

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



# **Cabinet Scrutiny Committee**

## **Agenda**

Thursday, 17th September, 2015  
at 6.00 pm

in the

**Committee Suite  
King's Court  
Chapel Street  
King's Lynn  
PE30 1EX**



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**King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX**  
**Telephone: 01553 616200**  
**Fax: 01553 691663**

9 September 2015

Dear Member

**Cabinet Scrutiny Committee**

You are invited to attend a meeting of the above-mentioned Panel which will be held on **Thursday, 17th September, 2015 at 6.00 pm** in the **Committee Suite, King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX** to discuss the business shown below.

Yours sincerely

Chief Executive

**AGENDA**

**1. Apologies for absence**

To receive any apologies for absence.

**2. Minutes (Pages 6 - 12)**

To approve the minutes of the previous meeting.

**3. Urgent Business under Standing Order 7**

To consider any business, which by reason of special circumstances, the Chairman proposes to accept as urgent under Section 100(b)(4) 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. Members Present Pursuant to Standing Order 34**

Members wishing to speak pursuant to Standing Order 34 should inform the Chairman of their intention to do so and on what items they wish to be heard before the meeting commences. Any Member attending the meeting under Standing Order 34 will only be permitted to speak on those items which have been previously notified to the Chairman.

**6. Chairman's Correspondence**

**7. Response to Previous Committee Recommendations**

To receive comments, and recommendations from other Council bodies, and any responses subsequent to recommendations, which this Committee has previously made. Some of the relevant Council bodies may meet after dispatch of the agenda.

**8. Matters called in Pursuant to Standing Order 12**

**9. Scrutiny of Cabinet Decisions**

**Cabinet Decisions**

Items from the Cabinet agenda from 9<sup>th</sup> September 2015 to be scrutinised are as follows:

- a) **Cabinet Report - 2016/17 DRAFT COUNCIL TAX SUPPORT SCHEME FOR CONSULTATION** (Pages 13 - 32)
- b) **Cabinet Report - NAR OUSE BUSINESS PARK ENTERPRISE ZONE** (Pages 33 - 48)
- c) **Cabinet Report - SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN - RESPONSES TO INSPECTORS REQUEST FOR FURTHER INFORMATION** (Pages 49 - 293)

**10. Date of next meeting**

The next meeting of the Cabinet Scrutiny Committee is scheduled to take place on Thursday 22<sup>nd</sup> October 2015 at 6.00pm in the Committee Suite, King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX.

To:

**Cabinet Scrutiny Committee:** R Blunt, Mrs J Collingham, J Collop, P Gidney, I Gourlay, C Kittow, P Kunes, Mrs K Mellish and T Wing-Pentelow

**Portfolio Holders:**

Councillor N Daubney, Leader of the Council  
Councillor Mrs V Spikings, Portfolio Holder for Development

**Management Team Representatives:**

Debbie Gates, Executive Director Head of Central & Community Services  
Ray Harding, Chief Executive

**Appropriate Officers:** The following officers are invited to attend in respect of the relevant Agenda item:

Alan Gomm – LDF Manager  
Ostap Paparega – Regeneration and Economic Development Manager  
Joanne Stanton – Revenues and Benefits Manager

**Executive Directors**  
**Press**

**BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**

**CABINET SCRUTINY COMMITTEE**

**Minutes from the Meeting of the Cabinet Scrutiny Committee held on Thursday, 20th August, 2015 at 6.00 pm in the Committee Suite, King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX**

**PRESENT:** Councillors J Collop (Chairman), R Blunt, Mrs J Collingham, I Gourlay, P Kunes, Mrs K Mellish and T Wing-Pentelow

**Officers:**

Debbie Gates, Executive Director Head of Central & Community Services

Toby Cowper, Group Accountant

Lorraine Gore, Assistant Director - Finance

Ray Harding, Chief Executive

**CSC:25 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor N Daubney.

**CSC:26 MINUTES**

The minutes from the Cabinet Scrutiny Committee meeting held on 18<sup>th</sup> June 2015 were agreed as a correct record and signed by the Chairman.

**CSC:27 URGENT BUSINESS UNDER STANDING ORDER 7**

There was none.

**CSC:28 DECLARATIONS OF INTEREST**

There was none.

**CSC:29 MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

There was none.

**CSC:30 CHAIRMAN'S CORRESPONDENCE**

There was none.

**CSC:31 RESPONSE TO PREVIOUS COMMITTEE RECOMMENDATIONS**

There was none.

CSC:32 **MATTERS CALLED IN PURSUANT TO STANDING ORDER 12**

There was none.

CSC:33 **SCRUTINY OF CABINET DECISIONS**

**Cabinet Report – 28<sup>th</sup> July 2015 – Annual Treasury Statement 2014/2015**

The Chairman and the Vice Chairman had requested that this item be brought to the Cabinet Scrutiny Committee for consideration by the Committee.

The Chairman referred to the references to the King's Lynn Innovation Centre within the report and the loan which was taken out, on behalf of Norfolk and Waveney Enterprise Services Ltd (NWES), with Suffolk County Council for the Local Enterprise Partnership. The Chairman asked if the loan was being repaid by NWES and requested an update on the project's finances.

The Assistant Director - Finance explained that the arrangements were requested by the Local Enterprise Partnership and the agreement was that the Council took out the loan and had a back to back loan agreement with Suffolk County Council and NWES. The Council had not released the full loan to NWES, it was being released on a phased basis following expenditure reports and receipts. The Assistant Director - Finance explained that the interest was compounded in the loan and would be repaid by NWES in accordance with the loan agreement.

The Chairman commented that the Leader of the Council was on the Board of Directors at NWES. The Chief Executive explained that the Leader of the Council was a Council appointed representative on the Board of Directors. The Chief Executive explained that it was not a condition of the loan that a Council representative be appointed to the Board of Directors, however the opportunity arose to have a Council representative and the Leader was appointed. The Chief Executive explained that the Leader of the Council declared an interest when the King's Lynn Innovation Centre was being discussed at meetings of the Council and left the room so that he took no part in any discussions.

The loan would be repayable, in full, three years after completion of the building, this would give NWES a chance to have an income stream and be fully operational.

The Chairman commented that the arrangements were a good way for the Council to encourage economic development in the Borough. He asked who would own the building at the end of the period and it was

confirmed that NWES would, once the loan had been fully repaid. The Borough Council were the land owners.

Councillor Blunt asked if the project had been successful so far and if any problems had been encountered. The Chief Executive commented that the project had been successful in that it had enabled the build to commence and had also assisted with the Council's case to submit an application for Enterprise Zone status. If the application was successful it could help trigger further development in the area. The Council was playing an enabling role with the King's Lynn Innovation Centre and hoped to widen this role in the future to assist with further development opportunities.

