flexible to reflect different scales of development and possible relatively few local situations where there is not an acute parking problem. I note the County Council as Highway Authority has not commented on this policy. I consider in the interests of clarity, the role of the County Council as Highway Authority in assessing planning proposals, should be recognised. I consider that with the following amendment the policy meets the basic conditions.

68.RECOMMENDATION 11

Change the policy wording as follows :

New dwellings should normally provide a minimum of 2 off road parking spaces. The need for more spaces will be based on the views of the Highway Authority. Proposals for apartments providing communal provision will be assessed separately in consultation with the Highway Authority.

Replacement dwellings

69.I am satisfied that fundamentally the policy meets basic conditions and is consistent with policy DM5 in the emerging “Site Allocations and Development Management Plan” relating to “Enlargement or Replacement of Dwellings in the Countryside”

70.However, the policy is inflexible in requiring in all cases replacement dwellings to be smaller where they currently occupy more than 50% of the plot. Furthermore, the term “smaller” is imprecise.

71.The policy as written does not cover the situation where there may be a greater number of dwellings than existing but the resultant plot coverage is less than 50%.

72.The policy requires some explanation.

73.RECOMMENDATION 12

Retitle the policy to reflect its full range as follows :

Replacement dwellings and redevelopment

Alter the first paragraph of the policy as follows and make the last sentence a separate paragraph, retain paragraphs 2 and 3 as submitted ;

Replacement dwellings should occupy no more than 50% of their plots. In cases where it is demonstrated a larger dwelling is required to accommodate the reasonable needs of a family, dwellings which occupy more than 50% of the plot may be allowed subject to other policy considerations.

An increase in the number of dwellings above those replaced will be acceptable where the resulting plot coverage does not exceed 50% and conforms to other planning policies.

In the explanation of the policy add the following paragraphs :

This policy is intended to meet concerns to ensure that garden areas are not overdeveloped and are retained to provide amenity areas for occupiers, encourage biodiversity and protect the landscape of the AONB. There is also concern that dwellings with small gardens deter local people from buying them and encourage second and holiday homes, which is making villages unsustainable as their populations are impermanent. The need for more affordable housing is recognised in the Core Strategy and NPPF.

It is acceptable for replacement dwellings to be of a size to accommodate the needs of families, particularly those living in the dwelling to be replaced, and this will be taken into account in allowing exceptions to the policy.

The needs of the family will be assessed primarily in terms of the number and size of bedrooms.

Affordable/Shared ownership homes

74.The policy is based on the desire for the Parish Council to be involved in the identification of the need and type of this housing is not appropriate as a policy, as it relates to the process of decision making rather than guiding the nature of the development in land use terms. The encouragement of affordable housing throughout the area is already clear in the Core Strategy and the emerging Plan. This “proposed policy” could be included as an aspiration but not as a policy. It could be relocated into the section “Brancaster Neighbourhood Plan and the wider agenda.”

75.RECOMMENDATION 13

Relocate the two paragraphs of the policy and explanation relating to Affordable/Shared ownership homes as the third and fourth paragraphs in the section “ Brancaster Neighbourhood Plan and the wider agenda.”

Development of shops, workshops and business units

76.The policy is imprecise in use of the term ‘appropriate’ and does not add anything to settlement, service and employment strategies in existing policies or the emerging plan. This leads to confusion and not in accordance with the need for policies to be clear and precise and therefore does not meet basic conditions.

77.RECOMMENDATION

Delete the policy 7 and references to it elsewhere in the plan

Protection of heritage assets and views

78.The policy repeats the general commitment in national and local policies to conserve and maintain the setting of heritage assets and in this respect is not necessary. However, it does add an extra dimension with reference to views.

79.The policy needs to be made more explicit about views and which type are to be protected. It is not clear whether this relates to views of heritage assets or views more generally in the area. In the interests of clarity there is a need to incorporate in one policy relating to the whole of the area the issue of views and cover the intentions in policy 1 regarding size of dwellings and views.

80.There is a need to distinguish public views from purely private views, which, as an independent issue, are not able to be controlled by the planning system. This distinction is recommended in the explanatory section.

81.RECOMMENDATION

Reword policy 8, as follows ;

Re-number it as Policy 6

The siting of new buildings shall not harm significant public views within and of the AONB.

In the explanatory section, add as the first paragraph the following and retain the existing paragraph as the second paragraph.

Views are important in this area, which is specially designated for its natural beauty and landscape quality. It is not possible to protect mainly private views via the planning system but wider public views of designated heritage assets and iconic scenery within the area can be protected. Nevertheless, to justify the application of the policy the view, in question, should be particularly noteworthy and iconic and relate directly to heritage assets or iconic parts of the landscape referred to in the Landscape Character Assessment 2007 or subsequent studies.

Add as a further last sentence to the existing paragraph the last sentence from the paragraph of the explanation of policy 9, as follows :

Views of Scolt Head Island across the marshes are particularly valuable, as are views of the village seen from the bay across the marsh.

Protection and enhancement of the natural environment

82. This is a repetition of national and local policy but it is of such primary importance and underpins all policies in the Plan that it should be retained. The statutory reference should be clarified in the explanation.

83. RECOMMENDATION

Renumber policy 9 as policy 7.

Add as the first sentence to the explanatory section :

The Countryside and Rights of Way Act 2000 establishes the above policy as the statutory basis of decision making in Area of Outstanding Natural Beauty

BRANCASTER NEIGHBOURHOOD PLAN AND THE WIDER PLANNING AGENDA

84. This section requires some amendments as a consequence of the changes to policies recommended above and other issues, which I raise as follows.

85. This is an important element of the Plan as it links proposed policies with the national and local policies and explains the manner in which it meets basic conditions. It also has an element of setting the vision of the Plan and its wider objectives. I would suggest that the term vision is incorporated in the Plan.

86. The text is to an extent repetitious on the theme of sustainability and the need to build a viable community. However, it is necessary to demonstrate that the Plan promotes sustainability to conform to basic conditions so I am reluctant to alter it fundamentally.

87.RECOMMENDATIONS

Retitle the section as “ THE VISION OF THE BRANCASTER NEIGHBOURHOOD PLAN AND THE LINKS TO THE WIDER PLANNING AGENDA”

*Insert in first sentence of paragraph 2 after “Our policies”, “relating to the size of houses, the footprint for new and redeveloped dwellings and replacement dwellings”
Delete the remainder of the paragraph.*

Relocate the policy Affordable/Shared ownership homes as the third paragraph section “ Brancaster Neighbourhood Plan and the wider agenda.”

*Incorporate the first sentence of (existing)paragraph 4 as the last sentence of (existing)paragraph 3 .This text seems to relate more to its preceding paragraph.
Alter the text as follows : delete ‘ policy 2’ and insert “policies 2 and 6”.*

In paragraph 8 at the top of page 22 delete “Policies 8 and 9” and insert “ Our policies”

FURTHER MODIFICATIONS

88. There are a number of more minor alterations necessary to create clarity, correct typing errors or improve grammar recommended as follows:

89.RECOMMENDATION

Adjust Contents page to include a title “Contents” and adjust section titles and page numbers as appropriate

In the “General Introduction” second paragraph delete “the villages” insert “the whole of the Plan area”.

Insert the Borough Council’s screening opinion of the 17th June 12015 relating to the Habitats Regulations Assessment as an appendix.

SUMMARY

90.I have completed an independent examination of the Brancaster Parish Neighbourhood Development Plan.

91.The Parish Council has carried out an appropriate level of consultation and has clearly shown how it has responded to the comments it has received. I have taken into account the further comments received as part of the consultation under Regulation 16 on the Neighbourhood Planning Regulations 2012.

92.I have recommended some modifications to the wording of the policies in order to satisfy the basic conditions and to ensure that they provide a clear basis for decision making in accordance with the National Planning Policy Framework and local development plan policies.

93.Subject to these modifications I am satisfied that the plan

- has been prepared in accordance with the Neighbourhood Planning Regulations 2012
- has regard to national policies and advice contained in guidance issued by the Secretary of State;
- contributes to the achievement of sustainable development;
- is in general conformity with the strategic policies of the development plan for the area;
- does not breach and is compatible with European Union obligations and the European convention of Human Rights;
- prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the or neighbourhood plan

94. I am therefore pleased to recommend that the Brancaster Neighbourhood Development Plan as modified by my recommendations should proceed to a referendum. I see no reason why the area for the referendum should be altered or extended.

Appendix 5

Proposed modifications of the Brancaster Draft Neighbourhood Plan.

The Borough Council must consider the Recommendations to the Borough Council of the Examiner of Brancaster Draft Neighbourhood Plan, and decide for itself whether it considers the Plan meets the 'Basic Conditions' (see Cabinet Report for details), or can be modified so that it does so.

The Examiner recommended (see Examiner's Report at Appendix 4) that the Plan did not currently be meet the Basic Conditions, but could be modified to do so. Officers agree with the broad thrust of the Examiners Recommendations, but consider that some of his recommended modifications are inappropriate, and recommend the alternatives identified below to make the Plan meet the Basic Conditions.

The following sets out for each of the Examiner's recommended modifications

- A. The Examiner's recommend modifications
- B. The relevant extract from the plan showing those changes
- C. Officer's recommended alternative modifications and the reasons for these, and
- D. The relevant extract from the plan showing the officer's recommended modifications.

In all cases text added is indicated by underlining, and deleted text by being ~~struck through~~.

EXAMINER RECOMMENDATION 1

1A. The Examiner's recommend modification

Include the following as the last three sentences in the second paragraph in the

"General Introduction" on page 5.

The Countryside and Rights of Way Act 2000 places a statutory duty on relevant authorities to have regard to the purpose of conserving and enhancing the natural beauty of the AONB when exercising or performing any functions affecting land within it. "Relevant authorities" are any public bodies including local and statutory authorities, parish councils and statutory regulators. This is backed up by planning policies in the NPPF, which states in paragraph 115 that in AONB'S like national parks, great weight should be attached to conserving landscape and scenic beauty.

2B. The relevant plan extract showing Examiner's modification

[extract from page 5 of plan]

General Introduction

The villages of Brancaster, Brancaster Staithe and Burnham Deepdale are situated on the North Norfolk coast. To the north are salt marshes and the sea; to the south is arable land. There are two churches within the villages and many 18th and 19th century cottages. There is a small port that is home to the local fishing industry and a base for leisure boating. The villages contain a small supermarket and some shops and businesses.

The villages are part of the North Norfolk Coast AONB, which enjoys equal status in landscape protection terms as our National Parks. They also border the North Norfolk Heritage Coast, which has multiple national and international nature conservation designations. The Countryside and Rights of Way Act 2000 places a statutory duty on relevant authorities to have regard to the purpose of conserving and enhancing the natural beauty of the AONB when exercising or performing any functions affecting land within it. "Relevant authorities" are any public bodies including local and statutory authorities, parish councils and statutory regulators. This is backed up by planning policies in the NPPF, which states in paragraph 115 that in AONB'S like national parks, great weight should be attached to conserving landscape and scenic beauty.

A characteristic feature of this area is for the buildings to be set at right angles to the main road (which runs East-West). More recent building does not follow this pattern and we have several small 'estate type' developments and individual houses. In Brancaster Staithe there are still several examples of rows of cottages and several single dwellings gable end to the road, dating from the early 18th century. Their placing was necessary for practical use of the available space. Inhabited by fisher families, with gardens and smallholdings between the road and the marsh. . .

1C. Officer's recommended alternative modifications & reasons

REASON - It is considered that the Neighbourhood Plan (NP) does not fail to meet any of the basic conditions as a result of absence of this statement. The Examiner's modification is intrusive in tone and weight. The NPPF's policy on AONBs is already mentioned in the supporting text to Policy 9.

OFFICER RECOMMENDED ALTERNATIVE - As a compromise it is suggested that reference to the statutory duty is added to the supporting text to Policy 9, with the General Introduction remaining as submitted.

1D. The relevant plan extract with officer's recommended modifications

[Not shown. General introduction remains as submitted]

EXAMINER RECOMMENDATION 2

2A. The Examiner's recommend modification

The screening opinion of 17th June 2015 be added to the Basic Conditions Statement as an appendix and the following extra text added to the last sentence of the third paragraph on page 24 after "Strategic Environmental Assessment" as follows: " Habitats Regulations Assessment"

2B. The relevant plan extract showing Examiner's modification

n.b. Added Screening Opinion not shown here. This is just an email that could be inserted following other copied correspondence which runs up to page 67.

[extract from page 24 of plan]

'Natural England took the view that the Plan would not require assessment under the Habitat Regulations, as it does not propose any additional development over and above that contained within the Borough Council Local Plan. In addition the Borough Council of Kings Lynn and West Norfolk has confirmed that it is of the opinion that a Strategic Environmental Assessment Habitats Regulations Assessment is not required.'

2C. Officer's recommended alternative modifications & reasons

REASONS – it is considered that the absence of the mentioned screening opinion email does not result in the NP not complying with the Basic Conditions. (Such documents would not usually be in the plan itself, anyway.) On the other hand, its inclusion causes no harm and so no objection is raised to this. The Examiner's text insertion requires adjustment to make the sentence read properly, but such adjustment would normally be considered de minimis and undertaken as a matter of course.

OFFICER RECOMMENDED ALTERNATIVE – (a) The screening opinion of 17th June 2015 be added following page 67 of the NP, and preceding sub-headings adjusted to suit. (b) Add reference to Habitats Regulation also not being required to last sentence of the third paragraph on page 24.

2D. The relevant plan extract with officer's recommended modifications

n.b. Added Screening Opinion not shown here. This is just a copy of an email to inserted following other copied correspondence which runs up to page 67.

[extract from page 24 of plan]

'Natural England took the view that the Plan would not require assessment under the Habitat Regulations, as it does not propose any additional development over and above that contained within the Borough Council Local Plan. In addition the Borough Council of Kings Lynn and West Norfolk has confirmed that it is of the opinion that neither a Strategic Environmental Assessment nor a Habitats Regulations Assessment is ~~not~~ required.'

EXAMINER RECOMMENDATIONS 3, 4 & 5

No change: Examiner's recommendation supported..

EXAMINER RECOMMENDATION 6

6A. The Examiner's recommend modification

I suggest inserting the following section after the (reworded)" Summary and Public Participation" section.

National and Local Strategic planning policies

The NPPF is a statement of national planning policies, which all local development plans, must conform to. The Development Plan for the area, to which the Neighbourhood Plan must be in general conformity, currently consists of the Kings Lynn and West Norfolk Core Strategy adopted in 2011 and a few saved policies of the 1998 Kings Lynn and West Norfolk Local Plan.

The Borough Council is at an advanced stage in the preparation of its "Site Allocations and Development Management Policies Plan Document". This will provide detailed policies to give effect to the Core Strategy and replace the last of the saved Local Plan policies.

6B. The relevant plan extract showing Examiner's modification

Not shown (see above).

6C. Officer's recommended alternative modifications & reasons

REASONS – The suggested first paragraph text is factually inaccurate and superfluous. The NPPF and local plans are already mentioned (and such mentions arguably aren't required to meet the Basic Conditions, anyway). There is no statutory requirement for development plan 'conformity' with NPPF. The NPPF itself expects local plans to be 'consistent with' the NPPF (a less strict test than conformity). For neighbourhood plans the relevant Basic Condition is for the Examiner and local planning authority to 'have regard' (a much lower test) to the NPPF in deciding whether the NP should be brought into force. There is no requirement for NPs to be in general conformity with the whole of development plan (indeed there is statutory provision to deal with contradictions between different plans), There is a more limited requirement to be in general conformity with the strategic policies (only) of the local plan (itself only part of the development plan).

The second recommended paragraph as drafted will quickly become out of date and remain so for most of the life of the NP, while not really strengthening the NP.

The heading of the section is misleading in its reference to strategic policies, when most of what follows is not strategic.

OFFICER RECOMMENDED ALTERNATIVE – Add reference to having regard to the emerging the emerging Site Allocations and Development Management Policies Document to the last paragraph on page 7.

6D. The relevant plan extract with officer's recommended modifications

'So, the aim of this Neighbourhood Plan is to provide some guidelines, formulated and accepted by the people who live in these villages, which will influence the future growth of Brancaster, Brancaster Staithe and Burnham Deepdale. We have consulted widely with local inhabitants and have had regard for the Borough Core Strategy and emerging Site Allocations and Development Management Policies Document, and to the National Planning Policy Framework. We have consulted with appropriate organisations. . . .'

EXAMINER RECOMMENDATION 7

7A. The Examiner's recommend modification

Insert as an extra paragraph on page 3

A Glossary is provided as appendix in order to explain certain technical terms and acronyms

Insert the following [nb not included here] as a Glossary as an Appendix.

7B. The relevant plan extract showing Examiner's modification

Not shown (see below).

7C. Officer's recommended alternative modifications & reasons

REASONS – This is agreed to be a useful change to aid the use of the NP. However, some of the content of the proposed glossary is of excessive length and detail for the particular purposes of the NP, or could be expressed more clearly; it explains terms not actually used in the Plan (e.g. Environmental Impact Assessment) or mentioned only in passing in an appended document (e.g. CIL).

OFFICER RECOMMENDED ALTERNATIVE – Include a glossary in the Plan, and signpost its location. Use Examiner’s suggested glossary with the changes indicated below.

7D. The relevant plan extract with officer’s recommended modifications

[all new text in suitable location in NP. Note that additions and deletions are in comparison to the Examiner’s suggested Glossary text.]

GLOSSARY

Affordable housing: Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. ~~Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.~~

AONB: Area of Outstanding Natural Beauty. A nationally designated protected landscape with the purpose of conserving and enhancing its natural beauty.

Appropriate Assessment: A detailed assessment of potential adverse impacts on European Sites (the advanced potential second stage of a Habitats Regulations Assessment).

CIL: Community Infrastructure Levy – a system whereby ~~developers are required to subsidise development contributes towards~~ improvements to local infrastructure in accordance with ~~an adopted~~ a charging schedule adopted by the local planning authority Borough Council.

Development Plan: The set of plans having a special status under the law and forming the starting point for decisions on planning applications. The development plan This includes adopted local plans, neighbourhood plans and the London Plan certain others (e.g. county minerals and waste plans). and is defined in section 38 of the Planning and Compulsory Purchase Act 2004.

Environmental Impact Assessment: ~~A procedure to be followed for certain types of project to ensure that decisions are made in full knowledge of any likely significant effects on the environment.~~

European Sites: Designated internationally protected sites for nature conservation, These include ~~candidate~~ Special Areas of Conservation, ~~Sites of Community Importance, Special Areas of Conservation and Special Protection Areas, and is defined in regulation 8 of the Conservation of Habitats and Species Regulations 2010.~~

Green Infrastructure: A network of ~~multi-functional~~ green space, urban and rural, ~~which is capable of~~ aimed at delivering environmental and quality of life benefits. ~~for local communities.~~

Habitats Regulations Assessment (HRA): A statutory process to ensure that potential adverse effects on European Sites are identified and avoided.

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

Heritage Coast: Coastal areas recognised for their natural beauty, wildlife and heritage and designated to provide support for these qualities and enable the enjoyment of them by the public. ~~Areas of undeveloped coastline, which are managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors.~~

Historic environment: All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

~~**International, national and locally designated sites of importance for biodiversity:** All~~

~~international sites (Special Areas of Conservation, Special Protection Areas, and Ramsar sites), national sites (Sites of Special Scientific Interest) and locally designated sites including Local Wildlife Sites.~~

Local Development Framework: The plan or set of plans now known as the local plan.

Local Plan: The plan, or set of plans, for the future development of the local area, drawn up by the local planning authority (in this case the Borough Council) in consultation with the community. (Note that from 2004 to 2011 what is now termed the local plan was called the local development framework.) ~~In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. Current core strategies or other planning policies, which under the regulations would be considered to be development plan documents, form part of the Local Plan. The term includes old policies, which have been saved under the 2004 Act.~~

NPPF: The National Planning Policy Framework, which is the Government's statement of which is a document prepared in 2012 to explain national planning policies.

Ramsar sites: These are wetlands of international importance designated under the international Ramsar Convention.

Site of Special Scientific Interest (SSI): An area nationally designated by Natural England, ~~which by reason of to conserve protection of its flora and fauna or geological features, it is in the national interest to conserve.~~

Special Areas of Conservation (SACs): Strictly protected 'European Sites' designated under the EC Habitats Directive on the basis of for their value as habitats for protected species

Special Protection Area (SPA): These are strictly protected ‘European Sites’ designated ~~classified in accordance with Article 4 of the EC Birds Directive, which came into force in April 1979. They are classified for their rare and vulnerable birds (as listed on Annex I of the Directive), and for regularly occurring migratory species.~~

Strategic Environmental Assessment: A formal, statutory process of assessing the impact of plans or projects on the natural and human environment.

EXAMINER RECOMMENDATION 8

8A. The Examiner’s recommend modification

Reword Policy 1 Size of houses as follows:

Proposals for single dwellings or apartments shall normally be a maximum of 3 bedrooms. Proposals for more than one dwelling unit shall provide a range of dwelling sizes, based on the number of bedrooms, with a predominance of 1,2 and 3 bed roomed dwellings.

New dwellings providing 5 or more bedrooms will not normally be allowed. Proposals involving a 5 or more bed roomed dwelling on a single plot may be allowed, exceptionally, where there is a case of demonstrable need to provide accommodation for a family or there are other material planning considerations in support of the proposal.

New dwellings shall be a maximum of two storeys in height. In some cases, subject to compliance with design guidance, it may be acceptable to provide rooms in the roof.

Care and consideration should be given to retaining the views within and of this Area of Outstanding Natural Beauty.

In the explanation of the policy include the following as the second paragraph.

It is acknowledged that in exceptional cases there may be a need to provide 5 or more bedrooms to accommodate the needs of a family or a to provide care facilities. This should be demonstrated in a statement submitted with a planning application.

Alter the second paragraph, as follows;

A limit on the height of new houses will ensure that the important public views of the Area of Outstanding Natural Beauty are retained.

8B. The relevant plan extract showing Examiner’s modification

[extract from page 16 of plan]

POLICY 1: SIZE OF HOUSES

~~The provision of smaller dwellings (those with one two or three bedrooms) will be encouraged, and no new dwelling shall exceed four bedrooms (rooms otherwise designated on plans but clearly~~

~~capable of use as bedrooms will be counted as bedrooms for the purposes of this policy).~~

Proposals for single dwellings or apartments shall normally be a maximum of 3 bedrooms. Proposals for more than one dwelling unit shall provide a range of dwelling sizes, based on the number of bedrooms, with a predominance of 1,2 and 3 bedroomed dwellings.

New dwellings providing 5 or more bedrooms will not normally be allowed.

Proposals involving a 5 or more bedroomed dwelling on a single plot may be allowed, exceptionally, where there is a case of demonstrable need to provide accommodation for a family or there are other material planning considerations in support of the proposal.

~~New dwellings should be a maximum of two storeys in height. If extra room is needed it should be obtained by putting rooms in the roof rather than an extra storey.~~

New dwellings shall be a maximum of two storeys in height. In some cases, subject to compliance with design guidance, it may be acceptable to provide rooms in the roof.

Care and consideration should be given to retaining the views within and of this Area of Outstanding Natural Beauty.

(Supporting Text to Policy:)

A limit on the number of bedrooms for new houses will ensure that a balance is regained in terms of size of houses, giving a spread and variety of house size. It will ensure that there are appropriate houses available to maintain and develop a sustainable community, house young people, young families, working families and retirees. It will also ensure that there are reasonably sized houses available for holiday homes and for rent.

It is acknowledged that in exceptional cases there may be a need to provide 5 or more bedrooms to accommodate the needs of a family or a to provide care facilities. This should be demonstrated in a statement submitted with a planning application.

~~A limit on the height of new houses will ensure that the views of the Conservation Area are not blocked for residents and tourists alike. It will also preserve the views of our heritage assets, such as St Mary's Church Brancaster and St Mary's Church Burnham Deepdale.~~

A limit on the height of new houses will ensure that the important public views of the Area of Outstanding Natural Beauty are retained.

8C. Officer's recommended alternative modifications & reasons

REASON - While the intention of adding precision and flexibility are reasonable and consistent with the NPPF, the proposed wording does not provide a robust mechanism to achieve the policy intentions. It also loses the

positive tone of most of the original policy. Furthermore, the Examiner is mistaken in thinking that the term 'dwelling' does not include apartments and that therefore reference to these needs to be added.

OFFICER RECOMMENDED ALTERNATIVE – Amend the Policy for clarity, flexibility and consistency, as set out below.

8D. The relevant plan extract with officer's recommended modifications

[extract from page 16 of plan]

POLICY 1: SIZE OF HOUSES

The provision of smaller dwellings (those with one two or three bedrooms) will be encouraged, ~~and no new dwelling shall exceed four bedrooms.~~ (~~R~~Rooms otherwise designated on plans but clearly capable of use as bedrooms will be counted as bedrooms for the purposes of this policy).

Dwellings of 5 bedrooms or more will, exceptionally, be allowed where evidence is provided that this is needed to provide the main residence of a household with long standing residency in the Parish.

New dwellings should be a maximum of two storeys in height. If extra room is needed it should be obtained by putting rooms in the roof rather than ~~an extra~~ a full third storey.

Care and consideration should be given to retaining the views within, and of, the Area of Outstanding Natural Beauty, the Conservation Area, and listed buildings.

(Supporting Text to Policy:)

A limit on the number of bedrooms for new houses will ensure that a balance is regained in terms of size of houses, giving a spread and variety of house size. It will ensure that there are appropriate houses available to maintain and develop a sustainable community, house young people, young families, working families and retirees. It will also ensure that there are reasonably sized houses available for holiday homes and for rent.

It is acknowledged that in exceptional cases there may be a need to provide 5 or more bedrooms to accommodate the needs of a resident local family. This should be demonstrated in a statement submitted with a planning application. Needs for further large second homes and holiday homes could be met in other locations.

A limit on the height of new houses and the specific provision in the Policy will ensure that Area of Outstanding Natural Beauty and Conservation Area views ~~of the Conservation Area~~ are not blocked for residents and ~~tourists~~ visitors alike. It will also preserve the views of our heritage assets, such as St Mary's Church Brancaster and St Mary's Church Burnham Deepdale.

EXAMINER RECOMMENDATIONS 9, 10 & 11

No change: Examiner's recommendation supported.

EXAMINER RECOMMENDATION 12

12A. The Examiner's recommended modification

Retitle the policy to reflect its full range as follows :

Replacement dwellings and redevelopment

Alter the first paragraph of the policy as follows and make the last sentence a separate paragraph, retain paragraphs 2 and 3 as submitted ;

Replacement dwellings should occupy no more than 50% of their plots. In cases where it is demonstrated a larger dwelling is required to accommodate the reasonable needs of a family, dwellings which occupy more than 50% of the plot may be allowed subject to other policy considerations.

An increase in the number of dwellings above those replaced will be acceptable where the resulting plot coverage does not exceed 50% and conforms to other planning policies.

In the explanation of the policy add the following paragraphs :

This policy is intended to meet concerns to ensure that garden areas are not overdeveloped and are retained to provide amenity areas for occupiers, encourage biodiversity and protect the landscape of the AONB. There is also concern that dwellings with small gardens deter local people from buying them and encourage second and holiday homes, which is making villages unsustainable as their populations are impermanent. The need for more affordable housing is recognised in the Core Strategy and NPPF.

It is acceptable for replacement dwellings to be of a size to accommodate the needs of families, particularly those living in the dwelling to be replaced, and this will be taken into account in allowing exceptions to the policy.

The needs of the family will be assessed primarily in terms of the number and size of bedrooms.

12B. The relevant plan extract showing Examiner's modification

[extract from page 18 of plan]

Replacement dwellings and redevelopment

~~Replacement dwellings should occupy no more than 50% of their plots, and where the replaced dwelling occupied greater than 50% of the plot the replacement dwelling should occupy a smaller proportion than its predecessor. An increase in number of dwellings above those replaced will only be acceptable where the resulting~~

~~plot coverage does not exceed 50%.~~

~~These requirements will be relaxed where the setting of a listed building, or the character and appearance of the conservation area, would be better conserved by greater plot coverage.~~

~~An increase in height over the replaced building will only be acceptable where this is compatible with the appearance of adjacent buildings and the amenity of their occupiers.~~

Replacement dwellings should occupy no more than 50% of their plots. In cases where it is demonstrated a larger dwelling is required to accommodate the reasonable needs of a family, dwellings which occupy more than 50% of the plot may be allowed subject to other policy considerations.

An increase in the number of dwellings above those replaced will be acceptable where the resulting plot coverage does not exceed 50% and conforms to other planning policies.

These requirements will be relaxed where the setting of a listed building, or the character and appearance of the conservation area, would be better conserved by greater plot coverage.

An increase in height over the replaced building will only be acceptable where this is compatible with the appearance of adjacent buildings and the amenity of their occupiers.

This policy is intended to meet concerns to ensure that garden areas are not overdeveloped and are retained to provide amenity areas for occupiers, encourage biodiversity and protect the landscape of the AONB. There is also concern that dwellings with small gardens deter local people from buying them and encourage second and holiday homes, which is making villages unsustainable as their populations are impermanent. The need for more affordable housing is recognised in the Core Strategy and NPPF.

It is acceptable for replacement dwellings to be of a size to accommodate the needs of families, particularly those living in the dwelling to be replaced, and this will be taken into account in allowing exceptions to the policy.

The needs of the family will be assessed primarily in terms of the number and size of bedrooms.

12C. Officer's recommended alternative modifications & reasons

REASON – Some of the Examiner's justification for this recommendation seems a little confused. For example, Paragraph 71 of the Examiner's Report states that the Parish's policy does not address the situation where existing policy does not address a potential increase in dwellings resulting in less than 50% coverage, but it explicitly does, and it is not clear why Paragraph 70 suggests that the Policy's phrase 'a smaller proportion' is imprecise. It is also considered that if a change is to be made, some of the replacement text could

be a little clearer and more closely related to the general concerns and focuses of the Plan.

OFFICER RECOMMENDED ALTERNATIVE – Amend the Policy and supporting text as set out below.

12D. The relevant plan extract with officer’s recommended modifications

[extract from page 18 of plan]

Replacement dwellings

Replacement dwellings should occupy no more than 50% of their plots, and where the replaced dwelling occupied greater than 50% of the plot the replacement dwelling should occupy a smaller proportion than its predecessor. An increase in number of dwellings above those replaced will only be acceptable where the resulting plot coverage does not exceed 50%.

These requirements will be relaxed where the setting of a listed building, or the character and appearance of the conservation area, would be better conserved by greater plot coverage.

An increase in height over the replaced building will only be acceptable where this is compatible with the appearance of adjacent buildings and the amenity of their occupiers.

There is concern that large dwellings with small gardens are less suitable for permanent occupation, less affordable, and encourage second and holiday homes, which is making villages unsustainable as their populations are impermanent. (The need for more affordable housing is recognised in the Core Strategy and NPPF.) This policy is also intended to meet concerns that garden areas are not overdeveloped, and are retained to provide amenity areas for occupiers, encourage biodiversity and protect the landscape of the AONB.

EXAMINER RECOMMENDATION 13

13A. The Examiner’s recommended modification

Relocate the two paragraphs of the policy and explanation relating to Affordable/Shared ownership homes as the third and fourth paragraphs in the section “ Brancaster Neighbourhood Plan and the wider agenda.”

13B. The relevant plan extract showing Examiner’s modification

[not shown – the whole of this policy would be deleted and the relevant text removed to a subsidiary part of the Plan]

13C. Officer’s recommended alternative modifications & reasons

REASON – It is not considered that the existence of support for affordable housing at national and Borough level makes the support for it in a neighbourhood Plan incompatible with the Basic Conditions, and therefore the effective deletion of the whole of this Policy is unwarranted. The Examiner’s

recommended removal of the 'process' parts of the policy to other text is considered reasonable, but this could be done in a way that retains a greater part of the Parish's apparent intentions, while expressing this in a more positive way.

OFFICER RECOMMENDED ALTERNATIVE – Amend the Policy and supporting text as set out below.

13D. Relevant plan extract with officer's recommended modifications

[extract from page 18 of plan]

Affordable/Shared ownership homes

Provision of affordable housing/shared ownership ~~should be~~ is encouraged where this is commensurate with the ~~Parish Council and a registered provider should be involved to help identify~~ the scale and nature of need for such housing locally.

We are concerned ~~that a blanket policy of to ensure~~ provision; which doesn't takes account of the actual affordable/shared ownership housing need in the area, ~~could be counterproductive.~~ The Parish Council is keen for itself and local Housing Associations to be involved in identifying the scale and type of housing that is needed in the area ~~and so should be involved in decisions regarding its provision.~~

EXAMINER RECOMMENDATION 14

14A. The Examiner's recommended modification

Delete the policy 7 and references to it elsewhere in the plan

14B. The relevant plan extract showing Examiner's modification

[not shown – the whole of this policy would be deleted]

14C. Officer's recommended alternative modifications & reasons

REASON – It is not considered that the existence of support for such development at Borough level makes the support for it in a neighbourhood plan incompatible with the Basic Conditions. While the term 'appropriate' would by itself be insufficiently precise to guide development decisions, there are other policies which provide the necessary criteria, and a signpost to these can be added to the Policy.

OFFICER RECOMMENDED ALTERNATIVE – Amend the Policy and supporting text as shown following.

14D. Relevant plan extract with officer's recommended modifications

DEVELOPMENT OF SHOPS, WORKSHOPS AND BUSINESS UNITS

The development of shops, workshops and business units ~~should be~~ is encouraged in appropriate locations (as defined by other development plan policies), as should the development and growth of existing businesses in the villages.

This is necessary to encourage a permanent population within the villages and to minimise the amount of travelling people need to undertake. This sort of support is essential to develop a sustainable population and to support our young people and retain them within the area.

EXAMINER RECOMMENDATION 15

15A. The Examiner's recommended modification

Reword policy 8, as follows ;

Renumber it as Policy 6

The siting of new buildings shall not harm significant public views within and of the AONB.

In the explanatory section, add as the first paragraph the following and retain the existing paragraph as the second paragraph.

Views are important in this area, which is specially designated for its natural beauty and landscape quality. It is not possible to protect mainly private views via the planning system but wider public views of designated heritage assets and iconic scenery within the area can be protected. Nevertheless, to justify the application of the policy the view, in question, should be particularly noteworthy and iconic and relate directly to heritage assets or iconic parts of the landscape referred to in the Landscape Character Assessment 2007 or subsequent studies.

Add as a further last sentence to the existing paragraph the last sentence from the paragraph of the explanation of policy 9, as follows :

Views of Scolt Head Island across the marshes are particularly valuable, as are views of the village seen from the bay across the marsh.

15B. The relevant plan extract showing Examiner's modification

[extract from page 19 of plan]

POLICY 8: PROTECTION OF HERITAGE ASSETS AND VIEWS.
~~The siting of new buildings shall have due regard for, and respect the setting of, designated heritage assets. Any listed buildings should be appropriately conserved to maintain the buildings, its features and setting. Developments will be expected to preserve or enhance the character, appearance and views of the Brancaster Conservation Area with regards to the built/cultural heritage.~~

The siting of new buildings shall not harm significant public views within and of the AONB.

Views are important in this area, which is specially designated for its natural beauty and landscape quality. It is not possible to protect mainly private views via the planning system but wider public views of designated heritage assets and iconic scenery within the area can be protected. Nevertheless, to justify the application of the policy the view, in question, should be particularly noteworthy and iconic and relate directly to heritage assets or iconic parts of the landscape referred to in the Landscape Character Assessment 2007 or subsequent studies.

Views of our two churches are especially cherished; villagers have been disappointed that views of St Mary's Church Brancaster have been affected by recent developments and wouldn't want to see any further loss of this amenity.

Views of Scolt Head Island across the marshes are particularly valuable, as are views of the village seen from the bay across the marsh.

15C. Officer's recommended alternative modifications & reasons

REASON – It is not obvious in why the Examiner considers the Policy's provisions regarding views is unclear. His added text to clarify the extent to which views can be protected is not strictly accurate and is unnecessarily detailed for the purposes of the NP. The Examiner's proposed additional policy clause regarding AONB views would seem more appropriately included in the next policy, which is about landscape rather than heritage assets. (His stated intention of a single policy on views and house sizes is also difficult to understand, and does not seem to be achieved by his recommended changes.)

OFFICER RECOMMENDED ALTERNATIVE – Modify the Policy and supporting text as shown following.

15D. Relevant plan extract with officer's recommended modifications

[extract from page 19 of plan]

POLICY 8: PROTECTION OF HERITAGE ASSETS AND VIEWS.

The siting of new buildings shall have due regard for, and respect the setting of, designated heritage assets.

Any listed buildings should be appropriately conserved to maintain the buildings, its features and setting.

Developments will be expected to preserve or enhance the character, appearance and important views of the Brancaster Conservation Area with regards to the built/cultural heritage.

Views of our two churches are especially cherished; villagers have been disappointed that views of St Mary's Church Brancaster have been affected by recent developments and wouldn't want to see any further loss of this amenity. (Note the planning system cannot protect all private views, but only views where there is a public interest and justification in their retention.)

EXAMINER RECOMMENDATION 16

16A. The Examiner's recommended modification

Renumber policy 9 as policy 7.

Add as the first sentence to the explanatory section :

The Countryside and Rights of Way Act 2000 establishes the above policy as the statutory basis of decision making in Area of Outstanding Natural Beauty

16B. The relevant plan extract showing Examiner's modification

[extract from page 19]

Protection and enhancement of the natural environment
Development will protect, conserve and where possible enhance, the natural environment, local landscape and wildlife. New development should not adversely affect the statutory purposes of the Area of Outstanding Natural Beauty.

The Countryside and Rights of Way Act 2000 establishes the above policy as the statutory basis of decision making in Area of Outstanding Natural Beauty

National Planning Policy Framework para 115 says that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty. The conservation of wildlife and cultural heritage are important considerations. We feel these last two policies will address these considerations, also bearing in mind the need to safeguard rural industries and the social needs of our local communities. ~~Views of Seolt Head Island across the marshes are particularly valuable, as are views of the village seen from the bay across the marsh.~~

16C. Officer's recommended alternative modifications & reasons

REASON – The Examiner's recommended additional text is not accurate. His additional Policy text in the previous recommendation regarding AONB views is considered more appropriately included in this Policy.

OFFICER RECOMMENDED ALTERNATIVE – Modify the Policy and supporting text as shown following.

16D. Relevant plan extract with officer's recommended modifications

[extract from page 19 of plan]

Protection and enhancement of the natural environment and landscape

Development will protect, conserve and where possible enhance, the natural environment, local landscape and wildlife. New development should not

adversely affect the statutory purposes of the Area of Outstanding Natural Beauty.

The statutory primary purpose of Areas of Outstanding Natural Beauty is conserving and enhancing the natural beauty of the area. All public bodies must have regard to this in carrying any functions which affect such an area. National Planning Policy Framework para 115 says that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty, and that the conservation of wildlife and cultural heritage are important considerations in them.

We feel these last two policies will address these considerations, also bearing in mind the need to safeguard rural industries and the social needs of our local communities.

EXAMINER RECOMMENDATION 17

17A. The Examiner's recommended modification

Retitle the section as " THE VISION OF THE BRANCASTER NEIGHBOURHOOD PLAN AND THE LINKS TO THE WIDER PLANNING AGENDA"

Insert in first sentence of paragraph 2 after "Our policies", "relating to the size of houses, the footprint for new and redeveloped dwellings and replacement dwellings"

Delete the remainder of the paragraph.

Relocate the policy Affordable/Shared ownership homes as the third paragraph section " Brancaster Neighbourhood Plan and the wider agenda."

Incorporate the first sentence of (existing)paragraph 4 as the last sentence of (existing)paragraph 3 .This text seems to relate more to its preceding paragraph.

Alter the text as follows : delete ' policy 2' and insert "policies 2 and 6". In paragraph 8 at the top of page 22 delete "Policies 8 and 9" and insert " Our policies"

17B. The relevant plan extract showing Examiner's modification

[extract from page 20 of plan]

The Vision of the Brancaster Neighbourhood Plan and links to the wider planning agenda

The three dimensions to sustainable development, as identified in the NPPF, are economic, social and environmental.

- **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right

places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.

- **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and

- **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Our policies relating to the size of houses, the footprint for new and redeveloped dwellings and replacement dwellings address the need to support the members of our community, be they permanent residents, second home owners or visitors, by attempting to ensure that appropriate housing is available for all sectors and that houses are built that would be able to be used for any of the sectors as the need arises. ~~We attempt, through policies 6 and 7 to encourage the rural business economy and to encourage people to work and live in the villages. This will minimise pollution and encourage low carbon emissions by reducing travelling and thus improving the conditions in which people live and work. The NPPF specifically mentions the essential need for a rural worker to live permanently at or near their place of work; this is also addressed in the Borough Core Strategy which wants people to have access to good quality housing, close to places of employment.~~

Provision of affordable housing/shared ownership should be encouraged; the Parish Council and a registered provider should be involved to help identify the scale and nature of need for such housing locally. We are concerned that a blanket policy of provision, which doesn’t take account of the actual affordable/shared ownership housing need in the area, could be counterproductive. The Parish Council and local Housing Association should be able to suggest the scale and type of housing that is needed in the area and so should be involved in decisions regarding its provision.

Policies 3 and 5 encourage support for our natural environment in gardens – aiding the retention, and attempting to halt the decline, of biodiversity. Small open spaces – our gardens – are as important to protect as the wide-open spaces in the National Parks. All policies contribute towards maintaining our built environment and widen the choice of high quality homes by ensuring that all houses are well designed and are of a style and size that suits all sectors and doesn’t limit the provision of houses to high cost, large dwellings. This gives the required flexibility to adapt to change and provides a good standard for existing and future occupants. Policy 2 attempts to ensure that houses reflect high standards in design and architecture and that they are sensitive to the defining characteristics of the local area. The use of ecologically friendly materials is addressed in ~~policy~~ policies 2 and 6 and the requirement to consider the impact on the views of the AONB will preserve this visual asset for future generations of residents and tourist visitors.

Without adequate appropriate housing our community will dwindle to a size which makes it uneconomic and unsustainable to run buses, run shops, run businesses, and sustain our schools, meeting halls and local clubs. Without those facilities being available locally people will have nowhere to meet, car use will increase, thus increasing pollution, the cultural wellbeing of the community will suffer and the community will eventually become unsustainable; something which would be counter to the basic tenets of the Borough Core Strategy which aims to promote sustainable communities, sustainable patterns of development, and a strong hierarchy of successful rural settlements and supporting a range of jobs. If this is successful it will not only benefit our residents but also visitors to the area, thus creating a virtuous circle, which would be of benefit to the villages and the Borough as a whole and would encourage economic growth and inward investment.

Smaller houses, even taking into account the 50% plot requirement, will mean, in effect, that more houses can be built. This will supply more, less expensive houses for permanent residents. It will also mean that more dwellings will be available as holiday lets, thus supporting rural tourism and bringing more people to our villages all year round to enjoy the views we hope to preserve and to use the buses, shops, pubs and other visitor facilities. It will also provide work for local tradesmen, cleaners, gardeners, and letting businesses. It will benefit visitors as well as the permanent population.

The NPPF talks about a 'strong sense of place'. We feel that houses built with regard to our policies will benefit our villages, enhance the local character which is engendered by the many old traditional buildings in the villages, and attempt to recover that feeling of identity that has been lost with the proliferation of large, inappropriate, often empty dwellings. The Borough Core Strategy aims to protect the historic environment and to enrich the attraction of the Borough as a place to live, work and to visit. Our Neighbourhood plan will help address the compromises necessary to ensure a sustainable permanent community while also providing for second homes, visitors, and the retention of our traditional character vital for the well being of those who live here as well as for the interest of visitors. In preparing the plan we have been mindful of the desirability of conserving listed buildings, their features and their settings.

We feel that our Neighbourhood Plan conforms to the objectives of the NPPF. The benefits conferred on our community and visitors to the area are in agreement with the sentiments expressed within the NPPF. It will provide a sustainable way forward for the development of the villages, enhancing the region in all three areas identified in the Framework. We also feel that our Neighbourhood Plan is supportive of, and supported by, the Borough Core Strategy in its wish to foster sustainable communities with appropriate housing and is in keeping with CS06, which aims to promote sustainable communities and sustainable patterns of development, ensuring that employment and appropriate housing (including affordable housing) are provided in close proximity.

~~Policies 8 and 9~~ Our policies address protection of our traditional buildings and our countryside. If possible we would like to see the character and distinctiveness of our natural and built environment enhanced by new development proposals. Such proposals should be encouraged to contribute to the objectives and targets of any local Green Infrastructure Strategy, Landscape Character Assessments and Biodiversity Action Plans. This is a very sensitive area as regards conservation (it is,

as has already been stated, part of the Norfolk Coast AONB and borders the North Norfolk Heritage Coast with its multiple conservation designations). The NPPF has strong policies on the protection of Heritage Coasts, AONB's and National Parks (paras 114-116) and on protecting wildlife and this should always be given due emphasis when development is considered in this area.

We hope that housing and other development in Brancaster will contribute towards improving local services and infrastructure. An increase in population within the villages means an increase in the need for transport, education, library services etc. There are mechanisms to do this (for example CIL, section 106 agreements and planning conditions) and it is important that these mechanisms are used to ensure that the infrastructure grows with the population.

17C. Officer's recommended alternative modifications & reasons

REASON – It is not clear in what way the original text did not meet the Basic Conditions. The insertion of the text regarding affordable housing is only required if the Policy from which it is taken is deleted (see 13 above).

OFFICER RECOMMENDED ALTERNATIVE – Retain text of this section as submitted.

17D. Relevant plan extract with officer's recommended modifications

[not shown here]

EXAMINER RECOMMENDATION 18

No change: Examiner's recommendation supported.

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Discretionary /	Be entirely within Cabinet's powers to decide	YES	
	Operational	Need to be recommendations to Council	NO	
		Is it a Key Decision	YES	
Lead Member: Cllr Nick Daubney E-mail: cllr.nick.daubney@west-norfolk.gov.uk		Other Cabinet Members consulted: Cllr Alistair Beales		
		Other Members consulted:		
Lead Officer: Ostap Paparega E-mail: ostap.paparega@west-norfolk.gov.uk Direct Dial: 01553 616890		Other Officers consulted: Ray Harding, Management Team, Lorraine Gore, Joanne Stanton		
Financial Implications YES	Policy/Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment NO	Risk Management Implications NO

Date of meeting: 9th September 2015

NAR OUSE BUSINESS PARK ENTERPRISE ZONE**Summary**

The Borough Council has been invited by the New Anglia LEP to put forward a site for Enterprise Zone status as part of a multi-site New Anglia Enterprise Zone. This report outlines the key elements of the new wave of Enterprise Zones and details the proposal to put forward the employment land – Nar Ouse Business Park - on Nar Ouse Regeneration Area (NORA) for Enterprise zone status.

Recommendation

It is recommended that Cabinet:

1. Approves the submission of Nar Ouse Business Park for Enterprise Zone status as part of a multi-site New Anglia Enterprise Zone, as outlined in Appendix 1.
2. Endorses the proposed Business Rates Growth sharing formula, as described in paragraph 8 of this report.
3. Delegates authority to the Chief Executive in consultation with the Leader of the Council to undertake any further negotiations with the New Anglia LEP to enable the Enterprise Zone proposal to be submitted to Government by 18 September 2015.

Reason for Decision

This proposal meets the following corporate objectives, as stated in the Corporate Business Plan 2011-2015:

People in West Norfolk benefit from a growing economy:

- Stimulate business growth and investment

- Support new and growing businesses and promote business success
- Ensure local business needs and priorities are reflected in the sub-regional economic strategies prepared by the two Local Enterprise Partnerships covering West Norfolk
- Promote West Norfolk as an area to invest in
- Remove physical barriers to growth
 - Ensure an adequate supply of land and premises

People in West Norfolk maximise their potential:

- Develop a skilled workforce
 - Support the growth of local employment opportunities

Background

1. The new generation of Enterprise Zones (Wave 1) was first announced by Government in 2011 when 21 were established across England. They “reflect the Government’s core belief that economic growth and job creation should be led by the private sector”. (Enterprise Zone Prospectus, DCLG, 2011).
2. “At the heart of these new Enterprise Zones is a desire to remove barriers to private sector growth through reduced burdens for businesses, particularly in terms of lower tax levels, planning and other regulatory and administrative burdens”. (Enterprise Zone Prospectus, DCLG, 2011).
3. Wave 2 of the New Enterprise Zones was announced in July 2015 and will offer the following incentives (EZ application form, DCLG, July 2015):
 - Local Enterprise Partnerships (LEPs) retaining 100% of business rate growth for 25 years. Government expectation is that this will be used to fund development required on the Enterprise Zone sites.
 - A business rate discount for occupiers for five years. Central government will reimburse a 100% discount for five years up to the maximum state aid *de minimis* threshold (up to £55,000 per year or up to a maximum £275,000 over a the five year period), for businesses that enter the zone before 31 March 2022, e.g. if a business enters the zone on 31 March 2022, it can receive the discount (subject to *de minimis*) until 30 March 2027.
 - Where a site is in an assisted area, companies investing in plant and machinery can qualify for Enhanced Capital Allowances (ECAs). Capital allowances allow businesses to write down the costs of qualifying plant and machinery assets against their taxable income. This does not apply in West Norfolk.

New Anglia LEP proposal

4. NALEP Board has agreed at its July meeting to submit a bid for a new Enterprise Zone with the theme of “turning innovation into growth”. The proposal is to create a multi-site Enterprise Zone across Norfolk and Suffolk, which will have a “sharp thematic focus”.
5. The emerging themes proposed are: agri-tech, food & health and digital / ICT. Also, NALEP is also proposing linking universities and innovation centres to the new EZ locations, connecting and driving knowledge transfer to businesses.
6. NALEP will decide which sites will be included in the Enterprise Zone bid to Government through open competition. All local authorities in Norfolk and Suffolk have been invited to put forward a site of between three and 20 hectares, that is clean (i.e. no contamination or existing buildings) and deliverable i.e. works can start on site in April 2016.
7. Key selection criteria for sites are readiness in planning and infrastructure terms.
8. Although LEPs are entitled to retain 100% of business rates for 25 years, NALEP are proposing a formula splitting the rates as follows:
 - 10% retained by the Local Authority – no conditions
 - 35% ring fenced for investment in the Enterprise Zone site
 - 55% paid to the LEP to create a fund to invest in development projects across the entire LEP area.
9. All sites submitted will be appraised by the LEP Executive in the week beginning August 10th and the site selection agreed by a specially created LEP sub-group in the week beginning August 17th or August 24th. NALEP Board will sign-off the bid in the week beginning September 14th and the bid will be submitted to Government on Friday 18th September.

Summary of NORA proposal

10. The full Outline Proposal is attached at Appendix 1. Below is a summary of key elements.
11. NORA will have a sector focus on advanced manufacturing / engineering, as it is considered one of the underpinning sectors, which supports the core innovation sectors.
12. The site is 11.5 hectares (28.5 acres) and could accommodate in the order of 48,000 sqm of employment floorspace.
13. The site benefits from existing outline planning consent for a mix of offices, research and development, warehousing and industrial units. An indicative quantum of floorspace based on the approved Masterplan is:

- B1 (offices) – 24,000sqm
- B2 (general industrial) – 15,000sqm
- B8 (warehouses) – 9,000sqm

Market demand

14. Table A below shows inward investment enquiries received by the economic development team from 2011 to date:

TABLE A

Enquiries	April 2011 to May 2015	
	Sqm	Hectares
Local businesses	52,800	8
External enquiries (West Norfolk specific)	45,100	8
TOTAL	97,900	16

15. The figures in TABLE A reflect enquiries by local companies and external enquiries, which were West Norfolk specific i.e. West Norfolk was identified as a preferred location.

16. NORA can accommodate around 48,000 sqm of employment floorspace, although the figures in TABLE A above show that demand outstripped supply in the past few years with enquiries totalling 97,900 sqm of employment space.

17. Table B below shows demand profile by uses.

TABLE B

Use/Sector	Local Enquiries	External Enquiries	Total (%)
Advanced Manufacturing & Engineering	64.3%	64.3%	64.3%
Food Manufacturing & Processing	7.1%	7.1%	7.1%
Low Carbon & Renewables		7.1%	2.4%
Call Centres & Offices	3.6%		2.4%
ICT, Telecoms and Digital	3.6%		2.4%
Warehousing and Logistics	14.3%		9.5%
Other	7.1%	21.4%	11.9%
TOTAL	100%	100%	100%

18. Table B shows that almost two thirds of all inward investment enquiries were for business in the advance manufacturing & engineering sector, which is the proposed sector focus for the Nar Ouse Business Park Enterprise Zone.

Business rates

19. The quantum of uses described in paragraph 13 would generate £33.6m in business rates over a 25 year period (£1.34m per annum). If the LEP's sharing formula is applied, then the annual distribution is as follows:

- 10% Local Authority - £134,400
- 35% NORA development - £470,400
- 55% NALEP - £739,200

20. If the LEP's business rates sharing formula is applied, then approx. 45% of the business rates growth will be retained locally.

21. Under the current Norfolk Business Rates Pool arrangement the Borough Council retains 50% of its local share of retained business rates growth with the remaining 50% going to the Pool. Based on the potential additional business rates generated the Borough would retain £226,800 of the growth and £226,800 would go to the Norfolk Pool.

22. Retained business rates works as follows:

Total Business rates collected:

- 50% central share
- 40% Local share Districts
- 10% Local share County

23. Without a pool, 50% of its local share of retained business rates growth is retained by the District with the remaining 50% going to Central Government

Options Considered

24. Options 1 - Develop NORA with Enterprise Zone status

Table C outlines the benefits and disadvantages of putting the Nar Ouse Business Park forward for Enterprise Zone status.

TABLE C

Option 1 – Develop NORA with Enterprise Zone status	
Benefits	Disadvantages
<ul style="list-style-type: none"> • Attraction of new businesses/inward investment and jobs through tax breaks • Potential to accelerate development of the site • Access to funding for site infrastructure and other development requirements • Prioritised enhanced marketing by UK Trade & Investment and New Anglia LEP 	<ul style="list-style-type: none"> • Restricts development to agreed sector focus of advanced manufacturing / engineering • Risk of employment and business displacement

25. Option 2 – Develop NORA without Enterprise zone status

Table D outlines the benefits and disadvantages associated with developing NORA without Enterprise Zone status.

TABLE D

Option 2 – No Enterprise Zone status, site developed in accordance with Masterplan	
Benefits	Disadvantages
<ul style="list-style-type: none"> • No restriction on types of business as long as conforms to master plan • Expansion plans of local businesses can be accommodated 	<ul style="list-style-type: none"> • No or severely reduced access to external funding for key infrastructure and other development requirements

Preferred option

26. On balance, the benefits of Option 1 outweigh its disadvantages and the benefits of Option 2 and therefore Option 1 is recommended to Cabinet for approval.

Policy Implications

27. This proposal meets the Corporate Business Plan's strategic objectives of stimulating business growth and investment, removing physical barriers to growth and developing a skilled workforce.

Financial Implications

28. The Council's Financial Plan 2014-2018 does not include any allowance for additional business rates growth from the development of the NORA site. There is therefore no immediate financial impact on delivery of the Financial Plan 2014-2018.
29. Approval of an Enterprise Zone for the NORA site would mean there would only be potential for retained business rates growth from the NORA site for 25 years as detailed under the NALEP arrangements (paragraph
30. Development of the NORA site to generate business rates growth is dependent on investment in the infrastructure. The Council's approved capital programme 2015-2018 does not include any budget provision for infrastructure on the NORA site and would require capital resources to be identified. The NALEP arrangement would provide funding specifically for development of the NORA site.
31. Any local business displacement would trigger a loss of business rates, the extent of which cannot be quantified before it actually happened.

Personnel Implications

32. There are no personnel implications. New Anglia LEP will appoint an Enterprise Zone Coordinator to manage the zone on a day-to-day basis, however it is very likely that the Borough Council's Economic Development team will work closely with the Coordinator to promote and develop the site.

Statutory Considerations

33. There may be a need for the Local Planning Authority to prepare and implement a Local Development Order (LDO), which would grant automatic planning consent for agreed uses within the Enterprise Zone.

Equality Impact Assessment (EIA)

(Pre screening report template attached)

Risk Management Implications

Declarations of Interest / Dispensations Granted

None

New Anglia LEP Enterprise Zone Submission

from Borough Council of King's Lynn and West Norfolk

Nar Ouse Business Park, King's Lynn

Key points

- Site is 11.5 hectares
- Proposed sector focus: advanced manufacturing & engineering
- Demand outstrips supply:
 - Supply: 48,000 sqm employment space developable on site
 - Demand: 97,900 sqm (64.3% enquiries for advanced manufacturing & engineering sector)
- 2200 new jobs
- £33,600,000 in business rates over 25 years
- Clean, clear site in Borough Council ownership
- Outline planning consent for B1, B2 and B8 uses
- Strong fit with New Anglia LEP's Strategic Economic Plan and Borough Council's Strategic Economic and Infrastructure Investment Plan
- Strong synergy with King's Lynn Innovation Centre (KLIC) on adjacent site
- Primary infrastructure and utilities delivered, but there is a need for further works (phase 2) costing in the region of £3,000,000

Conditionality

- This submission is subject to Cabinet approval on 9 September 2015
- This submission is conditional to NALEP commitment to provide infrastructure funding, as detailed in Section 6 below.

1. Location and Size

Nar Ouse Business Park is situated on the Nar Ouse Regeneration Area, King's Lynn approximately one mile south of King's Lynn town centre (Figure 1). A link road (Nar Ouse Way) runs through the site providing direct access to the A47 (which runs adjacent to the site), A10 and A17. These provide strategic road links to the regional cities of Peterborough (35 miles), Norwich (45 miles) and Cambridge (45 miles). A direct hourly rail service to London via Cambridge operates from King's Lynn train station (1 hour 40 minutes journey duration).

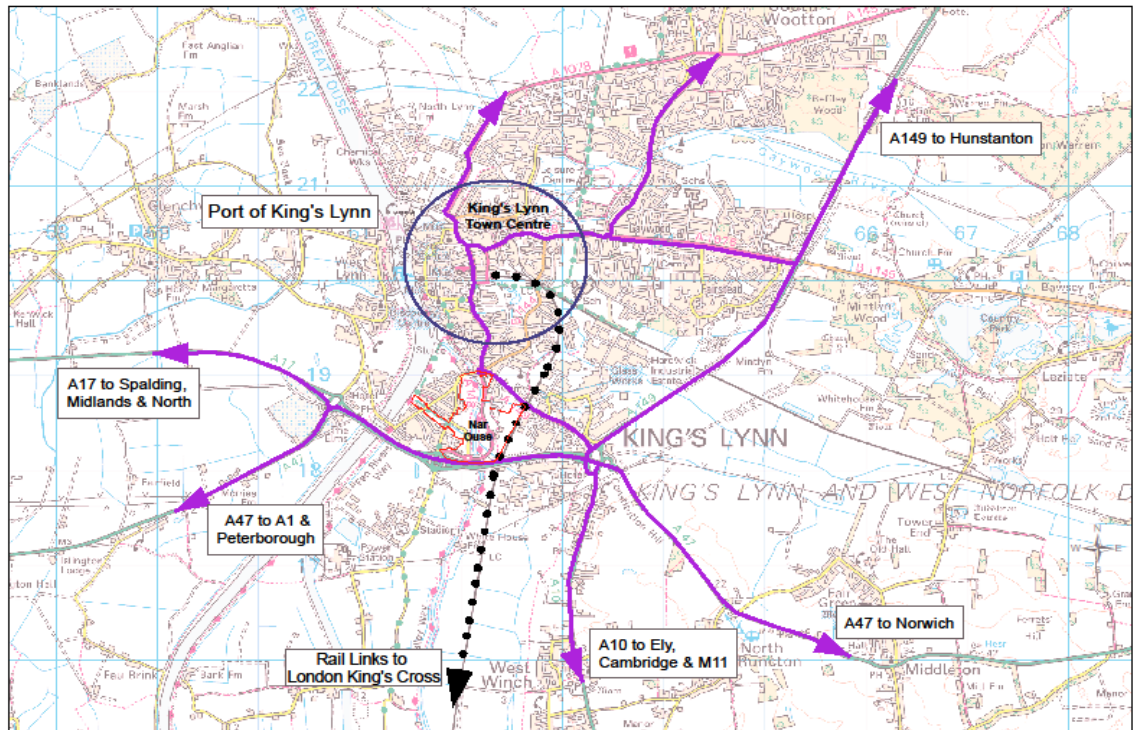


Figure 1: Location of Nar Ouse Business Park, King's Lynn.

The site is 11.5 hectares (28.5 acres) (Figure 2) and could accommodate in the order of 48,000 m² of employment floorspace. This could create in the region of 2200 jobs¹.

It is proposed that Nar Ouse Business Park will have advanced manufacturing and engineering sector focus and will accommodate the King's Lynn Innovation and Enterprise centre.

¹ Based on HCA Employment Densities Guide 2010
299

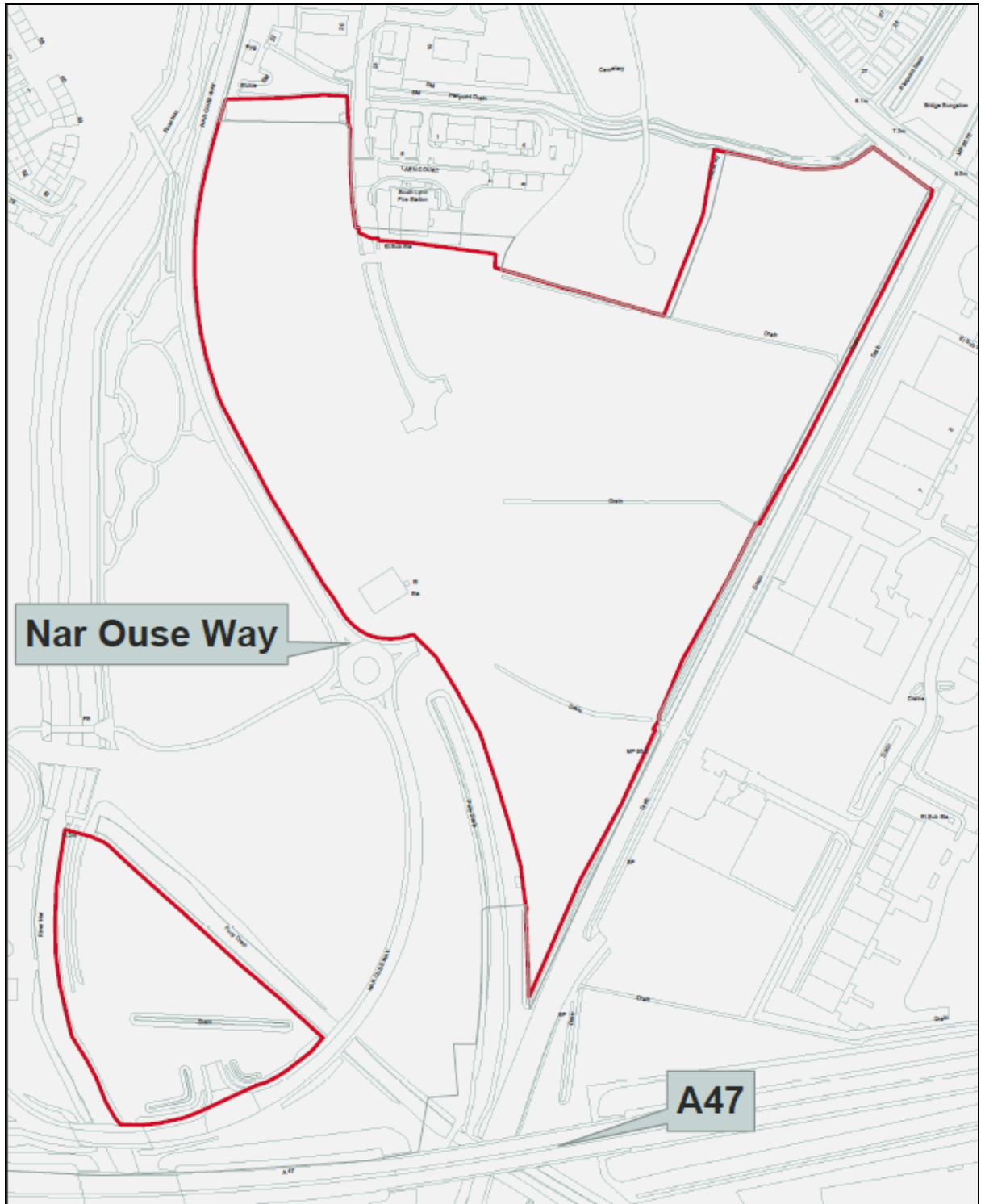


Figure 2: Boundary of Nar Ouse Enterprise Zone

It is a clean and clear site. There are no existing buildings and the statutory liabilities on land remediation have been discharged.

2. Strategic Fit

King's Lynn is the economic driver for a defined and relatively self-contained economic sub region of 200,000 population within the LEP area. There is a clear vision for growth, as set out in the adopted Local Development Framework Core Strategy, aimed at increasing the population of the town to 50,000, accommodating 7,000 new houses and at least 5,000 additional higher value jobs.

The Council's Strategic Economic and Infrastructure Investment Plan identifies the main sectors which are and will remain major contributors in terms of jobs and GVA and where there is a long term growth potential.

West Norfolk has core advantages in these sectors in terms of the numbers of businesses, the skill base and the supply chain that creates a critical mass. The key sectors include:

Food manufacturing and agri-tech businesses – this sector embraces the complete food supply chain from primary production through to food processing and distribution including agrichemicals and biofuels, research and development of technology and the manufacturing of agricultural and processing machinery. The borough has a strong representation in this sector and a number of leading edge businesses. The sector employs 6,200 people which is equivalent to 13.0% of the workforce compared with 9.4% nationally.

Advanced engineering and hi-tech manufacturing - this sector includes manufacturing, engineering, technical consultancy and associated research and development. This sector is well developed locally, benefitting from significant expertise amongst the existing businesses and the supply chain activity. The sector is estimated to provide 2,400 jobs in the area, representing 5.1% of local employment (compared to 3.8% nationally). This sector has the potential to boost the area's GVA and productivity, especially through export growth.

The creation of an Enterprise Zone will have a strong fit with the priorities and outcomes of the New Anglia LEP SEP:

- It will have a central role in developing and growing the economy within the A10 King's Lynn to Downham Market Growth Location and will contribute in securing the target of 5,000 additional higher skilled jobs in the local economy by 2021. The additional jobs will be part of the 95,000 additional jobs the LEP is targeting by 2026. (Growth Locations)
- the Zone will support and facilitate growth in the LEP high impact sectors of advanced manufacturing and engineering, agri-tech and food and drink.(Growth Sectors)

- business support will be delivered through the Innovation Centre. The focus of the support will be on promoting and facilitating business and productivity growth, especially in SMEs, business start-ups, encouraging enterprise and improving access to markets. (Enterprise and Innovation)

The zone will provide a range of development opportunities that will complement and add to the existing employment base. The types of activity will include advanced manufacturing and engineering, food manufacturing and processing and agri-tech related businesses along with knowledge based enterprises and associated R and D activities.

As a result of the distance from the City Region economies of Cambridge, Peterborough and Norwich and the contained nature of the local economy it is unlikely that there will be displacement within LEP area. Growth is envisaged to come from new business ventures from existing businesses, indigenous business creation as well as new investment.

The business rate discount will act as a significant development incentive to attract direct and indirect job creation to the northern, more deprived part of the LEP area.

In summary, the creation of an Enterprise Zone on the Nar Ouse Business Park will make a direct contribution to realising the priorities and growth aspiration of both the LEP and local authority by:

- Providing a catalyst for sustainable job growth in an area of significant deprivation
- Building on the key sectoral strengths of advanced engineering and manufacturing, food manufacturing and processing and agri-businesses that will increase GVA, employment and supply chain competitiveness
- Providing land, premises and support for high growth SMEs and new business ventures.

3. Types of Buildings

The approved Masterplan for the site identified a mix of offices, research and development, warehousing and industrial units.

An indicative quantum of floorspace within the Enterprise Zone, based on the Masterplan, is:

B1 - 24,000m²

B2 - 15,000m²

B8 - 9,000m²

These uses would generate £33.6m in business rates over a 25 year period.

4. Deliverability

The area is identified for employment uses in the Local Development Framework and planning consents for employment uses have been granted (Planning consents: 05/00691/OM and 09/02010/F)

The use of Local Development Orders would be applied to specific developments in accordance with the existing masterplan and the plans already approved by the Planning Authority.

The Enterprise Zone is available for business with the land fronting on to the Nar Ouse Way available for development now. However it is anticipated that the Zone will accommodate a number of developments and this will require further infrastructure and utilities to be provided to open up the land to the rear into a number of plots. Details on costs and timescales are set out in Section 6.

5. Land Ownership

The site is in the ownership of the Borough Council.

6. Infrastructure issues

The primary infrastructure has been constructed and the utilities have been brought onto the site. However it will be necessary for a further stage of servicing (Phase 2) to provide the infrastructure required for individual plots.

Further road infrastructure and utilities need to be provided to the individual development plots. Preliminary design for the alignment of the road and potential plot layouts has been prepared but still require the detailed design work to be commissioned (Figure 3).

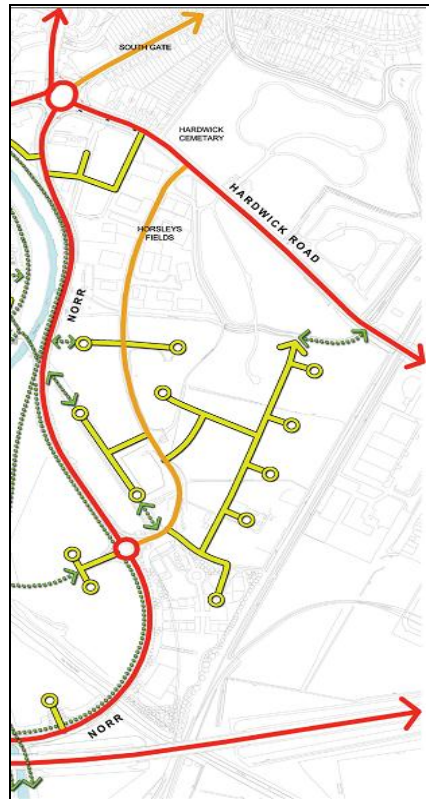


Figure 3: Indicative road layout.

There will also need to be some ground stabilisation works of the areas to be used for parking within the individual developments. The need for the ground stabilisation is because of the abnormal ground conditions which would impose costs over and above those normally associated with standard development costs and has the potential to create a barrier to development.

Costs

Spine road and utilities	£2,000,000
Ground Stabilisation	£ 750,000
Design and Fees	£ 250,000
Total	£3,000,000

Delivery of Phase 2 infrastructure works

Highway and utility infrastructure

Feasibility and design of the service road has been completed to RIBA Stage E / Stage 2.

The next stages of the road infrastructure would include:

- RIBA Stage F-H / Stage 4 (Detailed design, early contractor involvement) from April 2016 – A A47 2016

- RIBA Stage J-L / Stage 5-6 (mobilisation and construction) from August 2016- December 2016

These dates could be brought forward if there was an early announcement on the awarding of Enterprise Zone designation and the funding being released.

Ground improvements

The feasibility and methodology of the ground improvement requirements have been established through the works undertaken as part the development of the King's Lynn Innovation Centre on a neighbouring site. The actual works will be carried out in association with development of the individual plots as they will need to reflect the end use and building footprint.

7. Market Analysis

The Borough Council receives investment enquiries from both existing businesses looking to expand their operations in West Norfolk and from businesses considering West Norfolk as a new business location.

Between 2011 and 2015 the Council received 14 external enquiries that specifically identified West Norfolk as a preferred location. These enquiries totalled 45,100 square metres of employment floorspace and 8 hectares of employment land. In addition local enquiries were for 52,800 square metres of floorspace and 8 hectares of land. In total the potential demand was for 97,900 square metres of employment floorspace and 16 hectares of employment land.

The profile of the demand by uses was:

Use/Sector	Local Enquiries	External Enquiries	Total (%)
Advanced Manufacturing & Engineering	64.3%	64.3%	64.3%
Food Manufacturing & Processing	7.1%	7.1%	7.1%
Low Carbon & Renewables		7.1%	2.4%
Call Centres & Offices	3.6%		2.4%
ICT, Telecoms and Digital	3.6%		2.4%
Warehousing and Logistics	14.3%		9.5%
Other	7.1%	21.4%	11.9%
TOTAL	100%	100%	100%

In addition the Council receives enquiries from UK Trade and Investment that have identified New Anglia LEP and GCGP LEP areas as potential investment locations. The Council responded to the majority of these but the search area for these enquiries is wider than the Borough they have not been included in this market analysis.

The figures shown above demonstrate that potential demand for employment floorspace outstrips supply, as Nar Ouse Business Park has the potential to accommodate 48,000 sqm of employment floorspace, but enquiries have totalled 97,900 sqm.

8. Business Rate Retention

The Borough Council would be supportive of the formula for the business rate retention as set out in the New Anglia Board paper (Item 5a) 21st July 2015.

9. Other Issues

An area of land (0.7 hectares) abutting the proposed EZ is currently in the hands of an Administrator. The Borough Council has made a conditional offer for a number of sites within the overall Nar Ouse Regeneration Area, including this land, and the Administrator has advised the Council that it is the preferred purchaser. The sale is expected to be completed imminently.

However the Council is aware that this land is contaminated and will require remediation before it could be developed, although this land may be able to accommodate car parking or could form a strategic planting belt.

Given the uncertainties relating to this piece of land it is being proposed that it is excluded from the Enterprise Zone boundary, but the Borough Council would welcome the view of the LEP on this.

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards West Winch	Mandatory	Be entirely within Cabinet's powers to decide YES /NO Need to be recommendations to Council YES /NO Is it a Key Decision YES /NO		
Lead Member: Cllr Vivienne Spikings E-mail: <i>cllr Vivienne.spikings@west-norfolk.gov.uk</i>		Other Cabinet Members consulted: Cabinet		
		Other Members consulted: <i>The LDF Task Group considered an oral report addressing the subject matter of the report below and the recommendations of the Group are reflected in the specific recommendations below.</i>		
Lead Officer: Alan Gomm E-mail: alan.gomm@west-norfolk.gov.uk Direct Dial:01553 616237		Other Officers consulted: Management Team		
Financial Implications YES /NO	Policy/Personnel Implications YES /NO	Statutory Implications YES /NO	Equal Impact Assessment YES /NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES /NO

Date of meeting: 9 September 2015

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN – RESPONSES TO INSPECTOR’S REQUEST FOR FURTHER INFORMATION

Summary

The Examination into the Site allocations plan adjourned on 7 July and the Inspector outlined a number of issues to which he required responses. This report sets out the broad issues raised and seeks the endorsement of Cabinet for a number of changes to the submitted plan and related matters. The approach covers:

- Habitat Regulation issues
- Flood risk issues
- Flexibility and deliverability

We consider that the approach and detailed changes provide a pragmatic response and display sufficient flexibility in response to the Inspector’s questions.

Recommendation

That Cabinet:

1. Notes the content of the Inspector’s request for further information in

respect of the SADMP Examination.

2. Endorses the content of the Mitigation and Monitoring Strategy. In particular agrees that:

- a) a Habitat Mitigation Levy at a rate of £50 be introduced for new housing in the Borough
- b) a Habitat Mitigation and Monitoring / Green Infrastructure Co-ordinating Panel be established and chaired by a Cabinet member from the Borough Council

3. Agrees the following actions in respect of a 'fall back' position to ensure a flexible and deliverable supply of new housing:

- a) Endorses the use of housing resulting from windfall permissions to count as a source of flexibility bolstering delivery from allocated sites.
- b) Notes the position that potentially more intensive use can be made of existing proposed allocations.
- c) An early review of the Local Plan is proposed
- d) A site at West Winch be included in the Plan having had regard to the assessments presented with this report.

4. Notes that the above decisions have been taken having had regard to the effects outlined in the Strategic Environmental Assessment / Sustainability Appraisal updates for the policies and proposals as new / amended.

5. Requests to the Inspector that the modifications as proposed and others that may arise at the Examination hearings, be subject to public consultation once the initial hearing sessions have concluded.

6. Delegates to the Executive Director Environment and Planning, in consultation with the Portfolio Holder for Development, in the authority to make minor amendments to enable suitable documents to be presented to the Examination.

Reason for Decision

In order to respond positively to the issues that arose at the SADMP Examination Hearings.

1. Background

1.1. The Examination into the Site allocations plan adjourned on 7 July and the Inspector outlined a number of issues to which he required responses. His comments and questions are set out in Appendix 1.

1.2. Having considered the position we responded by letter setting out the approach that the Borough Council wishes to pursue, and outlining the timings involved and a potential timeframe for re-convened hearings. The Inspector responded on 4 August noting that the Council's approach seemed to be appropriate. This report sets out the broad issues raised and seeks the endorsement of Cabinet for a number of changes to the submitted plan and related matters.

1.3. Using the issues outlined in the Inspector's original questions as a framework our approach covers:

- Habitat Regulation issues
- Flood risk issues
- Flexibility and deliverability

2. Habitats Regulations Assessment issues.

2.1. In responding to the Inspector we noted that the following actions were necessary:

- The preparation of a comprehensive Mitigation and Monitoring Strategy to address the actions required from the Habitats Regulations Assessment (HRA). This will include:
 - A restatement of the HRA findings.
 - Detail on how each of these requirements are intended to be, and can be, met in respect of the allocated sites.
 - The inclusion of a levy on all development in the Borough, responding to the potential cumulative impacts that could occur from such growth that may not be adequately addressed through measures on allocated development sites.
 - More detailed consideration of pressures currently arising on the European site locations.
 - A mechanism for considering and responding to monitoring information, including the recommendation for spending from the levy fund (primarily aimed at the sensitive European site locations). This would take the form of a Panel (Chaired by a Cabinet member from the Borough Council and including representatives from the RSPB, Natural England and others) to consider results of monitoring and propose mitigation measures, as well as co-ordinating wider related proposals for green infrastructure in the Borough.
 - An addendum to the HRA reflecting the above.

2.2. In his letter to the Borough Council the Inspector requested further information about the potential mitigation measures to address these implications. We have responded by way of preparing the Monitoring and Mitigation Strategy which is attached at Appendix 2. This Mitigation and Monitoring Strategy seeks to give detail to the above bullet points. In particular we have sought to identify known recreational pressures, and create a mechanism for dealing with potential effects arising from growth in housing / recreational pressures including at the Natura 2000 sites themselves. Particular attention is drawn to sections 3 and 4 of the attached document at Appendix 2 where the Habitat Mitigation Levy and the Panel proposals are discussed.

- 2.3. The document draws together previously separate aspects into one place. Discussions have taken place with interested parties (including RSPB; NWT; and Natural England) about the above. Should Cabinet agree the recommendation we would anticipate that a levy could be in place in the autumn, and a mitigation / co-ordination group operating at the same time. The Borough Council intends this to demonstrate the commitment to fulfilling requirements under the Habitats Regulations Assessment and providing reasonable certainty to deliver suitable mitigation measures.
- 2.4. It should be noted that the Borough Council is additionally pursuing a Community Infrastructure Levy and anticipates a Cabinet report in October to confirm a Draft Charging Schedule. CIL would not be a substitute for the Habitat Mitigation Levy, but rather an additional potential resource for green infrastructure projects.

2.5. Implications

- **Issues of viability-** The Borough Council is conscious of potential impacts on viability from the plan proposals and believes it will be able to demonstrate through additional work in connection with on-going research for CIL, that there is minimal detrimental impact.
- **Implementation-** Consideration is given to this in the draft Strategy. Legal advice suggests there are limited implications. There are however positive implications from implementation in that mitigation issues are positively addressed.

3. Flood risk issues

- 3.1. The Inspector has asked for us to provide a schedule of allocated sites at risk from flooding and how their development is envisaged to take place bearing in mind that risk. He is also seeking assurances that we have a fall-back position if their development is constrained due to that flood risk and housing numbers are not fulfilled. Clearly we will supply that schedule, (extract attached as Appendix 3) but the general response about a fall-back position is as below. We will also cover the roles of other organisations such as the Middle Level Commissioners and internal drainage boards.
- 3.2. In conclusion we consider that we have highlighted the agreed method between BCKLWN and Environment Agency (EA) for allocating sites in areas at risk of flooding and agreed design guidance for development within areas at risk of flooding (contained in the SADMP document at Appendix 3 and 4). It identifies the proposed sites for allocation within the SADMP and the flood risk at these locations, demonstrating that the EA, the overall body responsible for avoiding dangerously located development, do not raise objection in principle to any of the proposed sites for allocation.
- 3.3. There have clearly been applications and permissions granted for similar developments, as proposed by the SADMP, in terms of location, size and flood risk. Discussion is given in the Appendix about the suitability of these permissions and similarities to the allocation situation.

3.4. Comments received from Internal Drainage Boards as a result of the SADMP representation stage (January / February 2015) have been taken into consideration, and in consultation with our Development Control section and the relevant site agents / owners, the BCKLWN are confident that there are design solutions available. The detail of the schemes can be developed in consultation with Norfolk County Council, as the Local Lead Flood Authority (LLFA), and the relevant Internal Drainage Boards (IDBs) at the detailed design stage, that would inform a detailed planning application, which would be commented upon by the EA and LLFA. This would ensure that the development of the proposed sites for allocation could come forward as envisaged by the SADMP.

4. Consideration of a ‘fall – back’ position in respect of planned housing delivery relating to HRA and flooding issues

4.1. As can be seen above the Borough Council is seeking to provide certainty about the delivery of mitigation measures in respect of HRA and thus avoid the situation where there is non – delivery of allocations. Equally the Borough Council is demonstrating that it has an agreed position with the Environment Agency (as the overall body responsible for avoiding dangerously located development) to accept development in flood risk areas, but which can be suitably mitigated for by proportionate on – site measures. (See Appendix 3 for a schedule of Environment Agency comments)

4.2. Flexibility and deliverability

4.2.1. The particular issue here is that the Borough Council has potentially lost some capacity from the allocations in the Plan from Lynnsport and Marsh Lane (193 in total), and in addition doubt has been cast on the delivery of our main allocation at West Winch following the non-inclusion of a site there. The site is identified on the plan at Appendix 5. There is a clear concern that the Plan may not have the capacity to deliver overall numbers if these sites are delayed or lost.

4.2.2. The proposed Borough Council approach to how the housing delivery can be assured at the level required is made up of the following elements.

4.3.1. ‘Windfall’ development

4.3.1. Windfall housing is any residential development that is granted consent on land not specifically allocated for residential development in a Local Plan. This source of housing has made a significant contribution to the overall number of completions within the Borough over the plan period to date and will continue to do so. Allowances within the housing trajectory are made for windfall and projected forward. Within the SADMP, up until now, windfall completions have been included, but no future windfall allowance has been accounted for. This source of housing should be acknowledged as such within the SADMP. It is anticipated that this source will continue to form part of the housing completions in the Borough; this should be acknowledged as such. It does not currently

form part of the housing calculation in the plan. Appendix 4 shows the anticipated rates of windfall development per annum.

4.3.2. Appendix 4 illustrates a total windfall allowance of 228 dwellings p.a. this is based upon 75% of historic completions, acknowledging that there may be a reduction in the future. Theoretically this would provide a total of 2,736 dwellings over the remainder of the plan period. However, it is important to note that completions from this source could be lower than this. The 'Fosters' appeal inspector only made an allowance for a figure in the region of 645 dwellings arising from windfall sources over the same time period. Therefore, future windfall completions over the remainder of the plan period are to be expressed as a range between 645 – 2,736 dwellings. This would provide a degree of flexibility in the dwellings numbers within the SADMP.

4.4. The potential of some of our allocations to accommodate additional units beyond the number specified.

4.4.1. Appendix 4 also discusses the potential densities on allocated sites and compares these to actual applications received. The conclusion is that there is some flexibility apparent.

4.4.2. One of the main approaches to the density of the SADMP site allocations was to ensure that there is enough space for the required number of dwellings to be provided as well as the associated infrastructure, and other policy requirements to be realised on site. With the Strategic Sites there is a degree of uncertainty with regard to the precise location and exact space infrastructure such as a new link road or neighbourhood centre will occupy. Consequently some sites may be capable of accommodating additional dwellings, above the number stated within the relevant policy. A scheme proposed for higher numbers, could potentially be acceptable providing it is broadly compliant with the SADMP policy. It should be born in mind the Core Strategy provides for a minimum number of dwellings in the plan period (see Policy CS09) and each sub area, within CS09, requires 'at least' X dwellings. It would therefore not be contrary to the plan to achieve higher figures on individual sites This could result in an allocated site being developed and built out providing a higher number than stated with the SADMP policy for that site allocation. An appreciation of this degree of site / dwelling flexibility is provided as part of Appendix 4.

4.5. Re- considering allocations deleted between Preferred Options and Pre – Submission stage.

4.5.1. This is an issue in respect of Kings Lynn, where we are required to provide a minimum of 7000 houses over the plan period, but as a general point regarding flexibility it also applies to the rest of the borough where we must demonstrate how we will respond to sites not coming forward. However the focus is the King's Lynn area as the Core Strategy presents this as our most sustainable location accommodating a significant level of growth.

4.5.2. During the Pre-Submission consultation period in January representations were made about land at West Winch which had been removed from the allocation. This is resulted in strong representations from the landowner which are due to be considered by the Examination. The position of this land is discussed in Section 9.5 below. This is a particularly important situation as it affects our strategic allocation at West Winch/ North Runcton. We have undertaken a sustainability appraisal of the site at West Winch (See location plan within Section 9.5 below). The results of this are outlined in Appendix 8. Consideration of the main points is discussed at the 'options considered' section below. **The conclusion is that it is a suitable allocation to make as part of the SADMP.**

4.6. Actions proposed in respect of the five year supply of housing land.

4.6.1. In the light of a court judgement concluding the lack of a five year housing supply the Borough Council will (separately to the Local Plan) embark on a programme of bringing forward sustainable sites, beyond the planned allocations to bolster supply. This will of itself add numbers into the housing supply and help provide more flexibility for the Plan.

4.7. An early review of the Plan

4.7.1. This will ensure that we maintain as up to date a local plan as we can, including an assessment of housing need, and appropriate supply to meet the need. The Borough Council has already referred to an early review of the Plan, but this is proposed to be reinforced. (Appendix 7 outlines the policy wording required to give effect to this.)

4.8. Conclusion on issues of flexibility/ 'fall back' position

4.8.1. We consider that the above approach and detailed changes provide a pragmatic approach and display sufficient flexibility in response to the Inspectors questions. The LDF Task Group considered the position presented above and supported the approach proposed.

5. Strategic Environmental Assessment / Sustainability Appraisal

5.1. The Borough Council is required to provide assessments of the effect of its proposals on the sustainability of the Borough as a whole. This was done in respect of the Pre – Submission version of the Plan presented to the Examination as the 'Sustainability Appraisal Report'. Given that we are proposing to alter some of the policies / allocations in that version of the Plan we need to update the Sustainability Appraisal Report accordingly.

5.2. The update to the Sustainability Appraisal Report has been given the following document title: '*Proposed Minor Modification to the Sustainability Appraisal Report Incorporating Strategic Environment Assessment for the Site Allocations and Development Management Policies Pre-Submission Document, August 2015*'. This is presented at Appendix 8.

5.3. The proposed minor modifications can be split into two categories, those that impact upon the Development Management Policies, and those that impact upon the Settlement / Site Polices:

- Development Management Policies, proposed modifications:
 - A new policy (DM 2A) for the early review of local plan;
 - An amendment to the Green Infrastructure policy (DM19).
- Settlement / Site Policies, proposed modifications:
 - Updated flood risk information for King's Lynn, Hunstanton and Terrington St. John housing policies;
 - A parcel of land removed from the West Winch Growth Area at the Preferred Options Stage is now proposed for allocation.

5.4. The proposed minor modifications to the Development Management Policies result in an increased overall positive effect when scored against the 20 Local Plan Sustainability indicators. The undertaking of an early review of the Local Plan, DM2A, clearly has a highly positive effect. DM19 was adjudged to have a positive effect previously and the proposed minor modification to this policy result in a higher positive score. Collectively, the positive (243) outweighs the negative (-26) scores for proposed Development Management Policies including the proposed minor modifications. Therefore, overall the results illustrate a positive sustainability contribution for the Borough.

5.5. The proposed minor modifications to the Site and Settlement Polices result an increase of 4 to the overall positive scores of the Plan when appraised. However, there is an increase of 4 to the negative scores of the Plan. Overall, taking all site and settlement sustainability factors together, the positive scores (411) outweigh the negative (-206). This indicates that sites proposed for allocation to implement the Core Strategy provide gain in sustainability for the Borough.

5.6. We consider that the above approach and detailed changes, within Appendix 8, provide a pragmatic approach and display sufficient flexibility in response to the Inspector's questions.

6. Publishing modifications and public comment

6.1. Anticipating that there will be main modifications that need to be advertised we would prefer that these are published for comment at the end of the Hearings and allow a period for comments to be received and passed to the Inspector for his consideration before he reports back to the Council.

7. Timetable for the work and re-commencement of the Hearings

7.1. The Borough Council in considering the request to provide further evidence has undertaken additional work and held internal discussions with Members. This material and proposed approaches is presented above and in the Appendices. In order for us to properly present the material summarised above to Cabinet for consideration we have suggested to the Inspector that Hearings could re-commence at the end of September.

8. Other issues (not directly relevant to the Local Plan Examination)

8.1. Changes affecting affordable housing thresholds as a result of the Government losing a High Court challenge.

8.2. In November 2014 the Government announced they were making changes to national policy with regard to section 106 planning obligations. It considered that due to the disproportionate burden of developer contributions on small scale developers, for sites of 10-units or less, and which have a maximum combined gross floor space of 1000 square metres, affordable housing and tariff style contributions should not be sought.

8.3. In December 2014 Cabinet resolved to continue to apply a 5 unit threshold in rural villages, accepting that only a 10 unit threshold can apply in King's Lynn, Downham Market, Hunstanton, Dersingham, Heacham, South Wootton and Terrington St Clement.

8.4. West Berkshire District Council and Reading Borough Council challenged the decision of the Secretary of State (SoS) to introduce changes to the threshold for affordable housing requirements and the introduction of the 'vacant building credit', as set out in the Ministerial Statement issued on the 28 November 2014.

8.5. The two councils won on all their grounds of challenge, as a result of which the Judge granted a 'declaratory relief' which essentially quashes the ministerial statement and subsequent amendments to the NPPG (which have now been removed). **In the absence of the ministerial statement and planning guidance our legal opinion is that the position reverts back to the policies that were applicable pre-28 November 2014 and the thresholds identified in those policies for affordable housing (Core Strategy policy CS09) should be applied.**

9. Options Considered

9.1. **HRA issues** – We are proposing additional measures brought together with existing ones in a Mitigation and Monitoring Strategy. An alternative would be to not prepare such a strategy, but this would clearly hamper the presentation of a credible response to the Inspectors questions.

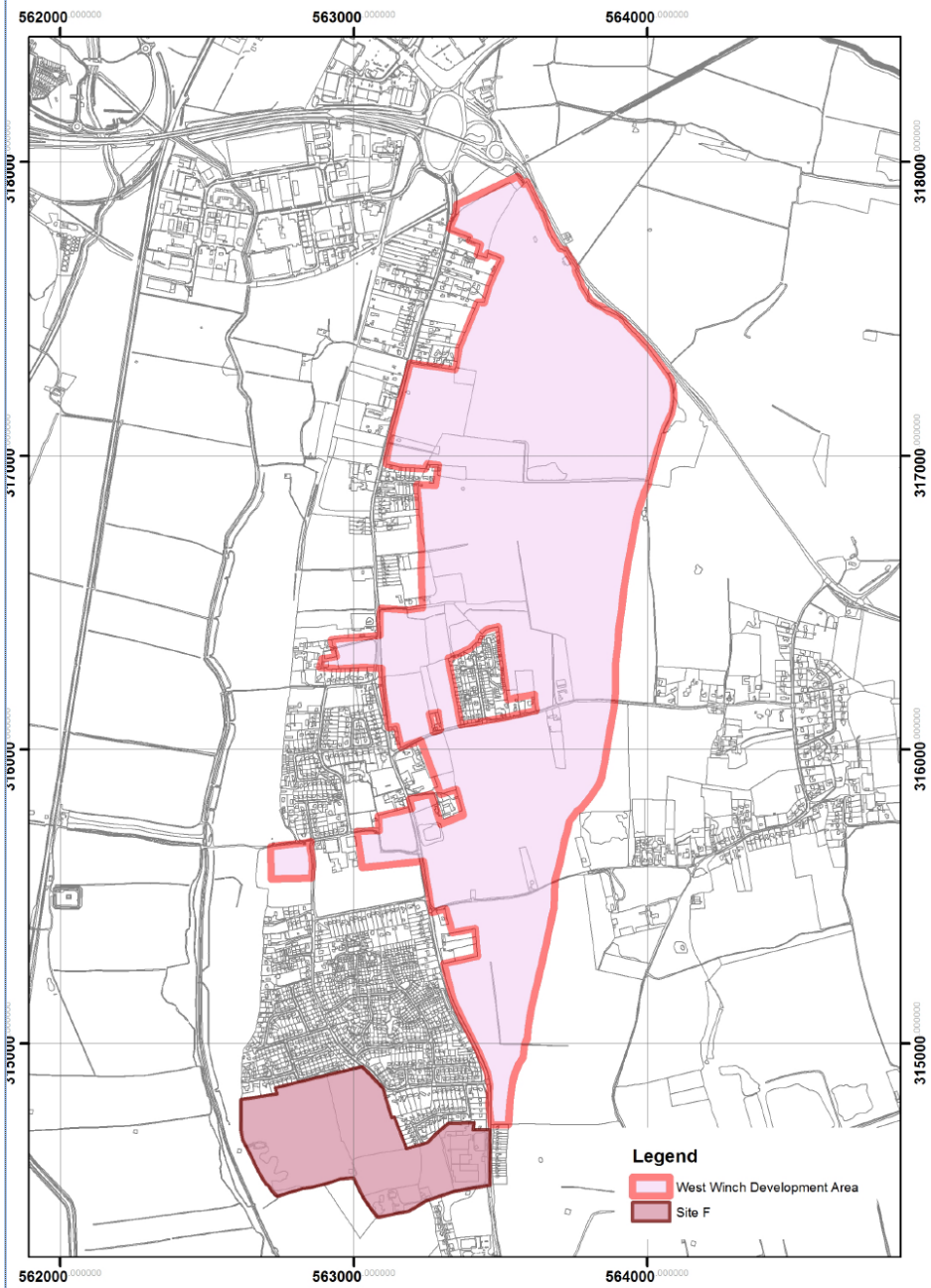
9.2. **Flood risk** – This section of the report essentially deals with a factual presentation of material for the Inspector.

9.3. **'Fall back' position for housing delivery** – This section itself presents a series of measures or alternatives. It is judged that all of the measures are relevant and should be used. The alternative of not demonstrating appropriate measures would cast doubt on the deliverability of the Plan.

9.4. **Alternative or additional site allocations** – Section 4.5.1 above introduces the broad rationale and locational issues. The section below (9.5 on) provides a description and justification for the re-inclusion of a site at West Winch.

9.5. **Land at Gravel Hill (Site 'F') - West Winch**

9.6. An area of land adjacent to Gravel Hill, West Winch (it is known also by the description as 'Site F'), and had long been included in consideration of proposals for the strategic growth planned for the area. Opposition to the development of this particular piece of land emerged as a significant issue (among many others) in responses to the Sites Plan Preferred Options consultation in autumn 2013. Please see the map below.