In response to a question from the Chairman, the Chief Executive explained that the Council was currently looking at expanding their ownership of land on the NORA site and was in discussion with Morston Assets Administrators. The land available comprised employment and housing land and if acquired by the Council would provide a great opportunity for development in the area.

The Chief Executive explained that the application for Enterprise Zone status was based on land that was currently owned by the Borough Council, however the Local Enterprise Partnership was aware of the potential of future acquisitions. He explained that the Local Enterprise Partnership were aware that the Council could need support in installing utilities, infrastructure and potentially assistance with building and development the Enterprise Zone site if the application was successful.

The Chief Executive commented that the King's Lynn Innovation Centre was only the second Local Enterprise Partnership capital funded project to get started, which gave the Council a good reputation of being able to get on and do things.

The Vice Chairman commented that there were quite a lot of empty offices in King's Lynn Town Centre. He asked if the market had been tested to see if there was a demand for the King's Lynn Innovation Centre. The Chief Executive explained that NWES had carried out research and had a good record of running Enterprise Centres with most existing centres breaking even or making a surplus.

In response to a question from the Vice Chairman, the Chief Executive explained that the King's Lynn Innovation Centre would be very different to Enterprise Works on the North Lynn Industrial Estate. Enterprise Works was suited to the firms that were occupying units, the firms were well established there, but had not expanded. The King's Lynn Innovation Centre was about offering short term intensive support to small businesses which would then move out to bigger premises. Ideally the Council would like to invest in bigger units close to the Innovation Centre so that the businesses could expand but still receive



support from the Centre. King's Lynn Innovation Centre would be targeted to innovative and knowledge based businesses.

Councillor Mrs Mellish asked what would happen if NWES were unable to complete the project and if there was a back-up plan. The Chief Executive explained that the Council had a charge over the building. The Assistant Director - Finance reminded those present that funds were released to NWES on a phased basis. If NWES were unable to complete the project, the Council would look to work with other Partners. The Chief Executive explained that an officer from the Borough Council attended all of the project board meetings, so the Council was kept up to date on progress and would be made aware of any potential issues.

Councillor Mrs Collingham referred to complexity of the Annual Treasury Report and asked if it would be possible to have a summary of the main issues in plain English. The Assistant Director, Finance explained that training for Councillors on Treasury Management was in the process of being arranged. She explained that three reports were presented to the Cabinet each year in relation to Treasury Management; the outturn report in July, the mid-year report in October and the report to agree the Treasury Management Strategy in March. It was anticipated that Councillor training would take place in the New Year to inform discussions on setting the strategy in March.

In response to a request from Councillor Blunt on making the report easier to understand, the Assistant Director - Finance explained that the Chartered Institute of Public Finance and Accountancy had rules on how information should be presented, however, in the future, the Assistant Director - Finance would look at providing a summary or presentation of key points and issues.

Councillor Blunt commented that he was concerned that the report had already been considered by the Audit and Risk Committee and Cabinet and asked if Members were qualified to challenge the report if they did not have a full understanding of the content. He reiterated the previous comments made by Members in that they should be provided with a summary of the key messages and issues contained within the report. This would assist Members to ask the right questions. The Chairman commented that Members should not hold back when asking questions and he felt that not many questions were asked by Members when considering the report at the Audit and Risk Committee.

The Chairman felt that the planned training sessions on Treasury Management would be of great benefit to Members. He reminded those present that the purpose of the Cabinet Scrutiny Committee was to pick up things that had been missed when the report was considered by the Panels or Cabinet. He congratulated Cabinet on bringing some issues to the attention of the Audit Committee which wouldn't have otherwise been picked up.

Members of the Committee discussed the importance of officers providing summaries of key issues and writing in plain English, especially when complex reports such as the Annual Treasury Report was being considered. Councillor Mellish explained that officers had the understanding and knowledge, but Members often only received the report a week in advance of the meeting, which often was not long enough for all reports to be read and digested, especially when complex issues were involved.

The Assistant Director - Finance acknowledged that the report was very technical and she would look to change the presentation of the report in the future whilst still fulfilling the CIPFA requirements. The training for Members would pick up on key areas and issues and if required additional training could be subsequently arranged.

The Committee discussed how the Audit and Risk Committee and Resources and Performance Panel often held their meetings on the same evening, one meeting after the other. The meetings could go on for quite some time meaning that items being considered were often subject to time constraints. The Chairman explained that he had been advocating that the Resources and Performance and Audit and Risk Committee should be split for quite some time and commented that it would be interesting to see what would happen following the review of Scrutiny arrangements. He felt that the Audit Committee had too large a Membership and should be restricted to a few core Members who had interest and knowledge on the subject.

Councillor Mrs Collingham referred to part 9.6 of the report which related to the investment treasury indicator and limit. She asked why the limits were different if the sums were invested with Local Authorities. The Assistant Director - Finance explained that the Treasury Management Strategy set out how much and how long funds could be invested with counter parties. The Group Accountant referred to 9.17 of the report which explained that Capita Treasury Solutions had recommended that the Council placed a time limit of three years for Local Authority investments, and a maximum of £5 million per local authority.

In response to a request from Councillor Blunt, the Assistant Director - Finance provided information on Capita Treasury Solutions. She explained that Capita Treasury Solutions were experts who the Council engaged with. They were appointed through a tender exercise and were specialist advisors. The Council was a Member of their Treasury Benchmarking Group, which involved other Local Authorities. Capita also held training seminars which officers from the Council could attend to keep their skills up to date. Capita also provided advice on investments and opportunities available and the Council were in regular dialogue with them. The Council paid a fixed fee for their services and were able to contact them at any time as well as Capita visiting the Council offices twice a year.

In response to a question from Councillor Blunt, the Group Accountant explained that not all Local Authorities were risk averse, but security was the priority as agreed in the Treasury Management Strategy. The Assistant Director - Finance explained that when the Treasury Management Strategy was submitted to Cabinet for review, the Council could decide to change their priorities.

In response to a further question from Councillor Blunt, the Assistant Director – Finance agreed to investigate if the results from the Capita Benchmarking Group could be shared with Members.

The Chief Executive commented that he would welcome the opportunity to discuss the strategy with Members prior to its submission to Cabinet. The Council had moved towards a risk adverse approach following Capita guidance. Some Local Authorities were being more adventurous with their Treasury Management Strategy and this was something the Council could look at if they wished. Previously the view from Members was to be over cautious with public money.

The Chairman referred to the Capital Finance requirement and that borrowing was higher than normal because of the NORA Joint Venture Project and he asked if this would reduce once properties had been sold. He asked what the borrowing levels were usually. The Assistant Director – Finance referred to 2.6 of the report and explained that the borrowing levels were higher because of the NORA development and the Major Housing Projects. She explained that phase 1 of the NORA project was now complete and all of the properties had been reserved with approximately fifty percent completed. As more houses were sold, the borrowing rate would reduce, if the Council continued to develop Phase 2 and 3 of the NORA housing project the borrowing levels would remain at the current rate until the end of the project and sale of houses.

The Chief Executive explained that each phase of the housing project was considered based on the current market conditions. By completing in phases the project could be stopped or delayed if required. If, following completion of future phases, the properties did not sell, the Council could look at the private rented market which would cover the debt repayments until the market improved and a Local Authority Housing Company had been authorised by Cabinet for this purpose.

In response to a question from the Chairman, the Chief Executive explained that the Lynnsport Road would be funded partly from a contribution from the Local Transport Board and the rest would be funded by the Borough Council. The road would then be adopted by Norfolk County Council.

Councillor Blunt referred to part 2.7 of the report which detailed the affordable borrowing limit. The Group Accountant explained that the Local Government Act 2003 required Authorities to set an affordable

borrowing limit. The Assistant Director – Finance explained that this limit was set as part of the Treasury Management Strategy in March each year and was based on the capital programme spending plans.

The Chairman thanked the Assistant Director – Finance, the Group Accountant and the Chief Executive for attending the meeting and hoped that they would consider the comments made by the Committee in that in the future they would prefer documents in plain English wherever possible and would benefit from a summary of key issues.

CSC:34 **DATE OF NEXT MEETING**

The next meeting of the Cabinet Scrutiny Committee was scheduled to take place on Thursday 17<sup>th</sup> September 2015 at 6.00pm.

**The meeting closed at 7.00 pm**

**REPORT TO CABINET**

<b>Open</b>		Would any decisions proposed :		
<b>Any especially affected Wards</b> 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: <a href="mailto:cllr.nick.daubney@west-norfolk.gov.uk">cllr.nick.daubney@west-norfolk.gov.uk</a>		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Joanne Stanton, Revenues and Benefits Manager E-mail: <a href="mailto:joanne.stanton@west-norfolk.gov.uk">joanne.stanton@west-norfolk.gov.uk</a> 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
<b>Total Caseload</b>	<b>11,806</b>	<b>£9,337,776</b>	<b>12,464</b>	<b>£9,768,609</b>
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
<b>Total</b>	<b>3,735</b>	<b>£3,182,949</b>	<b>3,542</b>	<b>£3,044,929</b>
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 <sup>1</sup>	76	£64,767	601	£515,371
ESA Support <sup>1</sup>	81	£69,028	-	-
Protection Override <sup>1 2</sup>	362	£308,495	-	-
Combination of the above	128	£109,801	-	-

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

<sup>2</sup> 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><b>Pre-Screening Equality Impact Assessment</b></p>		<p>Borough Council of <b>King's Lynn &amp; West Norfolk</b></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"> <li>• Pensioners must be protected from any reduction in support</li> <li>• Vulnerable groups must be considered for protection from any reduction in support</li> <li>• Work incentives should be promoted</li> </ul> <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"> <li>• Pensioners</li> <li>• Households with a child under 5</li> <li>• People entitled to the Disability Premium in CTB</li> <li>• People in receipt of Carer's Allowance</li> <li>• People in the ESA Support group</li> </ul> <p>The 2016/2017 CTS scheme is a continuation of the 2015/2016 CTS scheme</p>											
<p><b>Question</b></p>		<p><b>Answer</b></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 <b>according to their different protected characteristic</b>, for example, because they have particular needs, experiences, issues or priorities or in terms of</p>				<table border="1"> <tr> <td>Positive</td> <td>Negative</td> <td>Neutral</td> <td>Unsure</td> </tr> <tr> <td></td> <td>√</td> <td></td> <td></td> </tr> </table>		Positive	Negative	Neutral	Unsure		√		
Positive	Negative	Neutral	Unsure										
	√												
<p>Age</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)		√		
<b>Question</b>	<b>Answer</b>	<b>Comments</b>			
<p><b>2.</b> 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><b>3.</b> Could this policy/service be perceived as impacting on communities differently?</p>	Yes	See 2			
<p><b>4.</b> 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><b>5.</b> 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><b>Actions:</b></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		
		<b>Actions agreed by EWG member:</b> .....
<b>Assessment completed by:</b>	Joanne Stanton	
<b>Name</b>		
<b>Job title</b>	Revenues and Benefits Manager	
<b>Date</b>	11 August 2015	

## Appendix B

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

<b>Current 2015/2016 CTS Caseload @ 16/07/2015</b>				
<b>Caseload</b>	<b>Claims</b>	<b>% of claims</b>	<b>Spend</b>	<b>% of spend</b>
<b>Total</b>	<b>11,806</b>		<b>£ 9,337,776</b>	
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%
<b>Protected Claims</b>	<b>Claims</b>		<b>Spend</b>	
<b>Total</b>	<b>3,735</b>		<b>£ 3,182,949</b>	
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 <sup>1</sup>	362	10%	£ 308,495	10%
Multiple Reasons	128	3%	£ 109,081	3%
<b>Incentives</b>	<b>Claims</b>		<b>Spend</b>	
Earnings Disregard	779		£ 81,239	

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

<sup>2</sup> 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

<b>Caseload 2014/2015 Cabinet Report 10/09/2014</b>				
<b>Caseload</b>	<b>Claims</b>	<b>% of claims</b>	<b>Spend</b>	<b>% of spend</b>
<b>Total</b>	<b>12,464</b>		<b>£ 9,768,609</b>	
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%
<b>Protected Claims</b>	<b>Claims</b>		<b>Spend</b>	
<b>Total</b>	<b>3,542</b>		<b>£ 3,044,929</b>	
Child < 5	1,488	42%	£ 1,275,630	42%
Disability Premium	1,453	41%	£ 1,245,479	41%
Carer's Allowance <sup>2</sup>	601	17%	£ 515,371	17%
ESA Support <sup>2</sup>	-	0%	£ -	0%
Protection Override <sup>1</sup>	-	0%	£ -	0%
Multiple Reasons	-	0%	£ -	0%
<b>Incentives</b>	<b>Claims</b>		<b>Spend</b>	
Earnings Disregard	680		£ 70,914	

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

<sup>2</sup> 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

<b>Claims Comparison</b>	<b>2015/2016</b>	<b>2014/2015</b>	<b>Change</b>	<b>%</b>
<b>Total</b>	<b>11,806</b>	<b>12,464</b>	- <b>658</b>	<b>-5%</b>
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%
<b>Protected Claims</b>	<b>Claims</b>	<b>Claims</b>		
<b>Total</b>	<b>3,735</b>	<b>3,542</b>	193	5%
Child < 5	1,399	1,488	- 89	-6%
Disability Premium	1,689	1,453	236	16%
Carer's Allowance <sup>2</sup>	76	601	46	8%
ESA Support	81	-		
Protection Override <sup>1</sup>	362	-		
Multiple Reasons	128	-		
<b>Incentives</b>	<b>Claims</b>	<b>Claims</b>		
Earnings Disregard	779	680	99	15%