MAP B

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 Ordnance Survey 100024314



- 9.7. When considering the West Winch proposals for the submission version of the Sites Plan in the light of Preferred Options consultation responses, a decision was taken to remove Site F from the proposed allocation. In formulating its recommendations to the Cabinet, the LDF Task Group took into consideration the opposition to this site from nearby residents and the then Ward Councillor, and that there appeared to be sufficient space within the remaining allocation to accommodate the overall 1,600 dwellings sought.
- 9.8. The owner of Site F is Zurich Assurance Ltd. (ZAL), one of the two main landowners in the growth area, who has promoted and developed proposals for development of the area through the preparation of the Core Strategy and since. In response to the pre-submission consultation in early 2015, and in subsequent evidence to the Plan Inspector, ZAL has argued very strongly that the removal of Site F from the allocation threatens the viability and deliverability of the strategic growth as a whole, and renders the Plan unsound.
- 9.9. ZAL argues that the development planned for Site F cannot simply be relocated elsewhere because it is vital to the phasing and financing of its wider development. In turn this is critical to bringing forward the relief / distributor road and other infrastructure required to both enable the scale of growth planned and provide benefits for the existing local community. Because Site F is the part of ZAL's land that is relatively easily developed, it generates the finance for the infrastructure required to access and deliver other development areas (including land outside its ownership), which no other landowner is in a position to achieve.
- 9.10. In addition to the arguments in the previous paragraph as to why it should be included in the allocation, ZAL has also criticised the technical evidence supporting its exclusion. ZAL argues that the Sustainability Appraisal has inappropriately assessed Site F not on its own merits, but as part of a combined group covering a wider area, and that Site F does not suffer the demerits of the other sites in this group and that are assigned to the group as a whole.
- 9.11. In response to the latter argument put forward in the Examination, an updated sustainability appraisal for the West Winch Growth Area extent, has now been undertaken, with Site F separately identified, in order that it can be fully appreciated how this site performs in itself. The updated sustainability appraisal is found in Appendix 8. This identifies a broadly positive scoring for the sites inclusion.
- 9.12. A separate, but related, issue is the Inspector's emphasis on flexibility, and clear expectation that the Council should identify a fall-back position, to ensure the full amount of planned development could be delivered if housing numbers anticipated on any allocation were reduced for any reason (as has already happened in at least one case), or that development of any of the allocations should fail to proceed for any reason. In order to demonstrate a robust fall-back position the Council may have to reconsider some of the

unallocated sites, and identify some additional or extended sites in order to provide the flexibility and robustness the Inspector is looking for.

9.13. It is therefore reasonable to refocus on Site F, and in particular to reassess, in the light of more recent information and arguments, whether or not the exclusion of this land remains warranted.

- Site F has several advantages:
- It could form a logical extension to the existing development on the west of the A10.
- It is reasonably well situated in relation to existing facilities in West Winch (though not as close to these as some of the areas included within the submitted Growth Area boundary).
- It has reasonable road access and is not wholly dependent for this on the planned relief road or other major infrastructure.
- In addition to this housing, the development is also anticipated to provide new public open space on the southern side of the site.
- Most of it has a low flood risk, and the part that has a higher risk is expected to be included in the open space.

9.14. A particular benefit is that the site could potentially deliver completed houses in a relatively short time. This would help meet housing need, the delivery of the total planned growth for the West Winch area within the Plan period to 2026, and contribute significantly to the 5 year housing land supply.

9.15. The other, and key, advantage is the financial contribution the development could make, and relatively early in the overall development of the West Winch Growth Area. The early availability of infrastructure etc. funding from the value of completed properties on relatively easily developed parts of the growth area is critical to the delivery of the overall growth, and also to meeting the concerns of the Parish Councils and existing residents that the relief / distributor road should be completed as early as possible. Such early funding can be seen as 'pump-priming' for the wider development.

9.16. It is this latter aspect that ZAL emphasises in the objections it has presented to the Inspector. It is not surprising that a landowner would wish to maximise the area to be developed, but ZAL is insistent that its objection is more fundamental than this. This argument is given credibility by the evidence attached to the submission to the Examination. Without access to detailed costings and other information not currently available to the Council, it is difficult to counter ZAL's evidence to the Inspector.

9.17. Thus the Council finds itself in the position that ZAL – one of the two key players delivering the largest single element of the Council's Core Strategy, and a long-term, constructive and cooperative partner (even when there have been divergent views) who would otherwise be supporting the Council at the Plan examination (as it did for the Core Strategy) – is now strongly opposing the Sites Plan in the current examination. ZAL has stated

to the Council and to the Inspector that, but for the exclusion of Site F, they would support the Plan, and have agreed a 'statement of common ground' to this effect.

9.18. Against the advantages outlined above, the proposed development of Site F attracted a number of objections from local residents who wish to retain the open aspect this site provides from Gravel Hill and other nearby housing, and support for these objections from the then Ward Councillor. The site is one of a significant number of areas the current draft neighbourhood plan seeks to protect from development. (Note this draft plan is currently being consulted on by the Parish Councils, and at this stage can be given little weight formally.) There were also several objections suggesting the road access would be inadequate for its development.

9.19. It is suggested that, notwithstanding these objections, development of the site would by itself provide what could easily be argued to be sustainable development (as defined by the NPPF), and it might therefore be difficult to resist a planning application for its development in the current context of the difficulty in demonstrating a 5 year housing land supply. The need to demonstrate flexibility and a fall-back position to the Plan Inspector also points to a need to review such arguably marginal sites. Those matters should be considered alongside the case that ZAL is putting, and which the Council cannot confidently refute: that the exclusion of Site F effectively puts at risk the whole of the planned Growth Area delivery, and thus a key plank of the Core Strategy and the soundness of the Sites Plan currently before the Inspector.

9.20. It is conceivable that there are alternative options of sites and combinations of owners in the vicinity of West Winch which could potentially provide a means of unlocking and bringing forward the strategic growth and infrastructure in the plan area. None, however, are currently known. More particularly, it is certainty now, and practical deliverability within the next 11 years, that the Council is being tested on in the Plan Examination. The theoretical existence of potential alternatives which future work may or may not bring to fruition would not provide the Council with the evidence to defend the deliverability, and hence soundness, of the submitted Plan. Unless the Inspector finds the Plan sound, the Council will not be able to adopt it.

9.21. **Conclusion**

9.22. It was appropriate that the Council, at the earlier stage, recognised local issues and sought to reconfigure the Growth Area boundaries to address the objections of neighbouring occupiers. However, the Council has since received new information, and now finds itself in a very changed situation with respect to progress of the examination of the Plan and maintaining the strategic thrust of the Core Strategy and the 5 year housing land supply situation. In the circumstances it is not considered there are other reasonable alternatives which provide suitable support for the SADMP. **Hence it is appropriate (as noted above) that the Council reconsiders the position and should reinstate Site F in the Growth Area allocation.**

10. Policy Implications

10.1 The Core Strategy remains the overall strategic plan for the Borough and the provisions of the SADMP give effect to these. There are clearly local considerations with individual locations and policies, but the approaches and changes outlined above are compatible with the Core Strategy.

11. Financial Implications

11.1 There are no direct adverse financial implications for the Borough Council. The requirement for a levy on new housing will be a positive aspect allowing for relevant expenditure on habitat mitigation and monitoring.

12. Personnel Implications

12.1 None

13. Statutory Considerations

13.1 The SADMP / Local Plan is a statutory requirement and the measures outlined above are intended to demonstrate the practicality and deliverability of the proposed and amended Plan document.

14. Equality Impact Assessment (EIA)

14.1 Pre-screening report attached.

15. Risk Management Implications

15.1 The measures proposed are a mechanism to reduce the risk that the Plan will be found 'unsound'.

16. Declarations of Interest / Dispensations Granted

16.1 None received.

17. Background Papers

17.1 All relevant papers attached.

List of Appendices

Appendix 1 – Inspector's request for further information

Appendix 2 – Mitigation and Monitoring Strategy (including Habitat Regulations Assessment update).

Appendix 3 – Flood risk issues and Environment Agency responses / schedule of sites

Appendix 4 – Anticipated rates of windfall development and outline of site density assumptions

Appendix 5 – Location plan for site at Gravel Hill West Winch

Appendix 6 – Sustainability Appraisal results for land at Gravel Hill West Winch

Appendix 7 – Wording for proposed new policy on an early review of the Plan

Appendix 8 – Sustainability Appraisal results and updates for new policies added:

APPENDIX 1

Inspector's questions to the Borough Council

King's Lynn and West Norfolk: Site allocations and Development Management Policies Examination

NOTE FROM THE INSPECTOR

ADJOURNMENT OF THE HEARING SESSIONS

Having read the evidence and listened to the discussion at the first hearing session on 7th July, it became clear to me that there is a significant risk that the Site Allocations and Development Management Plan (SADMP), in its current form, could not be found sound. My concerns are twofold and to some extent are inter-linked and relate to the need for the Plan to be justified (the most appropriate strategy); effective (deliverable); and consistent with national policy¹.

Within the Borough are a number of European sites of nature conservation importance (for example Special Areas of Conservation) and also part of the Breckland Special Protection Area where, for example, the protection of woodlarks and nightjars is sought.

A number of the proposed housing allocations may have detrimental consequences for the protected sites and species and this is acknowledged by the Council. Indeed a number of policies reflect this concern. For example policies E2.1 (West Winch Growth Area) and E4.1 (Knights Hill) both refer to a requirement for an agreed package of habitat protection measures to mitigate potential adverse impacts on nature conservation sites.

My primary concerns are that there is insufficient evidence regarding the potential implications of the proposed developments on the protected sites and species and that there is no detailed consideration of the mitigation measures that may be required, as part of any development package, to satisfactorily address those 'implications' – either on-site or off-site.

Policy E1.13 (King's Lynn Green Infrastructure) refers to the provision of 'habitat protection measures relating to mitigation of potential adverse recreational impacts on Natura 2000 sites associated with housing and other developments' and the Council's Statement on Issue 1² (page 23) refers to the Council being in discussion with stakeholders, working

¹ National Planning Policy Framework paragraph 182

² Document CREP-01

towards a Mitigation, Monitoring and Green Infrastructure Delivery Plan (MMGIDP). In paragraph 3.3 of the draft Statement of Common Ground between the Council, Natural England, the Norfolk Wildlife Trust and the RSPB (which highlights a number of outstanding concerns) the Council concludes that the timescales for producing the MMGIDP are too long to meet the timetable for the Examination. This may be the case but I need to be more certain that appropriate mitigation can be provided, or failing that, that the Council has a suitable fall-back position in the event that satisfactory mitigation cannot be achieved.

Similarly there are a number of sites where concerns about flood risk have been raised, including from the Environment Agency and the Internal Drainage Board. Policy DM 21 (Sites in Areas of Flood Risk) refers to the need for site specific flood risk assessments in some circumstances and this is repeated in some of the specific allocation policies, for example Boal Quay, King's Lynn and Knights Hill. Indeed in the latter case (policy E4.1) it is confirmed that a detailed assessment would be required on issues (including flood risk) 'which are likely to affect the extent and design of the development'.

Clearly the evidence base needs to be proportionate and I would not expect the detail that may be required to accompany a planning application. Nevertheless I need to be confident that should the more detailed assessments conclude that a site could not satisfactorily accommodate the level of development proposed, then there is a fall-back position which would ensure that the Council's current overall housing figures could still be achieved in the plan period.

NPPF paragraph 14 refers to the need for Plans to be 'sufficiently flexible to adapt to rapid change' and currently I consider there is insufficient flexibility embedded in the Plan to cope with any change in circumstances that may arise from the additional work that would be expected by the Council (probably at planning application stage) on nature conservation mitigation measures and flood risk assessments.

I am therefore asking the Council to provide further evidence:

- regarding the implications of the proposed allocations in the SADMP on European nature conservation sites and protected species;

King's Lynn and West Norfolk: Site allocations and Development Management Policies Examination

- relating to how the Council proposes to address those implications, particularly in terms of mitigation measures, bearing in mind issues of delivery and viability;
- on its approach should it be concluded (following further detailed assessment) that mitigation measures cannot be satisfactorily provided to overcome all the implications (i.e. the fall-back position); and
- on its approach should it be concluded that issues of flood risk on particular sites would have consequences for the amount of development proposed (i.e. the fall-back position).

For the avoidance of doubt it is not being suggested that the number of dwellings being proposed by the Council should be raised – rather it is the delivery of those dwellings over the plan period that needs to be secured.

It would be helpful if the Council could provide an indication of the approach it intends to take and a preliminary timetable for the work to be undertaken. I do not wish to pre-judge the Council's approach but would comment that any implications of any additional evidence to be submitted, in terms of the Sustainability Appraisal, the Habitats Regulation Assessment and public consultation, should be considered by the Council.

David Hogger

Inspector

9th July 2015

APPENDIX 2

AS A SEPARATE DOCUMENT

**Borough Council of King's Lynn
and West Norfolk Natura
2000 Sites
Monitoring
and
Mitigation
Strategy**

August 2015

APPENDIX 3

Provision of a Schedule of allocated sites at risk of flooding and the Council's approach towards their satisfactory development

Introduction

Included is a detailed schedule of all allocated sites at risk of flooding. This details the nature of flood risk, statutory consultee comments, how this is presented in the SA, the approach within the SADMP, potential flood resilience measures and if appropriate comments that have been made in response from site agents / owners.

A list of all the proposed allocations and the flood risk is provided, as is a table of planning applications on sites that display similar characteristics in terms of location and flood risk as the proposed allocations.

Appendices 3 and 4 of the SADMP set out the BCKLWN's general approach to allocating on sites at risk of flooding. This should be viewed alongside Policies DM21 'Sites in Areas of Flood Risk' and the site policies (E.1 to G.129) which, where appropriate, include criteria around provision of site specific Flood Risk Assessments, etc. More specifically within the Coastal Flood Risk Hazard Zone, policy DM18 should be considered.

Points to note:

- The BCKLWN works closely with all the relevant bodies on matters relating to flood risk- the EA, IDBs, NCC as the Lead Local Flood Authority and Anglian Water Services.
- A significant area of King's Lynn and several settlements within the Borough are at varying degrees of flood risk, identified in the SFRA, EA Tidal River Hazard Mapping etc.
- The BCKLWN agreed an approach to assessing, choosing and allocating sites in areas of flood risk with the Environment Agency. This is set out in Appendix 3 of the SADMP.
- Appendix 4 of the SADMP includes the Flood Risk Protocol (2012) between BCKLWN and the EA on how the Borough Council's SFRA and the EA Tidal River Hazard Mapping will be used in relation to planning applications.
- The Core Strategy policy CS01 states that 'new development is guided away from areas at risk of flooding....recognising development may be required within flood risk areas to deliver regeneration objectives within King's Lynn and maintain the sustainability of local communities in rural areas'.

- Policy CS08 Sustainable Development reiterates policy CS01, and includes criteria for proposals in high flood risk areas.
- There is an agreed Position Statement between BCKLWN and the EA (details are included in paragraph 3.15 of Appendix 3 of the SADMP) which explains our approach to allocating sites in areas of flood risk.
- The SADMP includes policy DM21 'Sites in Areas of Flood Risk', and also many of the site policies (where appropriate) include criteria requesting a site specific FRA as part of the application process.
- The BCKLWN/ EA published the Flood Risk Design Guidance. A proposed amendment to the SADMP is to include a reference to this within policy DM21 (see BCKLWN Examination Issue Statement 2, pages 37-38).
- There is also a specific policy (DM18) on the Coastal Flood Risk Hazard Zone (Hunstanton to Dersingham) in the SADMP. Paragraphs C.18.1 to C.18.9 provide additional information on this and refer to a Coastal Flood Risk – Planning Protocol for the area. The intention is that policy DM18 replaces this.
- The EA have recently produced updated Tidal River Hazard Mapping, this supersedes the earlier version. The EA have reviewed all of the proposed allocations contained within the SADMP, in light of the new mapping, and do not suggest any changes.

Delivery:

- The EA made no objection to any allocations in the Plan. In our towns the EA do make comments on the allocations. In the rural area they 'consider that flood risk to these sites can be adequately addressed at full planning stage by the application to policy DM21'.
- A few of the IDBs have raised concerns at a few specific locations. These are detailed within the following table.
- As of 26 March 2014, DEFRA and the EA require a flood risk assessment for most developments within one of the flood zones. This includes developments:
 - in flood zone 2 or 3 including minor development and change of use
 - more than 1 hectare (ha) in flood zone 1
 - less than 1 ha in flood zone 1, including a change of use in development type to a more vulnerable class (e.g. from commercial to residential),

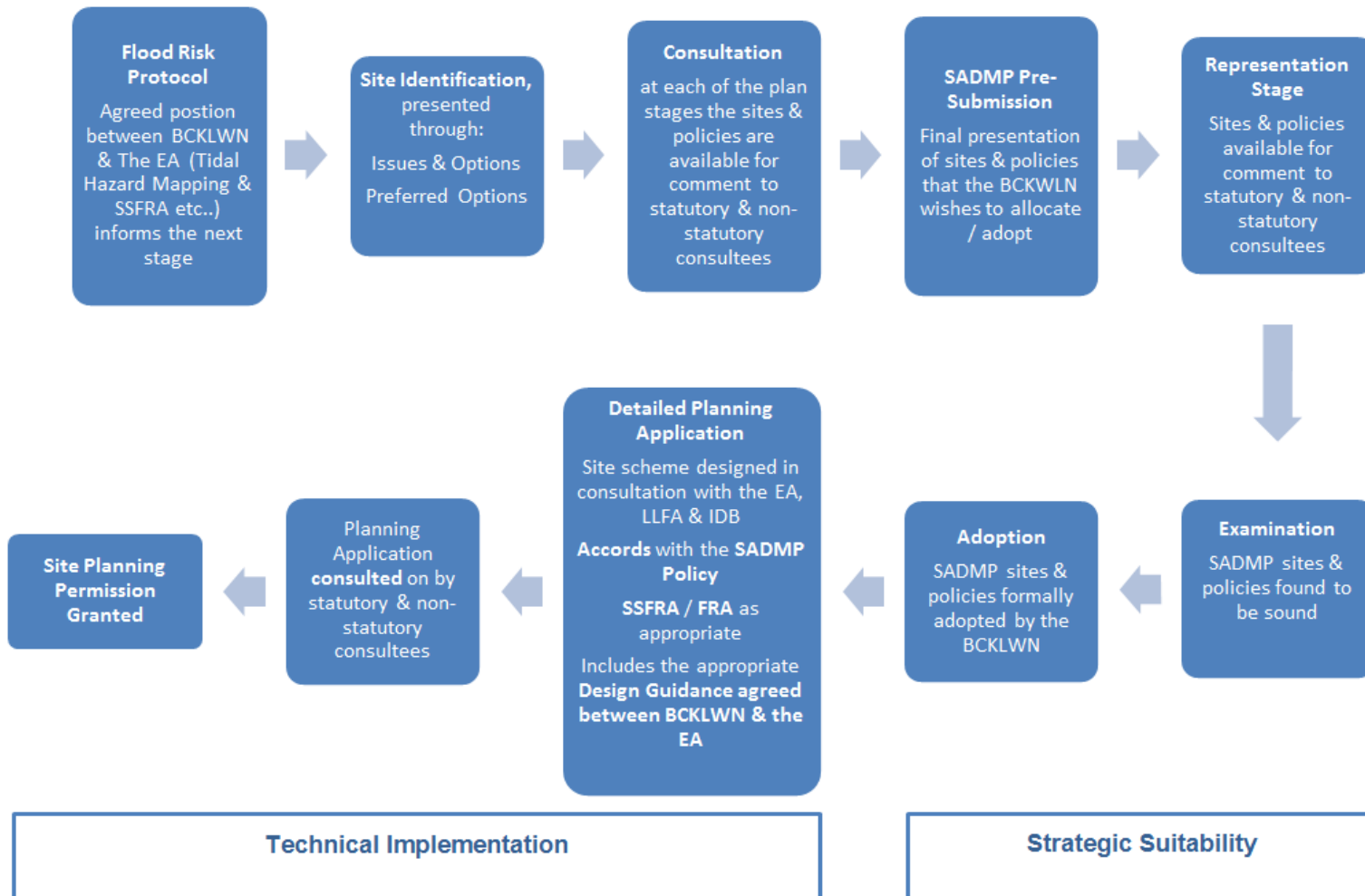
where they could be affected by sources of flooding other than rivers and the sea (e.g., surface water drains, reservoirs)

- in an area within flood zone 1 which has critical drainage problems as notified by the Environment Agency

A flood risk assessment is not required for a development that's less than 1 ha in flood zone 1 unless it could be affected by sources of flooding other than rivers and the sea, e.g. surface water drains.

- As this approach is standard practice, the policies for proposed allocation sites within Flood Zone 1 that are over 1 ha do not contain a specific policy item in relation to this, as it will clearly be required at the detailed planning application stage.
- A Surface Water Management Plan (SWMP) is being prepared by the Lead Local Flood Authority (LLFA), Norfolk County Council, for King's Lynn and West Norfolk settlements. This should be available from September 2015. This will identify areas which are particularly vulnerable to surface water flooding. The SWMP may define Critical Drainage Catchments. Any development within them is likely to increase the risk of flooding in the most vulnerable areas if no mitigation takes place.
- From 6 April 2015 sustainable drainage systems are required for developments of 10 or more dwellings, unless it can be demonstrated to be inappropriate. Local planning authorities in considering planning applications will consult with the LLFA on the management of surface water. As this is standard practice, a SUDS policy item is not always present within a site's policy, as this will be addressed at the detailed planning application stage.

Below is a simplified diagram that illustrates the site identification process with regard to flood risk, through to the grant of planning permission.



Conclusion

This document has highlighted the agreed method between BCKLWN & EA for allocating sites in areas at risk of flooding and agreed design guidance for development within areas at risk of flooding. The full schedule to be supplied to the inspector identifies the proposed sites for allocation within the SADMP and the flood risk at these locations also demonstrating that the EA, the overall body responsible for avoiding dangerously located development, do not raise objection to any of the proposed sites for allocation.

There have clearly been applications and permissions granted for similar developments, as proposed by the SADMP, in terms of location, size and flood risk.

Comments received from Internal Drainage Boards as a result of the SADMP representation stage (January / February 2015) have been taken into consideration, and in consultation with our Development Control section and the relevant site agents / owners, the BCKLWN are confident that there are design solutions available. The detail of the schemes can be developed in consultation with Norfolk County Council, as the LLFA, and the relevant IDBs at the detailed design stage, that would inform a detailed planning application, which would be commented upon by the EA and LLFA. This would ensure that the development of the proposed sites for allocation could come forward as envisaged by the SADMP.

The sites appreciation of flood risk as relevant to the allocation of a site in the SADMP has been considered by the EA in their comments. The requirement for a site specific FRA ensures consistency with our agreed protocol and enables detailed technical design solutions to be implemented. Therefore the site specific FRA is not a further constraint to bringing forward development

APPENDIX 4

SADMP: Consideration of a ‘fall – back’ position in respect of planned housing delivery relating to HRA and flooding issues.

BCKLWN approach to how the housing delivery can be assured at the level required. In summary the BCKLWN will consider the contributions made by:

1. ‘Windfall’ development – which will continue to form part of the housing completions in the Borough and this should be acknowledged as such. It does not currently form part of the housing calculation in the plan.
2. The potential of some of our housing allocations detailed within the SADMP to accommodate additional dwellings beyond the number specified in the policy.

1. ‘Windfall’ Development

Windfall housing is any residential development that is granted consent on land or buildings not specifically allocated for residential development in the Local Plan, either the 1998 Local Plan or the SADMP. Windfall development takes place on unallocated land and continues to form a large part of housing completions within the Borough.

Allowances within the housing trajectory are made for windfall from large and small sites, this allowance is projected forward. Within the plan, up until now, windfall completions have been counted but future windfall completions have not been factored in. As illustrated below this source of housing makes a significant contribution to the overall number of dwellings that have completed over the plan period to date, and will continue to do so. Therefore this significant source of housing should be acknowledged within the plan as such.

The windfall allowance is based on compelling evidence that such sites have consistently become available and will continue to provide a reliable source of supply. The allowances are realistic, taking account of historic windfall delivery rates and do not include residential gardens. This complies with the NPPF, paragraph 48.

Windfall Statistics:

- There were 3,958 completions from windfall sites between 2001 and 2014, out of a total of 8,093 completions, this equates to 49% of the total completions.
- 59% of the 3,958 windfall completions were derived from large (10 or more dwellings) windfall sites totalling, 2,327.

- 41% of the 3,958 windfall completions were derived from small (less than 10 dwellings) windfall sites, 1,631.
- On average windfall on large sites contributed 179 completions per annum between 2001 and 2014.
- On average windfall on small sites contributed 125 completions per annum over the same time period.

Recognising that there may be some reduction in the completion rate of windfall development in the future only 75% of the average completions per annum between 2001 and 2014 are used to project forward, this is known as the windfall allowance.

- This provides a large site windfall allowance of 134 dwellings p.a.
- A small site windfall allowance of 94 dwellings p.a.
- A total windfall allowance is 228 dwellings p.a.

Using this reduced windfall allowance over the remaining 12 years of the plan period, years since the publication date of the trajectory 2013/14, this would equate to a further 2,736 dwellings arising from windfall sites. The breakdown of this is 1,608 dwellings on large windfall sites and 1,128 dwellings on small windfall sites. The windfall rate will be recalculated each year, with the inclusion of another years' worth of completions from this source.

The stock of small site permissions is continually replenished and will be added to in the future as the Council adopts a new policy to allow infilling in the smaller villages and hamlets category of settlements within the hierarchy, Policy DM3 in the SADMP.

The approach with regard to the allocation of sites within the SADMP process, with the exception of King's Lynn, has been to allocate sites that are outside of settlement development boundaries. This will still allow large and small windfall sites to come forward within the development boundaries as the geographic area within the development boundary hasn't been reduced by allocations within the SADMP. Paragraph D.1.8 of the SADMP Pre-Submission document, Section D .1 distribution of development states *'it is important to note that not all of this planned growth will be delivered through site allocations. Part of the growth will be delivered on sites with existing planning permissions, and others will come forward on unallocated sites within development boundaries (especially within towns).'*

Following a court judgment showing the BCKLWN to have a lack of a five year housing land supply, there is the potential, at least in the short term, for an increased

number of dwelling to come forward on unallocated land including land outside of the development boundaries, providing the location is sustainable. This potentially could boost the windfall completion number above the windfall allowance, as this assumes that windfall development would mainly arise from unallocated land within the development boundaries.

The table below details windfall development completions 2001 – 20014

Financial years of completions	2001/2002	2002/2003	2003/2004	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/13	2013/14	Total	Average pa	Reduction	Assumed Rate
Allocated (completion units - large schemes on allocated sites)	219	175	236	221	222	233	215	198	90	148	186	103	167	2,413	186		
Unallocated (completion units - large schemes on unallocated sites)	77	238	284	271	186	133	450	147	56	134	234	53	64	2,327	179	*75%	134
Unallocated - Minor Sites (Less Than 10 Dwellings)	236	229	295	328	275	271	432	230	168	278	204	166	241	3,353	258		
* minor sites - garden land and greenfield	173	121	195	174	187	163	151	79	54	119	92	66	106	1,680	129		
* minor sites - greenfield (not garden land)																	
* minor sites - brownfield	63	108	100	154	88	108	281	151	114	159	112	58	135	1,631	125	*75%	94
* based on % as per AMR 04/05 to & including 09/10. 01/02 - 03/04 = B control completions/ 11/12 % as per site.	27%	47%	34%	47%	32%	40%	65%	66%	68%	57%	55%	67%	56%				
Total Windfall	140	346	384	425	274	241	731	298	170	293	346	111	199	3,958	304	*75%	228
Total Unallocated	313	467	579	599	461	404	882	377	224	412	438	219	305	5,680	437		
Totals	532	642	815	820	683	637	1,097	575	314	560	624	322	472	8,093	623		
* Note Garden land was classed as brownfield until 31 March 2010. Figures here represent that and have not been amended. From April 11 the new classification has been used.																	

2. The potential of some of our allocations to accommodate additional units beyond the number specified.

The Council's approach to the potential density of allocated sites is described in detail within the Council's statement 'Issue 3: The Broad Distribution of Housing (Section D.1)' section 3.3.

One of the main approaches to the density, of SADMP site allocations, was to ensure that there is enough space for the required number of dwellings to be provided and the associated infrastructure and other policy requirements to be realised on the allocated site. With the Strategic Sites there is a degree of uncertainty with regard to the location and exact space infrastructure such as a new link road or neighbourhood centre will occupy. Some sites may be capable of delivering the desired dwelling numbers that result in part of the site being undeveloped.

This undeveloped area could potentially be allocated in future plans, utilised in the review of the plan or a planning application could come forward that detailed higher numbers than the relevant policy, providing the proposed scheme was broadly compliant with the allocated site's policy within the SADMP, this may potentially be acceptable. This could result in an allocated site being developed and built out providing a higher number than stated with the SADMP policy for that site allocation.

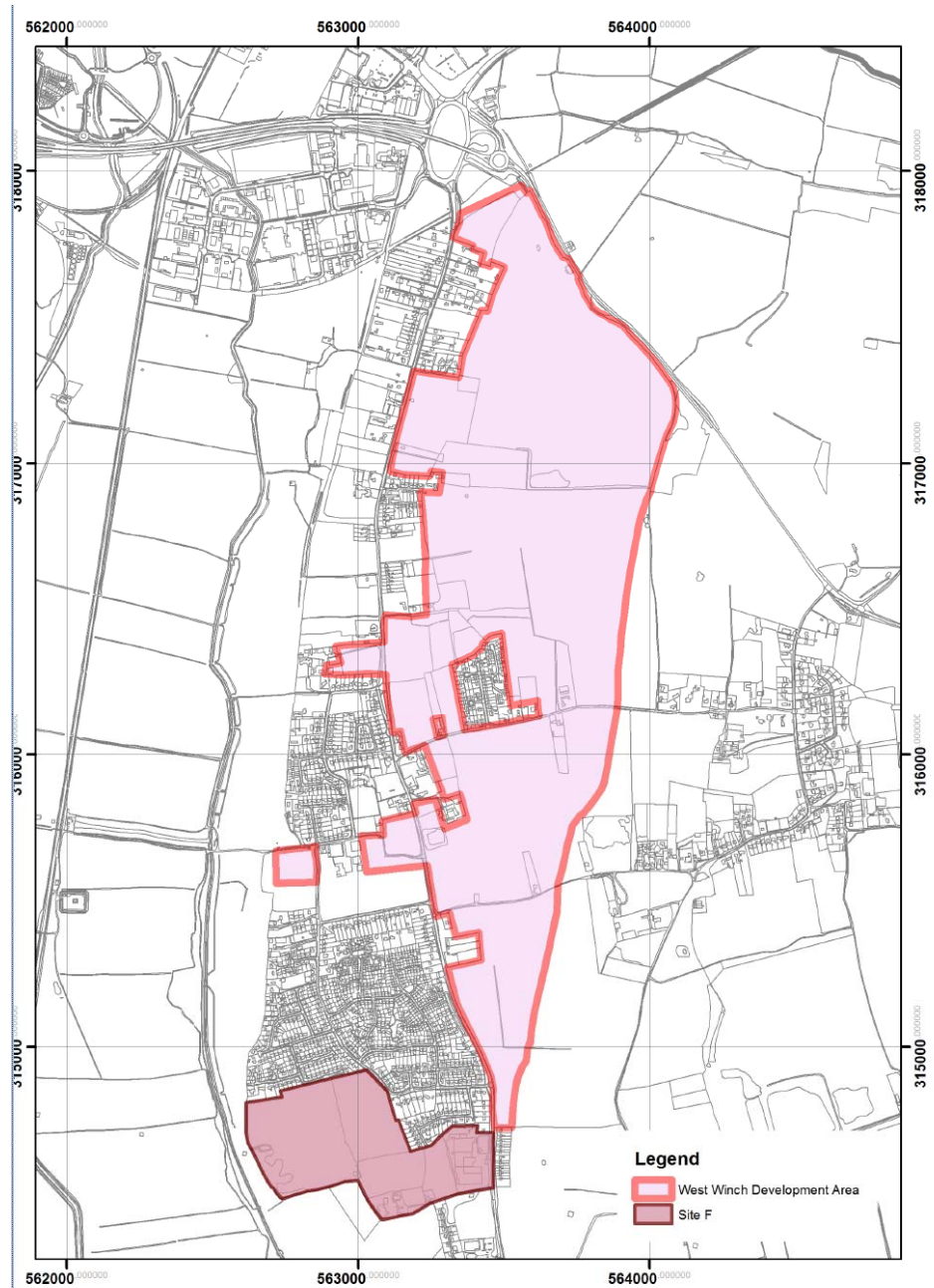
Overleaf is a list of some of the sites that could have the potential to provide a higher number than the stated by the corresponding SADMP site policy. This is not to exclude the other sites, but to give an indication based upon comparing the desired model density and the SADMP modelled density.

It should be noted that any proposed development will need to ensure that it is acceptable in terms of normal planning requirements. It is not the intention to overload or overcrowd the viability.

Settlement	Site Ref	Dwelling Allocation	Gross Site Area (Ha)	Model Net Area (Ha)	Model Density (dw per Ha)	SADMP Modelled Density (dw per Ha)	Policy Overview
West Winch	Growth Area	1,600	171	128	39	13	new road, open space, neighbourhood centres, provision of space for future development
South Wootton	E3.1	300	40	30	39	10	Large area of Flood Zone constraints, recreational space, new road network, doctors site, school expansion land, SUDS
Knights Hill	E4.1	600	36.9	27.6	39	22	to blend in with the surrounding developments, new road
Downham Market	F1.3	250	16.2	12.2	36	20	landscape buffer, road network, GI , recreation space
	F1.4	140	13.9	10.4	36	14	new road network, landscaping, GI, recreational space
Wisbech Fringe	F3.1	550	25.3	18.9	36	29	road network, potential new school site, SUDS, public right of way enhancements
Docking	G30.1	20	3.4	2.55	24	8	Landscaping, pond retention, SUDS
Gayton	G41.1	23	2.8	2.1	24	11	Reflect the local settlement pattern
Heacham	G47.1	60	6	4.5	24	13	Recreation space, SUDS

APPENDIX 5

Location plan for land at Gravel Hill - West Winch



MAP B

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APPENDIX 6

Sustainability Appraisal relating to West Winch Site 'F'

Please see APPENDIX 8, page 22.

Appendix 7

Proposed New Policy - An early review of the Plan

DM2 - Early Review of Local Plan

An early review of the Local Plan will be undertaken, commencing with the publication of a consultation document (a Draft Local Plan) in 2016. This is set out in the Local Development Scheme (LDS). An early review will ensure a set of deliverable and achievable housing sites for the duration of the Plan period, with the most up to date policy framework to secure continuity for the longer term.

The review will identify the full, objectively assessed housing needs for the District and proposals to ensure that this is met in so far as this is consistent with national policy (National Planning Policy Framework).

**Proposed Minor Modification to the
Sustainability Appraisal Report
Incorporating Strategic Environment
Assessment for the Site Allocations and
Development Management Policies Pre-
Submission Document**

August 2015

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Introduction

This document illustrates the proposed minor modifications to the Sustainability Appraisal Report Incorporating Strategic Environment Assessment for the Site Allocations and Development Management Policies Pre-Submission Document. It is important to note that this document should be read in conjunction the Sustainability Appraisal Report Incorporating Strategic Environment Assessment for the Site Allocations and Development Management Policies Pre-Submission Document 2015.

The proposed modifications can be split into two categories, those that impact upon Development Management Policies, A, and those that impact upon Site Polices, B.

A. Development Management Policies, proposed modifications:

- a new policy (DM 2A) for the early review of local plan
- an amendment to the Green Infrastructure policy (DM19)

B. Site Policies, proposed modifications:

- Updated flood risk information for King's Lynn, Hunstanton and Terrington St. John housing policies
- A parcel of land removed from the West Winch Growth Area at the Preferred Options Stage is now proposed for allocation

These modifications are presented in the table overleaf. How the modifications would be viewed within the Sustainability Appraisal Report itself, are then presented within the accompanying appendices.

The proposed minor modifications to the Development Management Policies result in an increased overall positive effect when scored against the 20 Local Plan Sustainability indicators. The undertaking of an early review of the Local Plan, DM2A, clearly has a highly positive effect. DM19 was adjudged to have a positive effect and the proposed minor modifications to this policy increase the positive scores. Collectively, the positive (243) outweighs the negative (-26) scores for proposed Development Management policies, including the proposed minor modifications. Therefore, overall the results illustrate a positive sustainability contribution for the Borough

The proposed minor modifications to the Site and Settlement Polices result an increase of 4 to the overall positive scores of the Plan when sustainable appraised. However, they also result in an increase of 4 to the negative scores of the Plan. Overall, taking all sustainability factors together, the positive scores (411) outweigh the negative (-206), indicating that sites proposed for allocation to implement the Core Strategy provide gain in sustainability for the Borough.

Table of Proposed Minor Modifications

SA Page Numbers	Policy	Issue	Proposed Amendment	Justification
A. DM Policies				
46	DM Policy overview	Incorrect indicator is mentioned	Replace with the correct indicator (See Appendix 5)	Ensure the accuracy of the document
New	New Policy DM2A – Early Review of Local Plan	This new policy will need to be presented in the SA with the other DM policies	Update the SA accordingly (See Appendix 1,2,3 &4)	To take account of an additional DM policy
61	DM19	A proposed amendment to this policy will need to be presented within the SA	Update the SA accordingly (See Appendix 1,2 &4)	To take into account the proposed modifications to DM19
B. Site Policies				
208	Hunstanton Housing Sites F2.4 (997)	The commentary of the site correctly identifies the flood risk, but the SA score for 'Flood Risk' is incorrect.	Change the Flood Risk Sustainability Factor score from '+' to '+/x'. (See Appendix 6,7,&8)	Accurately reflect the risk of flooding for site F2.4 in the SA table.
221	King's Lynn Housing Sites: E1.5 E1.6 E1.8 E1.10 E1.11	Risk to flooding not accurately presented within the SA	Change the Flood Risk Sustainability Factor scores as below: <ul style="list-style-type: none"> • E1.5 from '+/x' to 'xx' • E1.6 from 'xx' to '+/x' • E1.8 from 'x' to 'xx' • E1.10 from 'x' to 'xx' • E1.11 from 'x' to '+/x' And amend the site commentary accordingly (See Appendix 6,7&9)	Accurately reflect the risk of flooding for housing sites E1.5, E1.6, E1.8, E1.10 & E1.11 in the SA.

303	Terrington St John: G94.1	The commentary of the site correctly identifies the flood risk, but the SA score for 'Flood Risk' is incorrect.	Change the Flood Risk Sustainability Factor score from 'xx' to 'x'. (See Appendix 6,7 &10)	Accurately reflect the risk of flooding for site G94.1 in the SA table.
380	West Winch Growth Area	Update the SA to include Site 984, 1034 as allocated	Updated SA table and commentary as seen within appendix (See Appendix 6,7 &11)	To reflect the updated allocation

Development Management Policy Changes Appendices

Appendix 1: Amended Table 5.2a - Development Management Policies Options Scoring

Table 5.2a – Development Management Policies Options Scoring (Page 67)

Policy		SA Objective:																			Overall Effect
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	
DM 2A Early Review of Local Plan	Preferred Option																				
	No Policy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	PP23 (DM 2A)	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++
DM 19 Green Infrastructure	Preferred Option	++	0	++	+	+	0	0	++	++	0	++	++	0	++	++	++	0	+	0	+
	Option 1	+	0	x	+	+	0	0	+	x	0	x	~	0	~	x	x	0	x	0	x
	PP10	++	0	++	+	+	0	0	++	++	0	++	++	0	++	++	++	0	+	0	+
	PP10 A (DM19)	++	0	++	++	++	0	0	++	++	0	++	++	0	++	++	++	0	+	0	+

Commentary

DM2 – Undertaking an early review of the Local Plan will clearly have a positive effect.

DM 19 – This Policy is judged to have a positive effect. The alternative would be no specific policy, relying on the National Planning Policy Framework and general planning principles, which is considered a ‘neutral’ option.

Appendix 2: Amended Table 5.2b - Combined and Aggregated Scores of Proposed (only) Development Management Policies

Table 5.2b - Combined and Aggregated Scores of Proposed (only) Development Management Policies (Page 72)

Policy		SA Objective:																				Overall Effect
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
DM 1 Presumption in Favour of Sustainable Development	Proposed Policy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Not significant
DM 2 Development Boundaries	Proposed Policy	+	++	0	0	+/x	+/x	+/x	+	+	0	0	0	0	+/x	+	0	x	0	0	+	Positive
DM 2 A Early Review of Local Plan	Proposed Policy	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	Positive
DM 3 Infill Development in the SVAH's	Proposed Policy	x	xx	0	x	x	0	x	x	x	0	0	0	0	0	xx	0	+/x	++	x	x	Negative
DM 4 Houses in Multiple Occupation	Proposed Policy	0	~	+	0	0	0	+	++	0	~	0	+	+	0	0	+	+	0	++	++	Positive
DM 5 Enlargement of Dwellings in the Countryside	Proposed Policy	0	0	0	0	+	0	++	+	+	0	0	0	0	0	0	0	+/x	0	0	0	Positive

Policy		SA Objective:																				Overall Effect
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
DM 6 Housing Needs of Rural Workers	Proposed Policy	++	0	+	0	0	0	+	+	++	++	0	+	++	0	0	0	++	0	++	++	Positive
DM 7 Residential Annexes	Proposed Policy	0	0	0	0	0	0	+	++	+	0	0	+	0	0	+	0	0	0	0	0	Positive
DM 8 Delivering Affordable housing on Phased Development	Proposed Policy	0	0	0	0	0	0	0	+	0	0	0	0	0	0	0	+	++	0	0	0	Positive
DM 9 Community Facilities	Proposed Policy	0	++	0	0	0	0	+	++	+	0	0	+	+	++	++	+	0	++	+	0	Positive
DM 10 Retail Development Outside Town Centres	Proposed Policy	+	+	0	0	0	0	++	++	++	0	0	0	0	0	++	0	0	+	0	+	Positive
DM 11 Touring and Permanent Holiday Sites	Proposed Policy	+/x	0	0	++	0	++	++	++	0	0	++	++	0	0	+	0	0	0	0	++	Positive
DM 12 Strategic Road Network	Proposed Policy	0	0	0	0	0	0	+	+/x	+/x	0	0	++	0	0	+/x	0	0	0	+	+/x	Positive
DM 13 Disused Railway Trackways	Proposed Policy	0	0	0	0	0	0	0	0	+	0	0	+	0	+	+	0	0	0	+	+/x	Positive

Policy		SA Objective:																				Overall Effect
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
DM 14 Development Associated with CITB, Bircham Newton & RAF Marham	Proposed Policy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	++	0	0	0	++	++	Positive
DM15 Environment, Design and Amenity	Proposed Policy	0	0	0	0	0	++	++	++	+	0	0	+	+	+	0	0	+	0	0	0	Positive
DM 16 Provision of Recreation Open Space for Residential Developments	Proposed Policy	0	0	0	0	0	0	0	+	0	0	0	+	0	++	++	0	0	+	0	0	Positive
DM 17 Parking Provision in New Development	Proposed Policy	0	0	0	0	0	0	#	+	0	0	0	0	0	0	+	0	0	0	0	0	Positive
DM 18 Coastal Flood Risk Hazard Zone (South Hunstanton to Dersingham)	Proposed Policy	0	0	0	0	0	0	0	++	0	0	++	++	0	0	0	0	0	0	0	0	Positive
DM 19 Green Infrastructure	Proposed Policy	++	0	++	++	++	0	0	++	++	0	++	++	0	++	++	++	0	+	0	+	Positive
DM20 Renewable Energy	Proposed Policy	0	0	0	+	+	+	++	+	+	0	0	0	0	0	0	0	0	0	0	0	Positive

Policy		SA Objective:																				Overall Effect
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
DM 21 Sites in Areas of Flood Risk	Proposed Policy	0	0	0	0	0	0	0	++	0	0	++	+	0	0	0	0	0	0	0	+	Positive
DM 22 Protection of Local Open Space	Proposed Policy	+	0	+	+	+	0	+	+	+	0	+	++	0	++	0	+	0	++	0	+	Positive
TOTAL NUMBER OF PLUS SCORES = 243		+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	Very positive
TOTAL NUMBER OF MINUS SCORES = 26		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

Appendix 3: Update to inset within Table A1 - Relationship of Pre-Submission Polices, Preferred Options Policies and Issues and Options Policies

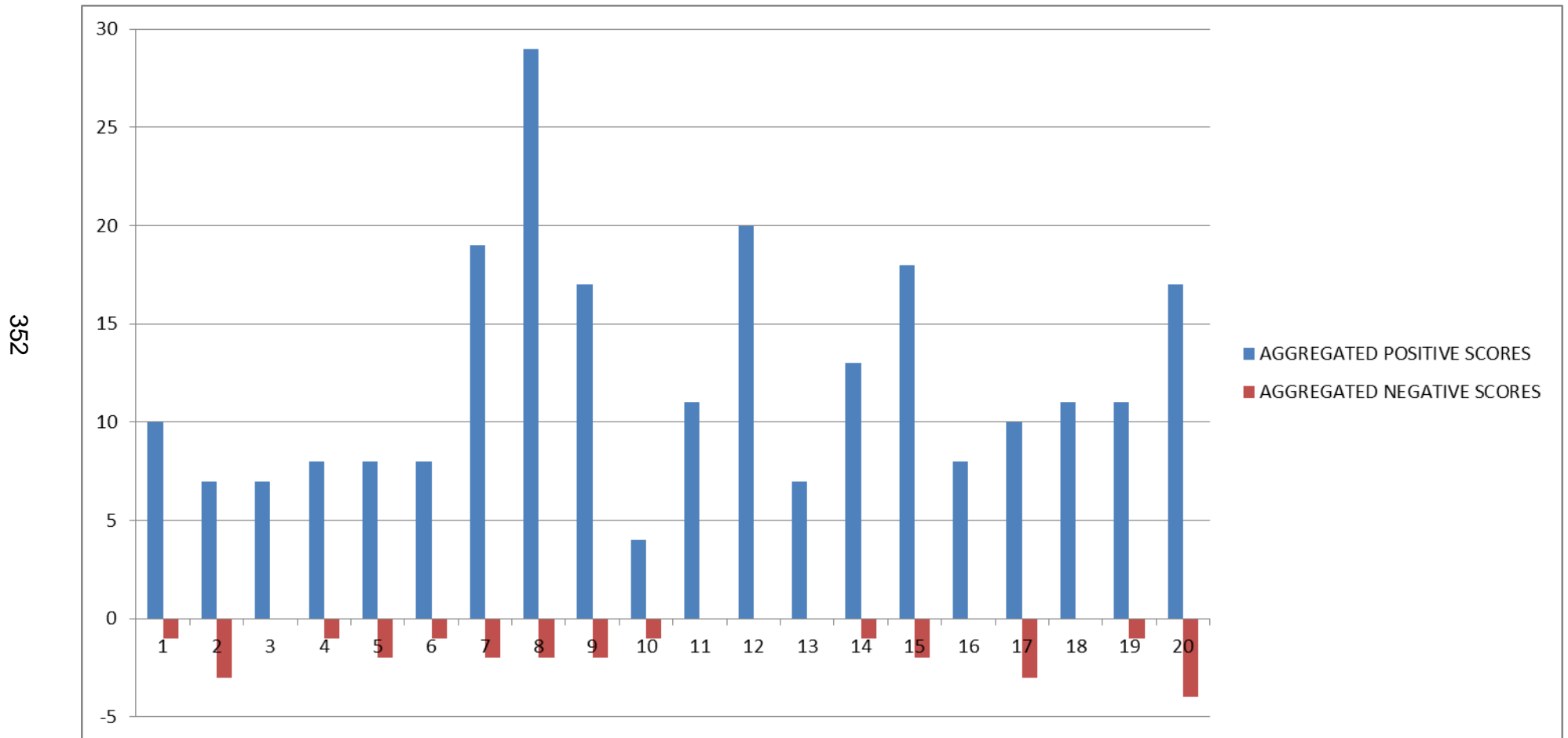
Table A1: Relationship of Pre-Submission Polices, Preferred Options Policies and Issues and Options Policies (Page 76)

Pre-Submission Document Development Management Policies	Preferred Options Area Wide Policies	Issues and Options Development Management Policies
DM 2 A: Early Review of Local Plan	n/a	n/a

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Appendix 4: Replacement Figure 1.3a & Figure 4.1a - Aggregated Scores of Development Management Policies – Bar Chart

Figure 1.3a & Figure 4.1a – Aggregated Scores of Development Management Policies – Bar Chart (Page 7 & 47)



Appendix 5: Replacement: Paragraph 4.1.9

(Page 46)

4.1.9 Particularly high aggregate scores (15 or over) are seen in respect of the following SA Objectives:

- Objective 7 - Maintain and enhance the diversity and distinctiveness of landscape and townscape character;
- Objective 8 - Create places, spaces and buildings that work well, wear well and look good;
- Objective 9 - Reduce emissions of greenhouse gasses and other pollutants (including air, water, soil, noise, vibration and light);
- Objective 12 - Maintain and enhance human health;
- ~~Objective 14 – Improve the quantity and quality of publicly accessible open space; and~~
- Objective 15 – Improve the quality, range and accessibility of services and facilities
- Objective 20 – Improve the efficiency, competitiveness and adaptability of the local economy.

Site Allocations and Settlement Specific Policy Changes Appendices

Appendix 6: Replacement Table 4.1 - Aggregated Scores of Site Allocations and Settlement Specific Policies

Table 4.1 Aggregated Scores of Site Allocations and Settlement Specific Policies (Page 48)

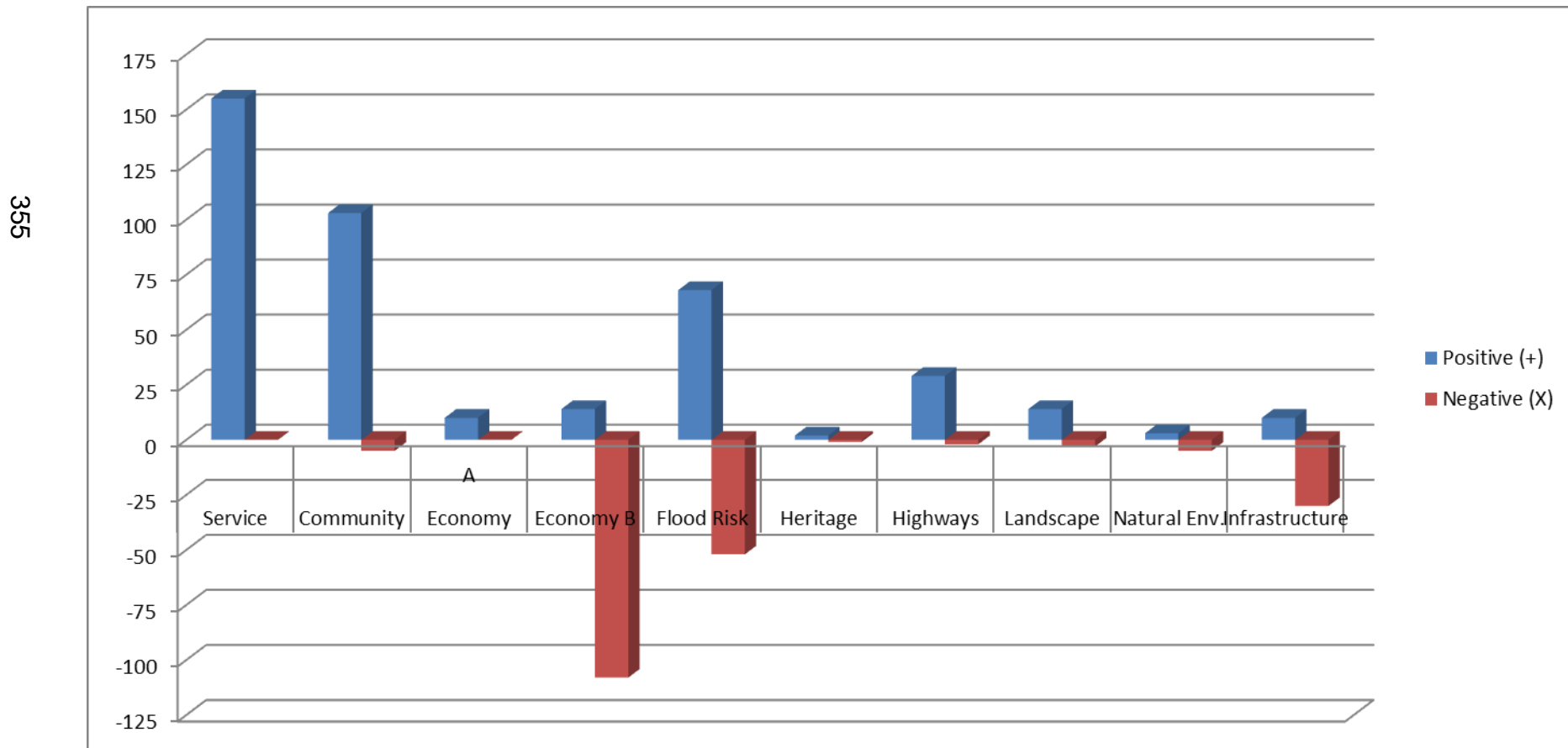
ALL ALLOCATIONS	Access to Services	Community & Social	Economy A Business	Economy B Food Production	Flood Risk	Heritage	Highways & Transport	Landscape & Amenity	Natural Environment	Infrastructure, Pollution & Waste	TOTALS
Aggregated positive scores (+)	156	103	10	15	68	2	29	15	3	10	411
Aggregated negative scores (X)	0	-6	0	-108	-51	-1	-2	-3	-5	-30	-206

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Appendix 7: Replacement Figure 1.3b & Figure 4.1b - Aggregated Scores of Site Allocations and Settlement Specific Policies – Bar Chart

Figure 1.3b - Aggregated Scores of Site Allocations and Settlement Specific Policies – Bar Chart (Page 8)

Figure 4.1b - Aggregated Scores of Site Allocations and Settlement Specific Policies – Bar Chart (Page 49)



Appendix 8: Updated Sustainability Appraisal table for Hunstanton Housing site F2.4 (997)

(Page 206)

Site Ref	Site Sustainability Factor									
	Access to Services	Community & Social	Economy A Business	Economy B Food Production	Flood Risk	Heritage	Highways & Transport	Landscape & Amenity	Natural Environment	Infrastructure, Pollution & Waste
F2.4 (997)	+	+	o	xx	+/x	#	#	#	#	x

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Appendix 9: Updated King's Lynn Housing Sites - Sustainability Appraisal

Site Ref	Site Sustainability Factor									
	Access to Services	Community & Social	Economy A Business	Economy B Food Production	Flood Risk	Heritage	Highways & Transport	Landscape & Amenity	Natural Environment	Infrastructure, Pollution & Waste
E1.4	+	+	O	+	+/x	O	#	#	#	#
E1.5	++	+	O	O	xx	#	#	#	#	?
E1.6	++	+	O	+	+/x	O	#	O	O	#
E1.7	+	+	O	+	+/x	O	#	#	#	?
E1.8	++	+	O	O	xx	#	#	O	O	#
E1.9	+	+	O	+	x	O	#	#	#	#
E1.10	++	+	O	O	xx	#	#	+	O	?
E1.11	++	+	O	+	+/x	#	#	x	+	?

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(Page 218)

E1.4 King's Lynn, Marsh Lane - The site scores well in relation to the sustainability indicators 'access to services', 'community and social' and 'food production'. The site is partially constrained by flood risk, with the majority of site being located within Flood Zone 1 and the remaining site area being within Flood Zone 2, hence the '+/x' sustainability score. However, it is considered that measures could be taken to mitigate this risk. In terms of 'highways and transport', 'landscape and amenity', 'natural environment' and 'infrastructure, pollution and waste' it depends on how the scheme is implemented as potential negative impacts could be mitigated through good design.

E1.5 King's Lynn, Boal Quay - The site scores highly in terms of 'access to services' being located centrally within the town and in relation to 'landscape and amenity' as the development will be well screened. The site will have no impact on the economy. The impact of 'heritage', 'highways and transport' and 'natural environment' depends on how the scheme is implemented as potential negative impacts could be mitigated through good design. The site does score poorly in relation to the indicator flood risk, with site located being located within Flood Zone 2, 3 and a portion within the Hazard Zone. Despite the identified flood risk it is considered that appropriate measures could be taken to mitigate this risk.

E1.6 King's Lynn, South of Parkway - The site scores highly in terms of 'access to services' being located centrally within the town. Development of the site will have no impact on 'heritage', 'natural environment' or 'infrastructure, pollution and waste.' The site is partially constrained by flood risk, being located partially within Flood Zone 1 and 2, hence the '+/x' sustainability score. It is considered that this risk could be mitigated through appropriate measures. The impact of 'highways and transport' and 'landscape and amenity' depends on how the scheme is implemented as potential negative impacts could be mitigated through good design.

E1.7 King's Lynn, Land at Lynnsport - The site scores highly in terms of 'access to services', 'community and social' and 'food production.' There is no impact on 'heritage.' Site E1.7 is located within Flood Zones 1, 2 & 3 this is reflected by the positive/negative sustainability score for the 'flood risk' category. However, It is considered that appropriate measures could be taken to mitigate this risk. In terms of 'highways and transport', 'landscape and amenity', 'natural environment' and 'infrastructure, pollution and waste' depends on how the scheme is implemented as potential negative impacts could be mitigated through good design..

E1.8 King's Lynn, South Quay - The site scores highly in terms of 'access to services' being located centrally within the town and in relation to 'landscape and amenity' as the development will be well screened. There is no impact on 'economy'. The impact on 'heritage' and 'highways and transport' depends on how the scheme is implemented as potentially negative impacts could be mitigated through good design. In relation to the indicator 'infrastructure, pollution and waste' the impact is unknown. The site does score poorly in relation to the indicator flood risk, with site located being located within Flood Zone 2, 3 and a portion within the Hazard Zone. Despite the identified flood risk it is considered that appropriate mitigation measures could be taken to mitigate this risk.

E1.9 King's Lynn, Land west of Columbia Way - The site scores fairly well in terms of 'access to services', 'community and social' and 'food production'. There is no impact on 'business' or 'heritage'. In terms of 'highways and transport', 'landscape and amenity', 'natural environment' and 'infrastructure, pollution and waste' it depends on how the scheme is implemented as potential negative impacts could be mitigated through good design. The site scores negatively in relation the 'flood risk' indicator as the site is located partially with Flood Zones 1, 2 & 3. It is considered that through appropriate measures the flood risk could be mitigated.

E1.10 King's Lynn, North of Wisbech Road - The site scores well in terms of the sustainability indicator 'access to services' as it centrally located within the town centre. The site scored positively in terms of 'community and social', 'natural environment' and 'landscape and amenity' as development would be well screened and fit into the surrounding context of the settlement. There will be no impact on the indicator 'economy' and the impact on 'heritage', 'highways and transport' and 'infrastructure, pollution and waste' depend on how the scheme is implemented as potential negative impacts could be mitigated through good design. E1.10 does score poorly in respect of the 'flood risk' category as it is located within areas classed as Flood Zone 2, 3 and the Hazard Zone. Despite the identified flood risk it is considered that appropriate mitigation measures could be taken to mitigate this risk.

E1.11 King's Lynn, Southgates - The site scores well in terms of the sustainability indicator 'access to services' as it centrally located within the town centre. The site scored positively in terms of 'community and social', 'natural environment' and 'landscape and amenity' as development would be well screened and fit into the surrounding context of the settlement. There will be no impact on the indicator 'economy' and the impact on 'heritage', 'highways and transport' and 'infrastructure, pollution and waste' depend on how the scheme is implemented as potential negative impacts could be mitigated through good design. This site scores both positively and negatively with regard to 'flood risk' as the majority of the site it is located within

Flood Zone 1 and a small portion of towards the western boundary is within an area classed as Flood Zone 2. It is considered that this risk could be mitigated through appropriate measures.

Conclusion

All reasonable sites within the King's Lynn urban area have been identified, assessed as being sustainable and taken forward as housing allocations. The overall package scores positively in sustainability terms. The only negative scores are in relation to flood risk. It is considered that appropriate measures could be taken to mitigate this risk.

The Core Strategy sustainability assessment dealt with the principle of concentrating new housing development in King's Lynn. The package of housing sites here takes that approach forward into positive allocations.

Appendix 10: Updated Sustainability Appraisal table for Terrington St. John Housing site G94.1 (Part of 890)

Site Ref	Site Sustainability Factor									
	Access to Services	Community & Social	Economy A Business	Economy B Food Production	Flood Risk	Heritage	Highways & Transport	Landscape & Amenity	Natural Environment	Infrastructure, Pollution & Waste
G94.1 (Part of 890)	+	+	o	x	+/x	o	#	o	o	?

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Appendix 11: Updated West Winch Growth Area Sustainability Appraisal

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Site Ref	Site Sustainability Factor									
	Access to Services	Community & Social	Economy A Business	Economy B Food Production	Flood Risk	Heritage	Highways & Transport	Landscape & Amenity	Natural Environment	Infrastructure, Pollution & Waste
West Winch Growth Area	++	+	0	X	+	#	+	#	#	#
Sites to the east	++	+	0	X	+	X	?	X	0	#
Sites within North Runcton	+	+	0	X	+	X	X	0	0	#
Sites to the south	+	+	0	X	+/X	X	X	#	0	#
Within West Winch	++	+	0	X	+	X	+	X	X	#

Site 984, 1034	+	+/X	0	+/X	+	0	+	+	#	#
----------------	---	-----	---	-----	---	---	---	---	---	---

West Winch Growth Area – This area is considered as a sustainable location for growth, south east of King’s Lynn, as identified in the Core Strategy. The Growth Area performs well in relation to the indicator ‘access to services.’ The impact on ‘landscape and amenity’ depends on how the scheme is implemented as potential negative impacts could be avoided or mitigated through good design. The Growth Area comes close to the listed buildings of Church of St Mary (Grade 2*) and the Windmill (Grade 2) consequently the setting of these have to be treated with great care and potential negative impacts avoided through good design. The site is not constrained by flood risk. The West Winch Growth Area is the chosen allocation as in comparison to other sites considered it will maintain the gap between West Winch and surrounding settlements whilst relating well and enhancing the facilities available for the original settlement. The Growth Area includes the following sites: KWW01, 569, 683, 979, 980, 1047, 1048, 1108, 1240 & 1241 and parts of the following sites: 485, 973, 981, 982, 983, 987, 1034, 1046, 1096, 1220, 1221, 1223, 1224 & 1225

East of the West Winch Growth Area (1095, 1096, 1220, 1224 & 1225) – These sites sit within the gap between the Growth Area and North Runcton, this results in a negative score for the Sustainability Appraisal factor ‘landscape and amenity’ as one of the Plan’s aims is to maintain a gap ensuring that North Runcton remains a distinctive settlement separated from the Growth Area and the associated new link-road. Development of these sites would reduce or remove this gap and therefore impact negatively on the form and character of North Runcton. A further negative is recorded for the factor ‘heritage’ as the sites are within close proximity to three listed buildings in North Runcton; The Church of All Saints (Grade 1), The Old Rectory (Grade 2) and North Runcton Lodge (Grade 2).

Within North Runcton (68, 465, 661, 1189 & 1276) – These sites are located within the settlement of North Runcton, which is designated as a smaller village and hamlet by the Core Strategy and as such does not receive any specific site allocations. In relation to the Growth Area these sites are not only detached, reflected by a negative score in the factor for ‘highways & transport’, but they could also have a negative impact upon the heritage, form and character of North Runcton.

To the South (177, 196, 479, 659 & 1293) – These sites are situated to the south of the Growth Area and as such are detached from it. A negative score for the factor ‘highways and transport’ has been recorded as Norfolk County Council as the Highways Authority comment that these sites are unsuitable due to their remoteness or they would require direct access from/onto the A10. Development of some these sites would result in reducing the gap between the Growth Area and the existing settlement of Setchey, impacting negatively upon the heritage, form and character of Setchey. Setchey is designated as a smaller village and hamlet by the Core Strategy and as such would not receive any specific site allocations. In relation to the Growth Area those sites that are situated within Setchey score negatively in the Sustainability Appraisal factor ‘flood risk’ as they are located within either Flood Zone 2 or 3. Development of Site 1293 would result in the direct loss of employment land; this would result in a negative score in the factor ‘economy A business’ in accordance with policy CS10 of the Core Strategy, and therefore the economic sustainability of a new plan, the Council will seek to retain land or premises currently or last used for employment purposes.

Within West Winch (KWW06, 135, 361, 485, 657, 926, 973, 982, 983, 1045, 1222 & 1273) – These sites are within the existing settlement of West Winch and have been omitted from the Growth Area. In totality negative scores for the factors ‘natural environment’ and ‘landscape and amenity’ are recorded as the majority of these sites would either encroach upon West Winch Common or result in the direct loss of Common Land, therefore not relating to the existing settlement by having a negative impact upon the form, character and setting of West Winch. A number of these sites are detached from the Growth Area and the line of the new link-road, resulting in a poor relationship between the new Growth Area. A number of these sites come close to linking the southern section of King’s Lynn and parts of the Saddlebow Industrial Estate with West Winch; the Growth Area seeks to maintain a gap between West Winch and existing settlements. Note that

KWW06 has already been developed and part of 485 is an existing residential dwelling so has not been included within the Growth Area.

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Site 984, 1034 ('Site F') – This site is to the south west of the village centre, immediately adjacent to the existing settlement. In terms of access to services, the site is close to bus stops and an employment area to the south but is further from central village convenience services than some options (e.g. c800m to community centre, c1km to shop, school and church) . However, the implementation of proposals for the growth area will increase the service provision in the local area and therefore the site will benefit from its good access links through existing development. The development of this site is expected to include new public open space and allotments, and these are scored as community and social gains additional to the housing provision. While there was opposition to the sites development from nearby residents, it is considered appropriate to score an overall plus in this category. However the site is currently agricultural land and therefore the scores a negative in relation to category 'Economy B Food Production', but also scores a positive because its development would include allotments and hence local food production, resulting in a mixed score. The majority of the site is in SFRA fluvial flood zone 1 (climate change scenario), but a minor portion in the south western part of the site is within zone 2. As this higher flood risk area can accommodate the allotments and/or public open space proposed, rather than housing, an overall positive score is given under this heading. There are no heritage assets such as Listed Buildings within proximity of the site and it is therefore scored as no impact in the 'Heritage' category. The site has adequate road access. Although it suffers from the heavy traffic and congestion on the A10, along with the whole of the settlement and potential development area, this is intended to be addressed through provision of the relief/distributor road element of the strategic growth. It is close to bus stops, and hence is scored positive for 'Highways and Transport'. The site is well related to the existing settlement as the northern and eastern boundary of the site is adjacent to residential development. The western and southern borders open countryside. The impacts on 'landscape and amenity' include a loss of semi-rural outlook to a number of existing properties, but also the gaining of a similar outlook to some of the new properties. The development of the site would have little impact in distant views from the west, but would increase the extent of development close to West Winch Common and the footpath which passes along it. However, the development includes public open space and allotments and this would have landscape and amenity benefits. An overall positive score is considered appropriate. The development of the site could include habitat and biodiversity enhancements as part of the open space, but would result in a loss of some open land, hence a mixed score on Natural Environment. The development of the site would contribute to the area's infrastructure, and therefore a positively under this heading.

Discussion

- On balance the Growth Area performs better than other combinations as it isn't constrained by 'flood risk', would have the least impact upon the form and character of existing settlements and any potentially negative impacts associated with 'landscape & amenity' and 'heritage' can be minimised through good design. There would however be a negative score in factor 'economy B food production' with identified productive agricultural land being lost to development, although this is the case with all of the sites proposed, and was factored into the identification of the area by the Core Strategy. The new-link road between the A10 and A47 is planned to provide access and permeability to parts of the Growth Area, some of the submitted sites, due to their geographic location, are detached from this 'fixed line' and/or the Growth Area itself. This connectivity is vital to achieving links and

integration between new residents and business and can contribute to a healthy community. In selecting the extent of the Growth Area, consideration has been given to maintaining a degree of separation between North Runcton and the new neighbourhoods, and to provide a good level of integration with the existing development and facilities in West Winch.

- Sites 998 & 1034 (known as Site F) was included in the Preferred Options but excluded from the submitted Plan. In response to evidence and arguments presented to the Plan Examination it has become appropriate to review the merits and demerits of this site in isolation, rather than in combination with other sites on the west of the settlement, and hence a new separate evaluation of this has been done. Because of the contentious status of this site, and the difficult decisions to be made which will be informed by its SA, this has been done in a little more detail than the earlier work. Broadly speaking this site scores positively on a range of fronts, and while opposed by nearby residents has no major adverse impacts, and its inclusion in the growth area is considered to represent sustainable development.

Conclusion

- As discussed above, The Growth Area, and the inclusion of Site F (Sites 998 & 1034), on balance represents the least constrained combination of sites for development that still provides a degree of separation from North Runcton, when compared to the other reasonable options considered. Therefore this Growth Area, including Site F, is an appropriate allocation for an urban expansion area adjacent to south east King's Lynn.

Pre-Screening Equality Impact Assessment

Borough Council of King's Lynn & West Norfolk



Name of policy/service/function		Inspector's request for further information in respect of the SADMP				
Is this a new or existing policy/service/function?		New / Existing (delete as appropriate)				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations		The report sets out the broad issues raised during the Examination into the Local Plan and seeks the endorsement of Cabinet for a number of changes to the submitted plan and related matters. The approach covers; Habitat Regulation issues; Flood risk issues; and Flexibility and deliverability. We consider that the approach and detailed changes provide a pragmatic response and display sufficient flexibility in response to the Inspector's questions. This service is constrained by statutory obligations.				
Question		Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>			Positive	Negative	Neutral	Unsure
		Age			X	
		Disability			X	
		Gender			X	
		Gender Re-assignment			X	
		Marriage/civil partnership			X	
		Pregnancy & maternity			X	
		Race			X	
		Religion or belief			X	
		Sexual orientation			X	
Other (eg low income)			X			
Question	Answer	Comments				
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	Yes / No	No				

3. Could this policy/service be perceived as impacting on communities differently?	Yes / No	No
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes / No	No
5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	Yes / No	Actions:
		Actions agreed by EWG member:
Assessment completed by: Name		
Job title	Date	

Please Note: If there are any positive or negative impacts identified in question 1, or there any 'yes' responses to questions 2 – 4 a full impact assessment will be required.

APPENDIX 1

Inspector's questions to the Borough Council

King's Lynn and West Norfolk: Site allocations and Development Management Policies Examination

NOTE FROM THE INSPECTOR

ADJOURNMENT OF THE HEARING SESSIONS

Having read the evidence and listened to the discussion at the first hearing session on 7th July, it became clear to me that there is a significant risk that the Site Allocations and Development Management Plan (SADMP), in its current form, could not be found sound. My concerns are twofold and to some extent are inter-linked and relate to the need for the Plan to be justified (the most appropriate strategy); effective (deliverable); and consistent with national policy¹.

Within the Borough are a number of European sites of nature conservation importance (for example Special Areas of Conservation) and also part of the Breckland Special Protection Area where, for example, the protection of woodlarks and nightjars is sought.

A number of the proposed housing allocations may have detrimental consequences for the protected sites and species and this is acknowledged by the Council. Indeed a number of policies reflect this concern. For example policies E2.1 (West Winch Growth Area) and E4.1 (Knights Hill) both refer to a requirement for an agreed package of habitat protection measures to mitigate potential adverse impacts on nature conservation sites.

My primary concerns are that there is insufficient evidence regarding the potential implications of the proposed developments on the protected sites and species and that there is no detailed consideration of the mitigation measures that may be required, as part of any development package, to satisfactorily address those 'implications' – either on-site or off-site.

Policy E1.13 (King's Lynn Green Infrastructure) refers to the provision of 'habitat protection measures relating to mitigation of potential adverse recreational impacts on Natura 2000 sites associated with housing and other developments' and the Council's Statement on Issue 1² (page 23) refers to the Council being in discussion with stakeholders, working

¹ National Planning Policy Framework paragraph 182

² Document CREP-01

towards a Mitigation, Monitoring and Green Infrastructure Delivery Plan (MMGIDP). In paragraph 3.3 of the draft Statement of Common Ground between the Council, Natural England, the Norfolk Wildlife Trust and the RSPB (which highlights a number of outstanding concerns) the Council concludes that the timescales for producing the MMGIDP are too long to meet the timetable for the Examination. This may be the case but I need to be more certain that appropriate mitigation can be provided, or failing that, that the Council has a suitable fall-back position in the event that satisfactory mitigation cannot be achieved.

Similarly there are a number of sites where concerns about flood risk have been raised, including from the Environment Agency and the Internal Drainage Board. Policy DM 21 (Sites in Areas of Flood Risk) refers to the need for site specific flood risk assessments in some circumstances and this is repeated in some of the specific allocation policies, for example Boal Quay, King's Lynn and Knights Hill. Indeed in the latter case (policy E4.1) it is confirmed that a detailed assessment would be required on issues (including flood risk) 'which are likely to affect the extent and design of the development'.

Clearly the evidence base needs to be proportionate and I would not expect the detail that may be required to accompany a planning application. Nevertheless I need to be confident that should the more detailed assessments conclude that a site could not satisfactorily accommodate the level of development proposed, then there is a fall-back position which would ensure that the Council's current overall housing figures could still be achieved in the plan period.

NPPF paragraph 14 refers to the need for Plans to be 'sufficiently flexible to adapt to rapid change' and currently I consider there is insufficient flexibility embedded in the Plan to cope with any change in circumstances that may arise from the additional work that would be expected by the Council (probably at planning application stage) on nature conservation mitigation measures and flood risk assessments.

I am therefore asking the Council to provide further evidence:

- regarding the implications of the proposed allocations in the SADMP on European nature conservation sites and protected species;

King's Lynn and West Norfolk: Site allocations and Development Management Policies Examination

- relating to how the Council proposes to address those implications, particularly in terms of mitigation measures, bearing in mind issues of delivery and viability;
- on its approach should it be concluded (following further detailed assessment) that mitigation measures cannot be satisfactorily provided to overcome all the implications (i.e. the fall-back position); and
- on its approach should it be concluded that issues of flood risk on particular sites would have consequences for the amount of development proposed (i.e. the fall-back position).

For the avoidance of doubt it is not being suggested that the number of dwellings being proposed by the Council should be raised – rather it is the delivery of those dwellings over the plan period that needs to be secured.

It would be helpful if the Council could provide an indication of the approach it intends to take and a preliminary timetable for the work to be undertaken. I do not wish to pre-judge the Council's approach but would comment that any implications of any additional evidence to be submitted, in terms of the Sustainability Appraisal, the Habitats Regulation Assessment and public consultation, should be considered by the Council.

David Hogger

Inspector

9th July 2015

**Borough Council
of King's Lynn and
West Norfolk
Natura
2000 Sites
Monitoring
and
Mitigation
Strategy**

August 2015

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Executive Summary

The Borough Council, in producing the Site Allocations and Development Management Policies – Proposed Submission Document, are required to carry out a Habitats Regulations Assessment (HRA) to inform the site/ policy selection process.

The Borough Council is required to assess the likely significant effects of the proposals in its plan on the integrity of the designated sites. In the context of this plan these are effects from new housing proposals. The HRA document considers the potential effects of the site-specific policies and allocations on designated sites of European importance. The potential effects are considered to arise from loss of supporting habitats, habitat fragmentation, non-specific proximity impacts, increased recreation and leisure pressures, increased use of roads, and the cumulative impacts on sites arising from multiple housing allocations.

By far the most important of these, in a borough-wide context, was considered to be the impacts arising from increased recreation and leisure pressures on European sites. This indicated that visitors likely to cause greatest impacts were local site users, in particular those exercising dogs, and this visitor group are most likely to be frequent site visitors. Impacts were predicted to be greatest where local users were within comfortable walking distance of European sites (estimated to be 1km), and would also occur where sites were in a reasonable range of driving, estimated to be around 8km or 5 miles.

In relation to Habitats Regulations Assessment monitoring and mitigation the Council has adopted the following strategy:

- For affected areas a suite of measures including all/ some of:
 - On site provision of suitable measures
 - Offsite mitigation
 - Offsite alternative natural green space
 - Publicity,
 - A project level HRA to establish specific issues as appropriate
- In addition to the above suite of measures the Borough Council will make a Borough wide charge of £50 per house to cover small scale mitigation on designated sites and general monitoring.

- The Borough Council anticipates utilising CIL receipts (should a CIL charge be ultimately adopted) for contributing to more strategic scale green infrastructure provision across the plan area.
- Forming a HRA Monitoring & Mitigation & GI Co ordination Panel to oversee monitoring, provision of new green infrastructure through a Green Infrastructure Delivery Plan and the distribution of levy funding.
- Revising Policy DM19 to embed these provisions into the Plan
- Participating in Norfolk wide monitoring of the effects of new development on designated sites

This Mitigation and Monitoring Strategy provides a framework for the avoidance of these likely significant effects identified. It addresses the actions required from the Habitats Regulations Assessment (HRA) and includes:

- A restatement of the HRA findings.
- Detail on how each of these requirements are intended to be, and can be, met in respect of the allocated sites.
- The inclusion of a levy on all development in the Borough, responding to the potential cumulative impacts that could occur from such growth that may not be adequately addressed through measures on allocated development sites.
- More detailed consideration of pressures currently arising on the European site locations.
- A mechanism for considering and responding to monitoring information, including the recommendation for spending from the levy fund (primarily aimed at the sensitive European site locations). This would take the form of a Panel (Chaired by a Cabinet member from the Borough Council and including representatives from the RSPB, Natural England and others) to consider results of monitoring and propose mitigation measures, as well as co-ordinating wider related proposals for green infrastructure in the Borough.
- An addendum to the HRA reflecting the above.

The effectiveness of the Strategy will be monitored and there is sufficient flexibility to ensure that the Strategy can be updated to reflect new information, particularly in response to data from monitoring the European Sites.

It is important to emphasise that when implemented, this Strategy will ensure that **likely significant impacts identified in the HRA as a result of policies proposed in the SADMP document will be avoided or mitigated against.** This Strategy will contribute to safeguarding the integrity of European sites within, and adjacent to the Borough boundary and will be monitored and reviewed to ensure the effectiveness of the identified measures. Partnership working is a key component of the Strategy and the Borough Council will continue to pursue a joined up approach with all relevant authorities, organisations and site owners with responsibility for managing the designated European Sites.

21-08-2015

1. Introduction

1.1. Document overview

- 1.1.1. The Introduction to this document sets the aim and purpose of the monitoring and mitigation strategy.
- 1.1.2. Chapter 2 sets the context for the requirement of this strategy by briefly illustrating the link between policies in the SADMP document and the potential impact on the integrity of European Sites. The recommendations of the Habitats Regulation Assessment (HRA) are outlined to provide a framework for this strategy to build upon.
- 1.1.3. Chapter 3 refers to the relevant authorities involved in managing local designated sites and details the existing monitoring and mitigation strategies already in place to safeguard their integrity.
- 1.1.4. Chapter 4 lists the proposed mitigation measures by the Borough Council to make a proportional contribution to monitoring and mitigation of the European Sites.
- 1.1.5. Funding and implementation is the subject of Chapter 5 which includes details of a proposed Habitat Mitigation Fund which aids delivery of this strategy.
- 1.1.6. Chapter 6 focuses on Proposed Governance Arrangements for Managing European Site Mitigation and establishes a HRA Monitoring & Mitigation & GI Coordination Panel HMMGCP to oversee the delivery of this strategy.
- 1.1.7. Chapter 7 outlines how this strategy will be monitored and reviewed to determine whether it has been effective, and if not how this will be resolved.

1.1.8. Finally, Chapter 8 provides a summary and conclusion to the Strategy.

1.2. Aim of the Strategy

1.2.1. The aim of this strategy is to provide a proportionate and precautionary approach to protecting the integrity of designated European Sites from potential recreational pressure arising from new development identified in the Site Allocations & Development Management Policies (SADMP) Plan.

1.3. Purpose of the Strategy

1.3.1. This Strategy seeks to summarise and clarify the measures intended to mitigate potential adverse impact to European Sites, and in particular:

- a) what the mitigation measures are;
- b) how and when they will be decided;
- c) how they will be delivered, by whom, and when;
- d) what happens if they are not delivered;
- e) how will it be known whether they have had the desired effect;
- f) what will be done if they do not.

1.3.2. While this Strategy concentrates on mitigating adverse impact on habitats, bird and marine sites, this should also be recognised as a key component of a wider Core Strategy ambition to improve the quality of life and the natural environment in the Borough.

2. Need for a Monitoring and Mitigation Strategy

2.1. Chapter overview

2.1.1. This chapter outlines the reasons why a Monitoring and Mitigation Strategy is required and explores the links between proposals in the SADMP document and the potential for adverse impact on the integrity European sites. This chapter includes the recommendations of the HRA which, if implemented, will ensure that the Plan is deliverable as identified potential adverse impacts can be mitigated.

2.2. Background

2.2.1. European legislation, translated into United Kingdom law, provides for specific protection of the most important wildlife sites. Known as Natura 2000 sites (N2K), these are an EU wide network of nature protection areas established under the 1992 Habitats Directive. This protection is embedded in the Conservation of Habitats and Species Regulations 2010. The legislation is commonly referred to as the Habitat Regulations and the designated sites are frequently referred to as European Sites. Whilst building directly on any designated wildlife site can typically be expected to result in adverse impacts, it is also the case that development some distance from a designated site can have adverse impacts. Of greatest relevance in this context is where new house building will lead to greater population levels and therefore increased human activity on or at the designated European Sites.

2.2.2. Mitigation measures need to be put in place to ensure that impacts in the future, once any new housing is built, will not exceed those that are occurring at present. It is common practice to consider individual mitigation proposals alongside individual planning applications for development: for big schemes this can be a realistic and appropriate approach. However, when dealing with small scale developments, including individual dwellings, case by case assessment and mitigation

becomes unviable. It is for this reason that many authorities are looking to establish over-arching mitigation frameworks so that, rather than each separate planning application needing to be accompanied by its own HRA and package of mitigation measures, there is a collective approach that can be applicable to all relevant applications.

2.2.3. The HRA identifies a potential for adverse impacts on certain European Natura 2000 (N2K) sites through recreational activity arising from certain groups of residential developments allocated by the Plan. The recreational activity generally of most concern is dog walking, due to the combination of its popularity, its potential for the disturbance of ground nesting birds, potential disruption of site management such as grazing and localised nutrient enrichment.

2.2.4. The HRA screening identified no sites as individually likely to have a significant adverse effect on N2K sites. The HRA does, however, identify potential 'in-combination' effects for a number of sites, including several large, strategically important ones.

2.2.5. The HRA conclusion states 'This HRA provides a framework for a workable solution to this issue, which if followed will ensure no adverse effect will result from the proposals.'

2.3. Location of proposed housing sites in relation to Natura 2000 sites

2.3.1. A more detailed illustration of location of proposed housing sites in relation to Natura 2000 sites is provided as Appendix 1. This map shows the location of the European sites with both an 8 and 10km zone marked around them and also the location of the sites and villages where housing growth is taking place. As might be expected the housing growth is spread across the area (although clearly the *scale* of growth varies with the location).

2.3.2. The map demonstrates that the entire Borough is closely related to sensitive sites; new growth in housing has the potential to affect those sites. The HRA does distinguish between sites susceptible to recreational pressures and explores local and cumulative impacts. Notwithstanding the potential or otherwise for direct effects there is still a need to ensure appropriate monitoring for the whole Borough and particularly origin/destination information. Adopting this precautionary approach is appropriate given the geographical location of the Borough and the significant growth pressures occurring.

2.4. Relationship between allocations and affected features of Natura 2000 sites

2.4.1. Whilst the map illustrates the cumulative pressure placed by population growth close to European Sites, the HRA identifies that only a select number of allocated sites have the potential for a direct adverse impact on European sites. Therefore the HRA recommendations are focused on mitigation measures for the development of those key sites. Table A of Appendix 2 shows the links identified in the HRA between select allocations and the European sites. The subsequent table summarises what measures have been specified by the HRA to avoid potential adverse effects.

2.5. Requirements outlined in the HRA

2.5.1. The HRA recommends a number of monitoring requirements and mitigation measures which, if implemented, would ensure that adverse effects were either avoided or compensated for safeguarding the integrity of the European sites within and adjacent to the Borough boundary.

2.5.2. The extracts below (Sections 2.5, 2.6 and 2.7) are taken from pages 95 to 98 of the HRA and outline how the plan will deliver monitoring and mitigation measures. Specific monitoring and mitigation measures in the

text have been highlighted to emphasise specific deliverable measures which this strategy aims to address.

2.5.3. Extract from HRA

2.5.4. The following policy wording has been incorporated into site specific policies for housing allocations within 8km of sensitive European sites.

2.5.5. The policy wording is as follows:

Provision of an agreed package of habitat protection measures, to mitigate potential adverse impacts of additional recreational pressure associated with the allocated development upon nature conservation sites covered by the Habitats Regulations Assessment. This package of measures will require specialist design and assessment, but is anticipated to include provision of:

i. Enhanced informal recreational provision on (or in close proximity to) the allocated site [Sustainable Accessible Natural Greenspace], to limit the likelihood of additional recreational pressure (particularly in relation to exercising dogs) on nearby relevant nature conservation sites. This provision will be likely to consist of an integrated combination of:

1. Informal open space (over and above the Council's normal standards for play space);

2. Landscaping, including landscape planting and maintenance;

3. A network of attractive pedestrian routes, and car

access to these, which provide a variety of terrain, routes and links to the wider public footpath network.

ii. Contribution to enhanced management of nearby designated nature conservation sites and/or alternative green space;

iii. A programme of publicity to raise awareness of relevant environmental sensitivities and of alternative recreational opportunities.

2.5.6. It is acknowledged that the success of such measures is not entirely predictable, and that **a level of monitoring of use of European and alternative sites will be required post development. The results of this monitoring would need to lead to further measures being taken if harm to European sites is thought to be likely.**

2.6. Avoidance measures for impacts on Dersingham Bog and Roydon Common SAC/(Ramsar - with potential to achieve SPA status).

2.6.1. The HRA outlines the measures that need to be implemented to avoid damage to European sites.

2.6.2. **For housing allocations within 8km of Roydon Common SAC/Ramsar, the following provisions should apply.** These should be applied in proportion with the size of the proposed development.

2.6.3. The following **package of habitat protection measures**, to mitigate potential adverse impacts of additional recreational pressure associated with the allocated development upon nature conservation sites covered by the Habitats Regulations, is proposed. This package of measures will require specialist design and assessment, but is anticipated to include provision of **enhanced informal recreational provision on (or in close proximity to) the allocated site**, to limit the likelihood of additional

recreational pressure (particularly in relation to exercising dogs) on nearby relevant nature conservation sites. This provision will be likely to consist of an integrated combination of:

2.6.4. a. **Informal open space (over and above the Council's normal standards for play space)**; the spaces provided will need to demonstrate their suitability for a variety of uses, including linear/ circular routes for dog exercising. It is acknowledged that people will choose to use a number of different places for dog walking, and that some may choose on occasion to visit Roydon Common and Dersingham Bog. This may be offset to an extent by existing residents choosing to walk their dogs in the new open space provided.

2.6.5. b. **Landscaping, including landscape planting and maintenance**; landscaping in itself will make little difference to alleviate recreational pressure on Roydon Common or Dersingham Bog. However it may help to make the new housing areas more attractive to residents and dissuade them from travelling a greater distance.

2.6.6. c. **A network of attractive pedestrian routes, and car access to these**, which provide a variety of terrain, routes and links to the wider public footpath network.

2.6.7. d. **Contribution to enhanced management of nearby designated nature conservation sites and/or alternative green space**; this could come in the form of a Community Infrastructure Levy (CIL) which could support any changes to the infrastructure on the European sites. CIL could also support site monitoring. Another possibility is that CIL could be used to purchase additional land for public access. However, CIL may not be a suitable mechanism for funding ongoing management of sites once such infrastructure is in place.

2.6.8. e. An ongoing **programme of publicity** to raise awareness of relevant environmental sensitivities and of alternative recreational opportunities away from the sensitive sites. For example, prominent and permanent

signage could be provided both at the new development and at the sensitive sites.

2.6.9. f. The **new developments should be subject to screening for HRA.**

This does not replace those measures specified above, nor does it abdicate the duties of this HRA; rather it provides an additional safeguard that, at the point of delivery, a likely significant effect has been avoided.

2.6.10. g. Use of the European sites should be subject to **ongoing monitoring**, as a part of an agreed mitigation strategy, to identify whether adverse effects on site integrity are predicted and, if so, the proportion of such harm arising from visitors from the developments in question. This monitoring should be able to provide timely evidence to inform the developers' obliged response, which would be likely to involve influencing future recreational use of these areas through future phases of development, contributions to European site management measures, alternative recreational provision, influencing wider recreation take up, or some combination of these.

2.6.11. h. There should be an **ongoing dialogue, organised by the Council, and involving all relevant stakeholders, with the specific aim of reducing effects on these sites, examining the results of site monitoring and acting on any findings.** A habitat mitigation/monitoring and green infrastructure co-ordinating group has been established to provide an effective forum to identify and implement mitigation and green infrastructure.

2.6.12. i. The Borough and other stakeholders should continue to **explore options for obtaining long-term access or acquiring further recreational greenspace** on an opportunistic basis.

2.6.13. j. As the potential effects on the European sites come from a number of sources, some of which are outside the scope of this plan (for example existing settlements), the site managers should continue to

innovate and explore ways of **reducing on-site impacts of recreational disturbance**. This will also be assisted by developer contributions, in the form of habitat mitigation payments.

2.7. Avoidance measures for North Norfolk Coast SPA/Wash SPA/SAC

2.7.1. **Avoidance of adverse effects in combination with other proposals outside the Borough has already been considered at Core Strategy level**, but further work is needed to develop an agreed package of habitat protection measures. **Baseline visitor pressure data, monitoring and management measures will need to be developed and demonstrated to be deliverable**. The Council will continue to work with its partners in pursuit of this (see above items also).

2.7.2. With regard to the **combined effect of housing proposals** specific to the submission document:

- Heacham
- Hunstanton
- Docking
- Burnham Market
- Snettisham
- Ingoldisthorpe
- Dersingham
- Hillington

2.7.3. There is also:

- **a parallel strategy of GI provision, plus**
- **a programme of permanent public information.**

2.7.4. This should be sufficient to ensure reduction of likely impacts to an insignificant level, and no adverse effect on integrity. This should be tested for larger proposals by submission to HRA screening.

2.7.5. For the adjoining district of North Norfolk, **a programme of monitoring** was proposed in the site-specific HRA (Royal Haskoning 2009). The programme was designed to be proactive in helping to predict where adverse effects may occur within the European site. The Borough will consult with North Norfolk District Council to clarify progress with this monitoring programme, and **where feasible, and in partnership with others, ensure that a similar programme is installed in West Norfolk.**

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3. Existing monitoring and mitigation measures

3.1. Chapter overview

3.1.1. It is important to recognise that the proposed population increase as a result of policies in the Local Plan (of which the housing numbers were already determined by the adopted Core Strategy in 2011) are just a fragment of the overall picture which is contributing to increased pressure on European sites. In this context, there are already a wide number of groups and organisations as well as site owners whom have an interest or responsibility for monitoring and mitigating recreational pressure on designated sites. There are also a number of monitoring and mitigation strategies already in place; some overarching, but others applied on a site by site basis. This chapter compiles existing site measures and monitoring strategies.

3.2. Existing Management Framework

3.2.1. Most European sites were designated as a result of legislation introduced in 1992 and many have been nature reserves long before this. Each of the European sites have a complex network of overlapping bodies with responsibility for managing the sites and some overlapping boundaries. This is particularly the case for The Wash and North Norfolk Coast which is designated a European Marine Site, and large parts are designated as Area of Outstanding Natural Beauty (AONB) in addition to various features and species which are designated SPA's, SAC's and RAMSAR sites as well as being part of the Heritage Coast. It is likely there are some strategies in place that the Borough Council is not yet aware of and drawing together existing strategies will form an important part of the remit of the HRA Monitoring & Mitigation and GI Coordination Panel (described in chapter 7).

3.3. Visitor Surveys

3.3.1. The Borough Council of King's Lynn and West Norfolk has worked closely with other local authorities in Norfolk to develop a programme of visitor surveys which establish baseline data about visitors (numbers and type) on a number of designated European sites. Survey sites are within number of the European Sites within or adjacent to the Borough including

- Roydon Common
- Snettisham Beach,
- Holme Next The Sea,
- Brancaster Beach Car Park,
- Lady Annes Drive, Holkham,
- Various locations in the Brecks

3.3.2. This study will enable the analysis of changes to visitor pressure in future and to consider whether there has been any effect on designated sites as a result of the increased growth to the permanent population of Norfolk as a result of new housing proposed in Local Plans. Surveys have been commissioned by Norfolk County Council on behalf of all Norfolk local authorities. An interim report on 'Visitor Surveys at European Protected Sites across Norfolk during 2016 & 2016' was published by Footprint Ecology in August 2015. The aim of the report was give a snapshot of the work completed so far without full analysis and the full report will be made publicly available when complete (due Spring 2016).

3.4. Wash Incident Reports

3.4.1. The WNNC EMS is geographically the largest European site within the Borough and has a well-established management system.

3.4.2. The Wash and North Norfolk Coast European Marine Site (WNNC EMS) Management Scheme has been monitoring the incidence of different forms of recreational disturbance to the conservation features of

the site with the Incident Recording Process (IRP) since 2004. This information alerts the WNNC EMS and site managers to disturbance hot spots, as well as to problem issues that may be occurring across the site.

3.4.3. The most recent report noted that the top three incidents across the European Marine Site were litter (26.5%), dogs (19.2%) and vehicles (13.3%) and that the nature of disturbance is seasonal and is speculated to tie in with school holiday breaks.

3.4.4. WNNC EMS create an annual action plan which is agreed by all Relevant Authorities including BCKLWN which ensures a joined up approach to the management of the Marine Site.

3.5. Control of dogs

3.5.1. Dog walking is a popular activity which is undertaken at all European sites within the Borough. A number of measures are already in place to help mitigate the impact.

3.5.2. Dog control orders

- The Clean Neighbourhoods and Environment Act 2005 gives local authorities in England and Wales the power to issue Dog Control Orders. These orders can restrict where dogs are walked on and off a lead, how many dogs you can walk at one given time and makes it an offence not to clean up after a dog. Failure to follow a control order can mean a fine of up to £1000. Further orders such as banning of dogs in areas and restricting the number of dogs on a specific site could be implemented as required.

3.5.3. Dog Ban Areas

3.5.4. There are several areas within the Borough where dogs are prohibited. These areas are:

- **Beaches**

Dogs are not permitted on the Hunstanton beach from the power boat ramp (near Searles) to the northern extremity of the Promenade (where the Cliffs are) from 10th April until 31st October.

- **Children's play areas or playing fields**

(There are various throughout the Borough area). Whilst many are currently associated with children's play areas, the willingness to implement these demonstrates that they are a potential course of action if conditions require it.

3.5.5. Leash Orders

3.5.6. In the following areas within the Borough it is compulsory to keep your dog on a lead:

- The Promenade, Hunstanton
- Esplanade Gardens, Hunstanton
- Top and Lower Greens, Hunstanton
- Top and Lower Spinneys, Hunstanton
- The Howdale, Downham Market
- Lodge Walk, Snettisham

3.5.7. These types of powers may be used in other parts of the Borough, if necessary, to implement the monitoring and mitigation strategy.

3.6. Site Improvement Plans

3.6.1. Site Improvement Plans (SIPs) produced by Natural England have been developed for each Natura 2000 site in England as part of the Improvement Programme for England's Natura 2000 sites (IPENS). The plans provide a high level overview of the issues (both current and predicted) affecting the condition of Natura 2000 features on the sites and outlines the priority measures required to improve the condition of the features.

3.6.2. In delivering specific monitoring and mitigation measures to safeguard the condition of Natura Sites within the Borough, the Council proposes to contribute towards the specific actions identified in Site Improvement Plans.

3.6.3. The tables in Appendices 3 - 5 list the specific issues and priorities relating to visitor pressure and recreational disturbance as identified in the Site Improvement Plan for each of the Natura 2000 sites which are within or adjacent to the King's Lynn and West Norfolk. The table also identifies a number of monitoring and mitigation measures which are already in place to address the identified action. The HRA Monitoring and Mitigation and GI Coordination Panel (described in chapter 6) will determine the specific measures and proportional level of contribution from the collective Habitat Mitigation Fund (described in chapter 5) to aid the delivery of identified monitoring and mitigation measures.

3.7. Provision of Green Infrastructure

- The Green Infrastructure (GI) Strategy 2010 set out the Council's overall approach to GI, identifying projects and setting out an action plan for their delivery. The Core Strategy policies CS12, 13 and 14 took forward this approach, with particular references in the Spatial Strategy and settlement policies.
- Strategic GI is a key element of the available mitigation measures, and it is in this context that the provision on or adjacent to the site should be understood. The term 'strategic GI' above refers to GI provision in the wider area and not specifically related to the development site. Typically such infrastructure will provide a range of benefits to the wider area, and not solely as a mitigation function in relation to the site (hence while such a site may be expected to make a contribution to such provision, it would not be expected to fund the whole of this). The benefit in terms of mitigation is that it is

likely to prove attractive to a significant proportion of those who would otherwise choose to visit the designated sites for their recreation.