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

<sup>2</sup> 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

<b>Spend Comparison</b>	<b>2015/2016</b>	<b>2014/2015</b>	<b>Change</b>	<b>%</b>
<b>Total</b>	£ <b>9,337,776</b>	£ <b>9,768,609</b>	-£ <b>430,833</b>	<b>-4%</b>
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%
<b>Protected Claims</b>	<b>Spend</b>	<b>Spend</b>		
<b>Total</b>	£ <b>3,182,949</b>	£ <b>3,044,929</b>	£ 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 <sup>2</sup>	£ 64,767	£ 515,371	£ 36,000	7%
ESA Support	£ 69,028	£ -		
Protection Override <sup>1</sup>	£ 308,495	£ -		
Multiple Reasons	£ 109,081	£ -		
<b>Incentives</b>	<b>Spend</b>	<b>Spend</b>		
Earnings Disregard	£ 81,239	£ 70,914	£ 10,325	15%

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

<sup>2</sup> 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
<b>Subtotal</b>	<b>£ 178,427</b>	<b>£ 9,303,675</b>

#### 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
<b>Total</b>		<b>£ 3,646.82</b>	<b>£189,634</b>

## Appendix E

### Commonly used Applicable Amounts and Premiums

	<b>Amount 2016/2017</b>	<b>Amount 2015/2016</b>	<b>Amount 2014/2015</b>
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**

<b>Open</b>		Would any decisions proposed :		
<b>Any especially affected Wards</b>	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: 9<sup>th</sup> 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 10<sup>th</sup> and the site selection agreed by a specially created LEP sub-group in the week beginning August 17<sup>th</sup> or August 24<sup>th</sup>. NALEP Board will sign-off the bid in the week beginning September 14<sup>th</sup> and the bid will be submitted to Government on Friday 18<sup>th</sup> 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
<b>TOTAL</b>	<b>97,900</b>	<b>16</b>

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**

<b>Use/Sector</b>	<b>Local Enquiries</b>	<b>External Enquiries</b>	<b>Total (%)</b>
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%
<b>TOTAL</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

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"> <li>• Attraction of new businesses/inward investment and jobs through tax breaks</li> <li>• Potential to accelerate development of the site</li> <li>• Access to funding for site infrastructure and other development requirements</li> <li>• Prioritised enhanced marketing by UK Trade &amp; Investment and New Anglia LEP</li> </ul>	<ul style="list-style-type: none"> <li>• Restricts development to agreed sector focus of advanced manufacturing / engineering</li> <li>• Risk of employment and business displacement</li> </ul>

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"> <li>• No restriction on types of business as long as conforms to master plan</li> <li>• Expansion plans of local businesses can be accommodated</li> </ul>	<ul style="list-style-type: none"> <li>• No or severely reduced access to external funding for key infrastructure and other development requirements</li> </ul>

### 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).

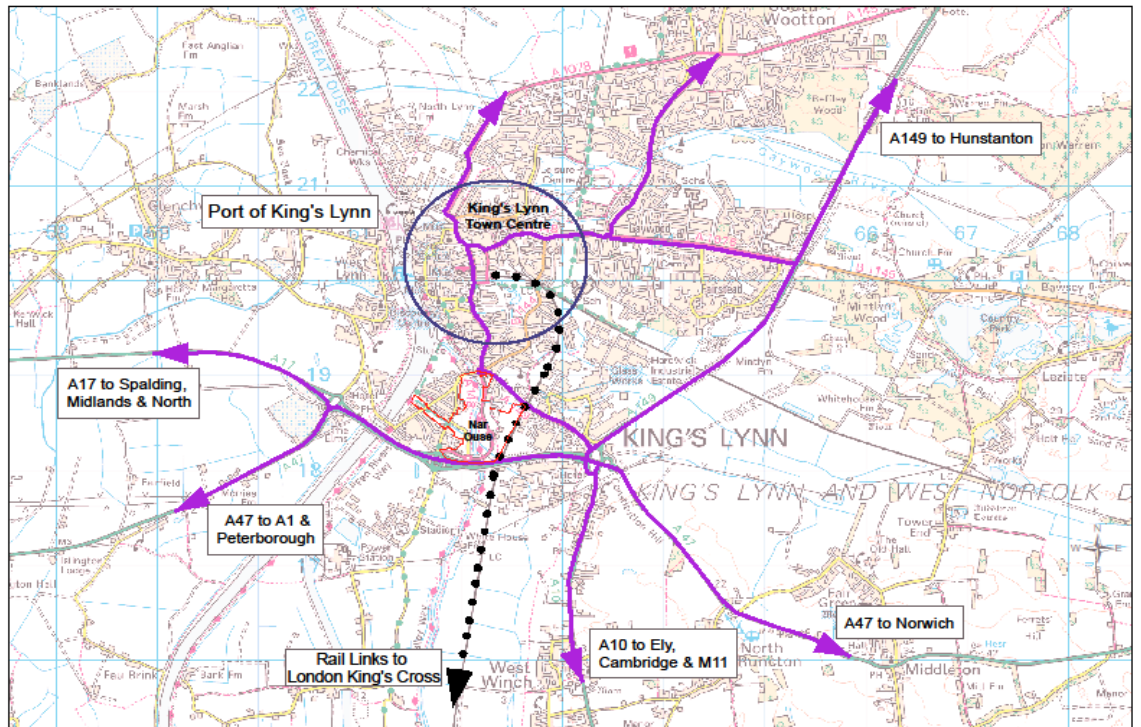


Figure 1: Location of Nar Ouse Business Park, King's Lynn.

The site is 11.5 hectares (28.5 acres) (Figure 2) and could accommodate in the order of 48,000 m<sup>2</sup> of employment floorspace. This could create in the region of 2200 jobs<sup>1</sup>.

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.

<sup>1</sup> Based on HCA Employment Densities Guide 2010

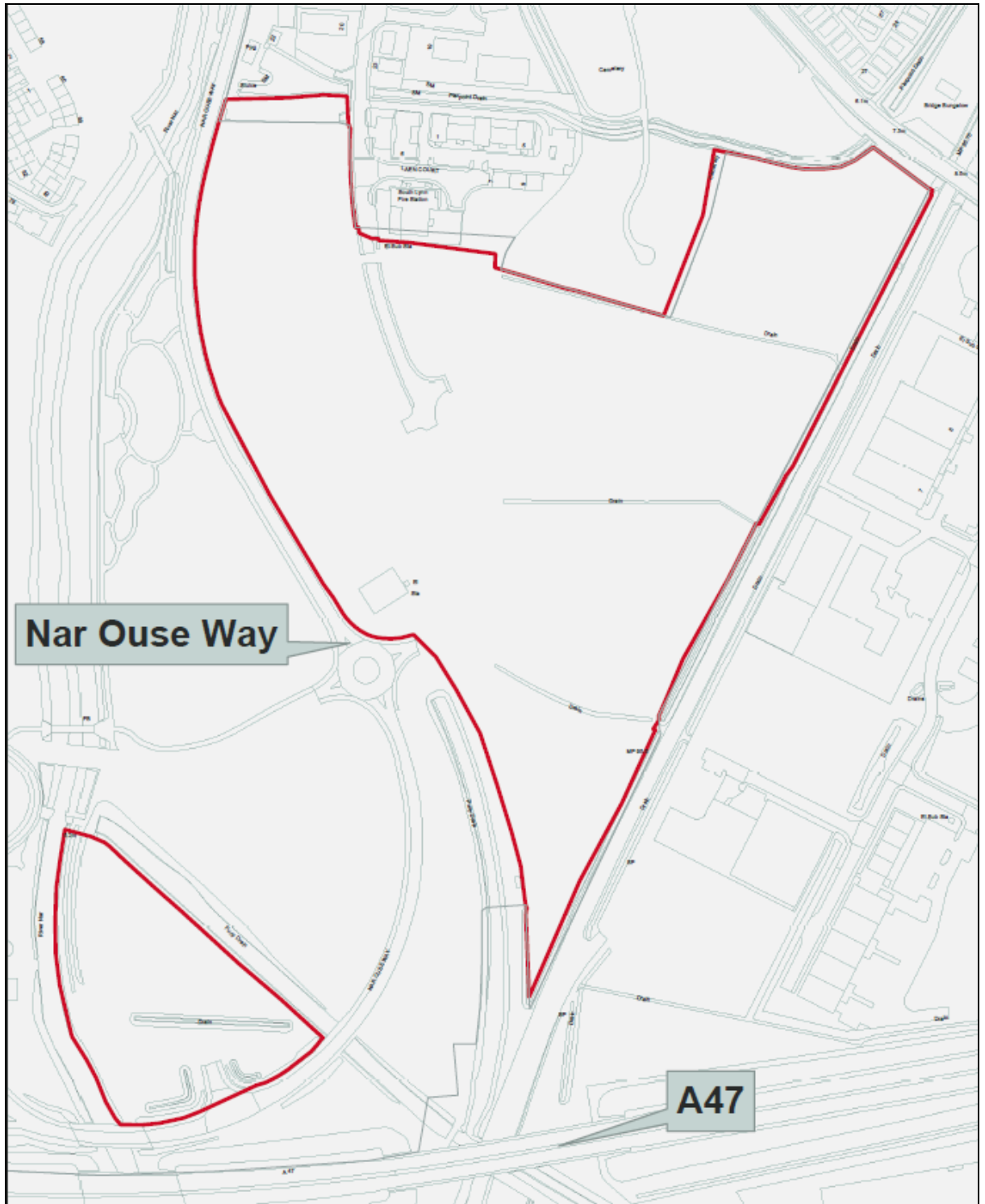


Figure 2: Boundary of Nar Ouse Enterprise Zone

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 - 24,000m<sup>2</sup>

B2 - 15,000m<sup>2</sup>

B8 - 9,000m<sup>2</sup>

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).

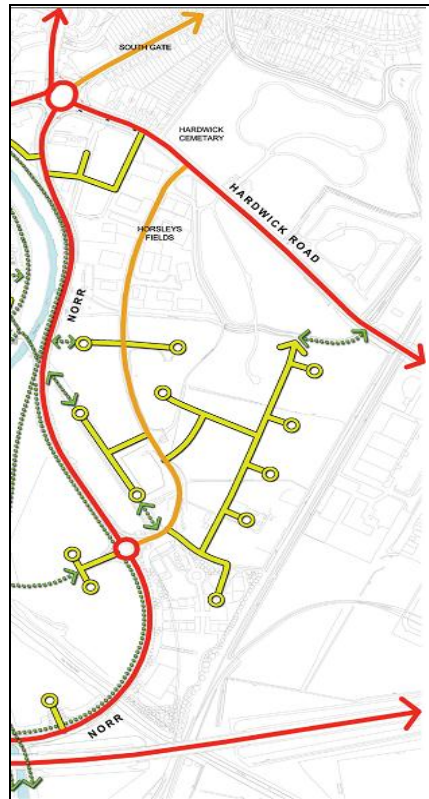


Figure 3: Indicative road layout.

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%
<b>TOTAL</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

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) 21<sup>st</sup> 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**

<b>Open</b>		Would any decisions proposed :		
<b>Any especially affected Wards</b> West Winch	Mandatory	Be entirely within Cabinet's powers to decide <del>YES</del> /NO Need to be recommendations to Council <del>YES</del> /NO Is it a Key Decision <del>YES</del> /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 <del>YES</del> /NO	Policy/Personnel Implications <del>YES</del> /NO	Statutory Implications <del>YES</del> /NO	Equal Impact Assessment <del>YES</del> /NO If YES: Pre-screening/ Full Assessment	Risk Management Implications <del>YES</del> /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.