- The tables at Appendix 6 list the projects included in the GI Strategy and details how these have progressed since the GI Strategy was formulated in 2010. Many of these will run independently but they do contribute overall to the opportunities for GI across the borough.

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4. Proposed Monitoring and Mitigation Measures

4.1. Chapter overview

4.1.1. Whilst the previous chapter outlines the existing monitoring and mitigation measures already in place, it is clear the Borough Council must contribute by building on the recommendations of the HRA outlined in Chapter 2. This chapter builds on the HRA recommendations by providing a greater level of detail on how those recommendations will be implemented. An overall summary of how the Council proposes to address the recommendations outlined in the HRA can be found at Appendix 7.

4.2.A HRA Monitoring & Mitigation & Green Infrastructure Coordinating Panel

4.2.1. The Council considers it important that there is ultimately a mechanism to put in place mitigation features at the European sites should it prove necessary, if through monitoring it is shown that planned growth is adversely affecting those sites. This group, drawn from organisations which have in depth knowledge of the sites, but more importantly are already handling current recreational pressures, is intended to advise on potential priorities. By linking the specific site related issues and the wider coordination of green infrastructure in the Borough it can be more effective and efficient. Chapter 6 describes the group and its operation in detail.

4.3. Habitat Mitigation Fund

4.3.1. A key principle of this Monitoring and Mitigation Strategy is to outline the development of a new Habitat Mitigation Fund. In order to ensure the deliverability of proposed monitoring and mitigation measures considered by the Panel it is proposed to impose a levy

on every new house built on sites allocated in the plan. This is described in detail in chapter 5.

4.4. CIL

4.4.1. The Council is preparing a CIL Preliminary Draft Charging Schedule.

The money can be used to contribute to; 'pump prime'; or help lever in investment for a wide range of infrastructure (including green infrastructure) that is needed to support new development. This will harness contributions from developers. Whilst the Habitat Mitigation Fund forms the primary funding for monitoring and mitigation, the development of CIL will aid the delivery of specific green infrastructure (particularly for the strategic developments) or a potential off site contribution or contribution to certain identified projects. Using the CIL will provide a much more targeted use of developer funds than the current S106 arrangements and will be time limited, ensuring green infrastructure will be delivered sooner.

4.5. Revised policy DM 19 – GI provision and HRA mitigation/levy

4.5.1. The Borough Council proposes a revision to Policy DM19 Green Infrastructure in the SADMP document to provide detail of proposed mitigation measures as an integral plan policy. The revised wording is detailed in Appendix 8 and sets out the requirement for the Levy and the Panel as described above.

4.6. Planning policy requirements for allocated sites

4.6.1. As a result of the HRA recommendations, specific policy wording was applied to all site specific policies within 8km of sensitive European sites (see previous chapter 2). This approach ensures that only the allocations which have the potential for an adverse effect on the integrity of a European site are targeted with additional policy conditions. The conditions in each policy will ensure that planning permission will only be

granted and development will only take place if these conditions are fulfilled. Therefore mitigation measures are introduced prior building which reduces the potential for harm to the integrity of designated sites.

4.6.2. Policy measures aren't limited to the creation of development and associated infrastructure but also include measures such as requiring developers to distribute publicity material informing the public of the sensitivity of local designated sites to recreational activity and creating an awareness of alternative accessible green space available to the occupants of the new housing. Additionally part of the proposed policy requirements is for planning applications to be accompanied by a site specific HRA which may in turn generate additional localised recommendations to safeguard the integrity of designated sites.

4.6.3. Appendix 9 lists the strategic development sites outlined in the plan and provides additional detail on how each of the policy conditions listed in the HRA will be implemented. The tables detail the following information for each site:

- Mitigation
- background
- confidence of delivery
- delivery issues
- funding & delivery
- how will the mitigation work

4.7. New and enhanced Green Infrastructure

4.7.1. A key element of this strategy is to deliver new and enhanced green infrastructure both on site and off site (as shown for specific sites in Appendix 9). This includes providing new, or improvements to, existing networks of pedestrian and cycle routes and providing improvements to the accessibility and usability of existing and/or alternative green space;

- 4.7.2. By creating new green infrastructure, and enhancing existing green spaces, new and existing residents will have greater choice of locations to visit for recreational activities. It is a key strategy for the larger development sites which have more land and generate larger contributions to green infrastructure. These can be utilised to ensure that the area surrounding new development (either existing or new green areas) are an attractive alternative to the European sites. Ensuring local green infrastructure is attractive to new residents is also a sustainable solution, reducing car trips to European sites and creating healthy communities with good access for walking and cycling on their doorstep.
- 4.7.3. Alternative mitigation could be provision of a SANG. There are strict size and quality requirements for SANG: a SANG site must be at least 2ha in size and at least 8ha/1,000 new residents. It must be of a particular countryside-landscape character, with an adequate level of facilities for recreational use and with provision for ongoing management. Sites which have existing recreational use will have a lesser value as SANG.
- 4.7.4. The developer may propose other mitigation, but as with SANG this is likely to be expensive.
- 4.7.5. The influential approach to HRA mitigation in Thames Basin Heaths included the use of Strategic Alternative Natural Greenspaces (SANGs) to provide alternative recreation opportunities to designated sites. In the Thames Basin Heaths case it was considered that 8ha of SANG was required per 1,000 head of population. Existing open green space could be counted towards the required SANG provision if it was shown there was sufficient capacity at the relevant open space, and the latter was of a sufficient size and proximity to the housing development.
- 4.7.6. These figures have been applied to the West Norfolk situation as a broad comparator. The development identified by the HRA Report as potentially affecting designated sites totals 4,776 dwellings. Applying an assumption of 2.33 persons per dwellings (average household size 10

year projection for West Norfolk from DCLG Household Interim Projections, April 2013), this equates to a relevant population of 11,128, and hence a requirement of 89ha of SANG. In the relevant parts of the Borough there is around 900ha of existing open space, comprising country parks, publicly accessible woodland, and access land (excluding Natura 2000 sites). More detailed, site by site analysis would be required to confirm the capacity and relevant size/proximity of individual sites, but it appears extremely unlikely that there is not an overall 10% capacity in relevant existing open spaces. Therefore, on the face of it, existing green space would by itself meet the SANG requirement if the Thames Basin Heaths criteria were applied, leaving aside the on-site provision and other mitigation measures being taken through the Sites Allocations Plan.

4.8. Visitor Monitoring

4.8.1. Monitoring Visitor behaviour is an important part of the mitigation package. If the result of monitoring indicates that disturbance is occurring then additional measures will need to be put in place. Monitoring of visitor behaviour, vegetation and bird numbers would potentially be desirable and all are probably required in order to obtain a full picture of what is happening on a particular site. Monitoring of the first of these would require liaison with other organisations working on the Norfolk Coast Partnership that have experience of this type of work. North Norfolk Council's site allocation HRA¹ concluded that visitor monitoring would be required and it would be prudent to collaborate on this.

4.8.2. Visitor monitoring is already being undertaken by a consortium of Norfolk Local Authorities (see previous chapter 3.2). Whilst it is not necessary to repeat this work, the remit of the proposed Habitat Mitigation Fund extends to encompass monitoring. It would be desirable for the HRA Monitoring & Mitigation & Green Infrastructure Coordinating

¹ <http://www.north-norfolk.gov.uk/planning/3484.asp>

Panel to consider whether additional monitoring is required as outlined below.

4.8.3. On the North Norfolk Coast the main area to be impacted i.e. within 8km of a development site (Hunstanton and Heacham with 429 dwellings) is likely to be Holme Dunes (the dune system and intertidal areas). The proposed development at Burnham Market comprises 30 dwellings and could affect Burnham Overy Dunes which has a little tern breeding colony and accessible dunes.

4.8.4. At Holme Dunes monitoring measures could include:

- Monitoring of visitor behaviour– baseline and every three years

4.8.5. On the coast:

- Monitoring of visitor use and behaviour on the North Norfolk Coast/Wash in co-operation with North Norfolk Council and also on Roydon and Dersingham Bog.
- Monitoring of key bird species e.g. nightjar and woodlark and vegetation surveys. Both are considered necessary along with visitor surveys in order to assess the full impact of recreation on the coast.

4.8.6. At Roydon Common and Dersingham Bog monitoring measures could include:

- Monitoring of visitor behaviour– baseline and every three years

4.8.7. Some indicative costs for the above actions are set out below:

- Monitoring £2,000 pa (monitoring every three years) at Roydon and Dersingham and on the coast.

4.8.8. Monitoring will be discussed with the Norfolk Coast Partnership, North Norfolk District Council and Natural England.

5. Funding and implementation

5.1. Chapter overview

5.1.1. This chapter details how this monitoring and mitigation strategy will be funded and implemented using existing and proposed sources of funds.

5.1.2. The monitoring and mitigation measures will be funded from a variety of sources and different bodies. These include making use of existing services and funding provided by the Council. Existing services provided by Natural England and other conservation organisations are also referenced where the funding is in place. Further funding is required from developers which will be sought through a Habitats levy and planning obligations (also known as Section 106 agreements) and in the future through the CIL. The prime responsibility for funding of the directly provided mitigation measures will lie with the developer.

5.2. Proposed Interim Habitat Mitigation Payments

5.2.1. Collective Approach

5.2.2. As illustrated by the map in Appendix 1 the proposed allocated sites are fairly equally spread across the Borough, and therefore it is important to mitigate for the cumulative impact of population growth in the Borough as opposed to any one particular development site.

5.2.3. The collective approach will take into account the cumulative impacts of many developments. Applying this approach reduces the burden on developers in respect of evidence required to accompany planning applications and also reduces the demands on local authorities to undertake assessments. This approach should also promote a more consistent, logical and reasoned approach to mitigation through which smaller sums of money, collected from smaller scale schemes, can be

pooled and used to pay for more costly mitigation measures. It will also allow for larger scale developments to contribute in the same way.

5.3. Collective Approach Mitigation Framework mechanisms

5.3.1. The Council is in the process of introducing CIL and this will encompass payment for infrastructure items. However HRA funding may also support the improvement, replacement, operation or maintenance of European site mitigation non-infrastructure measures such as:

- Education and enforcement;
- Information;
- Visitor management.
- Dog Control;
- Access restrictions;
- Studies;
- Fencing/planting/landscaping/screening;
- Gating;
- Signage;
- Bird hides;
- Wardening;

5.3.2. HRA funding of non-infrastructure items means that the pooling restrictions in respect of CIL do not apply and neither do any of the limitations resulting from Regulation 123 of the Community Infrastructure Regulations 2010.

5.3.3. Consequently the Council will secure non infrastructure contributions arising from a HRA by way of a Unilateral Undertaking or s106 agreement (“Habitat Mitigation Payments”).

5.4. Requirement for mitigation

5.4.1. The requirement for mitigation will apply to:

- Housing and tourist accommodation applications;

- The whole Borough area;
- All sizes of application from 1 unit upwards.

5.4.2. The need for mitigation will apply to all forms of housing/ tourist accommodation including:

- Hotels, guest houses, lodges, static caravans & touring pitches;
- Affordable housing;
- Student accommodation;
- Residential caravans/mobile homes/park homes;
- Housing for the 'mobile' elderly;
- BUT NOT care homes for elderly or infirm with significantly reduced mobility.

5.4.3. Also for clarification:

- Where units already exist on the site, the net additional units will contribute;
- Applications to split one unit into two will contribute for the additional unit;
- Applications to increase the operating period of tourist accommodation will contribute for the additional period;
- Applications to convert holiday to residential will be assessed on a case by case basis;
- BUT extensions to existing houses will NOT be asked to contribute;

5.5. Viability

5.5.1. In line with the duty to cooperate, BCKLWN work closely with neighbouring authorities in developing plans and strategies. Both the BCKLWN and North Norfolk District Council share the Wash and North Norfolk Coast European Marine Site which encompasses SAC, SPA and Ramsar designated areas and forms the largest designated site within BCKLWN's boundary. North Norfolk share responsibility for ensuring housing growth prepared in their plans do not cause an adverse impact on European sites and have an adopted Core Strategy and Site Allocations Plan in place. Since their site allocations plan was

successfully adopted in 2011, they have imposed a levy of £50 per each new house built in the district to contribute to monitoring and mitigation of European sites. To maintain a consistent, cross border approach for builders and developers, the Borough Council considers £50 to be a fair rate to apply to each new house which builds upon the successful application of a levy in a key neighbouring authority. This sum would be in line with the figure charged in Great Yarmouth £25-£75 for monitoring and mitigation.

5.5.2. In developing a standard level of contribution, it is crucial to consider the viability of any proposed contribution and how this links to the emerging Community Infrastructure Levy. As detailed in the next chapter, the Panel responsible for overseeing the implementation of this proposed strategy will monitor and, if necessary, review the introduction of this charge, the level of rate proposed and the relative success of the fund. They will have responsibility for administering the fund for monitoring, mitigation and green infrastructure projects (see chapter 6).

5.6. Type of mitigation

5.6.1. The developer may choose to pay the standard Habitat Mitigation Contribution or may choose to propose alternative mitigation.

5.6.2. The size of the standard Habitat Mitigation Contribution is:

- £50 per house (index linked).
- For tourist accommodation the contribution will be calculated on a case by case basis by the Council, depending on the type, location and seasonality of the accommodation.
- A fee of £50 will also be charged to cover legal and administration costs
- The standard contribution is in addition to making the standard Public Open Space provision required for the development.

5.6.3. If the developer chooses to make the standard Habitat Mitigation Contribution, the Council will make a brief Appropriate Assessment (AA) of whether this would provide sufficient mitigation for recreational impacts.

5.6.4. In a few special cases, where there will be a larger scale impact, the standard mitigation may be insufficient and additional mitigation may be required. The Council will discuss this with the applicant. There may also be instances where the likely harm cannot be sufficiently mitigated and refusal will be necessary.

5.6.5. If the developer seeks to offer alternative mitigation instead of making payments, the Council will have to undertake a full AA to check that the measures offered are adequate. This is potentially a lengthy process and the AA may find that the alternative mitigation offered is insufficient.

5.7. Payment of standard Habitat Mitigation Contribution

5.7.1. Smaller Developments

- For smaller developments (of 4 or less units), the Habitat Mitigation Contribution can be secured via a Unilateral Undertaking by the applicant/land owner. The payment will be due before commencement of development.
- A standard format Unilateral Undertaking will be available for applicants to complete and submit with their application.

5.7.2. Larger Developments

- For larger developments (of 5 or more units), the contribution can be secured by Unilateral Undertaking or by S106 Agreement.
- A standard format Unilateral Undertaking will be available for applicants to complete and submit with their application.

- If choosing to pay via a S106 Agreement, Heads of Terms should be submitted with the application.

5.8. Provision of alternative mitigation

5.8.1. If choosing to provide alternative mitigation measures, details of these measures, and evidence of how this will fully mitigate the impacts should be submitted along with the application. This may require the input of a professional ecologist.

5.9. The Core Strategy anticipates development of new housing to come forward at an average rate of 660 units p.a. Over the remaining period of the plan to 2026 this could raise £360,000 which can be applied to the items discussed in section 5.3.1 and more general monitoring requirements noted in section 4.8. Paragraph 5.5.2 notes the need to keep the level of the charge under review.

6. Proposed Governance Arrangements for Managing European Site Mitigation

6.1. Overview

6.1.1. Item h from the HRA suggests the need for ongoing dialogue with a range of bodies to both understand the results of monitoring and coordinate existing and future works.

6.1.2. In discharging their obligations under the Conservation of Habitats and Species Regulations 2010 (“the Regulations”), it is proposed that the Council form an advisory panel to assist it in making expenditure decisions on mitigating recreational impacts of new development through both Habitat Mitigation Payments and any funding generated through CIL.

6.1.3. Through officer discussion with partners it is considered that it would be appropriate to establish an advisory panel to Cabinet (HRA Monitoring & Mitigation & GI Coordination Panel) (HMMGCP) consisting of representatives of bodies that have expertise in managing impacts on these habitats to make recommendations for projects and expenditure of monies and set priorities for future action to meet the requirement from the HRA.

6.1.4. The Panel could call in experts from other interest areas to address matters that may arise (for example, recreation bodies, Environment Agency or fishing interests). In addition the Panel would consider the GI Action Plan and progress towards the implementation of projects within it.

6.1.5. This document sets out proposals for the operation of the Panel. It is anticipated that the Cabinet and Council will need to agree the proposed arrangements.

6.1.6. Under the Scheme of Delegation the Portfolio Holder can authorise payments.

6.2. Purpose of the HRA Monitoring & Mitigation & GI Coordination Panel (HMMGCP)

6.2.1. In order to ensure compliance with the Regulations the Panel will ensure timely and efficient mitigation of the recreational pressures arising from new development in the area of local European Sites, namely:

6.2.2. Potentially affected International and European Protected Sites Special Areas of Conservation (SAC)

- Breckland (directly bordering)
- Norfolk Valley Fens
- Ouse Washes
- Roydon Common and Dersingham Bog
- The Wash and North Norfolk Coast
- River Wensum

6.2.3. Special Protection Areas (SPA)

- Breckland
- The North Norfolk Coast
- The Ouse Washes
- The Wash

6.2.4. Wetlands of International Importance (Designated under the Ramsar Convention)

- Dersingham Bog
- North Norfolk Coast
- Ouse Washes
- Roydon Common
- The Wash

6.2.5. The HRA identifies likely significant in-combination effects relating to Dersingham Bog and Roydon Common (SAC/Ramsar), the North Norfolk Coast and The Wash (SAC/SPA/Ramsar). Breckland (SAC/SPA) is also likely to experience in-combination increases in visitor pressure. The monitoring and mitigation is therefore focused on these areas.

6.3. Functions of the Panel

6.3.1. The functions of the Panel include the following:

- Agree and prioritise a 5 year programme for delivery of recreation mitigation, measures and monitoring;
- Provide expert advice;
- Allocate budget accordingly, taking account of other arising mitigation opportunities;
- Secure the cooperation of all stakeholders;
- Monitor risks, progress and effectiveness of delivery;
- Monitor effectiveness of mitigation and agree changes where necessary;
- Identify, lobby for and secure complementary funds;
- Identifying projects that can come forward in a timely manner and will result in cost effective mitigation benefits;
- Estimating costs and timescales;
- Overseeing effective management of mitigation measures to ensure their long-term effectiveness;
- Coordinating monitoring of European Site integrity
- Coordination of GI provision
- Ensure cooperation of parties.

6.4. Composition and decisions of the Panel

6.4.1. The Panel would comprise:

- BCKLWN; Portfolio holder for environment, Officers
- RSPB
- Norfolk Wildlife Trust
- Natural England

- Norfolk County Council – Green Infrastructure
- National Trust
- Forestry Commission
- Water Management Alliance
- Norfolk Coast Partnership
- WNNC EMS
- Kings Lynn Civic Society
- Representatives of Parish Councils will be invited to meetings regarding allocations or projects that are within or close to their Parish.

6.4.2. Other interested parties will be invited to attend the Panel in an advisory capacity.

6.5. Meetings

6.5.1. The Panel should meet quarterly. This frequency can be adjusted to suit the nature, amount and urgency of business. Meetings are not required to be held in public and recommendations made by the Panel will be published in the normal way through the Cabinet system.

7. Ongoing Review and Monitoring of this Strategy

7.1. Chapter overview

7.1.1. This chapter outlines the importance of the ongoing review of the proposed monitoring and mitigation strategy and how this will take place.

7.2. Monitoring of European Sites

7.2.1. The HRA recommends a number of monitoring requirements. The monitoring measures are concerned with monitoring visitor numbers and behaviours. Some of the mitigation measures need to be implemented regardless, whilst some are likely to be triggered by the monitoring programme indicating that they are required.

7.2.2. A level of monitoring of use of European and alternative sites will be required post development. The results of this monitoring would need to lead to further measures being taken if harm to European sites is thought to be likely.

7.2.3. Monitoring needs to inform the effectiveness of mitigation and be able to pre-empt adverse effects on European site integrity. As such it is of critical importance that the key elements of monitoring are:

- Ongoing visitor monitoring on the European Sites.
- Monitoring of sensitive European site features.

7.2.4. Fine details of monitoring will need to be decided by the HMAP, but should include as a minimum:

- Visitor surveys at strategic points, conducted at appropriate times of year and using appropriate methods. The methods used in the recent county wide visitor surveys² could be adapted to provide a more West Norfolk-

² Panter, C. & Liley, D. (2015). Visitor surveys at European protected sites

specific dataset. Suggested (but not exhaustive) strategic points are Roydon Common NW, Dersingham south, Snettisham Country Park, Holme Dunes, Burnham Overy Dunes.

- Monitoring of site features. Some of this is already being undertaken. It will be a task of the Panel to propose any monitoring gaps are filled.

7.3. Monitoring and review of the effectiveness of the Strategy

7.3.1. It is important to review the effectiveness of this strategy to ensure that it does deliver appropriate habitat monitoring and mitigation measures to avoid adverse harm to the integrity of European Sites. It is difficult to isolate the precise impact on European Sites as a result of policies proposed in the SADMP document because the nature of recreational pressure is much broader than the result of housebuilding nearby. Therefore, monitoring must focus more generally on visitor pressure to the sites and to the general 'health' of features and populations of species integral to the designation of each site.

7.3.2. A key part of the remit of the Panel will be to review the effectiveness of the Strategy and to identify actions, should this be necessary, in the unlikely case that elements of this Strategy fail to be delivered. This strategy has outlined how the monitoring both of visitor pressure, and of the features and species that are fundamental to the integrity of the European Sites will be undertaken following implementation of the SADMP document. It is proposed that the Panel can use this data to determine the effectiveness of the Strategy and identify particular locations or issues of concern. The Panel can then review the Strategy at any time to include further action points, or use the Habitat Mitigation Fund to provide a solution where applicable.

7.3.3. The Panel will ideally meet quarterly and therefore can consider issues relating to the effectiveness of the strategy at these meetings. Principally, the strategy will be reviewed on an annual basis as its implementation will be monitored through the Councils Annual Monitoring Report.

7.3.4. It is important to note that whilst there are set measures proposed in this strategy, the approach to habitat monitoring and mitigation is flexible and is able to be updated. There are 11 years remaining of the Plan and the level of housebuilding, and resulting potential for pressure will vary over time. The strategy could also be updated if the Council introduces a Community Infrastructure Levy to ensure they are linked.

7.3.5. Section 5.2 refers to the Strategy as 'Interim'. As a new initiative it is appropriate that its operation is reviewed and this is part of the remit of the Coordination Group (see Section 6.3.1 above).

7.4. Timetable

7.4.1. Appendix 10 provides a timetable for implementation of this proposed strategy indicating that most action points will be implemented within the first two years of the Plan.

7.5. Certainty of delivery

7.5.1. There is always a level of uncertainty when developing any plan or policy, hence this chapter has outlined how the effectiveness of the Strategy will be regularly monitored, reviewed and revised if necessary. This will provide the framework and flexibility to ensure that the Council is making a deliverable, proportionate contribution to monitoring and mitigation within the timeframe of the SADMP Plan.

7.5.2. Greater certainty of delivery is best provided by close partnership working between BCKLWN and the relevant authorities involved in managing European sites. Partnership working is not limited to the

development of the HRA Monitoring and Mitigation and GI Coordination Panel, but to the regular contact between the Council and key organisations involved in managing the European sites and also to the important undesignated green spaces which help to alleviate recreational pressure. These partnerships are certain to develop as planning applications come forward on allocated sites in order to meet policy conditions imposed in the SADMP document. In addition the individual organisations will be developing their own responses to pressures or opportunities, in some cases ensuring compliance with statutory requirements.

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8. Conclusion

8.1. Summary of approach and measures included in this strategy

8.1.1. This Strategy provides a framework for the avoidance of likely significant effects to the integrity of designated European sites as envisaged in the HRA. It also provides for the monitoring and mitigation of recreational pressure arising from new development identified in the Site Allocations & Development Management Policies (SADMP) Plan in order to protect the integrity of designated European Sites.

8.1.2. The Strategy builds on recommendations made in the HRA accompanying the SADMP document by detailing both the existing management framework for European sites and the relevant monitoring and mitigation strategies currently in place, as well as the proposed proportional contribution to monitoring and mitigation strategies by the Borough Council.

8.1.3. Existing strategies in place include:

- Visitor Surveys
- Wash Incident Reports
- Control of Dogs
- Site Improvement Plans
- Provision of Green Infrastructure

8.1.4. Proposed measures by the Borough Council comprise:

- HRA Monitoring & Mitigation & Green Infrastructure Coordinating Panel
- Habitat Mitigation Fund
- Community Infrastructure Levy
- Revised Policy DM19

- Planning policy requirements for allocated sites
- New and enhanced green infrastructure
- Visitor monitoring

8.1.5. The combination of existing and proposed monitoring and mitigation strategies will ensure a proportionate and precautionary approach to protecting the integrity of designated European Sites from potential recreational pressure arising from new development identified in the Site Allocations & Development Management Policies (SADMP) Plan.

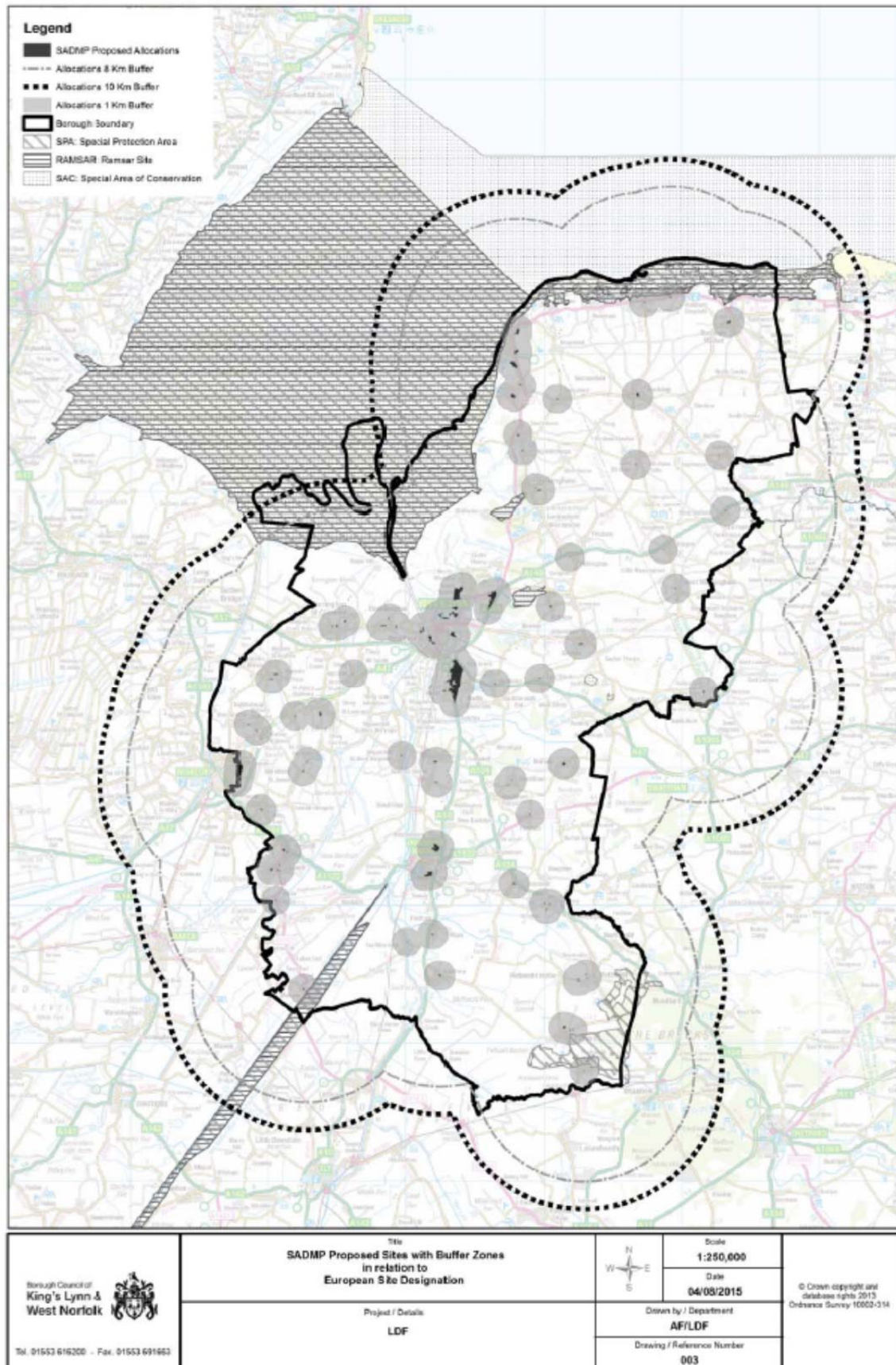
8.1.6. The effectiveness of the Strategy will be monitored and there is sufficient flexibility to ensure that the Strategy can be updated to reflect new information, particularly in response to data from monitoring the European Sites.

8.2. Conclusion

8.2.1. The Borough Council is committed to helping to protect the unique features and species integral to European Sites which are we are fortunate to have within and around the Borough. When implemented, this Strategy will ensure that potential adverse impacts identified in the HRA as a result of policies proposed in the SADMP document will be avoided or mitigated against. This Strategy will contribute to safeguarding the integrity of European sites within, and adjacent to the Borough boundary and will be monitored and reviewed to ensure the effectiveness of the identified measures. Partnership working is a key component of the Strategy and the Borough Council will continue to pursue a joined up approach with all relevant authorities, organisations and site owners with responsibility for managing the designated European Sites.

Appendices

Appendix 1 – Map illustrating proximity of allocated sites to Natura 2000 sites



Appendix 2- Relationship between allocations and affected features of Natura 2000 sites

A. Identification of potentially affected Natura 2000 Sites re particular areas of proposed housing development.

Area	Units	Dersingham Bog SAC & Ramsar	Roydon Common SAC & Ramsar	North Norfolk Coastal SPA & Ramsar	Wash SPA & Ramsar	Wash & North Norfolk Coastal SAC
TOWNS						
King's Lynn town	1,450		SAC habitats			
Knight's Hill	600	SAC habitats	SAC habitats			
South Wootton	300	SAC habitats	SAC habitats			
West Winch	1600		SAC habitats			
Hunstanton	333			SPA birds	SPA birds	SAC habitats
VILLAGES						
Burnham Market	30			SPA birds		SAC habitats
Dersingham	30	SAC habitats			SPA birds	SAC habitats
Gayton etc.	46		SAC habitats			
Heacham	66				SPA birds	SAC habitats
Hillington	5		SAC habitats			
Hunstanton	333			SPA birds	SPA birds	SAC habitats
Ingoldisthorpe	10	SAC habitats			SPA birds	SAC habitats
Snettisham	34	SAC habitats			SPA birds	SAC habitats

B: Measures specified by the HRA Report to avoid the potential adverse effects

Area	Units	Site specific HRA	Site (or local) enhanced recreation provision	Strategic GI provision	Strategic programme of public information
TOWNS					
King's Lynn town	1,450	Yes	Yes	Yes	Yes
Knight's Hill	600	Yes	Yes	Yes	Yes
South Wootton	300	Yes	Yes	Yes	Yes
West Winch	1,600	Yes	Yes	Yes	Yes
Hunstanton	333	Larger proposals only		Yes	Yes
VILLAGES				Combined	
Burnham Market	30	No	No	Yes	
Dersingham	30	No*	No	Yes	
Docking	20	No	No	Yes	
Gayton/Grimston, etc.	46	No	No	No	
Heacham	66	Larger proposals only**		Yes	
Hillington	5	No	No	No	
Ingoldisthorpe	10	No	No	Yes	
Snettisham	34	No	No***	Yes	

*Site specific HRA for Policy G29.1 Dersingham – Land north of Doddshill

** Site (or local) enhanced recreation provision for Policy G47.2 Heacham – Land south of St. Mary's Close

*** Site (or local) enhanced recreation provision for Policy G83.1 Snettisham – Land south of Common Road and behind Teal Close

Appendix 3 - Potential Monitoring and Mitigation Measures for The Wash and North Norfolk Coast

SIP Identified issue and actions 2A-2E

At Holme Dunes measures could include:

- Protecting and wardening breeding little tern colony susceptible to human disturbance
- Wardening the Gore Point winter wader roost
- Additional signage relevant to these two areas
- Other measures?

Action Description (taken from SIP)	What is needed	How will it be delivered?	How will it be funded
Investigate the causes, magnitude and impact of recreational and other disturbance along the Wash, Gibraltar Point and North Norfolk Coast, including likely changes in recreational pressure and their drivers and implement recommended measures. (Action 2A SIP)	Visitor monitoring: Undertake visitor surveys to understand the nature of visitor pressure/recreational disturbance and how this has changed. Develop programme of visitor surveys in pressure 'hot spots' to determine the nature of the visits and visitors including where they have travelled from. The Wash and North Norfolk Coast European Marine Site (WNNC EMS) Management	Delivery lead: Natural England. Partners: Lincolnshire County Council, Lincolnshire Wildlife Trust, Norfolk Coast AONB, Norfolk County Council, Norfolk Wildlife Trust, European Marine Site group. Sample visitor surveys undertaken by the Norfolk Coast Partnership, supported by BCKLWN in hotspot areas	Identified cost £100K 2015-2020. BCKLWN supports the Norfolk Coast Partnership to develop a visitor monitoring programme and provide assistance with data analysis. Monitoring & Mitigation Strategy funding stream WNNC EMS and volunteers

	<p>Scheme monitors the incidence of different forms of recreational disturbance to the conservation features of sites with the Incident Recording Process (IRP)</p>	<p>could be duplicated to determine changes in visitor pressure.</p> <p>Disamenity Partnership Study of Recreational Pressures (Footprint Ecology) undertaking survey work organised on behalf of a group of Norfolk Councils</p> <p>WNNC EMS continue to monitor recreational disturbance using IRP</p>	
<p>Review the zoning of fragile sites for visitors in line with the Norfolk Coast AONB Visitor Management Plan to ensure sensitive habitats are protected, and incorporated into coordinated promotional</p>	<p>Update information on sensitivity of sites to recreational pressures and provide the information to partners (via an updated visitor management zoning guidance) and the public (Norfolk Coast Partnership 2014-19</p>	<p>Delivery lead: Norfolk Coast Partnership.</p> <p>Partners: NCC, Natural England and RSPB</p>	<p>Norfolk Coast Partnership</p>

<p>material. (Action 2B SIP)</p>	<p>Action Plan)</p> <p>Review, update and promote the 'visitor management zoning guidance' (Norfolk Coast Partnership 2014-19 Action Plan)</p>		
<p>Establish a long term recreational management strategy for the North Norfolk Coast which protects the sensitive features in the context of increasing visitor numbers (Action 2C SIP)</p>	<p>Recreational management strategy to be produced by Norfolk Coast Partnership.</p> <p>BCKLWN provide local data to inform mitigation measures (for example, provide list of alternative new green space/ enhanced green space from SADMP for promotion as alternative recreational areas by NCP).</p> <p>WNNC EMS promote Good Practice Guide informing the public of the seashore code and subjects including dog walking and water/airborne sports.</p> <p>North Norfolk Kiter's Working Group (voluntary management scheme) restricting and monitoring activity with yearly review.</p>	<p>Delivery lead: Norfolk Coast Partnership. Partners: NCC, Natural England supported by BCKLWN.</p> <p>Monitoring as part of the joint Recreational Pressure Study</p>	<p>Norfolk Coast Partnership.</p>

<p>Implement (a range of) measures to reduce/minimise recreational disturbance following the development of the recreational management strategy. This will also relate to the passing of the coastal path to 'national trails' management (Action 2D SIP)</p>	<p>Identification, funding and implementation of mitigation measures from the Recreational Management Strategy. Could include:</p> <ul style="list-style-type: none"> • Information/notice boards • Wardens • Education and enforcement • Access restrictions, dog control, gating • Bird hides • Fencing/planting/landscaping/screening <p>Reinvigorate Coastal Disturbance Work (reports produced 2009/2010) in partnership with NCP, Site Managers and Little Tern Working Group (WNNC EMS Annual Management Plan 2015-2016)</p> <p>RSPB and National Trust with other landowners manage coastline and cordon off sensitive areas during bird breeding seasons.</p>	<p>Delivery lead: not determined. Partners: Norfolk Coast Partnership, NCC, Natural England.</p> <p>BCKLWN and North Norfolk contribution</p>	<p>Range of funding streams required.</p> <p>BCKLWN and North Norfolk District Council contribute a proportional level of funding from Habitat Mitigation and Monitoring Levy to help fund identified mitigation measures.</p>
<p>Establish a code of conduct and zoning areas to promote responsible and sustainable bait digging and samphire collection</p>	<p>Promote WNNC Code of Conduct leaflet for public to educate about shore angling and bait digging</p> <p>Investigate zoning</p>	<p>Delivery lead: not determined. Partners: Natural England, Norfolk Coast AONB, Marine Management Organisation</p>	<p>cost estimate: £5000</p>

(Action 2E SIP)	areas (Eastern Inshore Fisheries and Conservation Authority have developed zoning areas for Stour and Orwell which could be replicated for other parts of the Wash)	(MMO), European Marine Sitegroup	
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Appendix 4 - Potential Monitoring and Mitigation Measures for Roydon Common and Dersingham Bog

The Site Improvement Plan produced by Natural England for Roydon Common and Dersingham Bog does not contain prioritised issues relating to recreational pressure. Although they are both publicly accessible and have some visitor facilities and information boards, they are not promoted as tourist destinations or as recreational areas to the same extent as The Wash and North Norfolk Coast and Breckland.

Whilst it is important to monitor these sites to identify the impact of visitor pressure on protected species in the same way as the other Natura 2000 sites, it may be that mitigation strategies are designed to limit the increase in visitor numbers as well as to promote responsible practice by the public when visiting the sites. The main organisations with an active role in management of these sites are Norfolk Wildlife Trust and Natural England. The Borough Council proposes to work closely with these bodies to provide a proportional contribution to the monitoring and mitigation of these sites.

At Roydon Common and Dersingham Bog measures could include:

- Community Ranger (possibly shared with North Norfolk Coast)
- Additional visitor infrastructure and signage

Other measures including re-structuring of car parking arrangements.

Action Description (taken from SIP)	What is needed	How will it be delivered?	How will it be funded
Monitor the use of the sites by the public to identify changes in recreational pressure and resulting impact on the condition of the site and on protected species	Monitoring already undertaken for species. Breeding pairs of protected bird species are recorded each year inc. nightjar, woodlark, and other species monitored e.g black darter dragonfly and turtle dove. Both sites have established volunteer groups which aid species recording. Establish	Delivery lead: Natural England and Norfolk Wildlife Trust. Partner: Borough Council of King's Lynn and West Norfolk Continued Monitoring as part of Joint Recreational Pressure Study	Utilise volunteers and staff time. Proportional financial contribution from BCKLWN

	<p>programme of visitor monitoring at both sites to understand visitor pressure issue. Joint Recreational Pressure Study commissioned by NCC Interim Report provides visitor data for Roydon Common.</p>		
<p>Implement (a range of) measures to reduce/minimise recreational disturbance</p>	<p>Results of visitor monitoring could be utilised to inform a recreational and access strategy which identifies appropriate mitigation measures for example – leaflet of code of conduct for visitors, more site notices and information boards.</p> <p>Current mitigation measures already implemented include Dersingham Bog: information panels, site notices, easy access path and boardwalk, restrictions for dog owners (short leads), organised walks.</p> <p>Roydon Common: marked nature trails and public footpaths, information boards, seasonal warning notices, restrictions for dog owners (on leads), organised walks.</p>	<p>Delivery lead: Natural England and Norfolk Wildlife Trust. Partner: Borough Council of King's Lynn and West Norfolk</p> <p>Norfolk Wildlife Trust is preparing a management strategy for Roydon Common.</p>	<p>Utilise volunteers and staff time.</p> <p>Proportional financial contribution from BCKLWN</p>

Appendix 5 - Potential Mitigation Measures for Breckland SPA/SAC

Action Description (taken from SIP)	What is needed	How will it be delivered?	How will it be funded
Secure adequate evidence to assist with the assessment of planning applications both for their impact and mitigation. Through discussions with stakeholders, use strategic planning to avoid or mitigate effects on SPA bird species, in a coordinated manner (Action 8A SIP).	<p>Natural England to develop appropriate mechanism</p> <p>Under duty to cooperate, cross border working between authorities adjoining Breckland SPA/SAC to coordinate Local Plan strategic policies to avoid or mitigate effects on SPA bird species</p>	<p>Delivery lead: Natural England.</p> <p>Partners: Breckland District Council, BCKLWN, RSPB, Suffolk County Council</p>	<p>Cost estimate: staff time. Timescale 2015-2016</p>
Explore and secure funding for continued appropriate monitoring of SPA species and their habitat. (Action 9A SIP)	<p>Significant monitoring exercise was undertaken in 2010: Breckland Biodiversity Audit undertaken by UEA and partner organisations registered 13000 species, 2000 of national importance for conservation.</p> <p>Natural England and Forestry Commission to explore funding options</p> <p>Promote voluntary monitoring such as the Breckland Society Bat Project and Plantlife Charity 'Wild about Plants' voluntary team monitor 28 rare and</p>	<p>Delivery lead: Natural England.</p> <p>Partners: Forestry Commission, Local Authorities, MOD, RSPB, Landowners</p>	<p>Cost estimate: £100,000 timescale: 2014-2020</p>

	endangered plant species in Breckland		
Investigate the impact of recreational disturbance on woodlark and nightjar in Thetford Forest from an increase in visitor use. (Action 11A SIP)	Investigation/research/monitoring Study commissioned by Breckland District Council 'Woodlark and Nightjar Recreational Disturbance and Nest Predator Study 2008 and 2009' (UEA) identified no evidence that current recreational levels had a detrimental impact on Woodlark and Nightjar but provided a framework for future monitoring which could be implemented.	Delivery lead: Forestry Commission. Partner: Natural England	cost estimate: £60,000 timescale 2014-2017
Options appraisal of visitor access management at Heaths and Commons to reduce disturbance and other impacts. Integration of access/habitat management to form part of detailed management plan. (Action 11C SIP)	Natural England to develop Access Strategy	Delivery lead: Natural England	cost estimate: £15,000 timescale 2015-2020 funding option: Natural England, Rural Development Programme (RDPE)

Appendix 6- Borough Council Green Infrastructure Strategy - Outline of projects

Project Name	Project Description	Geographic Scale	Main Functions	Lead delivery agents	Timescale (years)	Priority	Links to other projects	Progress	Potential contribution/relationship to HRA issues
Fens Waterways: Sea Lock at Great Ouse Relief Channel Project C: King's Lynn Map	Urban regeneration is currently planned for a large area of land to the south of King's Lynn, which includes the building of a new marina and sea lock. Current focus on building a sea lock within the tail sluice of the Great Ouse Channel. A pre-feasibility study has been undertaken in the proposed scheme.	Regional	Waterway, recreation, biodiversity, regeneration and tourism	Environment Agency, BCKLWN, LEPS, Homes and Communities Agency (HCA), Department for Children, Schools and Families (DCSF) and Norfolk County Council (NCC).	0-20	High	A, R1, J Links to historic environment to be confirmed		
Countryside Sports and Recreation Zone	The development of a masterplan is required for the 824ha Countryside Sports and Recreation Zone, located to the south east of King's Lynn (The Site was previously identified within a proposals map for the area, but was not a saved policy). The Zone is centred on a restored minerals working at Bawsey/Leziate, which currently includes a	Borough	Employment, investment, regeneration, sustainable transport, recreation and biodiversity	Sibelco & partner	Masterplan development 2010. Delivery 2011.	High	M, H, G Links to historic environment to be confirmed	Bawsey Lakes Futures Group has received £25k funding from Sibelco. Developer proposal for site/intent to purchase. Purchase should be secured	Significant relationship

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	number of PROW, a sailing and country club, a country park, wildlife sites and a SSSI. The Site was recognised within the Open Space Assessment as having potential to be a major sports and recreation area.							within next couple of months	
429 Hardwick Industrial Estate Link. Project H: King's Lynn Map	A significant industrial estate is being developed in King's Lynn, which will accommodate new and relocated local businesses. The Site is highlighted within the Norfolk Strategic Employment Land Study, with 200 homes to be developed in an adjacent area. A focused GI/landscape plan is required in order to maintain, improve and enhance links to the Hardwick Industrial Estate through the GI network, particularly the creation of routes between the industrial estate and West Winch	Borough	Employment, investment, regeneration, sustainable transport, recreation and biodiversity	BCKLWN	Ongoing	High	M, R1, O, F Links to historic environment to be confirmed	Site has outline planning consent, but development company is in administration.	

	to the south. The potential to develop green roofs within the estate and a wildlife garden should also be considered within these plans.							
Waterfront Regeneration Area - Boal Quay Project J: King's Lynn Map	A mixed use scheme to redevelop 7ha of brownfield land fronting the River Great Ouse. The scheme is expected to include 800 homes and a 250 berth marina, hotel, retail and leisure developments. Opportunities to add GI to this scheme should be considered and incorporated within masterplans for the Site.	Town	Residential development, recreation and regeneration	BCKLWN, LEPs, NCC, EA, HCA & private developers	A masterplan has been prepared and supplementary reports are being completed. A costed landscape masterplan has been developed. The initiative is	High	NORA Project, K, I, Q, C, H Links to historic environment to be confirmed	

					currently being reviewed due to market conditions				
431 Nar Ouse Riverside Park/Hardings Pits Project K: King's Lynn Map	The development of a Riverside Park is currently being considered as part of the NORA Scheme. Alterations have recently been made to the project in relation to public consultation surrounding the development of the Hardings Pits site. A landscape masterplan has now been developed for the Site which provides a variety of initiatives for various character areas.	Town	Recreation, regeneration and biodiversity	BCKLWN, private developers & NE	Under review	High	Nar Ouse Riverside Park/Hardings Pits Project K: King's Lynn		
SUDS in Development Areas to the North and South of King's Lynn	Creation of recreational and conservation sites associated with the SuDs at development sites	Borough	Recreation and conservation	Private developers with guidance from BCKLWN	Aligned with RSS growth to 2031	High	Water Cycle Strategy	SuDS implementation is taking place through the	

								planning system commencing in April 2015.	
Wissey Living Landscape Project U: Downham Market Map	This significant project aims to support a number of GI developments, including the restoration of wetland habitats on arable land and natural functioning/enhanced water quality along length of the River Wissey. It also includes the enhancement of arable farmland for wildlife and environmental protection, the provision of recreational and educational opportunities to understand and value the natural environment of the Fens, engagement with local communities and raising the profile of wildlife and wetland creation in the Fens. A strategic plan is to be developed which is expected to include the	Regional	Biodiversity, recreation, education	Norfolk Wildlife Trust (NWT) , NCC, BCKLWN, Environment Agency Regional Habitat Creation Programme, Wet Fens Partnership, Fen Waterways Link, Fens Access.	65ha wetland project to commence on site late 2009. Downham Market BAP to be completed April 2010.	High	Z, AE Links to historic environment to be confirmed	Hilgay is a major site for the creation of a new wetland at a landscape scale that has already started – under the Wissey Valley Living Landscape Scheme this project seeks to create 10,000 ha of wetland to compensate for (this is a long term aim and the 65ha is the only area certain to be delivered in	

	designing and planning of a 65 ha wetland east of the village of Hilgay; the completion of a BAP for Downham Market and partnership group creation. Specific projects include:							the short term) loss elsewhere, at the coast, due to changes in flood management, restoring the rich range of fenland wildlife with a mosaic of wetland habitats.	
The development and management of Hilgay Nature Reserve					Ongoing			Construction of the 60ha wetland at Hilgay was completed in 2014 and reeds have already established naturally or being planted to create the reedbed habitat. Construction of a	

								further 20 ha of reedbed with 40 ha of grassland and woodland adjacent to Hilgay (but in Methwold parish) began in 2013.	
434								At Hilgay, the construction by professionals like Norfolk Wildlife Trust and the Environment Agency and volunteers started in 2010 and is now completed, which includes erecting protective wire cages across the	
							2010		
Secure wetlands at Hilgay and promote the area for wetland creation									

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								landscape to prevent browsing of the 40,000 reed plugs and digging the abstraction trench, which is part of the water levels management that also involve installing pumps and a storage lagoon. Interactive wildlife monitoring and education is ongoing and positively justifies the conversion of farmland to the public.	
Advising IDB on wetland conservation					Ongoing				

Community engagement in Downham Market and the surrounding area					Ongoing				
Raise the profile of wildlife and wetlands in the Fens					Ongoing			NWT worked with EA and landowners to survey and write a conservation management plan for Cut-Off channel in 2014.	
Identify potential for a community water system (CWS)					2010				
Identify potential for other wetlands.					2010				

<p>437 Allotments Location TBC</p>	<p>Significant demand has been identified for allotments in Downham Market, through the Town Council. The Town does not currently accommodate any allotment sites. Opportunities to create allotment sites should be sought within new housing development schemes and upon current GI sites with limited use/value. A feasibility study is required to determine an appropriate location and site design.</p>	<p>Town</p>	<p>Recreation, food production</p>	<p>Downham Market Town Council & BCKLWN</p>	<p>2012</p>	<p>High</p>	<p>AB, U, AD Links to historic environment to be confirmed</p>		
<p>Fens Waterway Link - Ouse to Nene Project A: Borough Map</p>	<p>A new circular waterway is to be created to support recreation, tourism and biodiversity through the Fens. The waterway is planned to complement other projects in the region, developing new links between the existing stretches of navigable sections.</p>	<p>Regional</p>	<p>Waterway, recreation, biodiversity, regeneration and tourism</p>	<p>Environment Agency, Inland Waterways Association, Middle Level Commissioners, EMDA, BCKLWN, EEDA</p>	<p>0-20</p>	<p>High</p>	<p>C, D, U, G Links to historic environment to be confirmed</p>		

King's Lynn/Wash/Norfolk Coast Path Link Project D: Borough Map	Under the Marine and Coastal Access Bill a long distance trail around the English Coast will be secured for the purpose of open-air recreation. Currently the coast path "gap map" for the East of England indicates there is generally "no satisfactory legally secure path" from approximately Hunstanton to the River Great Ouse. To develop a long distance coastal trail, proposals will be prepared to fill this gap. The provision of a new coastal trail between Hunstanton and the River Great Ouse together with the existing PROW which runs northwards from King's Lynn parallel with the River Great Ouse and will enable access from King's Lynn to the coast and links to Hunstanton (including the Norfolk Coast Path - a National Trail popular with tourists).	National /Regional	Biodiversity, tourism, recreation	Natural England	0-11	High	A, Q, J, K Links to historic environment to be confirmed	NE working with County Council developing proposals for this path. Work to start in 2015-16.	
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Brecks Regional Park Project E: Borough Map	The main focus of this project was supporting the Brecks area to gain Regional Park or AONB status. The current focus of the project is the development of the Thetford Forest Park. A Strategy is currently being developed for the area, which also examined opportunities to increase tourism. The Partnership is looking to develop a number of communication tools by which to promote the area to the local population. These include a newsletter, concessionary pass to local attractions for local residents and the development of 21 area guides (cycle/walk/horse).	Regional	Biodiversity, tourism, recreation	Breaking New Ground Landscape Partnership, NCC & BCKLWN	0-11	High	G and growth point activity in Breckland and St Edmunds bury. Links to historic environment to be confirmed .	The Brecks Partnership has now ended (Mar 2014). In March 2014 the Heritage Lottery Fund (HLF) confirmed the award of nearly £1.5million to the Breaking New Ground Landscape Partnership , enabling a £2.2m scheme to start delivering a range of Heritage and Landscape Projects in the Brecks. A draft proposal for a Brecks Environmental Enterprise Zone (BrEEZe)	
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								was prepared in February 2015.	
<p>Gaywood Valley</p> <p>Project G:</p> <p>Borough Map</p>	<p>The area has been identified as a core area to develop new habitats by the Norfolk Biodiversity Partnership. The project has gained European funding from the SURF project. The project will expand BAP habitats and buffer an entire catchment and aims to enhance access to the area due to its proximity to King's Lynn, supporting education initiatives and the socio economic rejuvenation</p>	<p>Regional</p>	<p>Biodiversity, access, recreation, PROW, regeneration</p>	<p>NCC, BCKLWN, key biodiversity bodies (NWT, WT, RSPB, FWAG), NE, Landowners, IDBs, EA, private businesses, parish councils, Wild Trout Trust, Water Management Alliance & Anglian Water.</p>	<p>Employed a GI officer in 2009 to manage the development of the Plan (post for three years).</p>	<p>High</p>	<p>G, U, F, M Links to historic environment to be confirmed</p>	<p>The Gaywood Valley Project was completed in 2013</p>	

441	<p>of the Town. The Plan is to be developed demonstrating how the Valley can be restored. It is expected that the Plan will focus upon the restoration of the chalk river, the protection of riparian/valley side habitats and developing public access opportunities. A number of initiatives are already planned/being completed they include:</p>								
The restoration and management of existing nature reserves - Roydon and Grimston				NWT	Ongoing				BCKLWN owns/mang es – protection measure for dogs, etc.?

Acquisition of 130ha of land to the west of Roydon to create heathland				NWT	2009		Since 2004, NWT has acquired two additional parcels of land. The south western extension, known as The Delft was acquired in 2010 and is currently being restored to wet heath. The north western extension known as Rising Heath was acquired in 2012 and it will be restored to acid grassland and heath. As well as a site for heathland restoration this area will provide a buffer	Potential for public access
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								between the main part of Roydon Common and new housing that may come forward in the Knights Hill area.	
Production of wildlife audit and habitat restoration study					2010				
Work with communities on the fringes of King's Lynn				NWT working with local communities	2013 to 2015			NWT has worked with local communities in the Gaywood Valley under the Delivering Living Landscapes HLF funded	

								project. This work has included setting up a Gaywood volunteer group, who have been carrying out work on wildlife sites within the urban fringe including Reffley Wood and at Lynnsport	
Development of education and volunteer activity at Leziate, Roydon and Gaywood					Ongoing				
Provision of advice to CWS and other landowners					Ongoing				

Survey to identify CWSs especially with mineral restoration					No progress in proposal to survey new CWS at Bawsey Pits				
Lynnsport Project I: King's Lynn Map	This site is currently an underused sports area highlighted as a site for housing development and surface water management. The development is expected to support the construction of 200 dwellings. Masterplans and planning briefs created for the Site should incorporate GI provision.	Town	Recreation, water management, regeneration	BCKLWN, residential developers and landowners	Ongoing (A planning brief is currently being prepared)	Medium	Q, J, P, H, R2	Land Review & Feasibility Study 2009	Enhanced public access?

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<p>King's Lynn - Hunstanton Disused Railway Route Project L: King's Lynn Map</p>	<p>Potential opportunities may exist to extend publicly accessible routes within (or alongside) the disused railway route between King's Lynn and Hunstanton to deliver a continuous route with improved links to areas of residential development. A National Cycle Route already exists along the railway route within the built development of King's Lynn and a proposed walking/cycling route is indicated by Sustrans between Heacham and Hunstanton. A study will need to be undertaken to look into the feasibility of developing this project. Such a study would need to consider: any proposals to re-open the Lynn-Hunstanton railway line, existing development on/close to the line, land ownership, links to existing rights of way and funding opportunities.</p>	<p>Regional</p>	<p>PROW, recreation, sustainable transport, biodiversity and health</p>	<p>NCC (ROW Team), BCKLWN and Sustrans</p>	<p>Project plans not yet developed, timescale will be provided once an issue with land ownership is clarified.</p>	<p>Medium</p>	<p>Possible new development sites to the west of South Wootton and north of the A1078</p>	<p>County Council developing proposals for this path 2015-16.</p>	
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<p>A149 Crossings (King's Lynn) Project M: King's Lynn Map</p>	<p>Within King's Lynn one of the major barriers/gaps within the existing GI network is an opportunity to cross the A149, to access resources on the east of the town such as Bawsey/ Leziate Country Park & the Gaywood Valley. Feasibility studies should be prepared to look into the possibility of improving/creating new crossing points particularly as part of proposed new development to the north-east of the town (options may include green bridges) and at the Hardwick Industrial Estate. (It should be noted that the ROWIP indicates there is no provision for new bridges)</p>	<p>Borough</p>	<p>Transport links, PROW, recreation and biodiversity</p>	<p>NCC & BCKLWN</p>	<p>Project plan not yet developed, feasibility of various options to be explored.</p>	<p>Medium</p>	<p>F, H, O, R1, C</p>		
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<p>Osier Marsh and the Gaywood Valley Link Project N: King's Lynn Map</p>	<p>Feasibility studies should be considered to look into the possibility of improving/creating new access routes (both PRow and permissive access) from the centre of King's Lynn to Osier Marsh/Gaywood Valley to the east of the town. When preparing these feasibility studies particular consideration should be given to the emerging Gaywood Valley Project.</p>	<p>Borough</p>	<p>PRow, recreation, biodiversity and health</p>	<p>NCC, BCKLWN, key biodiversity bodies (NWT, WT, RSPB, FWAG), NE, Landowners, IDBs, EA, private businesses, parish councils, Wild Trout Trust, Water Management Alliance & Anglian Water.</p>	<p>Project not yet developed. Feasibility of options to be explored.</p>	<p>Medium</p>	<p>M, F, G, H</p>		
<p>Strategic Urban Extension Project O: King's Lynn Map</p>	<p>This Strategic Urban Extension is located to the south east (W Winch/N Runcton) and masterplans for the site should be developed to include GI, which provides recreational opportunities and supports biodiversity.</p>	<p>Borough</p>	<p>Regeneration, recreation, biodiversity</p>	<p>BCKLWN</p>	<p>Ongoing</p>	<p>Medium</p>	<p>Growth Point</p>	<p>Proposals as part of allocation and emerging Neighbourhood Plan.</p>	

<p>Hillington Square Project Q: King's Lynn Map</p>	<p>This residential redevelopment consists of up to 250 dwellings. Scope for the development of GI on site may be limited due to the increased development densities, which the initiative aims to create. There are significant potential GI links with the waterfront area, Tower Gardens, the Walks and around the All Saints Church, therefore, contributions towards off site GI may be required to support this new population and should be included within any masterplans/planning briefs.</p>	<p>Borough</p>	<p>Regeneration, recreation, biodiversity</p>	<p>Freebridge Community Housing (RSL), BCKLWN & HCA</p>	<p>Outline planning permission to be obtained 2010/11 and construction to start 2012/3. The initiative is currently being reviewed due to market conditions</p>	<p>Medium</p>	<p>Growth Point R2/3/4, P, I, J, C</p>	<p>Hillington Square project underway 2013. First phase completed Nov. 2014. Phase 2 underway Jan 2015.</p>	
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<p>Gateway improvements Project R: King's Lynn Map</p>	<p>The current gateways into King's Lynn are considered to be poor and a programme of environmental improvements to enhance these gateways has been created and is currently being delivered. Such initiatives provide opportunities to create additional GI provision. The Urban Development Strategy highlights the following gateways for improvement:</p> <ul style="list-style-type: none"> <input type="checkbox"/> London Road at Southgate (R1); <input type="checkbox"/> London Road at Tower Gardens (requires strong frontage overlooking 'The Walks') (R2); <input type="checkbox"/> John Kennedy Road at Port Entrance (R3); <input type="checkbox"/> John Kennedy Road at current positions of the former Zoots Nightclub/the disused railway (R4); and <input type="checkbox"/> Gaywood Road on the line of town wall (strong frontage to Austin 	Town	Regeneration	BCKLWN, NCC and landowners	Ongoing	Medium	Q, P, I, J, H	<p>Zoots nightclub site, John Kennedy Road being redeveloped for housing following demolition of former Pilot Cinema. Environmental improvements underway as community project along town wall on Kettlewell Lane, off Gaywood Road. Across the town landscaping improvements have been made through the Interreg IV Amiens project. The</p>	
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	Street required) (R5).							Tuesday Market Place and Saturday Market Place have also been subject to improvements as important public spaces.	
Demand for Outdoor Sports Facilities and Children's Play Areas Location TBC	Within the Council's Open Space, Sport and Recreation Study King's Lynn is identified to have a deficiency in play provision totalling 26.61ha. Opportunities to develop additional play facilities, particularly NEAPs should be identified within areas of high demand.	Town	Recreation, regeneration	BCKLWN and private developers	Ongoing	Medium	Q, I, J, O		

A10 Link Project W: Downham Market Map	The A10 is a major barrier to GI to the East. Whilst there are some opportunities to cross there is an element of risk involved in using them. Feasibility studies are required to assess the possibility of improving/creating new crossing points particularly as part of i) proposed new development to the north east of the town (options may include green bridges) and ii) improvements to the A10. (It should be noted that the ROWIP indicates there is no provision (for new bridges)	Borough	Transport links, PROW, recreation and biodiversity	NCC (Access/ROW Dept.)	Project not yet developed. Feasibility of options to be explored.	Medium	Y, AB		
Cock Drove and Kingston's Plantation Project X: Downham Market Map	To the North of Downham Market there is a deficiency of GI. Opportunities to develop GI between Cock Drove and Kingston's Plantation should be sought. Masterplans for proposed new development to the North West of Downham Market (permitted housing and areas for urban	Town	Recreation and biodiversity	BCKLWN and developers	Project not yet developed. Feasibility of options to be explored.	Medium	AC, Y, Z		

	expansion) should seek to maintain enhance and create GI along Cock Drove and at Kingstons Plantation. GI corridors to these two GI assets should also be maintained and developed as part of the masterplans.								
453	Denver Waterways Project B: Downham Market Map	A GI planning initiative is currently being completed for the Denver Sluice and Lock area as part of the Fen Waterways initiative. Links between this Strategy and this study should be considered once it has been completed.	Borough	Waterway, recreation, biodiversity and tourism	EA, BCKLWN and NCC	Study ongoing	Medium	A & C	A consultation event was held in March 2015 looking at ways of improving Denver Sluice as a visitor destination, under the Ouse Washes Landscape Partnership.
	Ring of Paths Project Y: Downham Market Map	The feasibility of developing a ring of recreational routes around Downham Market to serve existing and new residential areas,	Town	Sustainable transport, recreation	BCKLWN, NCC and Downham Market Town Council	2012 onwards	Medium	AE, W, Z, X, AC	

	supporting the creation of a coherent GI network.								
Southern Orbital Link Project Z : Downham Market Map	Employment expansion areas are identified to the west of Downham Market off the A1122. Feasibility of a dedicated cycle route/footpath for pedestrians and cyclists from residential areas to employment sites (potentially a route alongside the A1122) should be explored.	Borough	Transport links, PROW, employment and biodiversity	NCC (Access/ROW Dept.), BCKLWN and developers	Project not yet developed. Dependent on employment site proposals coming forward.	Medium	X, AE, Y, W, AC		
Urban Expansion Project AB : Downham Market Map	Plans exist to expand the town towards the south east. The development of GI links between this area, Denver and the wider countryside. Opportunities should also be sought for recreation and biodiversity within masterplans and planning briefs created for this area.	Borough	Regeneration, PROW and biodiversity	BCKLWN, NCC, private developers and landowners	Ongoing	Medium	W, Y, AC, AE		
Drainage Channel Links	Improve access on the drainage channel to the west. Increase public access.	Town	Drainage, SUDS	BCKLWN, EA, IDB & NCC	TBC	Medium			

<p>East of Hunstanton to Hunstanton Park Project AG: Hunstanton Map</p>	<p>Improvements can be made to provide access to East of Hunstanton to Hunstanton Park and out towards Ringstead and the Peddars Way, to connect the town with the wider countryside. A study should be considered to look at the need to improve/create new access routes (both PRow and permissive access) from Hunstanton to Hunstanton Park, Ringstead and the Peddars Way.</p>	<p>Borough</p>	<p>PRow, recreation, biodiversity and health</p>	<p>NCC (Access/ROW Dept.), Town/Parish Councils, user groups, Countryside Management Projects and land managers</p>	<p>Project not yet developed. Dependent on requirements identified.</p>	<p>Medium</p>	<p>AH, AF, AI</p>		
<p>Hunstanton Urban Extension Project AH: Hunstanton Map</p>	<p>Potential has been identified for new residential development to the East and South of the Town. Opportunities to include GI should be incorporated within masterplans and planning briefs for the sites, such as productive greenspace, protection/creation of areas for biodiversity and outdoor recreation/play facilities.</p>	<p>Borough</p>	<p>Regeneration, biodiversity, recreation</p>	<p>BCKLWN, private developers, landowners and Town Council.</p>	<p>TBC</p>	<p>Medium</p>			

<p>Oasis Way to Cliff Top Project AI: Hunstanton Map</p>	<p>The development of GI as set out within the Hunstanton Masterplan should initially be supported. However, further work is required to identify opportunities for GI to be developed along Oasis Way creating green links between the town and the promenade area.</p>	<p>Town</p>	<p>Regeneration, biodiversity, recreation & tourism</p>	<p>BCKLWN and Hunstanton Town Council</p>	<p>3-7 years</p>	<p>TBC</p>	<p>AF, AG, AH</p>	<p>Cliff Top - successful stage 1 bid for funding from HLF for Hunstanton Heritage Gardens (The Green, Esplanade Gardens, Cliff Parade) under Parks for People programme . £685.4k. Stage 2 bid by Mar.16.</p>	
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<p>Farm Schemes - Stewardship Schemes Located across the Borough</p>	<p>It is recognised that existing agricultural land plays an important part in contributing to GI. The primary objectives of Environmental Stewardship are to:</p> <ul style="list-style-type: none"> <input type="checkbox"/> conserve wildlife (biodiversity); <input type="checkbox"/> maintain and enhance landscape quality and character; <input type="checkbox"/> protect the historic environment and natural resources; <input type="checkbox"/> promote public access and understanding of the countryside; and <input type="checkbox"/> protect natural resources. <p>The secondary objectives of Environmental Stewardship are:</p> <ul style="list-style-type: none"> <input type="checkbox"/> genetic conservation; and <input type="checkbox"/> flood management. <p>In addition the “Energy Crops Scheme” aims to increase the amount of energy crops grown in England in appropriate locations. It offers grants to farmers in England for the establishment of</p>	<p>Borough</p>	<p>Agriculture, conservation (biodiversity, landscape, historic environment and natural resources) recreation, education and flood management</p>	<p>NE & BCKLWN</p>	<p>Ongoing</p>	<p>Medium</p>	<p>G, U</p>	<p>Environmental Stewardship (ES) is a land management scheme in England which from 2012 closed to new applicants. Existing agreements will still be managed, until they reach their agreed end date. The aim of the Energy Crops Scheme (ECS) is to encourage farmers and landowners to grow energy crops as a sustainable substitute for fossil fuels. The ECS closed for new</p>	
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	<p>miscanthus and short rotation coppice. These crops are used as a substitute for fossil fuels, so they can contribute to a reduction in greenhouse gas emissions and help to combat climate change.</p>						<p>applications on 31 August 2013. All existing agreements signed before 31 December 2013 will continue until their agreed end date.</p>	
<p>Wimbotsham link Project AC: Downham Market Map</p>	<p>Investigate the potential to develop PROW and recreational routes between Downham Market and Wimbotsham</p>	<p>Borough</p>	<p>PROW, recreation</p>	<p>NCC and BCKLWN</p>	<p>TBC</p>		<p>Y, AE, Z, X</p>	

<p>Church Farm Stow Bardolph Farm Project AD: Downham Market Map</p>	<p>Investigate the potential for the Farm to be used by local schools to support education and outdoor activities, focused on food production and agriculture.</p>	<p>Borough</p>	<p>Recreation, education</p>	<p>NCC, BCKLWN, local education groups, charities and farm owners</p>	<p>2-10 years</p>	<p>Low</p>	<p>W, AC, Y</p>		
<p>Creating links to the south of Downham Market Project AE: Downham Market Map</p>	<p>Investigate the needs and opportunities to provide more/better access to the countryside to the south of Downham Market. Consideration should be given to the emerging Wissey Project.</p>		<p>PROW, sustainable transport, biodiversity</p>	<p>NCC and BCKLWN</p>	<p>Project yet to be developed</p>	<p>Low</p>	<p>B, Y, AE, Z</p>	<p>The County Council intends to implement a new trail linking King's Lynn to Thetford via Downham Market. This will be achieved by (in the main) following existing PROW along the Little Ouse to meet the Fen Rivers Way. By adopting this into the Trails family it means it will be proactively maintained</p>	

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								and promoted.	
460	Ouse Washes Living Landscape Project			Cambs ACRE				Underway	
	Heacham links Project AF : Hunstanton Map	Town	Sustainable transport, recreation, health	NCC, BCKLWN and Sustrans	Ongoing	Low	AF, AH	County Council developing proposals for this path.	

	initiative); ii) utilising existing PROW, assessing suitability of rights of way for cycling; and iii) opportunities associated with the dismantled railway								
461	Open space deficiency	Town	Recreation	BCKLWN & Parish Councils	2015 onwards	Low			
	<p>Within the Open Space, Sport and Recreation assessment (details Appendix A) a number of wards are identified as being deficient with regards to their allotment, parks/gardens and amenity greenspace provision. The following wards were listed as being deficient in all three types of open space and opportunities should therefore be sought to create areas of open space supporting the recreation of local residents:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Brancaster; <input type="checkbox"/> North Wootton; <input type="checkbox"/> Clenchwarton; <input type="checkbox"/> Walpole; <input type="checkbox"/> St Lawrence; <input type="checkbox"/> Wiggshall; 								

- Mershe Lande; and
- Watlington.

21-08-2015

Appendix 7- Mitigation Measures – summary related to items required in HRA

1. General policy approach	Indicative/ Specific approaches
<p><i>Provision of an agreed package of habitat protection measures, to mitigate potential adverse impacts of additional recreational pressure associated with the allocated development upon nature conservation sites covered by the Habitats Regulations Assessment. This package of measures will require specialist design and assessment, but is anticipated to include provision of:</i></p> <p><i>i. Enhanced informal recreational provision on (or in close proximity to) the allocated site [Sustainable Accessible Natural Greenspace], to limit the likelihood of additional recreational pressure (particularly in relation to exercising dogs) on nearby relevant nature conservation sites. This provision will be likely to consist of an integrated combination of:</i></p> <ol style="list-style-type: none"> <i>1. Informal open space (over and above the Council's normal standards for play space);</i> <i>2. Landscaping, including landscape planting and maintenance;</i> <i>3. A network of attractive pedestrian routes, and car access to these, which provide a variety of terrain, routes and links to the wider public footpath network.</i> <p><i>ii. Contribution to enhanced management of nearby designated nature conservation sites and/or alternative green space;</i></p> <p><i>iii. A programme of publicity to raise awareness of relevant environmental sensitivities and of alternative recreational opportunities.</i></p>	<p>Covered as policy requirements in housing allocations E1.4, 1.5, 1.6, 1.7, 1.9, 1.10; E2.1; E3.1; E4.1; F2.2, 2.3, 2.4.</p>
<p><u>2. Avoidance measures for impacts on Dersingham Bog and Roydon Common SAC/ Ramsar</u></p>	
<p>For housing allocations within 8km of Roydon Common SAC/ Ramsar, the following package of habitat protection measures is proposed. It is anticipated to include provision of enhanced informal recreational provision on (or in close proximity to) the allocated site,</p>	<p>Covered as policy requirements in housing allocations E1.4, 1.5, 1.6, 1.7, 1.9, 1.10; E2.1; E3.1; E4.1 (King's Lynn sites, West Winch, South Wootton, Knights Hill).</p>

a. Informal open space (over and above the Council's normal standards for play space);	
b. Landscaping, including landscape planting and maintenance;	
c. A network of attractive pedestrian routes, and car access to these	
d. Contribution to enhanced management of nearby designated nature conservation sites and/or alternative green space	Specified in policies E2.1; E3.1; E4.1 (West Winch, South Wootton, Knights Hill).
e. programme of publicity	Specified in policies E2.1; E3.1; E4.1 (West Winch, South Wootton, Knights Hill).
f. The new developments should be subject to screening for HRA	Covered as policy requirement in housing allocations E1.4, 1.5, 1.6, 1.7, 1.9, 1.10; E2.1; E3.1; E4.1 (King's Lynn sites, West Winch, South Wootton, Knights Hill).
g. ongoing monitoring,	Levy/delivery group will cover.
h. ongoing dialogue, most likely organised by the Borough Council, and involving all relevant stakeholders, with the specific aim of reducing effects on these sites, examining the results of site monitoring and acting on any findings.	GI Delivery/HRA M&M Group set up.
i. explore options for obtaining long-term access or acquiring further recreational greenspace	Through GI Delivery/HRA M&M Group.
j. reducing on-site impacts of recreational disturbance. This could also be assisted by developer contributions.	Levy/delivery group will cover.
<u>3. Avoidance measures for North Norfolk Coast SPA/ Wash SPA/ SAC</u>	

<p>Baseline visitor pressure data, monitoring and management measures will need to be developed and demonstrated to be deliverable.</p>	<p>Survey underway.</p>
<p>With regard to the combined effect of housing proposals specific to the submission document:</p> <ul style="list-style-type: none"> • Heacham • Hunstanton • Docking • Burnham Market • Snettisham • Ingoldisthorpe • Dersingham 	<p>M&M Strategy/levy.</p> <p>Policy clauses for 3 Hunstanton housing allocations F2.2, 2.3, 2.4.</p> <p>Heacham (2 sites) requirement for publicity re SPAs & for enhanced recreational provision in policy.</p> <p>Dersingham Dodds Hill policy clause includes site specific HRA/mitigation.</p> <p>Burnham Market – requirement for publicity re SPAs in policy.</p> <p>Snettisham – requirement for enhanced recreational provision in policy.</p>
<p>It is recommended that:</p> <ul style="list-style-type: none"> • a parallel strategy of GI provision, plus • a programme of permanent public information 	<p>Extension of Norfolk Coast Path – King’s Lynn – Hunstanton part of England Coast Path (NE).</p> <p>Footpath/Cycleway using former railway line King’s Lynn – Hunstanton (NCC lead).</p> <p>Hunstanton GI Masterplan (DM19)</p> <p>Eg. NCP Norfolk Coast Guardian (60,000 copies King’s Lynn to Winterton (Gt. Yarmouth BC) each Spring.</p> <p>NCP website guidance on ‘keeping the Norfolk coast special’ (transport, activities, local economy, etc.).</p> <p>Natural England Countryside Code.</p> <p>The Wash & North Norfolk Coast EMS website.</p>

Appendix 8- Revised policy DM 19 – GI provision and HRA mitigation/levy

C.19 DM19 - Green Infrastructure

Context

C.19.1 Green Infrastructure is a term that encompasses a wide range of green and blue spaces and other environmental features. Ensuring that there is a network of green infrastructure is important to the health and wellbeing of local people and for biodiversity.

C.19.2 The Green Infrastructure Study was completed in 2010 and provides a Borough-wide analysis of:

- existing provision,
- deficiencies in provision,
- potential improvements to green infrastructure,
- policies to deliver green infrastructure,
- High, medium and low priority projects in addition to specific policies that will deliver green infrastructure.

C.19.3 This Study has been supplemented by a recent (2013) research identifying existing green infrastructure projects around the Borough being undertaken by a range of agencies. This combined information will aid the Council in developing and targeting further green infrastructure funds and endeavours, particularly in relation to planned development which has been identified by the Habitats Regulations Assessment as having potential adverse impacts on designated nature conservation sites. By supporting existing projects, or filling gaps (geographical or type) in existing or emerging provision, the Council's efforts can be targeted to best effect.

Relevant Local and National Policies

- National Planning Policy Framework: Conserving and enhancing the natural environment
- Natural Environment White Paper – The Natural Choice: securing the value of nature (2011)
- Core Strategy Policy CS12 Environmental Assets
- Core Strategy Policy CS13 Community and Culture
- Core Strategy Policy CS14 Infrastructure Provision
- Green Infrastructure Strategy Stage 1 (2009) and Stage 2 (2010)

Policy Approach

C.19.4 Retaining and developing the Borough's green infrastructure network is highly important to the long-term wellbeing of the area, its residents and visitors. The Habitats Regulations Assessment identified potential effects on designated European sites of nature conservation importance from additional recreational pressure. The need for monitoring and, where necessary, a package of mitigation

measures, both on and off site, were identified to ensure no adverse effects on European sites.

Policy DM 19 – Green Infrastructure

Opportunities will be taken to link to wider networks, working with partners both within and beyond the Borough.

The Council supports delivery of the projects detailed in the Green Infrastructure Study including:

- The Fens Waterway Link – Ouse to Nene;
- The King’s Lynn Wash/Norfolk Coast Path Link;
- Gaywood Living Landscape Project;
- The former railway route between King’s Lynn and Hunstanton; and
- Wissey Living Landscape Project.

The Council will identify, and coordinate strategic delivery, with relevant stakeholders, of an appropriate range of proportionate green infrastructure enhancements to support new housing and other development and mitigate any potential adverse effects on designated sites of nature conservation interest as a result of increased recreational disturbance arising from new development.

These enhancements will be set out in a Green Infrastructure Delivery Plan.

Major development will contribute to the delivery of green infrastructure, except:

- Where it can be demonstrated the development will not materially add to the demand or need for green infrastructure.

Where such a contribution would make the development unviable, the development will not be permitted unless:

- It helps deliver the Core Strategy; and
- There is not likely to be a significant effect on a European Protected Site; or
- The relevant contribution to that Strategy could not be achieved by alternative development, including in alternative locations or in the same location at a later time; or
- Unless the wider benefits of the proposed development would offset the need to deliver green infrastructure enhancements.

More detailed local solutions based on the Green Infrastructure Strategy will be developed for Downham Market and Hunstanton, particularly in relation to the main growth areas and King’s Lynn and surrounding settlements.

In relation to Habitats Regulations Assessment monitoring and mitigation the Council has adopted the following strategy:

- **Project level HRA to establish affected areas (SPA, SAC, RAMSAR, etc.) and suite of measures including all/some of:**
 - I. **On site provision of suitable measures (as per, for example, South Wootton E3.1, 1d) i);**
 - II. **Offsite mitigation;**
 - III. **Offsite alternative natural green space;**
 - IV. **Publicity, etc.**
- **Notwithstanding the above suite of measures the Borough Council will levy a charge [of] (£50) per house to cover monitoring/small scale mitigation.**
- **The Borough Council anticipates utilising CIL receipts (should a CIL charge be ultimately adopted) for contributing to green infrastructure provision across the plan area).**
- **Forming a HRA Monitoring & Mitigation & GI Coordination Panel to oversee monitoring, provision of new green infrastructure through a Green Infrastructure Delivery Plan and the distribution of levy funding.**

Appendix 9- Allocation / Development specific measures

This includes:

- Kings Lynn Sites (E1.4-E1.9)
- West Winch Growth Area (E2.1)
- Hall Lane, South Wootton (E3.1)
- Knights Hill (E4.1)
- Hunstanton Sites (F2.2, F2.3 & F2.4)

King's Lynn

469 Site E1.4-E1.9 King's Lynn Sites	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
<u>HRA required avoidance measures for potential impacts on Dersingham Bog and Roydon Common SAC/ Ramsar</u>						
<p>For housing allocations <i>[such as this]</i> within 8km of Roydon Common SAC/ Ramsar, the following package of habitat protection measures is proposed. It is anticipated to include provision of enhanced informal recreational provision on (or in close proximity to) the allocated site - <i>[see categories below in first column]</i></p>						
a. Informal open space (over and above the Council's normal standards for play space);	Existing Open Space	There is extensive accessible open space in the King's Lynn area, including: <ul style="list-style-type: none"> o The Walks 17ha o Hardings Pits o Doorstep Green 2.2ha 	High - This open space already exists. Medium – Further potential of enhancements to Bawsey Country Park.	There are no delivery issues with the existing space as it is.	There are no funding issues with the existing open space. The funding and delivery arrangements for enhancements to Bawsey Country Park are dependent on negotiations between	These areas have together the capacity to accommodate and attract use from occupants of the new development, and lessen the likelihood of new residents of the King's Lynn sites visiting Roydon

Site E1.4-E1.9 King's Lynn Sites Mitigation Type	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
470		<ul style="list-style-type: none"> o Central Park 2.88ha o Bawsey Country Park (5km away) 			the previous and new owners, and the implementation of any development the latter may propose to financially support the enhancements.	Common and Dersingham Bog.
	Additional Open Space	<p>This requirement is explicitly included in the Policy.</p> <p>The housing areas themselves are intended to include significant open space, including routes.</p>	<u>High</u> –	The precise form of the GI will depend on negotiations between landowners, and the level of viability of the overall scheme and its components.	Delivery and funding will be the responsibility of the developers.	These areas will provide significant, attractive and varied options for informal recreation (including, importantly, dog walking), close to the homes of the new residents of the King's Lynn sites.
	Enhanced Open Space	Bawsey Country Park (5km away)	Medium – proposals are being developed, but it remains to be seen whether and in what form these proceed.	There are emerging plans for a substantial enhancements to the facilities and management of the Bawsey Country Park (an extensive area, formerly quarried), but the detail of the	Owners	These areas will provide significant, attractive and varied options (some are likely to be rural in character) for informal recreation (including, importantly, dog

Site E1.4-E1.9 King's Lynn Sites Mitigation Type	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
471				enhancements and implementation will depend on a range of issues. A programme of consultation with local communities has been carried out by the owners (a minerals extraction company) to inform the future enhancement of the Country Park, and ownership is being transferred to facilitate the plans and future management.		walking), close to the homes of the new residents of the King's Lynn sites.
b. Landscaping, including landscape planting and maintenance;	Landscaping	The SADMP Policies have specific requirements for landscaping.	<u>High</u> – Planning permission would not be granted without provision for this.	The detail of this will be determined through the planning application process.	Delivery and funding will be the responsibility of the developers. Where landscaping areas are passed to another body (e.g. highway authority or Borough Council) a commuted sum for future maintenance will be required from the developer.	
c. A network of	Existing	There is a	<u>High</u> – the	<u>None</u> – the network	Not applicable.	This network has

Site E1.4-E1.9 King's Lynn Sites Mitigation Type	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
472 attractive pedestrian routes, and car access to these	network of paths	significant network of extensive footpaths around the area including: <ul style="list-style-type: none"> • Nar Valley Way (King's Lynn and Wormegay (with 14km loop) and on to Narborough and beyond. • Fen Rivers Way along the River Great Ouse from King's Lynn to Cambridge • Peter Scott Walk from West Lynn 	network already exists.	already exists		the capacity to accommodate and attract use from occupants of the new development, including linking to open spaces (see above) and lessen the likelihood of new residents of King's Lynn sites visiting Roydon Common.

Site E1.4-E1.9 King's Lynn Sites Mitigation Type	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
473		<p>via the Ferry to Sutton Bridge.</p> <p>There are also cycle paths:</p> <ul style="list-style-type: none"> • To/from King's Lynn town centre • National Cycle Routes 1 (Dover to John O'Groats) and 11 (King's Lynn to Cambridge) can be accessed 				
	Part of the national coast path project. Final part of the Norfolk	Medium	Work due to start 2015/2016. Detailed route yet to be	Natural England / Norfolk County Council	Dependent on detailed route, may provide convenient access to range of recreational routes,	Coast footpath King's Lynn to Hunstanton

Site E1.4-E1.9 King's Lynn Sites	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
	Coast path.		determined.		including remoter countryside and local and longer distance routes.	
d. Contribution to enhanced management of nearby designated nature conservation sites and/or alternative green space 474	Contribution to management of Roydon Common and/or alternative green space	Development in the area will be required to pay the standard contribution towards habitats measures, and these could include these measures.		Reliant on the successful introduction of the standard charge.	Funding would come from the standard charge. Delivery would be by Norfolk Wildlife Trust in relation to Roydon Common, or other partners in the relation to alternative green space.	Enhanced management of Roydon Common would enable it to influence the number and type of visitors, and their patterns of behaviour on the site. Provision of alternative green space would provide alternatives to Roydon to attract a proportion of those seeking similar recreation.
e. programme of publicity						
f. The new	Project level	The major	<u>High</u> – This will	None.	This will be	This will not in itself

Site E1.4-E1.9 King's Lynn Sites	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
developments should be subject to screening for HRA	HRA	developments in the area will be subject to a project level HRA.	be undertaken by the Borough Council, in the light of advice from Natural England.		undertaken by the Borough Council, in the light of advice from Natural England.	provide mitigation, but help ensure that appropriate measures are instigated.
g. ongoing monitoring,						
h. ongoing dialogue, most likely organised by the Borough Council, and involving all relevant stakeholders, with the specific aim of reducing effects on these sites, examining the results of site monitoring and acting on any findings.						
i. explore options						

Site E1.4-E1.9 King's Lynn Sites	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
for obtaining long-term access or acquiring further recreational greenspace						
j. reducing on-site impacts of recreational disturbance. This could also be assisted by developer contributions.						

West Winch

Site E2.1 West Winch Growth Area	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
<p><u>HRA required avoidance measures for potential impacts on Dersingham Bog and Roydon Common SAC/ Ramsar</u></p> <p>For housing allocations <i>[such as this]</i> within 8km of Roydon Common SAC/ Ramsar, the following package of habitat protection measures is proposed. It is anticipated to include provision of enhanced informal recreational provision on (or in close proximity to) the allocated site - <i>[see categories below in first column]</i></p>						
<p>a. Informal open space (over and above the Council's normal standards for play space);</p>	Existing Open Space	<p>There is extensive accessible open space in the vicinity of the Growth Area, including such as</p> <ul style="list-style-type: none"> o West Winch Common*, o North Runcton Common*, o Setchey Common* o William Burt Centre recreation ground o Bawsey Country Park (5km away) <p>(*Note these commons are designated access land, but as these are used for grazing there are some limitations on the nature of their use for informal recreation)</p>	<p>High - This open space already exists.</p> <p>Medium – Further potential of enhancements to Bawsey Country Park.</p> <p>Low – Further potential of enhancements to William Burt centre recreation ground.</p>	<p>There are no delivery issues with the existing space as it is.</p> <p>The policies of the emerging Neighbourhood Plan place a strong emphasis on recreation and open space and will strengthen the provisions in the SADMP in this regard.</p>	<p>There are no funding issues with the existing open space.</p> <p>The funding and delivery arrangements for enhancements to Bawsey Country Park are dependent on negotiations between the previous and new owners, and the implementation of any development the latter may propose to financially support the</p>	<p>These areas have together the capacity to accommodate and attract use from occupants of the new development, and lessen the likelihood of new residents of the growth area visiting Roydon Common and Dersingham Bog.</p>

Site E2.1 West Winch Growth Area	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
478					<p>enhancements.</p> <p>The enhancement of the recreation ground will depend on Parish Council's priorities and the level of funding available from development, and implementation by the Management Committee..</p>	
	Additional Open Space	<p>This requirement is explicitly included in the Policy.</p> <p>The designated growth area is extensive, with ample space for a variety of recreational space. This includes 73 ha of land in two gas pipeline corridors (two 540m wide strips) unsuitable for most built development and which are anticipated to accommodate substantial GI.</p>	<p><u>High</u> – This is a requirement of the policy, and also features strongly in the emerging neighbourhood plan. The draft master-plan for the area, presented by one of the key developers/landowners and informally agreed by the other. Discussions have taken place between those developers and the landowner of a key part of the area unsuitable for built development to</p>	<p>The precise form of the GI will depend on negotiations between landowners, and the level of viability of the overall scheme and its components.</p>	<p>Delivery and funding will be the responsibility of the developers.</p>	<p>These areas will provide significant, attractive and varied options (some are likely to be rural in character) for informal recreation (including, importantly, dog walking), close to the homes of the new residents of the</p>

Site E2.1 West Winch Growth Area	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
		In addition to those areas, the housing areas themselves are intended to include significant open space, including routes.	facilitate this being used for GI to allow a greater proportion of the buildable land to accommodate housing.			growth area.
479	Enhanced Open Space	Bawsey Country Park (5km away)	Medium – proposals are being developed, but it remains to be seen whether and in what form these proceed.	There are emerging plans for a substantial enhancements to the facilities and management of the Bawsey Country Park (an extensive area, formerly quarried), but the detail of the enhancements and implementation will depend on a range of issues. A programme of consultation with local communities has been carried out by the owners (a minerals	Owners	These areas will provide significant, attractive and varied options (some are likely to be rural in character) for informal recreation (including, importantly, dog walking), close to the homes of the new residents of the growth area.

Site E2.1 West Winch Growth Area	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
480				extraction company) to inform the future enhancement of the Country Park, and ownership is being transferred to facilitate the plans and future management. (Note also identification of footpath links to Bawsey are identified in the Norfolk Rights of Way Improvement Plan 2015-17Action Plan.		
b. Landscaping, including landscape planting and maintenance;	Landscaping	<p>The SADMP Policy has specific requirements for landscaping.</p> <p>The emerging neighbourhood plan also has a substantial emphasis and a range of</p>	<u>High</u> – Planning permission would not be granted without provision for this.	The detail of this will be determined through the planning application process.	Delivery and funding will be the responsibility of the developers. Where landscaping areas are passed to another body	

Site E2.1 West Winch Growth Area	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
		draft policies on this.			(e.g. highway or authority, Borough or parish Council) a commuted sum for future maintenance will be required from the developer.	
<p>4.6. A network of attractive pedestrian routes, and car access to these</p>	Existing network of paths	<p>There is a significant extensive footpaths around the area (though a limited network within it), including.</p> <ul style="list-style-type: none"> Public footpath running length of West Winch Common (c 4.5km) from Setchey to Hardwick), with two intervening links to residential areas and main roads Nar Valley Way at Setchey (King's Lynn 	<u>High</u> – the network already exists.	<u>None</u> – the network already exists	Not applicable.	This network has the capacity to accommodate and attract use from occupants of the new development, including linking to open spaces (see above) and lessen the likelihood of new residents of the growth area visiting Roydon Common.

Site E2.1 West Winch Growth Area	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
482		<p>one direction, and Wormegay (with 14km loop) and on to Narborough and beyond.</p> <ul style="list-style-type: none"> • Constitution Hill via wood to Rectory lane and on to Chequers Lane • North Runcion village to Setch Lane <p>There are also cycle paths:</p> <ul style="list-style-type: none"> • to King's Lynn town centre • the whole length of West Winch, alongside the A10 • via Setchey to A10/A134 junction 				

Site E2.1 West Winch Growth Area	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
483		<p>near Tottenhill</p> <ul style="list-style-type: none"> National Cycle Routes 1 (to King's Lynn, and Dover to John O'Groats) and 11 (to Cambridge) can be accessed via Mill Lane (2km) at Setchey Bridge) 				
	Additional Paths Network	<p>The new development will provide a very significant increase in the local paths network.</p> <p>The draft master plan (produced by one of the key landowner/developers, and informally agreed by the other) indicates footpath and cycleway connections within and between the planned new housing areas, and links to the existing footpath</p>	<p><u>High</u> – This is a specific requirement of the SADMP Policy (and also the emerging neighbourhood plan) and this has not been challenged in pre-submission consultation. The draft master plan (produced by one of the key landowner/developers, and informally agreed by the other) indicates footpath and cycleway connections within and</p>	<p>The detail of the new paths and their routes will be developed through the planning application process, and informed by the emerging neighbourhood plan.</p>	<p>Delivery and funding will be the responsibility of the developers.</p>	<p>This network has the capacity to accommodate and attract use from occupants of the new development, including linking to open spaces (see above) and lessen the likelihood of new residents of the growth area visiting Roydon</p>

Site E2.1 West Winch Growth Area	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
484		<p>network.</p> <p>The emerging neighbourhood plan places great emphasis on provision of such an enhanced network, and indicates an extensive network of 'Important pedestrian / cycle links. (The neighbourhood plan also includes a proposal to provide a new path from West Winch/Hardwick to Bawsey Country Park along the route of the former railway.)</p>	<p>between the planned new housing areas, and links to the existing footpath network.</p> <p><u>Medium</u> – In respect of delivery of the West Winch/Hardwick to Bawsey Country Park path. Although most of the route is not in the ownership of the relevant parties, and outside the neighbourhood plan area, a proposed amendment to policy SADMP Policy DM13 seeks to protect the route, and identification of potential of such paths forms, to form part of a King's Lynn to Fakenham/Wells, including links to Bawsey and GI contribution, is included in the Norfolk Rights of Way Improvement Plan 2015-17 Action Plan.</p>			Common.
d. Contribution	Contribution	Development in the area		Reliant on the	Funding would	Enhanced

Site E2.1 West Winch Growth Area	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
<p>to enhanced management of nearby designated nature conservation sites and/or alternative green space</p>	<p>to management of Roydon Common and/or alternative green space</p>	<p>will be required to pay the standard contribution towards habitats measures, and these could include these measures.</p>		<p>successful introduction of the standard charge.</p>	<p>come from the standard charge. Delivery would be by Norfolk Wildlife Trust in relation to Roydon Common, or other partners in the relation to alternative green space.</p>	<p>management of Roydon Common would enable it to influence the number and type of visitors, and their patterns of behaviour on the site.</p> <p>Provision of alternative green space would provide alternatives to Roydon to attract a proportion of those seeking similar recreation.</p>
<p>e. programme of publicity</p>	<p>Programme of publicity</p>	<p>Potentially part of package required by Policy E3.1.</p>	<p>High if required</p>		<p>Developer's responsibility.</p>	<p>Encourage recreation other than on designated sites, and/or raise</p>

Site E2.1 West Winch Growth Area	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
						awareness of sensitivities and avoidance of harm.
f. The new developments should be subject to screening for HRA	Project level HRA	The major developments in the area will be subject to a project level HRA.	High – This will be undertaken by the Borough Council, in the light of advice from Natural England.	None.	This will be undertaken by the Borough Council, in the light of advice from Natural England.	This will not in itself provide mitigation, but help ensure that appropriate measures are instigated.
g. ongoing monitoring,					Covered by general charge / approach	
h. ongoing dialogue, most likely organised by the Borough Council, and involving all relevant stakeholders, with the specific aim of reducing					Covered by general provision for 'Mitigation' group	

Site E2.1 West Winch Growth Area	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
effects on these sites, examining the results of site monitoring and acting on any findings.						
i. explore options for obtaining long-term access or acquiring further recreational greenspace					Covered by general provision for 'GI Implementation Group	
j. reducing on-site impacts of recreational disturbance. This could also be assisted by developer					Covered by general charge / approach	

Site E2.1 West Winch Growth Area	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
contributions.						

21-08-2015

South Wootton

Site E3.1 Hall Lane South Wootton	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
<p><u>HRA required avoidance measures for potential impacts on Dersingham Bog and Roydon Common SAC/ Ramsar</u></p> <p>For housing allocations <i>[such as this]</i> within 8km of Roydon Common SAC/ Ramsar, the following package of habitat protection measures is proposed. It is anticipated to include provision of enhanced informal recreational provision on (or in close proximity to) the allocated site - <i>[see categories below in first column]</i></p>						
a. Informal Open space (over and above the Council's normal standards for play space);	Existing open space	This area is already relatively well provided with informal recreational opportunities, including extensive accessible open spaces such as <ul style="list-style-type: none"> • Village Green • The Pingles • South Wootton Common (<i>limited public rights but public footpaths crossing it</i>) • Ling Common (<i>limited public rights but public footpaths crossing it</i>) • The Gongs (<i>access land</i>) • Marsh Common (<i>access land</i>) • Ouse marshes 	High (currently exists)	Not applicable	Not applicable	Provide convenient opportunities for recreation, including with dogs, close to the new residents' homes.
	On site recreational space of at least 1.7 ha	Specific requirement of policy. The allocation area is deliberately in excess of that required for the planned housing, and includes land suitable for open space provision but unsuitable for housing (due to flood risk). The allocated site has ample space for the on-site provision of 1.7 ha recreational space.	High	None known	Developer	Provide convenient opportunities for recreation, including with dogs, close to the new residents' homes.