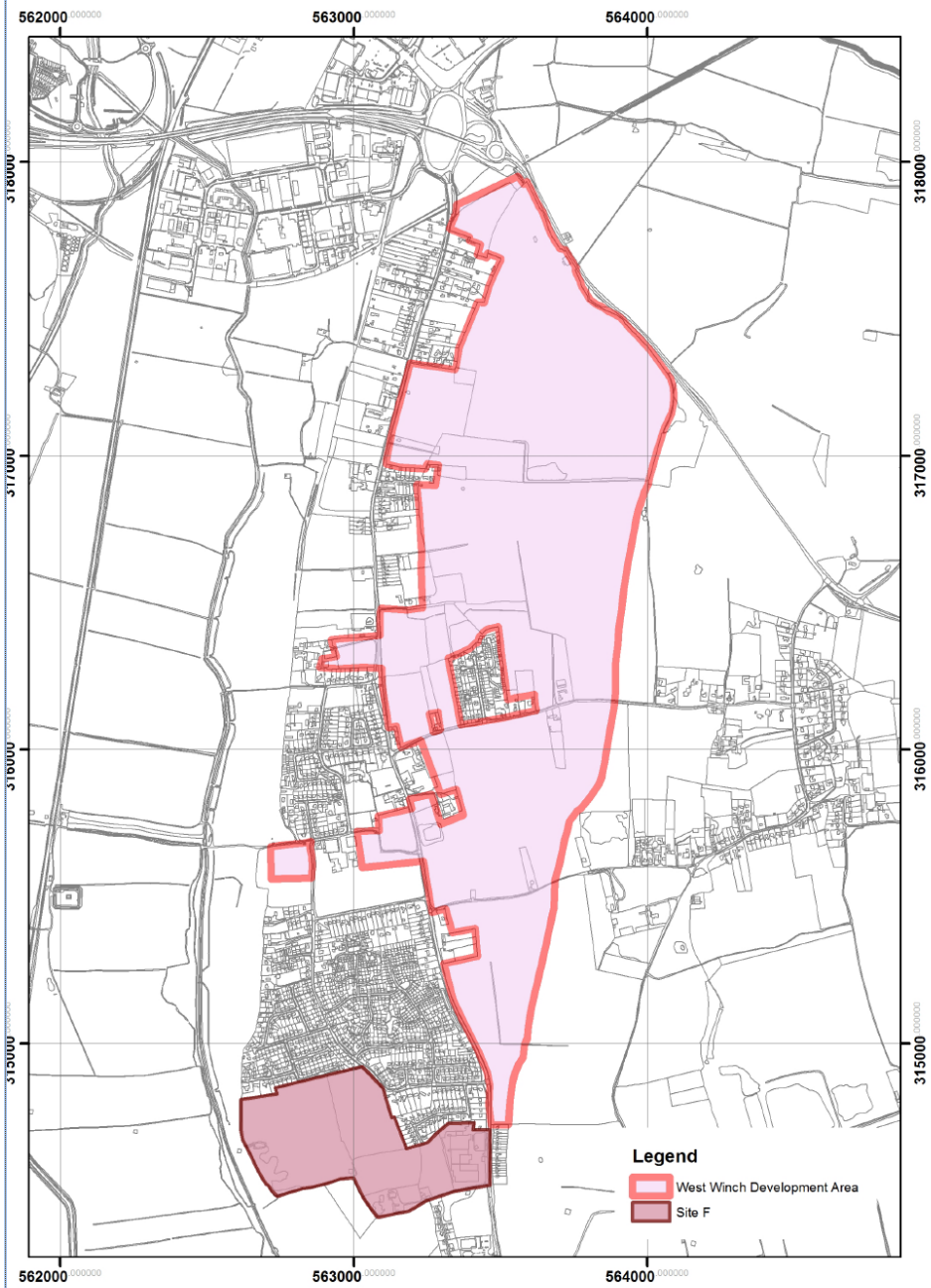
9.2. **Flood risk** – This section of the report essentially deals with a factual presentation of material for the Inspector.

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.

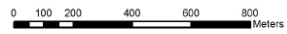
9.5. **Land at Gravel Hill (Site 'F') - West Winch**

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 7<sup>th</sup> 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 policy<sup>1</sup>.

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 1<sup>2</sup> (page 23) refers to the Council being in discussion with stakeholders, working

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<sup>1</sup> National Planning Policy Framework paragraph 182

<sup>2</sup> 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

9<sup>th</sup> 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),

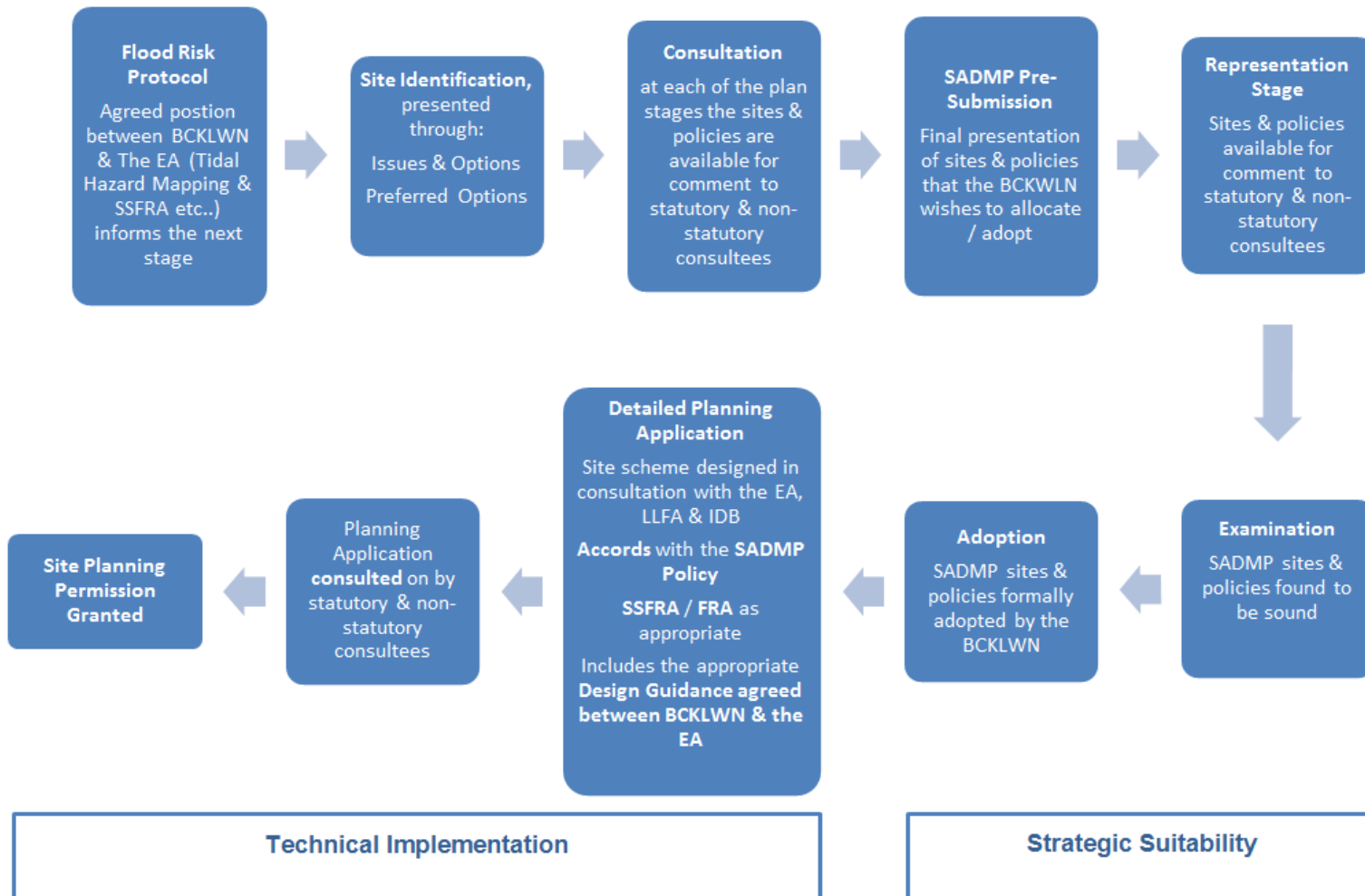
where they could be affected by sources of flooding other than rivers and the sea (e.g., surface water drains, reservoirs)