Site E3.1 Hall Lane South Wootton	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
	Informal open space	Highlighted in policy. Potentially part of 1 above, but may include additional land.	High	None known	Developer	Ditto
	Neighbourhood greenspace	South Wootton Draft Neighbourhood Plan includes policies to - A) protect identified open spaces, including two adjacent to the development sites, from built development and seek enhancement and public access to these; and B) Identify maintenance or development of community open spaces and woodland belts as one of the priorities for local infrastructure funding.	High (Low in respect of public access element of policy).	Unclear how public access elements access would be delivered.	Primarily developers. Also local element of any CIL.	Would provide additional local open space and greater range and variety of local walks.
b. Landscaping, including landscape planting and maintenance;					Developer	As part of specific planning application
c. A network of attractive pedestrian routes, and car access to these	Footpath links to wider network	Highlighted in policy.	High	None known	Developer	Provide convenient and attractive access to a range of recreational routes, including those accessing local services.
	Footpath(s)	Development of a footpath along the former railway line		Work due to	Natural	Dependent

Site E3.1 Hall Lane South Wootton	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
491	King's Lynn to Hunstanton	<p>which runs along the western boundary of the site is programmed in the Norfolk Rights of Way Improvement Plan 2015-17 Action Plan. The railway tracjway is protected for such purposes by proposed SADMP Policy DM13.</p> <p>The final section of the Norfolk Coast path.(part of the national coast path project) is also due for delivery within the Plan period. It is not yet clear what route this will take within in South Wootton Parish.</p>		start 2015/2016. Detailed route yet to be determined, and hence whether the path will pass adjacent to, through, or at some distance from the development site.	England / Norfolk County Council	on detailed route, may provide convenient access to range of recreational routes, including remoter countryside and local and longer distance routes.
	Additional local foot and cycle path connections	South Wootton Draft Neighbourhood Plan includes aspiration for additional connections, including indicative routes.	Medium	These policies would help decide planning applications, and probably help shape quite how the routes required in the SADMP are achieved.	Developer (and/or potentially other parties)	Would provide greater range and variety of local walks and cycle routes.

Site E3.1 Hall Lane South Wootton	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
		<p>This area is already relatively well provided with informal recreational opportunities, including</p> <ul style="list-style-type: none"> • National Cycle Network Route 1 (passes adjacent to site) providing access south to Lynnsport Leisure Park, King's Lynn town centre and on to the Fens, and north to Castle Rising and on to the north coast. • Off road cycle path along Edward Benefer Way / Low Road west to North Lynn, King's Lynn docks and town centre, and east to supermarket, and towards Reffley Wood, South Wootton Common, etc. • Cycle path to Gaywood Valley 				
492	Local Greenspace	<p>South Wootton Draft Neighbourhood Plan³ includes policies to -</p> <p>A) protect identified open spaces, including two adjacent to the development sites, from built development and seek enhancement and public access to these; and</p> <p>B) seek provision of cycle and footpaths within developments, and support the development of additional cycle and foot paths in the area more generally, particularly where these integrate new residential development into the wider cycle and foot path network.</p> <p>C) Identify (inter-alia) maintenance or development of community open spaces and woodland belts as one of the priorities for local infrastructure funding.</p>	<p>High</p> <p>(Low in respect of public access element of policy).</p>	<p>Unclear how public access elements access would be delivered.</p>	<p>Primarily developers. Also local element of any CIL. The neighbourhood plan does, though, identify maintenance of</p>	<p>Would provide additional local open space and greater range and variety of local walks.</p>

³ As both submitted and as recommended to be modified by Examiner. The submitted Plan and the Examiner's Report can be viewed at <http://www.west-norfolk.gov.uk/default.aspx?page=27771>

Site E3.1 Hall Lane South Wootton	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
d. Contribution to enhanced management of nearby designated nature conservation sites and/or alternative green space						
e. programme of publicity	Programme of publicity	Potentially part of package required by Policy E3.1.	High if required		Developer's responsibility.	Encourage recreation other than on designated sites, and/or raise awareness of sensitivities and avoidance of harm.
f. The new developments should be	Project level HRA	Required as part of policy E3.1	High		Developer's responsibility.	

Site E3.1 Hall Lane South Wootton	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
subject to screening for HRA						
g. ongoing monitoring,					Covered by general charge / approach	
h. ongoing dialogue, most likely organised by the Borough Council, and involving all relevant stakeholders, with the specific aim of reducing effects on these sites, examining the results of site monitoring					Covered by general provision for 'Mitigation' group	

Site E3.1 Hall Lane South Wootton	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
and acting on any findings.						
i. explore options for obtaining long-term access or acquiring further recreational greenspace					Covered by general provision for 'GI Implementation Group	
j. reducing on-site impacts of recreational disturbance. This could also be assisted by developer contributions.					Covered by general charge / approach	

Knights Hill

Site E4.1 Knights Hill	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
496	<p><u>HRA required avoidance measures for potential impacts on Dersingham Bog and Roydon Common SAC/ Ramsar</u></p> <p>For housing allocations <i>[such as this]</i> within 8km of Roydon Common SAC/ Ramsar, the following package of habitat protection measures is proposed. It is anticipated to include provision of enhanced informal recreational provision on (or in close proximity to) the allocated site - <i>[see categories below in first column]</i></p>					
a. Informal open space (over and above the Council's normal standards for play space);	Existing open space	<p>This area is already relatively well provided with informal recreational opportunities, including extensive accessible open spaces such as</p> <ul style="list-style-type: none"> • South Wootton Common (<i>limited public rights but public footpaths crossing it</i>) • Ling Common (<i>limited public rights but public footpaths crossing it</i>) • Reffley Wood (52.9ha) • Reffley Springwood (3.6ha) • Reffley Recreation Ground • Bawsey Country Park (6km away) 	High (currently exists)	Not applicable	Not applicable	Provide convenient opportunities for recreation, including with dogs, close to the new residents' homes.
	On site recreational	Specific requirement of policy.	High	None known	Developer	Provide convenient

Site E4.1 Knights Hill	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
497	space	The allocated site has ample space for the on-site provision of recreational space.				opportunities for recreation, including with dogs, close to the new residents' homes.
	Informal open space	Highlighted in policy. Potentially part of 1 above, but may include additional land.	High	None known	Developer	Ditto
	Neighbourhood greenspace	South Wootton Draft Neighbourhood Plan includes policies to - A) protect identified open spaces, including two adjacent to the development sites, from built development and seek enhancement and public access to these; and B) Identify maintenance or development of community open spaces and woodland belts as one of the priorities for local infrastructure funding.	High (Low in respect of public access element of policy).	Unclear how public access elements access would be delivered.	Primarily developers. Also local element of any CIL.	Would provide additional local open space and greater range and variety of local walks.
b. Landscaping, including landscape planting and maintenance;					Developer	As part of specific planning application
c. A network of attractive pedestrian routes, and car access to	Footpath links to wider network	Highlighted in policy. <ul style="list-style-type: none"> A network of public footpaths in or leading to open countryside exists e.g. Sandy Lane; footpath across South Wootton Common/King's Lynn Golf Club. Cyclepath across Gaywood Valley between Reffley and Springwood, connecting to the wider network. 	High	None known	Developer	Provide convenient and attractive access to a range of

Site E4.1 Knights Hill	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
these 498		<ul style="list-style-type: none"> Lodge Lane leading to Castle Rising village and onwards to Sandringham. 				recreational routes, including those accessing local services.
	Additional local foot and cycle path connections	South Wootton Draft Neighbourhood Plan includes aspiration for additional connections, including indicative routes.	Medium	These policies would help decide planning applications, and probably help shape quite how the routes required in the SADMP are achieved.	Developer (and/or potentially other parties)	Would provide greater range and variety of local walks and cycle routes.
	Local Greenspace	South Wootton Draft Neighbourhood Plan ⁴ includes policies to - D) protect identified open spaces, including two adjacent to the development sites, from built development and seek enhancement and public access to these; and E) seek provision of cycle and footpaths within developments, and support the development of additional cycle and foot	High (Low in respect of public access element of policy).	Unclear how public access elements access would be delivered.	Primarily developers. Also local element of any CIL. The neighbourhood plan does,	Would provide additional local open space and greater range and

⁴ As both submitted and as recommended to be modified by Examiner. The submitted Plan and the Examiner's Report can be viewed at <http://www.west-norfolk.gov.uk/default.aspx?page=27771>

Site E4.1 Knights Hill	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
499		<p>paths in the area more generally , particularly where these integrate new residential development into the wider cycle and foot path network.</p> <p>F) Identify (inter-alia) maintenance or development of community open spaces and woodland belts as one of the priorities for local infrastructure funding.</p>			<p>though, identify maintenance of or development of community open spaces and woodland belts as a priority for local funding. Covered by general charge / approach</p>	<p>variety of local walks.</p>
<p>d. Contribution to enhanced management of nearby designated nature conservation sites and/or alternative green space</p>						

Site E4.1 Knights Hill	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
e. programme of publicity					Covered by general charge / approach	
f. The new developments should be subject to screening for HRA	Project level HRA required as part of Policy E 4.1 11					
g. ongoing monitoring,					Covered by general charge / approach	
h. ongoing dialogue, most likely organised by the Borough Council, and involving all relevant stakeholders, with the specific aim					Covered by general provision for Monitoring & Mitigation & GI Panel	

Site E4.1 Knights Hill	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
of reducing effects on these sites, examining the results of site monitoring and acting on any findings.						
501 i. explore options for obtaining long-term access or acquiring further recreational greenspace					Covered by general provision for Monitoring & Mitigation & GI Panel	
j. reducing on-site impacts of recreational					Covered by general charge / approach	

Site E4.1 Knights Hill	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
disturbance. This could also be assisted by developer contributions.						

Hunstanton (Sites F2.2, F2.3 and F2.4)

Sites F2.2, F2.3 & F2.4 Hunstanton	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
<p><u>HRA required avoidance measures for impacts on: North Norfolk Coast SPA/ Ramsar; Wash SPA/ Ramsar; and Wash and North Norfolk Coast SAC.</u></p> <p>For housing allocations <i>[such as this]</i> within 8km of the SPAs and SAC detailed, the following package of habitat protection measures is proposed. It is anticipated to include provision of enhanced informal recreational provision on (or in close proximity to) the allocated site - <i>[see categories below in first column]</i></p>						
a. Informal	Existing open space	This area is already relatively well provided with informal recreational opportunities, including extensive accessible open spaces such as	High (currently)	Not applicable	Not applicable	Provide convenient

Sites F2.2, F2.3 & F2.4 Hunstanton Mitigation Type	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
open space (over and above the Council's normal standards for play space); 503		<ul style="list-style-type: none"> ○ The Green ○ Boston Square Sensory Park ○ Hunstanton Lighthouse ○ Hunstanton Park and Rookery ○ West Belt ○ Recreation Ground ○ Beach; and ○ Sand dunes 	exists)			opportunities for recreation, including with dogs, close to the new residents' homes.
	On site recreational space	<p>Specific requirement of policy.</p> <p>The allocated sites have ample space for the on-site provision of recreational space.</p> <p>Site F2.4- The allocation area is deliberately in excess of that required for the planned housing, and includes land suitable for open space provision but unsuitable for housing (due to flood risk).</p>	High	None known	Developer	Provide convenient opportunities for recreation, including with dogs, close to the new residents' homes.
	Informal open space	Highlighted in policy. Potentially part of 1 above, but may include additional land.	High	None known	Developer	Ditto
b. Landscaping, including landscape planting and maintenance;		<p>Specifically Policy F2.2, includes criteria to incorporate a high quality landscaping scheme to the north and east boundaries of the site. This is listed as point 5.</p>			Developer	As part of specific planning application
c. A network of attractive	Footpath links to wider network	<p>Highlighted in policy.</p> <ul style="list-style-type: none"> • A network of public footpaths in or leading to open 	High	None known Coastal Path - Work	Developer	Provide convenient and

Sites F2.2, F2.3 & F2.4 Hunstanton	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
504 pedestrian routes, and car access to these		<p>countryside including Round England Coastal Path (Weybourne - Hunstanton - Sutton Bridge)</p> <ul style="list-style-type: none"> Cycle paths including: National Cycle Network Route 1 (passes adjacent to site) providing access south to King's Lynn and on to the Fens, and north to Hunstanton and further round to the north coast; Hunstanton to Ringstead Off-road Route and existing cycle paths through the town. 		due to start 2015/2016. Detailed route yet to be determined.		attractive access to a range of recreational routes, including those accessing local services.
	Additional local foot and cycle path connections		Medium	These policies would help decide planning applications, and probably help shape quite how the routes required in the	Developer (and/or potentially other parties)	Would provide greater range and variety of local walks and cycle routes.
	Local Greenspace		High (Low in respect of public access	Unclear how public access elements access	Primarily developers. Also potential local	Would provide additional local open space and

Sites F2.2, F2.3 & F2.4 Hunstanton Mitigation Type	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
			element of policy).	would be delivered.	element of any CIL.	greater range and variety of local walks.
d. Contribution to enhanced management of nearby designated nature conservation sites and/or alternative green space	Contribution to management of North Norfolk Coast SPA/ Ramsar; Wash SPA/ Ramsar; and Wash and North Norfolk Coast SAC and/or alternative green space.	Development in the area will be required to pay the standard contribution towards habitats measures, and these could include such measures.		Reliant on the successful introduction of the charge.	Funding would come from the standard charge.	Enhanced management of the sites would enable them to influence the number and type of visitors and their patterns of behaviour on the site. Provision of alternative green space would provide alternatives for those seeking similar recreation.
e. programme of publicity					Covered by general charge / approach	
f. The new	Project level		High- to be	None	Will be	Will not

Sites F2.2, F2.3 & F2.4 Hunstanton	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
developments should be subject to screening for HRA	HRA required as part of Policies		undertaken by the Borough Council.		undertaken by the Borough Council	provide mitigation but help ensure that appropriate measures are instigated.
g. ongoing monitoring,					Covered by general charge / approach	
h. ongoing dialogue, most likely organised by the Borough Council, and involving all relevant stakeholders, with the specific aim of reducing effects on these sites, examining					Covered by general provision for Monitoring & Mitigation & GI Panel	

Sites F2.2, F2.3 & F2.4 Hunstanton	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
the results of site monitoring and acting on any findings.						
i. explore options for obtaining long-term access or acquiring further recreational greenspace					Covered by general provision for Monitoring & Mitigation & GI Panel	
j. reducing on-site impacts of recreational disturbance. This could also be assisted by					Covered by general charge / approach	

Sites F2.2, F2.3 & F2.4 Hunstanton	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
developer contributions.						

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21-08-20

Appendix 10- Initial Timetable for GI/Mitigation/Monitoring Process (2015/2016)

Activity	Purpose	Timescale
<p>1. Form Borough Council HRA M&M & GI Coordination Panel</p>	<ul style="list-style-type: none"> • Understand the cumulative resource available for GI & coordinate new facilities & management of existing. • Influence investment decisions of BCKLWN & other parties • Monitoring information available/needed. 	<p>First meeting on 22 September 2015, then ongoing (link to Duty to Co-operate outcomes) May 2016 & onwards. Inputs to GI Delivery Plan (See point 5 below) from September 2015 onwards.</p> <p>Panel invitees to include all those bodies involved in the Steering Group (see Activity 5 below)</p>
<p>2. Plan Implementation (implementation agreed through HRA Monitoring & mitigation strategy)</p>	<ul style="list-style-type: none"> • Through the planning application process on individual allocated sites 	<p>Ongoing.</p> <p>Relevant planning applications coming forward before the strategy is produced will be assessed by project level HRA, as per policy document. Suitable mitigation must therefore be agreed before permission is granted. Such mitigation can be advised by the Panel.</p>
<p>3. Visitor Study: Population Growth & Nature Conservation in Norfolk: A strategic geographical overview of recreational pressures & opportunities (led by Norfolk Biodiversity Partnership (NBP))</p>	<ul style="list-style-type: none"> • Understand visitor numbers • Origin of visitors • Proportions from areas having growth • Appreciation of likely direct pressures from visitors from new developments 	<p>Underway – interim report Aug. 15, final report Spring 2016.</p>
<p>4. Through NCC/Districts Duty to Cooperate Group Monitoring; Assessment; Action – “Action Plan”</p>	<ul style="list-style-type: none"> • Understanding results • Planning for <u>future</u> directions of growth • Developing responses to pressures <ul style="list-style-type: none"> - Strategically - Direct local management or amelioration of predicted impacts (current pressures too) 	<p>May 2016, then ongoing. To involve Panel. HRA Mitigation and Monitoring Strategy to be produced by Autumn 2015.</p>

<p>5. BCKLWN GI Strategy & Delivery Plan (Also see Section 6 of Strategy)</p>	<p>GI Strategy & Action Plan</p> <ul style="list-style-type: none"> • Use to influence investment e.g. BCKLWN Capital Programme • Preparation was through a steering group incl. Anglian Water, EA, NE, Water Management Alliance, NCC, and NWT. Wider consultation workshops incl. RSPB, Norfolk Landscape Archaeology, NBP, Forestry Comm., EH, CPRE, parish/town councils 	<p>Prepared 2010; to evolve into a GI Delivery Plan 2015. This to be combined with / cross-referred to HRA Mitigation and Monitoring Strategy above.</p> <p>GI Strategy implementation as part of HMMGCP Panel.</p>
<p>6. Management Projects – Norfolk Coast AONB Strategy/Management Plan & The Wash & N Norfolk Coast European Marine Site Annual Management Plans</p>	<ul style="list-style-type: none"> • Management of visitor pressures 	<ul style="list-style-type: none"> • AONB Strategy & Action Plan 2014-19 • The Wash & NNC Annual Management Plan 2014-15
<p>7. Natura 2000 Sites Monitoring & Mitigation Strategy</p>	<ul style="list-style-type: none"> • Addressing specific issues • Demonstrating ability to fund mitigation works • Processes to achieve mitigation <ul style="list-style-type: none"> - GI levy - Unilateral Undertaking route - HRA Mitigation & Monitoring & GI Coordination Panel 	<ul style="list-style-type: none"> • Agreement to Strategy anticipated by Cabinet by 9/9/15 • S of CG with NE/RSPB/NWT 9/15 • Ability to deliver mitigation on adoption – fund, etc. • Achieve clarity on types/actual projects: Autumn 2015

APPENDIX 3

Provision of a Schedule of allocated sites at risk of flooding and the Council's approach towards their satisfactory development

Introduction

Included is a detailed schedule of all allocated sites at risk of flooding. This details the nature of flood risk, statutory consultee comments, how this is presented in the SA, the approach within the SADMP, potential flood resilience measures and if appropriate comments that have been made in response from site agents / owners.

A list of all the proposed allocations and the flood risk is provided, as is a table of planning applications on sites that display similar characteristics in terms of location and flood risk as the proposed allocations.

Appendices 3 and 4 of the SADMP set out the BCKLWN's general approach to allocating on sites at risk of flooding. This should be viewed alongside Policies DM21 'Sites in Areas of Flood Risk' and the site policies (E.1 to G.129) which, where appropriate, include criteria around provision of site specific Flood Risk Assessments, etc. More specifically within the Coastal Flood Risk Hazard Zone, policy DM18 should be considered.

Points to note:

- The BCKLWN works closely with all the relevant bodies on matters relating to flood risk- the EA, IDBs, NCC as the Lead Local Flood Authority and Anglian Water Services.
- A significant area of King's Lynn and several settlements within the Borough are at varying degrees of flood risk, identified in the SFRA, EA Tidal River Hazard Mapping etc.
- The BCKLWN agreed an approach to assessing, choosing and allocating sites in areas of flood risk with the Environment Agency. This is set out in Appendix 3 of the SADMP.
- Appendix 4 of the SADMP includes the Flood Risk Protocol (2012) between BCKLWN and the EA on how the Borough Council's SFRA and the EA Tidal River Hazard Mapping will be used in relation to planning applications.
- The Core Strategy policy CS01 states that 'new development is guided away from areas at risk of flooding....recognising development may be required within flood risk areas to deliver regeneration objectives within King's Lynn and maintain the sustainability of local communities in rural areas'.

- Policy CS08 Sustainable Development reiterates policy CS01, and includes criteria for proposals in high flood risk areas.
- There is an agreed Position Statement between BCKLWN and the EA (details are included in paragraph 3.15 of Appendix 3 of the SADMP) which explains our approach to allocating sites in areas of flood risk.
- The SADMP includes policy DM21 'Sites in Areas of Flood Risk', and also many of the site policies (where appropriate) include criteria requesting a site specific FRA as part of the application process.
- The BCKLWN/ EA published the Flood Risk Design Guidance. A proposed amendment to the SADMP is to include a reference to this within policy DM21 (see BCKLWN Examination Issue Statement 2, pages 37-38).
- There is also a specific policy (DM18) on the Coastal Flood Risk Hazard Zone (Hunstanton to Dersingham) in the SADMP. Paragraphs C.18.1 to C.18.9 provide additional information on this and refer to a Coastal Flood Risk – Planning Protocol for the area. The intention is that policy DM18 replaces this.
- The EA have recently produced updated Tidal River Hazard Mapping, this supersedes the earlier version. The EA have reviewed all of the proposed allocations contained within the SADMP, in light of the new mapping, and do not suggest any changes.

Delivery:

- The EA made no objection to any allocations in the Plan. In our towns the EA do make comments on the allocations. In the rural area they 'consider that flood risk to these sites can be adequately addressed at full planning stage by the application to policy DM21'.
- A few of the IDBs have raised concerns at a few specific locations. These are detailed within the following table.
- As of 26 March 2014, DEFRA and the EA require a flood risk assessment for most developments within one of the flood zones. This includes developments:
 - in flood zone 2 or 3 including minor development and change of use
 - more than 1 hectare (ha) in flood zone 1
 - less than 1 ha in flood zone 1, including a change of use in development type to a more vulnerable class (e.g. from commercial to residential),

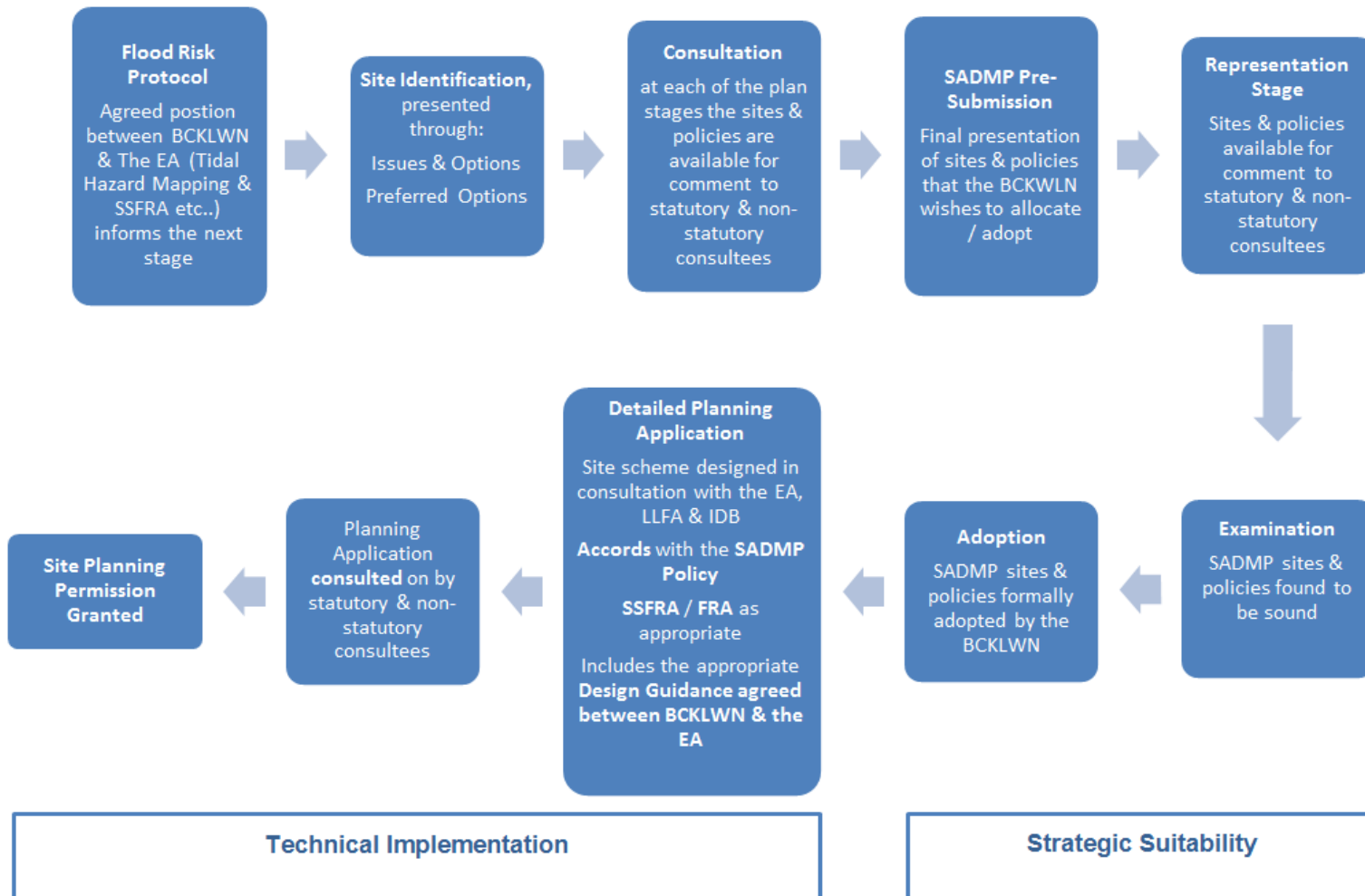
where they could be affected by sources of flooding other than rivers and the sea (e.g., surface water drains, reservoirs)

- in an area within flood zone 1 which has critical drainage problems as notified by the Environment Agency

A flood risk assessment is not required for a development that's less than 1 ha in flood zone 1 unless it could be affected by sources of flooding other than rivers and the sea, e.g. surface water drains.

- As this approach is standard practice, the policies for proposed allocation sites within Flood Zone 1 that are over 1 ha do not contain a specific policy item in relation to this, as it will clearly be required at the detailed planning application stage.
- A Surface Water Management Plan (SWMP) is being prepared by the Lead Local Flood Authority (LLFA), Norfolk County Council, for King's Lynn and West Norfolk settlements. This should be available from September 2015. This will identify areas which are particularly vulnerable to surface water flooding. The SWMP may define Critical Drainage Catchments. Any development within them is likely to increase the risk of flooding in the most vulnerable areas if no mitigation takes place.
- From 6 April 2015 sustainable drainage systems are required for developments of 10 or more dwellings, unless it can be demonstrated to be inappropriate. Local planning authorities in considering planning applications will consult with the LLFA on the management of surface water. As this is standard practice, a SUDS policy item is not always present within a site's policy, as this will be addressed at the detailed planning application stage.

Below is a simplified diagram that illustrates the site identification process with regard to flood risk, through to the grant of planning permission.



Conclusion

This document has highlighted the agreed method between BCKLWN & EA for allocating sites in areas at risk of flooding and agreed design guidance for development within areas at risk of flooding. The full schedule to be supplied to the inspector identifies the proposed sites for allocation within the SADMP and the flood risk at these locations also demonstrating that the EA, the overall body responsible for avoiding dangerously located development, do not raise objection to any of the proposed sites for allocation.

There have clearly been applications and permissions granted for similar developments, as proposed by the SADMP, in terms of location, size and flood risk.

Comments received from Internal Drainage Boards as a result of the SADMP representation stage (January / February 2015) have been taken into consideration, and in consultation with our Development Control section and the relevant site agents / owners, the BCKLWN are confident that there are design solutions available. The detail of the schemes can be developed in consultation with Norfolk County Council, as the LLFA, and the relevant IDBs at the detailed design stage, that would inform a detailed planning application, which would be commented upon by the EA and LLFA. This would ensure that the development of the proposed sites for allocation could come forward as envisaged by the SADMP.

The sites appreciation of flood risk as relevant to the allocation of a site in the SADMP has been considered by the EA in their comments. The requirement for a site specific FRA ensures consistency with our agreed protocol and enables detailed technical design solutions to be implemented. Therefore the site specific FRA is not a further constraint to bringing forward development

APPENDIX 4

SADMP: Consideration of a ‘fall – back’ position in respect of planned housing delivery relating to HRA and flooding issues.

BCKLWN approach to how the housing delivery can be assured at the level required. In summary the BCKLWN will consider the contributions made by:

1. ‘Windfall’ development – which will continue to form part of the housing completions in the Borough and this should be acknowledged as such. It does not currently form part of the housing calculation in the plan.
2. The potential of some of our housing allocations detailed within the SADMP to accommodate additional dwellings beyond the number specified in the policy.

1. ‘Windfall’ Development

Windfall housing is any residential development that is granted consent on land or buildings not specifically allocated for residential development in the Local Plan, either the 1998 Local Plan or the SADMP. Windfall development takes place on unallocated land and continues to form a large part of housing completions within the Borough.

Allowances within the housing trajectory are made for windfall from large and small sites, this allowance is projected forward. Within the plan, up until now, windfall completions have been counted but future windfall completions have not been factored in. As illustrated below this source of housing makes a significant contribution to the overall number of dwellings that have completed over the plan period to date, and will continue to do so. Therefore this significant source of housing should be acknowledged within the plan as such.

The windfall allowance is based on compelling evidence that such sites have consistently become available and will continue to provide a reliable source of supply. The allowances are realistic, taking account of historic windfall delivery rates and do not include residential gardens. This complies with the NPPF, paragraph 48.

Windfall Statistics:

- There were 3,958 completions from windfall sites between 2001 and 2014, out of a total of 8,093 completions, this equates to 49% of the total completions.
- 59% of the 3,958 windfall completions were derived from large (10 or more dwellings) windfall sites totalling, 2,327.

- 41% of the 3,958 windfall completions were derived from small (less than 10 dwellings) windfall sites, 1,631.
- On average windfall on large sites contributed 179 completions per annum between 2001 and 2014.
- On average windfall on small sites contributed 125 completions per annum over the same time period.

Recognising that there may be some reduction in the completion rate of windfall development in the future only 75% of the average completions per annum between 2001 and 2014 are used to project forward, this is known as the windfall allowance.

- This provides a large site windfall allowance of 134 dwellings p.a.
- A small site windfall allowance of 94 dwellings p.a.
- A total windfall allowance is 228 dwellings p.a.

Using this reduced windfall allowance over the remaining 12 years of the plan period, years since the publication date of the trajectory 2013/14, this would equate to a further 2,736 dwellings arising from windfall sites. The breakdown of this is 1,608 dwellings on large windfall sites and 1,128 dwellings on small windfall sites. The windfall rate will be recalculated each year, with the inclusion of another years' worth of completions from this source.

The stock of small site permissions is continually replenished and will be added to in the future as the Council adopts a new policy to allow infilling in the smaller villages and hamlets category of settlements within the hierarchy, Policy DM3 in the SADMP.

The approach with regard to the allocation of sites within the SADMP process, with the exception of King's Lynn, has been to allocate sites that are outside of settlement development boundaries. This will still allow large and small windfall sites to come forward within the development boundaries as the geographic area within the development boundary hasn't been reduced by allocations within the SADMP. Paragraph D.1.8 of the SADMP Pre-Submission document, Section D .1 distribution of development states *'it is important to note that not all of this planned growth will be delivered through site allocations. Part of the growth will be delivered on sites with existing planning permissions, and others will come forward on unallocated sites within development boundaries (especially within towns).'*

Following a court judgment showing the BCKLWN to have a lack of a five year housing land supply, there is the potential, at least in the short term, for an increased

number of dwelling to come forward on unallocated land including land outside of the development boundaries, providing the location is sustainable. This potentially could boost the windfall completion number above the windfall allowance, as this assumes that windfall development would mainly arise from unallocated land within the development boundaries.

The table below details windfall development completions 2001 – 20014

Financial years of completions	2001/2002	2002/2003	2003/2004	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/13	2013/14	Total	Average pa	Reduction	Assumed Rate
Allocated (completion units - large schemes on allocated sites)	219	175	236	221	222	233	215	198	90	148	186	103	167	2,413	186		
Unallocated (completion units - large schemes on unallocated sites)	77	238	284	271	186	133	450	147	56	134	234	53	64	2,327	179	*75%	134
Unallocated - Minor Sites (Less Than 10 Dwellings)	236	229	295	328	275	271	432	230	168	278	204	166	241	3,353	258		
* minor sites - garden land and greenfield	173	121	195	174	187	163	151	79	54	119	92	66	106	1,680	129		
* minor sites - greenfield (not garden land)																	
* minor sites - brownfield	63	108	100	154	88	108	281	151	114	159	112	58	135	1,631	125	*75%	94
* based on % as per AMR 04/05 to & including 09/10. 01/02 - 03/04 = B control completions/ 11/12 % as per site.	27%	47%	34%	47%	32%	40%	65%	66%	68%	57%	55%	67%	56%				
Total Windfall	140	346	384	425	274	241	731	298	170	293	346	111	199	3,958	304	*75%	228
Total Unallocated	313	467	579	599	461	404	882	377	224	412	438	219	305	5,680	437		
Totals	532	642	815	820	683	637	1,097	575	314	560	624	322	472	8,093	623		
* Note Garden land was classed as brownfield until 31 March 2010. Figures here represent that and have not been amended. From April 11 the new classification has been used.																	

2. The potential of some of our allocations to accommodate additional units beyond the number specified.

The Council's approach to the potential density of allocated sites is described in detail within the Council's statement 'Issue 3: The Broad Distribution of Housing (Section D.1)' section 3.3.

One of the main approaches to the density, of SADMP site allocations, was to ensure that there is enough space for the required number of dwellings to be provided and the associated infrastructure and other policy requirements to be realised on the allocated site. With the Strategic Sites there is a degree of uncertainty with regard to the location and exact space infrastructure such as a new link road or neighbourhood centre will occupy. Some sites may be capable of delivering the desired dwelling numbers that result in part of the site being undeveloped.

This undeveloped area could potentially be allocated in future plans, utilised in the review of the plan or a planning application could come forward that detailed higher numbers than the relevant policy, providing the proposed scheme was broadly compliant with the allocated site's policy within the SADMP, this may potentially be acceptable. This could result in an allocated site being developed and built out providing a higher number than stated with the SADMP policy for that site allocation.

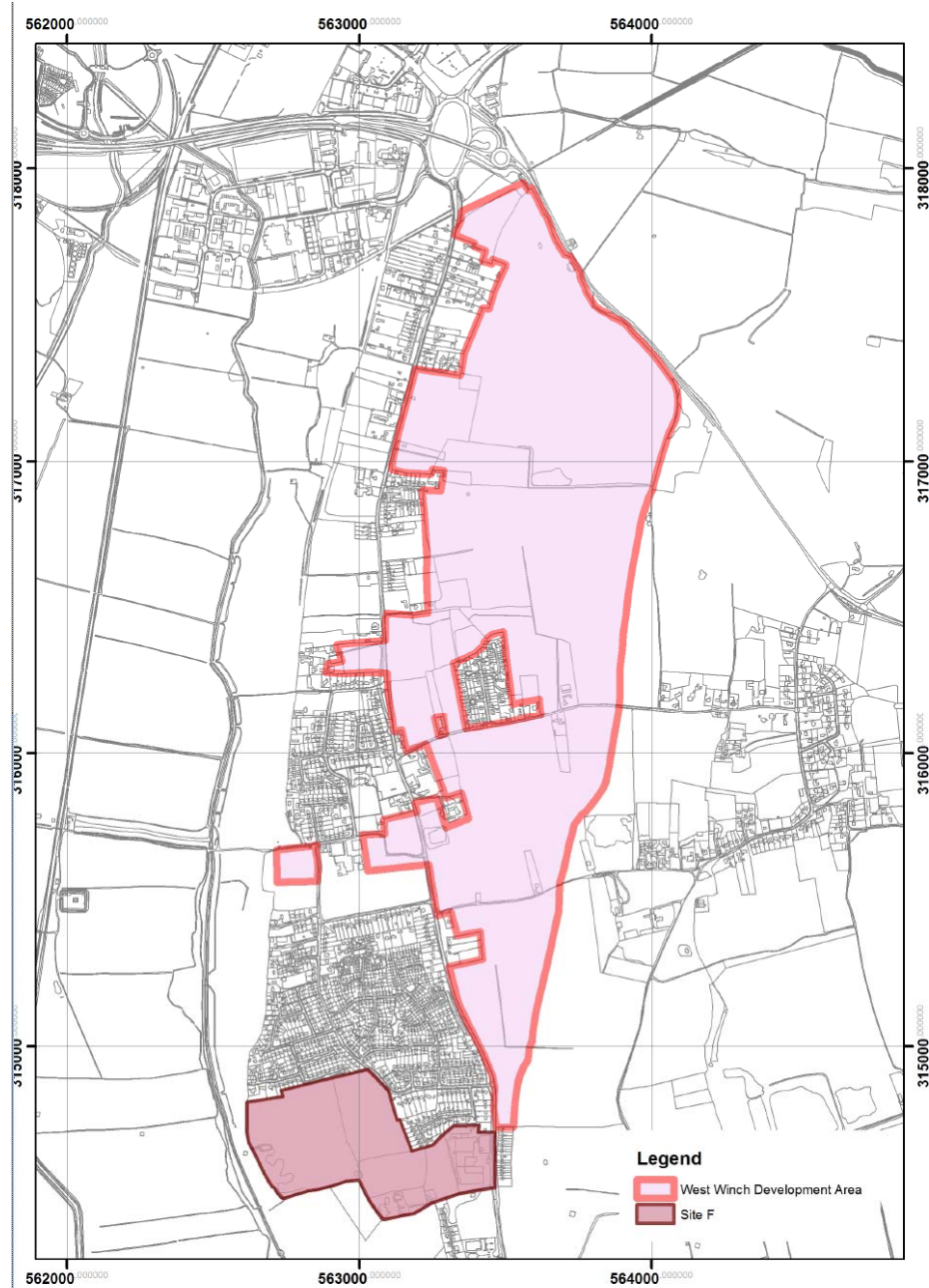
Overleaf is a list of some of the sites that could have the potential to provide a higher number than the stated by the corresponding SADMP site policy. This is not to exclude the other sites, but to give an indication based upon comparing the desired model density and the SADMP modelled density.

It should be noted that any proposed development will need to ensure that it is acceptable in terms of normal planning requirements. It is not the intention to overload or overcrowd the viability.

Settlement	Site Ref	Dwelling Allocation	Gross Site Area (Ha)	Model Net Area (Ha)	Model Density (dw per Ha)	SADMP Modelled Density (dw per Ha)	Policy Overview
West Winch	Growth Area	1,600	171	128	39	13	new road, open space, neighbourhood centres, provision of space for future development
South Wootton	E3.1	300	40	30	39	10	Large area of Flood Zone constraints, recreational space, new road network, doctors site, school expansion land, SUDS
Knights Hill	E4.1	600	36.9	27.6	39	22	to blend in with the surrounding developments, new road
Downham Market	F1.3	250	16.2	12.2	36	20	landscape buffer, road network, GI , recreation space
	F1.4	140	13.9	10.4	36	14	new road network, landscaping, GI, recreational space
Wisbech Fringe	F3.1	550	25.3	18.9	36	29	road network, potential new school site, SUDS, public right of way enhancements
Docking	G30.1	20	3.4	2.55	24	8	Landscaping, pond retention, SUDS
Gayton	G41.1	23	2.8	2.1	24	11	Reflect the local settlement pattern
Heacham	G47.1	60	6	4.5	24	13	Recreation space, SUDS

APPENDIX 5

Location plan for land at Gravel Hill - West Winch



MAP B

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Ordnance Survey 100024314



APPENDIX 6

Sustainability Appraisal relating to West Winch Site 'F'

Please see APPENDIX 8, page 22.

Appendix 7

Proposed New Policy - An early review of the Plan

DM2 - Early Review of Local Plan

An early review of the Local Plan will be undertaken, commencing with the publication of a consultation document (a Draft Local Plan) in 2016. This is set out in the Local Development Scheme (LDS). An early review will ensure a set of deliverable and achievable housing sites for the duration of the Plan period, with the most up to date policy framework to secure continuity for the longer term.

The review will identify the full, objectively assessed housing needs for the District and proposals to ensure that this is met in so far as this is consistent with national policy (National Planning Policy Framework).

**Proposed Minor Modification to the
Sustainability Appraisal Report
Incorporating Strategic Environment
Assessment for the Site Allocations and
Development Management Policies Pre-
Submission Document**

August 2015

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Introduction

This document illustrates the proposed minor modifications to the Sustainability Appraisal Report Incorporating Strategic Environment Assessment for the Site Allocations and Development Management Policies Pre-Submission Document. It is important to note that this document should be read in conjunction the Sustainability Appraisal Report Incorporating Strategic Environment Assessment for the Site Allocations and Development Management Policies Pre-Submission Document 2015.

The proposed modifications can be split into two categories, those that impact upon Development Management Policies, A, and those that impact upon Site Polices, B.

A. Development Management Policies, proposed modifications:

- a new policy (DM 2A) for the early review of local plan
- an amendment to the Green Infrastructure policy (DM19)

B. Site Policies, proposed modifications:

- Updated flood risk information for King's Lynn, Hunstanton and Terrington St. John housing policies
- A parcel of land removed from the West Winch Growth Area at the Preferred Options Stage is now proposed for allocation

These modifications are presented in the table overleaf. How the modifications would be viewed within the Sustainability Appraisal Report itself, are then presented within the accompanying appendices.

The proposed minor modifications to the Development Management Policies result in an increased overall positive effect when scored against the 20 Local Plan Sustainability indicators. The undertaking of an early review of the Local Plan, DM2A, clearly has a highly positive effect. DM19 was adjudged to have a positive effect and the proposed minor modifications to this policy increase the positive scores. Collectively, the positive (243) outweighs the negative (-26) scores for proposed Development Management policies, including the proposed minor modifications. Therefore, overall the results illustrate a positive sustainability contribution for the Borough

The proposed minor modifications to the Site and Settlement Polices result an increase of 4 to the overall positive scores of the Plan when sustainable appraised. However, they also result in an increase of 4 to the negative scores of the Plan. Overall, taking all sustainability factors together, the positive scores (411) outweigh the negative (-206), indicating that sites proposed for allocation to implement the Core Strategy provide gain in sustainability for the Borough.

Table of Proposed Minor Modifications

SA Page Numbers	Policy	Issue	Proposed Amendment	Justification
A. DM Policies				
46	DM Policy overview	Incorrect indicator is mentioned	Replace with the correct indicator (See Appendix 5)	Ensure the accuracy of the document
New	New Policy DM2A – Early Review of Local Plan	This new policy will need to be presented in the SA with the other DM policies	Update the SA accordingly (See Appendix 1,2,3 &4)	To take account of an additional DM policy
61	DM19	A proposed amendment to this policy will need to be presented within the SA	Update the SA accordingly (See Appendix 1,2 &4)	To take into account the proposed modifications to DM19
B. Site Policies				
208	Hunstanton Housing Sites F2.4 (997)	The commentary of the site correctly identifies the flood risk, but the SA score for 'Flood Risk' is incorrect.	Change the Flood Risk Sustainability Factor score from '+' to '+/x'. (See Appendix 6,7,&8)	Accurately reflect the risk of flooding for site F2.4 in the SA table.
221	King's Lynn Housing Sites: E1.5 E1.6 E1.8 E1.10 E1.11	Risk to flooding not accurately presented within the SA	Change the Flood Risk Sustainability Factor scores as below: <ul style="list-style-type: none"> • E1.5 from '+/x' to 'xx' • E1.6 from 'xx' to '+/x' • E1.8 from 'x' to 'xx' • E1.10 from 'x' to 'xx' • E1.11 from 'x' to '+/x' <p>And amend the site commentary accordingly</p> (See Appendix 6,7&9)	Accurately reflect the risk of flooding for housing sites E1.5, E1.6, E1.8, E1.10 & E1.11 in the SA.

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303	Terrington St John: G94.1	The commentary of the site correctly identifies the flood risk, but the SA score for 'Flood Risk' is incorrect.	Change the Flood Risk Sustainability Factor score from 'xx' to 'x'. (See Appendix 6,7 &10)	Accurately reflect the risk of flooding for site G94.1 in the SA table.
380	West Winch Growth Area	Update the SA to include Site 984, 1034 as allocated	Updated SA table and commentary as seen within appendix (See Appendix 6,7 &11)	To reflect the updated allocation

Development Management Policy Changes Appendices

Appendix 1: Amended Table 5.2a - Development Management Policies Options Scoring

Table 5.2a – Development Management Policies Options Scoring (Page 67)

Policy		SA Objective:																			Overall Effect
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	
DM 2A Early Review of Local Plan	Preferred Option																				
	No Policy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	PP23 (DM 2A)	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++
DM 19 Green Infrastructure	Preferred Option	++	0	++	+	+	0	0	++	++	0	++	++	0	++	++	++	0	+	0	+
	Option 1	+	0	x	+	+	0	0	+	x	0	x	~	0	~	x	x	0	x	0	x
	PP10	++	0	++	+	+	0	0	++	++	0	++	++	0	++	++	++	0	+	0	+
	PP10 A (DM19)	++	0	++	++	++	0	0	++	++	0	++	++	0	++	++	++	0	+	0	+

Commentary

DM2 – Undertaking an early review of the Local Plan will clearly have a positive effect.

DM 19 – This Policy is judged to have a positive effect. The alternative would be no specific policy, relying on the National Planning Policy Framework and general planning principles, which is considered a ‘neutral’ option.