- 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
<b>Allocated</b> (completion units - large schemes on allocated sites)	219	175	236	221	222	233	215	198	90	148	186	103	167	2,413	186		
<b>Unallocated</b> (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
<b>Unallocated - Minor Sites (Less Than 10 Dwellings)</b>	236	229	295	328	275	271	432	230	168	278	204	166	241	3,353	258		
<b>* minor sites - garden land and greenfield</b>	173	121	195	174	187	163	151	79	54	119	92	66	106	1,680	129		
<b>* minor sites - greenfield (not garden land)</b>																	
<b>* minor sites - brownfield</b>	63	108	100	154	88	108	281	151	114	159	112	58	135	1,631	125	*75%	94
<i>* based on % as per AMR 04/05 to &amp; including 09/10. 01/02 - 03/04 = B control completions/ 11/12 % as per site.</i>	27%	47%	34%	47%	32%	40%	65%	66%	68%	57%	55%	67%	56%				
<b>Total Windfall</b>	140	346	384	425	274	241	731	298	170	293	346	111	199	3,958	304	*75%	228
<b>Total Unallocated</b>	313	467	579	599	461	404	882	377	224	412	438	219	305	5,680	437		
<b>Totals</b>	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.

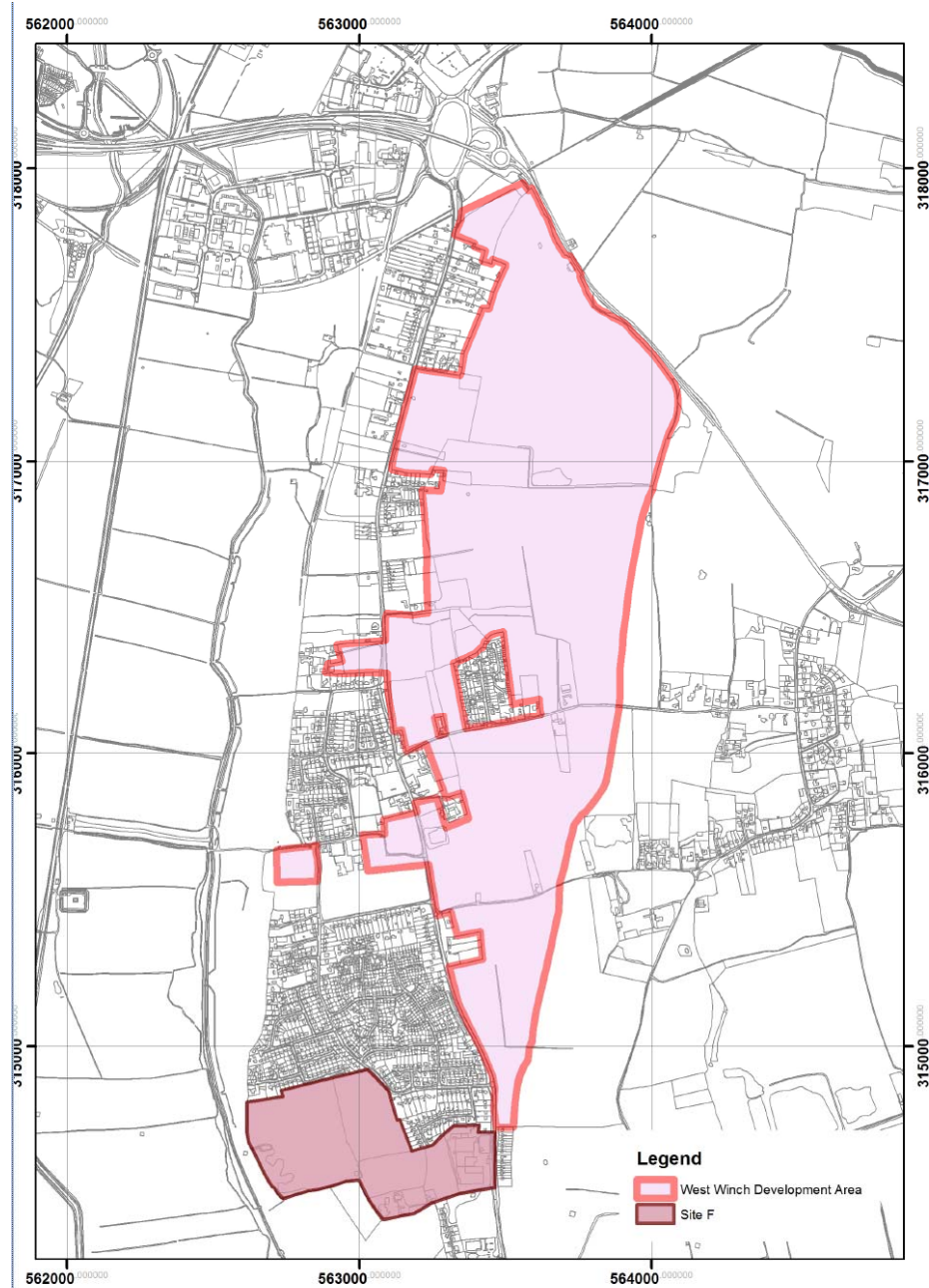
Overleaf is a list of some of the sites that could have the potential to provide a higher number than the stated by the corresponding SADMP site policy. This is not to exclude the other sites, but to give an indication based upon comparing the desired model density and the SADMP modelled density.

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).

**APPENDIX 8**

**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
<b>A. DM Policies</b>				
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>B. Site Policies</b>				
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"> <li>• E1.5 from '+/x' to 'xx'</li> <li>• E1.6 from 'xx' to '+/x'</li> <li>• E1.8 from 'x' to 'xx'</li> <li>• E1.10 from 'x' to 'xx'</li> <li>• E1.11 from 'x' to '+/x'</li> </ul> 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		20
<b>DM 2A</b> 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	Neutral
	PP23 (DM 2A)	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	Positive
<b>DM 19</b> Green Infrastructure	Preferred Option	++	0	++	+	+	0	0	++	++	0	++	++	0	++	++	++	0	+	0	+	Positive
	Option 1	+	0	x	+	+	0	0	+	x	0	x	~	0	~	x	x	0	x	0	x	Neutral
	PP10	++	0	++	+	+	0	0	++	++	0	++	++	0	++	++	++	0	+	0	+	Positive
	PP10 A (DM19)	++	0	++	++	++	0	0	++	++	0	++	++	0	++	++	++	0	+	0	+	Positive