Appendix 2: Amended Table 5.2b - Combined and Aggregated Scores of Proposed (only) Development Management Policies

Table 5.2b - Combined and Aggregated Scores of Proposed (only) Development Management Policies (Page 72)

Policy		SA Objective:																				Overall Effect
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
DM 1 Presumption in Favour of Sustainable Development	Proposed Policy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Not significant
DM 2 Development Boundaries	Proposed Policy	+	++	0	0	+/x	+/x	+/x	+	+	0	0	0	0	+/x	+	0	x	0	0	+	Positive
DM 2 A Early Review of Local Plan	Proposed Policy	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	Positive
DM 3 Infill Development in the SVAH's	Proposed Policy	x	xx	0	x	x	0	x	x	x	0	0	0	0	xx	0	+/x	++	x	x	Negative	
DM 4 Houses in Multiple Occupation	Proposed Policy	0	~	+	0	0	0	+	++	0	~	0	+	+	0	0	+	+	0	++	++	Positive
DM 5 Enlargement of Dwellings in the Countryside	Proposed Policy	0	0	0	0	+	0	++	+	+	0	0	0	0	0	0	0	+/x	0	0	0	Positive

Policy		SA Objective:																				Overall Effect
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
DM 6 Housing Needs of Rural Workers	Proposed Policy	++	0	+	0	0	0	+	+	++	++	0	+	++	0	0	0	++	0	++	++	Positive
DM 7 Residential Annexes	Proposed Policy	0	0	0	0	0	0	+	++	+	0	0	+	0	0	+	0	0	0	0	0	Positive
DM 8 Delivering Affordable housing on Phased Development	Proposed Policy	0	0	0	0	0	0	0	+	0	0	0	0	0	0	0	+	++	0	0	0	Positive
DM 9 Community Facilities	Proposed Policy	0	++	0	0	0	0	+	++	+	0	0	+	+	++	++	+	0	++	+	0	Positive
DM 10 Retail Development Outside Town Centres	Proposed Policy	+	+	0	0	0	0	++	++	++	0	0	0	0	0	++	0	0	+	0	+	Positive
DM 11 Touring and Permanent Holiday Sites	Proposed Policy	+/x	0	0	++	0	++	++	++	0	0	++	++	0	0	+	0	0	0	0	++	Positive
DM 12 Strategic Road Network	Proposed Policy	0	0	0	0	0	0	+	+/x	+/x	0	0	++	0	0	+/x	0	0	0	+	+/x	Positive
DM 13 Disused Railway Trackways	Proposed Policy	0	0	0	0	0	0	0	0	+	0	0	+	0	+	+	0	0	0	+	+/x	Positive

Policy		SA Objective:																				Overall Effect
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
DM 14 Development Associated with CITB, Bircham Newton & RAF Marham	Proposed Policy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	++	0	0	0	++	++	Positive
DM15 Environment, Design and Amenity	Proposed Policy	0	0	0	0	0	++	++	++	+	0	0	+	+	+	0	0	+	0	0	0	Positive
DM 16 Provision of Recreation Open Space for Residential Developments	Proposed Policy	0	0	0	0	0	0	0	+	0	0	0	+	0	++	++	0	0	+	0	0	Positive
DM 17 Parking Provision in New Development	Proposed Policy	0	0	0	0	0	0	#	+	0	0	0	0	0	0	+	0	0	0	0	0	Positive
DM 18 Coastal Flood Risk Hazard Zone (South Hunstanton to Dersingham)	Proposed Policy	0	0	0	0	0	0	0	++	0	0	++	++	0	0	0	0	0	0	0	0	Positive
DM 19 Green Infrastructure	Proposed Policy	++	0	++	++	++	0	0	++	++	0	++	++	0	++	++	++	0	+	0	+	Positive
DM20 Renewable Energy	Proposed Policy	0	0	0	+	+	+	++	+	+	0	0	0	0	0	0	0	0	0	0	0	Positive

Policy		SA Objective:																				Overall Effect
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
DM 21 Sites in Areas of Flood Risk	Proposed Policy	0	0	0	0	0	0	0	++	0	0	++	+	0	0	0	0	0	0	0	+	Positive
DM 22 Protection of Local Open Space	Proposed Policy	+	0	+	+	+	0	+	+	+	0	+	++	0	++	0	+	0	++	0	+	Positive
TOTAL NUMBER OF PLUS SCORES = 243		+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	Very positive
TOTAL NUMBER OF MINUS SCORES = 26		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

Appendix 3: Update to inset within Table A1 - Relationship of Pre-Submission Polices, Preferred Options Policies and Issues and Options Policies

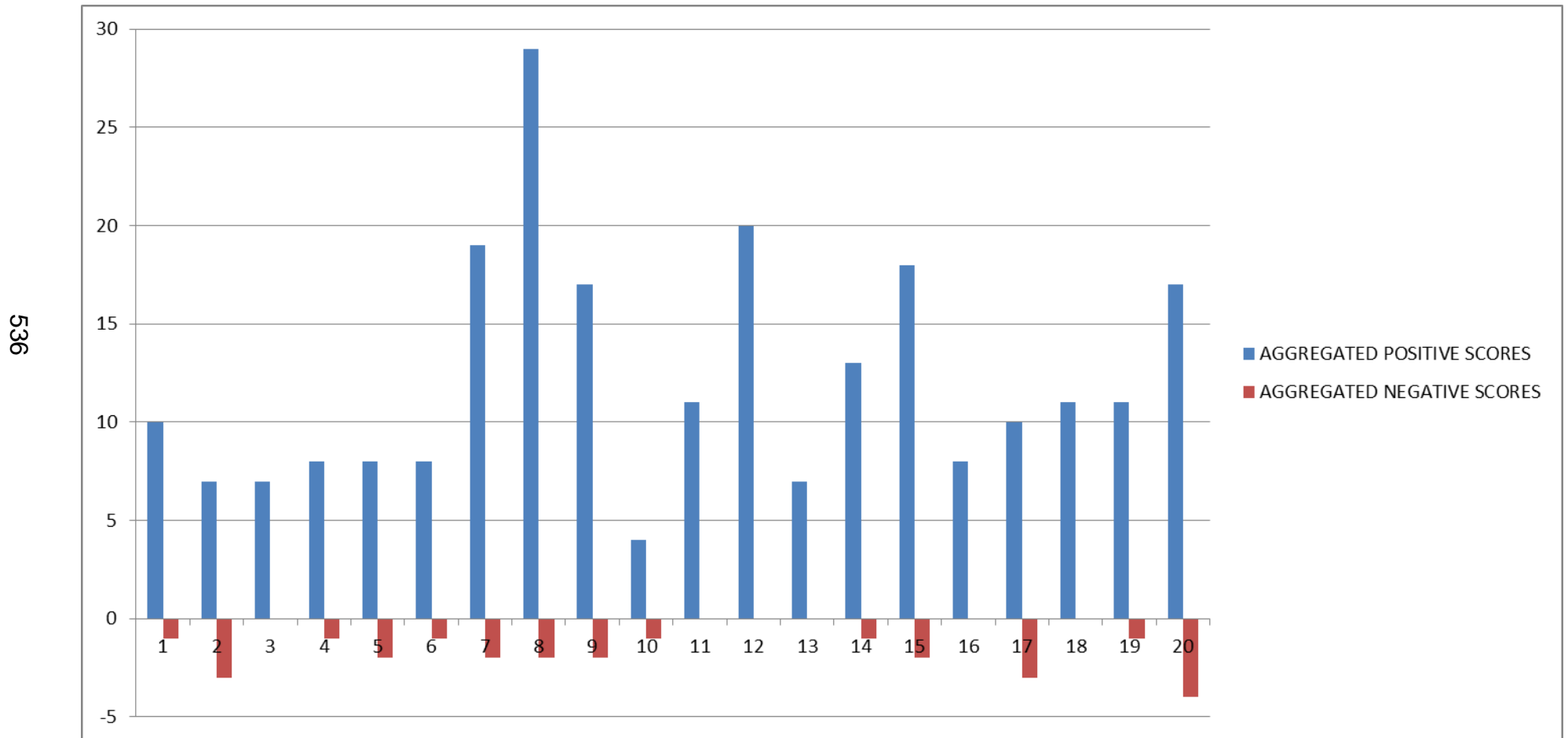
Table A1: Relationship of Pre-Submission Polices, Preferred Options Policies and Issues and Options Policies (Page 76)

Pre-Submission Document Development Management Policies	Preferred Options Area Wide Policies	Issues and Options Development Management Policies
DM 2 A: Early Review of Local Plan	n/a	n/a

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Appendix 4: Replacement Figure 1.3a & Figure 4.1a - Aggregated Scores of Development Management Policies – Bar Chart

Figure 1.3a & Figure 4.1a – Aggregated Scores of Development Management Policies – Bar Chart (Page 7 & 47)



Appendix 5: Replacement: Paragraph 4.1.9

(Page 46)

4.1.9 Particularly high aggregate scores (15 or over) are seen in respect of the following SA Objectives:

- Objective 7 - Maintain and enhance the diversity and distinctiveness of landscape and townscape character;
- Objective 8 - Create places, spaces and buildings that work well, wear well and look good;
- Objective 9 - Reduce emissions of greenhouse gasses and other pollutants (including air, water, soil, noise, vibration and light);
- Objective 12 - Maintain and enhance human health;
- ~~Objective 14 – Improve the quantity and quality of publicly accessible open space; and~~
- Objective 15 – Improve the quality, range and accessibility of services and facilities
- Objective 20 – Improve the efficiency, competitiveness and adaptability of the local economy.

Site Allocations and Settlement Specific Policy Changes Appendices

Appendix 6: Replacement Table 4.1 - Aggregated Scores of Site Allocations and Settlement Specific Policies

Table 4.1 Aggregated Scores of Site Allocations and Settlement Specific Policies (Page 48)

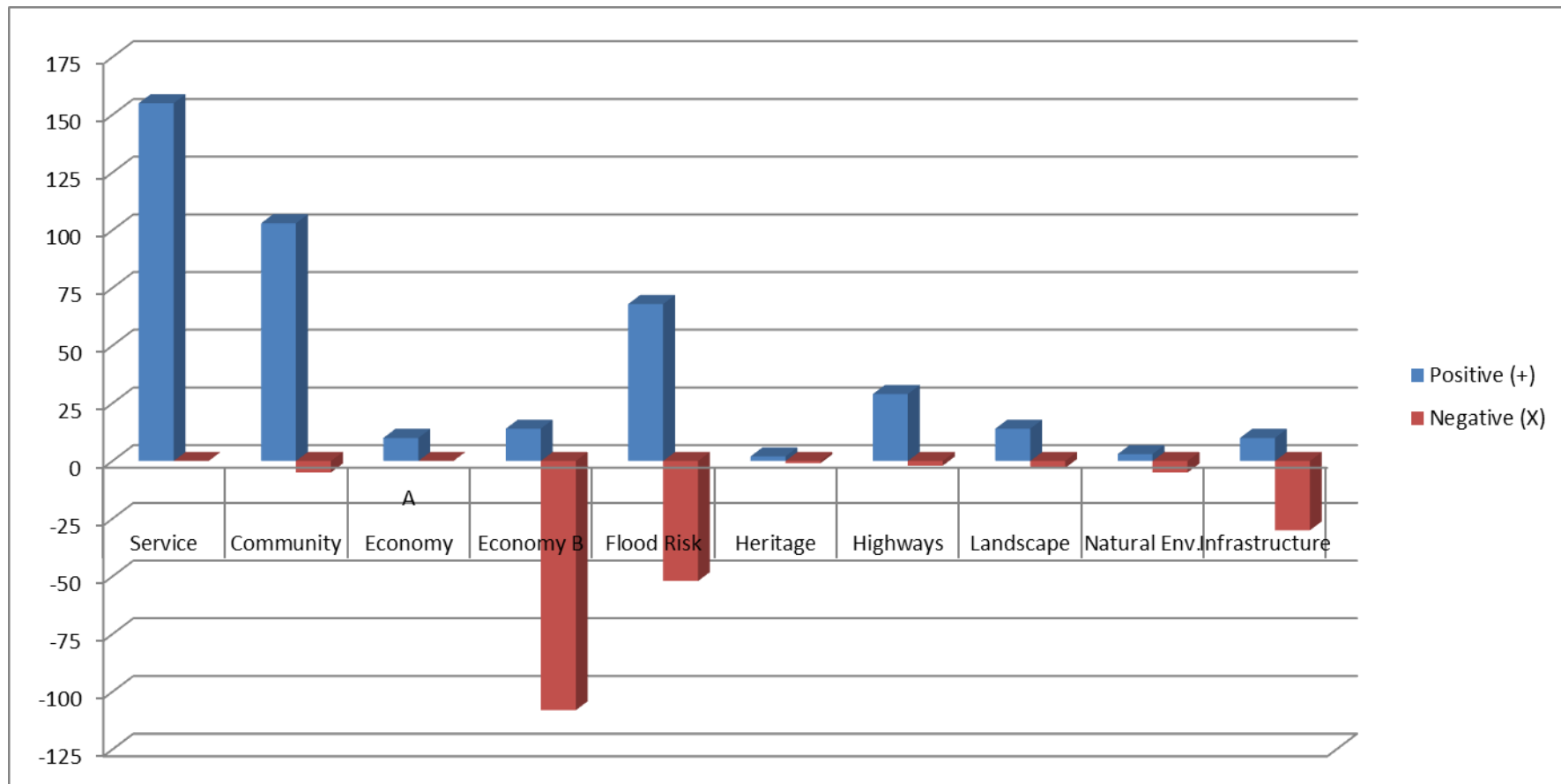
ALL ALLOCATIONS	Access to Services	Community & Social	Economy A Business	Economy B Food Production	Flood Risk	Heritage	Highways & Transport	Landscape & Amenity	Natural Environment	Infrastructure, Pollution & Waste	TOTALS
Aggregated positive scores (+)	156	103	10	15	68	2	29	15	3	10	411
Aggregated negative scores (X)	0	-6	0	-108	-51	-1	-2	-3	-5	-30	-206

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Appendix 7: Replacement Figure 1.3b & Figure 4.1b - Aggregated Scores of Site Allocations and Settlement Specific Policies – Bar Chart

Figure 1.3b - Aggregated Scores of Site Allocations and Settlement Specific Policies – Bar Chart (Page 8)

Figure 4.1b - Aggregated Scores of Site Allocations and Settlement Specific Policies – Bar Chart (Page 49)



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Appendix 8: Updated Sustainability Appraisal table for Hunstanton Housing site F2.4 (997)

(Page 206)

Site Ref	Site Sustainability Factor									
	Access to Services	Community & Social	Economy A Business	Economy B Food Production	Flood Risk	Heritage	Highways & Transport	Landscape & Amenity	Natural Environment	Infrastructure, Pollution & Waste
F2.4 (997)	+	+	o	xx	+/x	#	#	#	#	x

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Appendix 9: Updated King's Lynn Housing Sites - Sustainability Appraisal

Site Ref	Site Sustainability Factor									
	Access to Services	Community & Social	Economy A Business	Economy B Food Production	Flood Risk	Heritage	Highways & Transport	Landscape & Amenity	Natural Environment	Infrastructure, Pollution & Waste
E1.4	+	+	O	+	+/x	O	#	#	#	#
E1.5	++	+	O	O	xx	#	#	#	#	?
E1.6	++	+	O	+	+/x	O	#	O	O	#
E1.7	+	+	O	+	+/x	O	#	#	#	?
E1.8	++	+	O	O	xx	#	#	O	O	#
E1.9	+	+	O	+	x	O	#	#	#	#
E1.10	++	+	O	O	xx	#	#	+	O	?
E1.11	++	+	O	+	+/x	#	#	x	+	?

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(Page 218)

E1.4 King's Lynn, Marsh Lane - The site scores well in relation to the sustainability indicators 'access to services', 'community and social' and 'food production'. The site is partially constrained by flood risk, with the majority of site being located within Flood Zone 1 and the remaining site area being within Flood Zone 2, hence the '+/x' sustainability score. However, it is considered that measures could be taken to mitigate this risk. In terms of 'highways and transport', 'landscape and amenity', 'natural environment' and 'infrastructure, pollution and waste' it depends on how the scheme is implemented as potential negative impacts could be mitigated through good design.

E1.5 King's Lynn, Boal Quay - The site scores highly in terms of 'access to services' being located centrally within the town and in relation to 'landscape and amenity' as the development will be well screened. The site will have no impact on the economy. The impact of 'heritage', 'highways and transport' and 'natural environment' depends on how the scheme is implemented as potential negative impacts could be mitigated through good design. The site does score poorly in relation to the indicator flood risk, with site located being located within Flood Zone 2, 3 and a portion within the Hazard Zone. Despite the identified flood risk it is considered that appropriate measures could be taken to mitigate this risk.

E1.6 King's Lynn, South of Parkway - The site scores highly in terms of 'access to services' being located centrally within the town. Development of the site will have no impact on 'heritage', 'natural environment' or 'infrastructure, pollution and waste.' The site is partially constrained by flood risk, being located partially within Flood Zone 1 and 2, hence the '+/x' sustainability score. It is considered that this risk could be mitigated through appropriate measures. The impact of 'highways and transport' and 'landscape and amenity' depends on how the scheme is implemented as potential negative impacts could be mitigated through good design.

E1.7 King's Lynn, Land at Lynnsport - The site scores highly in terms of 'access to services', 'community and social' and 'food production.' There is no impact on 'heritage.' Site E1.7 is located within Flood Zones 1, 2 & 3 this is reflected by the positive/negative sustainability score for the 'flood risk' category. However, It is considered that appropriate measures could be taken to mitigate this risk. In terms of 'highways and transport', 'landscape and amenity', 'natural environment' and 'infrastructure, pollution and waste' depends on how the scheme is implemented as potential negative impacts could be mitigated through good design..

E1.8 King's Lynn, South Quay - The site scores highly in terms of 'access to services' being located centrally within the town and in relation to 'landscape and amenity' as the development will be well screened. There is no impact on 'economy'. The impact on 'heritage' and 'highways and transport' depends on how the scheme is implemented as potentially negative impacts could be mitigated through good design. In relation to the indicator 'infrastructure, pollution and waste' the impact is unknown. The site does score poorly in relation to the indicator flood risk, with site located being located within Flood Zone 2, 3 and a portion within the Hazard Zone. Despite the identified flood risk it is considered that appropriate mitigation measures could be taken to mitigate this risk.

E1.9 King's Lynn, Land west of Columbia Way - The site scores fairly well in terms of 'access to services', 'community and social' and 'food production'. There is no impact on 'business' or 'heritage'. In terms of 'highways and transport', 'landscape and amenity', 'natural environment' and 'infrastructure, pollution and waste' it depends on how the scheme is implemented as potential negative impacts could be mitigated through good design. The site scores negatively in relation the 'flood risk' indicator as the site is located partially with Flood Zones 1, 2 & 3. It is considered that through appropriate measures the flood risk could be mitigated.

E1.10 King's Lynn, North of Wisbech Road - The site scores well in terms of the sustainability indicator 'access to services' as it centrally located within the town centre. The site scored positively in terms of 'community and social', 'natural environment' and 'landscape and amenity' as development would be well screened and fit into the surrounding context of the settlement. There will be no impact on the indicator 'economy' and the impact on 'heritage', 'highways and transport' and 'infrastructure, pollution and waste' depend on how the scheme is implemented as potential negative impacts could be mitigated through good design. E1.10 does score poorly in respect of the 'flood risk' category as it is located within areas classed as Flood Zone 2, 3 and the Hazard Zone. Despite the identified flood risk it is considered that appropriate mitigation measures could be taken to mitigate this risk.

E1.11 King's Lynn, Southgates - The site scores well in terms of the sustainability indicator 'access to services' as it centrally located within the town centre. The site scored positively in terms of 'community and social', 'natural environment' and 'landscape and amenity' as development would be well screened and fit into the surrounding context of the settlement. There will be no impact on the indicator 'economy' and the impact on 'heritage', 'highways and transport' and 'infrastructure, pollution and waste' depend on how the scheme is implemented as potential negative impacts could be mitigated through good design. This site scores both positively and negatively with regard to 'flood risk' as the majority of the site it is located within

Flood Zone 1 and a small portion of towards the western boundary is within an area classed as Flood Zone 2. It is considered that this risk could be mitigated through appropriate measures.

Conclusion

All reasonable sites within the King's Lynn urban area have been identified, assessed as being sustainable and taken forward as housing allocations. The overall package scores positively in sustainability terms. The only negative scores are in relation to flood risk. It is considered that appropriate measures could be taken to mitigate this risk.

The Core Strategy sustainability assessment dealt with the principle of concentrating new housing development in King's Lynn. The package of housing sites here takes that approach forward into positive allocations.

Appendix 10: Updated Sustainability Appraisal table for Terrington St. John Housing site G94.1 (Part of 890)

Site Ref	Site Sustainability Factor									
	Access to Services	Community & Social	Economy A Business	Economy B Food Production	Flood Risk	Heritage	Highways & Transport	Landscape & Amenity	Natural Environment	Infrastructure, Pollution & Waste
G94.1 (Part of 890)	+	+	o	x	+/x	o	#	o	o	?

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Appendix 11: Updated West Winch Growth Area Sustainability Appraisal

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Site Ref	Site Sustainability Factor									
	Access to Services	Community & Social	Economy A Business	Economy B Food Production	Flood Risk	Heritage	Highways & Transport	Landscape & Amenity	Natural Environment	Infrastructure, Pollution & Waste
West Winch Growth Area	++	+	0	X	+	#	+	#	#	#
Sites to the east	++	+	0	X	+	X	?	X	0	#
Sites within North Runcton	+	+	0	X	+	X	X	0	0	#
Sites to the south	+	+	0	X	+/X	X	X	#	0	#
Within West Winch	++	+	0	X	+	X	+	X	X	#

Site 984, 1034	+	+/X	0	+/X	+	0	+	+	#	#
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West Winch Growth Area – This area is considered as a sustainable location for growth, south east of King’s Lynn, as identified in the Core Strategy. The Growth Area performs well in relation to the indicator ‘access to services.’ The impact on ‘landscape and amenity’ depends on how the scheme is implemented as potential negative impacts could be avoided or mitigated through good design. The Growth Area comes close to the listed buildings of Church of St Mary (Grade 2*) and the Windmill (Grade 2) consequently the setting of these have to be treated with great care and potential negative impacts avoided through good design. The site is not constrained by flood risk. The West Winch Growth Area is the chosen allocation as in comparison to other sites considered it will maintain the gap between West Winch and surrounding settlements whilst relating well and enhancing the facilities available for the original settlement. The Growth Area includes the following sites: KWW01, 569, 683, 979, 980, 1047, 1048, 1108, 1240 & 1241 and parts of the following sites: 485, 973, 981, 982, 983, 987, 1034, 1046, 1096, 1220, 1221, 1223, 1224 & 1225

East of the West Winch Growth Area (1095, 1096, 1220, 1224 & 1225) – These sites sit within the gap between the Growth Area and North Runcton, this results in a negative score for the Sustainability Appraisal factor ‘landscape and amenity’ as one of the Plan’s aims is to maintain a gap ensuring that North Runcton remains a distinctive settlement separated from the Growth Area and the associated new link-road. Development of these sites would reduce or remove this gap and therefore impact negatively on the form and character of North Runcton. A further negative is recorded for the factor ‘heritage’ as the sites are within close proximity to three listed buildings in North Runcton; The Church of All Saints (Grade 1), The Old Rectory (Grade 2) and North Runcton Lodge (Grade 2).

Within North Runcton (68, 465, 661, 1189 & 1276) – These sites are located within the settlement of North Runcton, which is designated as a smaller village and hamlet by the Core Strategy and as such does not receive any specific site allocations. In relation to the Growth Area these sites are not only detached, reflected by a negative score in the factor for ‘highways & transport’, but they could also have a negative impact upon the heritage, form and character of North Runcton.

To the South (177, 196, 479, 659 & 1293) – These sites are situated to the south of the Growth Area and as such are detached from it. A negative score for the factor ‘highways and transport’ has been recorded as Norfolk County Council as the Highways Authority comment that these sites are unsuitable due to their remoteness or they would require direct access from/onto the A10. Development of some these sites would result in reducing the gap between the Growth Area and the existing settlement of Setchey, impacting negatively upon the heritage, form and character of Setchey. Setchey is designated as a smaller village and hamlet by the Core Strategy and as such would not receive any specific site allocations. In relation to the Growth Area those sites that are situated within Setchey score negatively in the Sustainability Appraisal factor ‘flood risk’ as they are located within either Flood Zone 2 or 3. Development of Site 1293 would result in the direct loss of employment land; this would result in a negative score in the factor ‘economy A business’ in accordance with policy CS10 of the Core Strategy, and therefore the economic sustainability of a new plan, the Council will seek to retain land or premises currently or last used for employment purposes.

Within West Winch (KWW06, 135, 361, 485, 657, 926, 973, 982, 983, 1045, 1222 & 1273) – These sites are within the existing settlement of West Winch and have been omitted from the Growth Area. In totality negative scores for the factors ‘natural environment’ and ‘landscape and amenity’ are recorded as the majority of these sites would either encroach upon West Winch Common or result in the direct loss of Common Land, therefore not relating to the existing settlement by having a negative impact upon the form, character and setting of West Winch. A number of these sites are detached from the Growth Area and the line of the new link-road, resulting in a poor relationship between the new Growth Area. A number of these sites come close to linking the southern section of King’s Lynn and parts of the Saddlebow Industrial Estate with West Winch; the Growth Area seeks to maintain a gap between West Winch and existing settlements. Note that

KWW06 has already been developed and part of 485 is an existing residential dwelling so has not been included within the Growth Area.

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Site 984, 1034 ('Site F') – This site is to the south west of the village centre, immediately adjacent to the existing settlement. In terms of access to services, the site is close to bus stops and an employment area to the south but is further from central village convenience services than some options (e.g. c800m to community centre, c1km to shop, school and church) . However, the implementation of proposals for the growth area will increase the service provision in the local area and therefore the site will benefit from its good access links through existing development. The development of this site is expected to include new public open space and allotments, and these are scored as community and social gains additional to the housing provision. While there was opposition to the sites development from nearby residents, it is considered appropriate to score an overall plus in this category. However the site is currently agricultural land and therefore the scores a negative in relation to category 'Economy B Food Production', but also scores a positive because its development would include allotments and hence local food production, resulting in a mixed score. The majority of the site is in SFRA fluvial flood zone 1 (climate change scenario), but a minor portion in the south western part of the site is within zone 2. As this higher flood risk area can accommodate the allotments and/or public open space proposed, rather than housing, an overall positive score is given under this heading. There are no heritage assets such as Listed Buildings within proximity of the site and it is therefore scored as no impact in the 'Heritage' category. The site has adequate road access. Although it suffers from the heavy traffic and congestion on the A10, along with the whole of the settlement and potential development area, this is intended to be addressed through provision of the relief/distributor road element of the strategic growth. It is close to bus stops, and hence is scored positive for 'Highways and Transport'. The site is well related to the existing settlement as the northern and eastern boundary of the site is adjacent to residential development. The western and southern borders open countryside. The impacts on 'landscape and amenity' include a loss of semi-rural outlook to a number of existing properties, but also the gaining of a similar outlook to some of the new properties. The development of the site would have little impact in distant views from the west, but would increase the extent of development close to West Winch Common and the footpath which passes along it. However, the development includes public open space and allotments and this would have landscape and amenity benefits. An overall positive score is considered appropriate. The development of the site could include habitat and biodiversity enhancements as part of the open space, but would result in a loss of some open land, hence a mixed score on Natural Environment. The development of the site would contribute to the area's infrastructure, and therefore a positively under this heading.

Discussion

- On balance the Growth Area performs better than other combinations as it isn't constrained by 'flood risk', would have the least impact upon the form and character of existing settlements and any potentially negative impacts associated with 'landscape & amenity' and 'heritage' can be minimised through good design. There would however be a negative score in factor 'economy B food production' with identified productive agricultural land being lost to development, although this is the case with all of the sites proposed, and was factored into the identification of the area by the Core Strategy. The new-link road between the A10 and A47 is planned to provide access and permeability to parts of the Growth Area, some of the submitted sites, due to their geographic location, are detached from this 'fixed line' and/or the Growth Area itself. This connectivity is vital to achieving links and

integration between new residents and business and can contribute to a healthy community. In selecting the extent of the Growth Area, consideration has been given to maintaining a degree of separation between North Runcton and the new neighbourhoods, and to provide a good level of integration with the existing development and facilities in West Winch.

- Sites 998 & 1034 (known as Site F) was included in the Preferred Options but excluded from the submitted Plan. In response to evidence and arguments presented to the Plan Examination it has become appropriate to review the merits and demerits of this site in isolation, rather than in combination with other sites on the west of the settlement, and hence a new separate evaluation of this has been done. Because of the contentious status of this site, and the difficult decisions to be made which will be informed by its SA, this has been done in a little more detail than the earlier work. Broadly speaking this site scores positively on a range of fronts, and while opposed by nearby residents has no major adverse impacts, and its inclusion in the growth area is considered to represent sustainable development.

Conclusion

- As discussed above, The Growth Area, and the inclusion of Site F (Sites 998 & 1034), on balance represents the least constrained combination of sites for development that still provides a degree of separation from North Runcton, when compared to the other reasonable options considered. Therefore this Growth Area, including Site F, is an appropriate allocation for an urban expansion area adjacent to south east King's Lynn.

Pre-Screening Equality Impact Assessment

**Borough Council of
King's Lynn &
West Norfolk**



Name of policy/service/function		Inspector's request for further information in respect of the SADMP				
Is this a new or existing policy/service/function?		New / Existing (delete as appropriate)				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations		The report sets out the broad issues raised during the Examination into the Local Plan and seeks the endorsement of Cabinet for a number of changes to the submitted plan and related matters. The approach covers; Habitat Regulation issues; Flood risk issues; and Flexibility and deliverability. We consider that the approach and detailed changes provide a pragmatic response and display sufficient flexibility in response to the Inspector's questions. This service is constrained by statutory obligations.				
Question		Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>			Positive	Negative	Neutral	Unsure
		Age			X	
		Disability			X	
		Gender			X	
		Gender Re-assignment			X	
		Marriage/civil partnership			X	
		Pregnancy & maternity			X	
		Race			X	
		Religion or belief			X	
		Sexual orientation			X	
Other (eg low income)			X			
Question	Answer	Comments				
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	Yes / No	No				

3. Could this policy/service be perceived as impacting on communities differently?	Yes / No	No
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes / No	No
5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	Yes / No	Actions:
		Actions agreed by EWG member:
Assessment completed by: Name		
Job title	Date	

Please Note: If there are any positive or negative impacts identified in question 1, or there any 'yes' responses to questions 2 – 4 a full impact assessment will be required.

REPORT TO COUNCIL

Open		Would any decisions proposed :		
Any especially affected Wards	Operational	Need to be recommendations to Council		YES
Lead Member: Cllr Vivienne Spikings E-mail: cllr.vivienne.spikings@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Emma Duncan E-mail: emma.duncan@west-norfolk.gov.uk Direct Dial: 616327		Other Officers consulted: Executive Director (Planning and Environment)		
Financial Implications NO	Policy/Personnel Implications NO	Statutory Implications (incl S.17) YES	Equal Impact Assessment YES	Risk Management Implications NO

Date of meeting:

REVISIONS TO THE MEMBER CODE OF GOOD PRACTICE FOR PLANNING

<p>Summary</p> <p>The report recommends amendments to the Members Code of Good Practice for Planning to reflect current and best practice.</p> <p>Recommendation</p> <p>That the revised Code of Practice be adopted.</p>
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1 Background

- 1.1 The Council has a number of documents which regulate the conduct of council business, officers and elected members.
- 1.2 As a matter of good practice these are kept under review and require updating from time to time.

2 Proposed changes

- 2.1 The Member Code of Good Practice for Planning has been in place for a number of years.

2.2 As a result the Code needed to be updated in line with the new legislative provision under the Localism Act 2011 relating to predetermination and the Planning Advisory Services has also produced updated Guidance.

2.3 A revised Code is attached and this has been consulted on with the Portfolio Holder for Planning and Planning Committee members.

2 Policy Implications

2.1 None

3 Financial Implications

3.1 None

4 Statutory Implications

4.1 Yes – the Code reflects the new legislative provisions under the Localism Act.

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

MEMBERS CODE OF GOOD PRACTICE FOR PLANNING

1. INTRODUCTION

- 1.1 This Code has been prepared and adopted for the guidance of Councillors in their dealings with planning matters.
- 1.2 The aim of this code is to ensure that, in the planning process, there will be no grounds for suggesting that a planning decision has been biased, partial or not well founded on planning considerations and to inform potential developers and members of the general public of the standards adopted by the Borough Council and the performance of its planning function.
- 1.3 **When this code applies** – to all members of the Planning Committee and substitutes. This would include, for example, making decisions at planning and other committees, or on less formal occasions such as meetings between members and officers and/or members of the public on planning matters. The code applies equally to planning enforcement matters or site-specific policy issues and to planning applications.
- 1.4 Planning decisions made by Councillors can have a considerable effect on the value of land, the nature of its development and on the lives and amenities of people living in the vicinity. The process of arriving at decisions on a planning matter must be open and transparent and the involvement of both Officers and Members must be clearly understood. The main principles which Members should have clear regard for are: -
- The key purpose of planning is to deliver sustainable development which effectively balances economic, social and environmental interests and takes relevant local circumstances into account.
 - Your overriding duty as a Councillor is to all residents of the Borough Council area and in relation to planning issues to help ensure that the council's planning policies are achieved.
 - Your role as a member of the planning authority is to make planning decisions openly, impartially, with sound judgement, and for justifiable reasons.
 - Whilst you may be strongly influenced by the views of others and of your party in particular it is your responsibility alone to decide what view to take on any question which councillors have to decide.
 - Section 38(1) and 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act requires you to take planning decisions in accordance with the provisions of the development plan unless material considerations indicate otherwise. You should ensure that all decisions that you make

have regard to proper planning considerations and are made impartially and in a way, which does not give rise to public suspicion or mistrust.

- The Code applies to all decisions of the Council on planning related matters. This includes Members involvement in any planning application, whether or not it is reported to a committee, all applications determined by any committee or by Full Council acting as a local planning authority.

- When acting in your capacity as a Councillor you must have regard to the Council's adopted Code of Conduct.

1.6 If you have any doubts regarding whether this code of conduct for members or officers applies to their particular circumstances then you should take advice at the earliest possible opportunity from the Monitoring Officer Service or from a member of her staff. Any such advice should be sought well before any meeting of the local planning authority takes place.

2. RELATIONSHIP TO THE MEMBERS' CODE OF CONDUCT

2.1 The Members' Code of Conduct sets out the standards of behaviour expected of Councillors and the requirements in relation to the declaration of interests in the Members Register of Interests and at meetings. Not only should impropriety be avoided but also any appearance or ground for suspicion of improper conduct. When considering any planning matter you should have primary regard for the Code, and particularly the requirement to properly declare all interests: -

- **Do** comply with the requirements of the adopted Code of Conduct first then apply the rules in this Planning Code of Good Practice.

2.2 If you do not follow and apply the code then you may put the Council at risk of proceedings challenging the legality of the decision made or of a complaint to the Ombudsman in respect of alleged maladministration and yourself at risk of sanction if there has been a failure to comply with the adopted Members' Code of Conduct.

3. DEVELOPMENT PROPOSALS AND DECLARATION OF INTERESTS UNDER THE MEMBERS' CODE OF CONDUCT

When considering planning matters Members may find that they need to;

- Declare interests in accordance with the requirements of the adopted Code of Conduct

or

- Indicate whether or not they may have come to a fixed view on a planning application prior to the meeting (i.e. pre-determination)

The existence and nature of any interest should be disclosed in accordance with this Code at any planning committee, working party meeting and any informal meetings or discussions with officers and any other Members.

Members should preferably disclose their interest at the commencement of the meeting and not at the beginning of the discussion on that particular matter.

Members should notify the Monitoring Officer in writing of your interest and ensure that such notification should be no later than submission of that application and ensure that a proper record of the interest is noted at any meeting.

Where you have a Disclosable Pecuniary Interest (Your pecuniary interests (or those of your spouse/partner), are business interests; for example their employment, trade, profession, contracts, or any company with which you are associated and wider financial interests that you have for example trust funds, investments, and assets including land and property):

Do Not participate or give the appearance of trying to participate in the making of any decision by the Local Planning Authority.

Do not get involved with the processing of the application and direct any queries or technical matters to the relevant officer.

Do not seek or accept preferential treatment or place yourself in such a position so as members of the public would think you are receiving preferential treatment because of your position as a Councillor. You may need to identify another local member who is prepared to represent local interests.

Do note that there is a requirement to **leave the room** whilst the item is being discussed.

4. PRE-DETERMINATION IN THE PLANNING PROCESS

The allowance made for Councillors to be predisposed to a particular view is a practical recognition of;

- (a) The role played by party politics in local government and
- (b) The need for Councillors to inform constituents of at least an initial view on a matter as part of their public role
- (c) The structure of local government which ultimately requires the same Councillors to make decisions.

It is therefore particularly important for elected Councillors to have a clear understanding about the implications of expressing strong opinions or views on planning matters. Section 25 of the Localism Act 2011 introduces provisions for dealing with allegations of bias or pre-determination or matters that otherwise raise an issue about the validity of a decision, where the decision maker(s) had or appeared to have a closed mind (to any extent) when making the decision.

This does allow Councillors to express preliminary views on planning matters however they will still need to be open minded at the point of decision in the sense of listening to

all of the arguments, and weighing them against their preferred outcome, before actually voting.

Councillors can listen to views expressed by both applicants and objectors, but should try to ensure that they are acting in an even handed manner.

In practice:

This can be demonstrated by the Committee Chairman asking the Councillor at the beginning of the meeting to confirm whether or not they still have an open mind on a proposal.

A Councillor quoted in a newspaper having said, “Over my dead body will that planning application be approved. I will never support it under any circumstances” could be said to have predetermined the decision. These extreme statements should still be avoided.

It is important to note that if a member has expressed particularly extreme views, it will be more difficult in practice to be able to get away from the impression that they would approach the decision with a closed mind.

5. CONTACT WITH APPLICANTS, DEVELOPERS AND OBJECTORS

- 5.1 Local Authorities are encouraged to enter into pre-application discussions with potential applicants.
- 5.2 The Council encourages member involvement provided members roles in such discussions are clearly understood by members, officers, developers and the public. In particular members of development control committees need to be aware of the distinction between the giving and receiving information and engaging in negotiations. Members should also be aware that presentations by developers are, in effect, a form of lobbying and that the principles set out in paragraph 6 are relevant.

Do take advice from the Monitoring Officer if you are invited to attend meetings with applicants, developers or groups of objectors if you are a member of the Planning Committee and therefore likely to be part of the decision-making process. You will then be in a position to make a decision about your attendance having taken proper count of the issues relating to pre-determination.

Do refer those who approach you for planning, procedural or technical advice to officers.

Do not agree to any formal meeting with applicants, developers or groups of objectors. Where you feel that a formal meeting would be useful in clarifying the issues, such presentation or discussion with an applicant, developer or objector should be part of a structured arrangement organised by officers. The officer(s) will then ensure that those present at the meeting are advised from the start that the discussions will not bind the authority to any particular course of action, that the meeting is properly recorded on the application file and the record of the meeting is disclosed when the application is considered by the Committee.

Do remember that the presentation is not part of the formal process of debate and determination of any subsequent application, this will be carried out by the appropriate Committee of the Planning Authority

Do be aware that a presentation is a form of lobbying and if you express a view, you will need to carefully consider if you have pre-determined the matter prior to the vote;

- Follow the rules on lobbying;
- Report to the Executive Director (Development Services) any significant contact with the applicant and other parties, explaining the nature and purpose of the contacts and your involvement in them and ensure that this is recorded on the planning file.

6. LOBBYING OF MEMBERS

6.1 It is acknowledged that lobbying is an integral part of the planning process. However, care has to be taken to avoid members' integrity and impartiality being called in question and accordingly there is a need to declare publicly that an approach of this nature has taken place. Lobbying can take place by professional agents as well as unrepresented applicants/landowners and community action groups.

6.2 Members must enter hospitality in accordance with the rules on gifts and hospitality

Do remember that your overriding duty is to the whole community and not just the people in your own particular ward

Do explain to those lobbying or attempting to lobby you that whilst you can listen to what is being said it prejudices your impartiality and may affect your ability to participate in the Committee's decision making to express an intention to vote one way or another.

Do not accept any gifts or hospitality from any person or group involved in or affected by a planning proposal. Whilst a degree of hospitality may be unavoidable, members must ensure that such hospitality is of a minimum and its acceptance is declared as soon as is possible.

Do copy or pass on any lobbying correspondence you receive to the Executive Director (Environment and Planning) at the earliest opportunity as this will enable proper officer advice to be given in the report and avoid the situation where officers are asked to respond to new information at the meeting itself, leading to deferral or decisions made on partial advice.

Do immediately refer any offers to the Executive Director (Environment and Planning) made to you of planning gain or a constraint of development through a proposed s106 obligation or otherwise.

Do inform the Monitoring Officer where you feel that you have been exposed to undue or excessive lobbying or approaches (including inappropriate offers of gifts or hospitality) that may require an investigation.

Do note that you **will not have pre-determined a matter** or breached this Code if:

- You have listened or have received views from residents or other interested parties;
 - You have made comments to residents, interested parties, other Members or appropriate officers, provided the comments have not amounted to a pre-determination of the issue and you have made it clear that you are keeping an open mind;
 - You have sought information through appropriate channels;
- or
- You are being a vehicle for the expression of opinion or speaking at the meeting as a Ward/Local Member, provided that you explain your actions at the beginning of the meeting or item and make it clear that, having expressed the opinion or ward/local view, that you have not committed yourself to vote in accordance with those views and will make up your own mind having heard all the facts and listened to the debate.

7. LOBBYING BY PLANNING COMMITTEE MEMBERS

It is recognised that a Planning Committee Member who represents a ward affected by a particular application is in a difficult position particularly if it is a controversial application around which a lot of lobbying takes place. There is a balance to be struck between the duties to be an active ward representative and the overriding duty as a Councillor to the whole community. In these circumstances;

Do join general interest, resident or amenity groups which reflect your areas of interest and which concentrate on issues beyond particular planning proposals. Examples of such groups are local civic societies, the Ramblers' Association, the Victorian Society and CPRE. Members must, however, disclose any interest in accordance with the adopted code of conduct when that group has made representations on a particular matter and such members should make it clear to that group and to the Planning Committee that you have reserved judgment and the independence to make up your own mind on each and every proposal.

Do not excessively lobby fellow members regarding your concerns or views and nor attempt to persuade other members how they should vote in advance of a meeting at which a planning decision is to be taken.

Do not decide or not discuss at any political group meeting how to vote on a planning matter or lobby any other member to do so. Political group meetings should never dictate how members should vote on a planning issue.

8. SITE VISITS BY MEMBERS

8.1 Sites inspection by Committee can be helpful in reaching a decision on issues where site circumstances are clearly fundamental to that decision as outlined below. Any Member of the Planning Committee may request a site visit.

There is an expectation that Members will attend site visits. However there will be exceptional circumstances where this is not possible. If this is the case, please speak to the Executive Director or Monitoring Officer.

If you have difficulties in accessing the site, please speak to the Committee Chairman, prior to the site visit if possible. If during a site visit, it is not possible for you to continue, please speak to the Chairman, before leaving.

Do ensure that any information which you gained from the site visit is reported back to the Committee, so that all Members have the same information

Do ensure that you treat the site visit only as an opportunity of seeking information and to observe the site.

Do ask the officers questions and seek clarification from them on matters, which are relevant to the site inspection, but this is not the time for a debate.

Do not hear representations from any other party at the site visit. If you are approached by the applicant or a third party, advise them that they should make representations in writing to the Council and direct them to or inform the officer that is present.

Do not express opinions or views to anyone at a site visit.

Do not enter a site that is subject to an application or proposal other than on an official site visit, even if it is in response to an invitation, as this may give the impression of bias.

Do try to stay with the rest of the Members and officers during a site visit – it helps to keep members safe on potentially dangerous sites and it ensures that all members receive all the relevant information.

9. THE DECISION MAKING PROCESS

All applications considered by Planning Committee or by way of a delegated decision shall be the subject of written reports and clear recommendations. If the recommendations are contrary to the provisions of the Development Plan the material considerations, which justify this, shall be clearly stated. If in the view of the officer the matter is finely balanced the report will say so. The recommendations put forward by officers and the decision by members are separate parts of the same process, which should be justified by the report and debate respectively.

9.1 MEMBERS RELATIONSHIP WITH OFFICERS

Do not put pressure on officers to put forward a particular recommendation. This does not prevent you from asking questions or submitting views to the relevant planning officer, and such views may be incorporated into any committee report.

Do recognise and respect that officers in the processing and determining of planning matters must act in accordance with the Council's Code of Conduct for Officers and their professional codes of conduct. You should therefore appreciate that officers' views, opinions and recommendations will be based on their overriding obligation of professional independence, which may on occasion be at odds with the views, opinions and decisions of a committee or its members.

Do consider the Council's protocol for member/officer relationships, which governs the working relationship you have with officers. This is a relationship based on mutual trust and courtesy, and all meetings should be guided by this principle.

9.2 PUBLIC SPEAKING AT MEETINGS BY MEMBERS

Do not allow members of the public to communicate with you during the committee proceedings (orally or in writing) other than through the scheme for public speaking.

Do ensure that you comply with the Council's procedures in respect of public speaking.

9.3 DECISION MAKING BY MEMBERS

Do come to a meeting with an open mind on a matter and do demonstrate that you are open-minded.

Do make decisions in accordance with the Development Plan unless material considerations indicate otherwise.

Do come to your decision only after due and proper consideration of all of the information reasonably required upon which to base a decision. If you feel that there is insufficient time to consider new information or there is insufficient information before you then you should request that further information and, if necessary, defer the application.

Do not vote or take part in a discussion at a meeting unless you have been present for the entire meeting or for the whole of the matter in question and this includes the public speaking and the officers' introduction to the matter. If a member needs to leave a meeting for a short period, such as for a comfort break, that member should seek an adjournment.

Do give reasons for Committee's decision to defer any proposal.

Do make sure that if you are proposing, seconding or supporting a decision contrary to officer recommendation or the development plan that you clearly identify and

understand the planning reasons leading to this conclusion/decision. These reasons, like all reasons in such matters, must be given prior to the vote and be recorded. Members should also be aware that you might have to justify their decision by giving evidence in the event of any appeal or challenge.

Do ensure that the reasons you give for a decision must be your reasons. You cannot ask an officer to give the reasons for you. An officer may assist in the drafting of your reasons.

10. **TRAINING OF MEMBERS**

All Members serving on the Planning Committee including substitute members in accordance with the Council's Constitution shall be trained in planning procedures prior to serving on the Committee.

Do not take part in the decision making process at committee meetings unless you have attended the mandatory planning training prescribed by the Council's Constitution.

Do attend any other specialised training sessions provided, since these will be designed to extend their knowledge of planning law, procedures, Regulations, Codes of Practice and the Development Plan. The training will be devised to assist you in carrying out your role properly and effectively.

11. **SANCTIONS**

A failure to adhere to the Code gives rise to potential consequences to individual Members. Any allegation of a serious breach of this Code should be made in writing to the Monitoring Officer.

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Mandatory	(a) Be entirely within cabinet's powers to decide	YES	
None		(b) Need to be recommendations to Council	NO	
		(c) Is it a Key Decision	YES	
Lead Member: Cllr Adrian Lawrence E-mail: cldr.adrian.lawrence@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Tony Hague, Procurement E-mail: tony.hague@west-norfolk.gov.uk Direct Dial: 01553 616791		Other Officers consulted: Ray Harding, Jo Russell, Ian Hebburn, Martin Gibbs		
Financial Implications YES	Policy/Personnel Implications YES	Statutory Implications YES	Equal Impact Assessment YES	Risk Management Implications YES

Date of meeting: 9 September 2015

FRAMEWORK AGREEMENT FOR CARE & REPAIR GRANT WORKS**Summary**

A tender process has been carried out to establish a framework agreement for aids and adaptations works managed by Care & Repair. The majority of the works carried out under the proposed framework will be level access showers and external access ramps and hard-standings. Most of these works are grant funded.

Recommendation

It is recommended that Cabinet approve the signing of framework agreements with eight contractors named in this report.

Reason for Decision

To ensure that the Council obtains best value for the grants that it administers for aids and adaptations work for elderly and vulnerable people.

BACKGROUND AND DETAIL

1. The proposed framework is a response to a situation where the Council, for some time, has been awarding large numbers of small contracts to contractors without openly advertising a tender competition.
2. The works to be covered by the proposed framework include some managed by Care & Repair on behalf of Breckland District Council and Fenland District Council. The framework is intended to operate for an initial 12 month period but may be extended provided the total contract values do not exceed £1.75m across the three Council areas.
3. The establishment of the framework has been complicated by the fact that the contracts for most of the work are actually between the

householder and the contractor, rather than between the Council and the contractor. The payments being made by the Councils being a grant rather than a payment of an invoice for works carried out.

4. It is also difficult to maintain a competitive situation because we cannot ask large numbers of contractors to visit the homes of vulnerable residents to price each job. The legal agreement that is proposed for the framework has been specially drafted to cater for the fact that contracts let under its terms and conditions will be between the household and the contractor.
5. A tender was openly advertised and 45 companies expressed an interest and were sent a pre-qualification questionnaire (PQQ). Of these 27 firms submitted completed questionnaires. The PQQs were evaluated to select the firms most experienced in the relevant types of work, able to supply good references and based locally to the areas served. 20 firms were selected to tender.
6. The tender was split geographically into four areas: - BCKLWN (south) – Lot 1; BCKLWN (north) – Lot 2; Breckland – Lot 3 and Fenland – Lot 4. This gave the opportunity for smaller suppliers to only tender for work in their local areas.
7. Having qualified the potential suppliers through the PQQ process, the tender was based solely on price. To simplify the process, the Care & Repair technical team constructed a base schedule of rates for all of the tasks normally involved in the installation of level access showers and external access ramps. These rates were based on the average rates used for 150 recent Care & Repair installations. Tenderers were asked to tender an adjustment, up or down, in percentage terms to be applied to the base schedule of rates for any works that they undertake under the framework.
8. From the 20 firms invited to tender 16 valid tenders were submitted by the tender deadline on 17 August. Only 7 of these tendered for all four lots. The range of price adjustments varied between -17.5% and +45%, but 8 of the 16 tenders were for zero or minus adjustments.
9. In accordance with the Invitation to tender we have selected three contractors to be “ranked” 1, 2 and 3 in each geographic lot and three reserves in each lot. The ranked contractors will each be offered decreasing proportions of the works that are required in the respective lots and, if they are unable to complete the works in the time required, the work will filter down to the lower ranked or reserve contractors.
10. It is proposed to appoint a total of 8 contractors to the framework and these firms, together with their positions for each lot are as follows: -
 - D. Brown Building Contractors Ltd – ranked 1st in lots 1, 2 and 4
 - Wyatt Building Services – ranked 1st in lot 3 and 2nd in lots 1 and 2
 - Futureheat PH&M Services Ltd – ranked 2nd in lot 4 and 3rd in lot 1
 - T. M Browne Ltd – ranked 2nd in lot 3, 3rd in lots 2 and 4 and reserve in lot 1

CLC Contractors Ltd – ranked 3rd in lot 3 and reserve in the other
lots

Foster Property Maintenance – reserve in all lots

Chas. D. Alflatt Ltd – reserve in lots 2, 3 and 4

Clive Clark – reserve in lot 3.

11. When larger adaption works, not covered by the base schedule of rates, are required a further competition will be conducted between the contractors listed for the appropriate geographic lot.

Policy Implications

The proposed framework is in compliance with Contract Standing Orders.

Financial Implications

The competitive nature of the tenders should ensure that the Council obtains best value for the grant funding that it has available.

Statutory Considerations

The proposed framework will be compliant with Public Procurement Regulations.

Equality Impact Assessment (EIA)

Completed pre-screening form attached

Risk Management Implications

If the framework is not put in place the Council will continue to be at risk of challenge for not putting the work out to open competition.

Background Papers