#### 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	
<b>DM 1</b> 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
<b>DM 2</b> Development Boundaries	Proposed Policy	+	++	0	0	+/x	+/x	+/x	+	+	0	0	0	0	+/x	+	0	x	0	0	+	Positive
<b>DM 2 A</b> Early Review of Local Plan	Proposed Policy	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	Positive
<b>DM 3</b> 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
<b>DM 4</b> Houses in Multiple Occupation	Proposed Policy	0	~	+	0	0	0	+	++	0	~	0	+	+	0	0	+	+	0	++	++	Positive
<b>DM 5</b> 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	
<b>DM 6</b> Housing Needs of Rural Workers	Proposed Policy	++	0	+	0	0	0	+	+	++	++	0	+	++	0	0	0	++	0	++	++	Positive
<b>DM 7</b> Residential Annexes	Proposed Policy	0	0	0	0	0	0	+	++	+	0	0	+	0	0	+	0	0	0	0	0	Positive
<b>DM 8</b> 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
<b>DM 9</b> Community Facilities	Proposed Policy	0	++	0	0	0	0	+	++	+	0	0	+	+	++	++	+	0	++	+	0	Positive
<b>DM 10</b> Retail Development Outside Town Centres	Proposed Policy	+	+	0	0	0	0	++	++	++	0	0	0	0	0	++	0	0	+	0	+	Positive
<b>DM 11</b> Touring and Permanent Holiday Sites	Proposed Policy	+/x	0	0	++	0	++	++	++	0	0	++	++	0	0	+	0	0	0	0	++	Positive
<b>DM 12</b> Strategic Road Network	Proposed Policy	0	0	0	0	0	0	+	+/x	+/x	0	0	++	0	0	+/x	0	0	0	+	+/x	Positive
<b>DM 13</b> 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	
<b>DM 14</b> 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
<b>DM15</b> Environment, Design and Amenity	Proposed Policy	0	0	0	0	0	++	++	++	+	0	0	+	+	+	0	0	+	0	0	0	Positive
<b>DM 16</b> 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
<b>DM 17</b> 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
<b>DM 18</b> 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
<b>DM 19</b> Green Infrastructure	Proposed Policy	++	0	++	++	++	0	0	++	++	0	++	++	0	++	++	++	0	+	0	+	Positive
<b>DM20</b> 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	
<b>DM 21</b> 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
<b>DM 22</b> 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		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

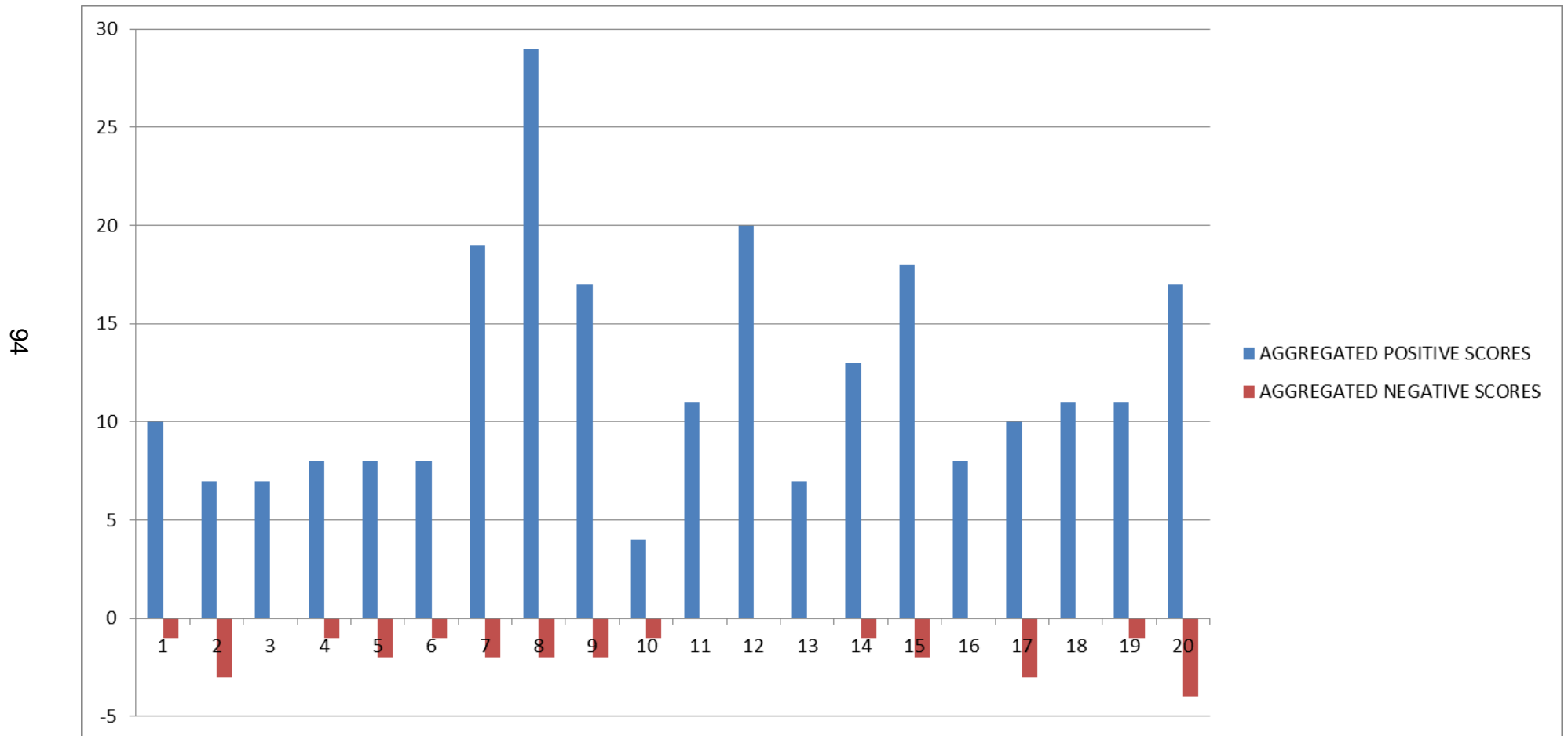
**Appendix 3: Update to inset within Table A1 - Relationship of Pre-Submission Polices, Preferred Options Policies and Issues and Options Policies**

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

## 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)

<b>ALL ALLOCATIONS</b>	<b>Access to Services</b>	<b>Community &amp; Social</b>	<b>Economy A Business</b>	<b>Economy B Food Production</b>	<b>Flood Risk</b>	<b>Heritage</b>	<b>Highways &amp; Transport</b>	<b>Landscape &amp; Amenity</b>	<b>Natural Environment</b>	<b>Infrastructure, Pollution &amp; Waste</b>	<b>TOTALS</b>
<b>Aggregated positive scores (+)</b>	156	103	10	15	68	2	29	15	3	10	411
<b>Aggregated negative scores (X)</b>	0	-6	0	-108	-51	-1	-2	-3	-5	-30	-206

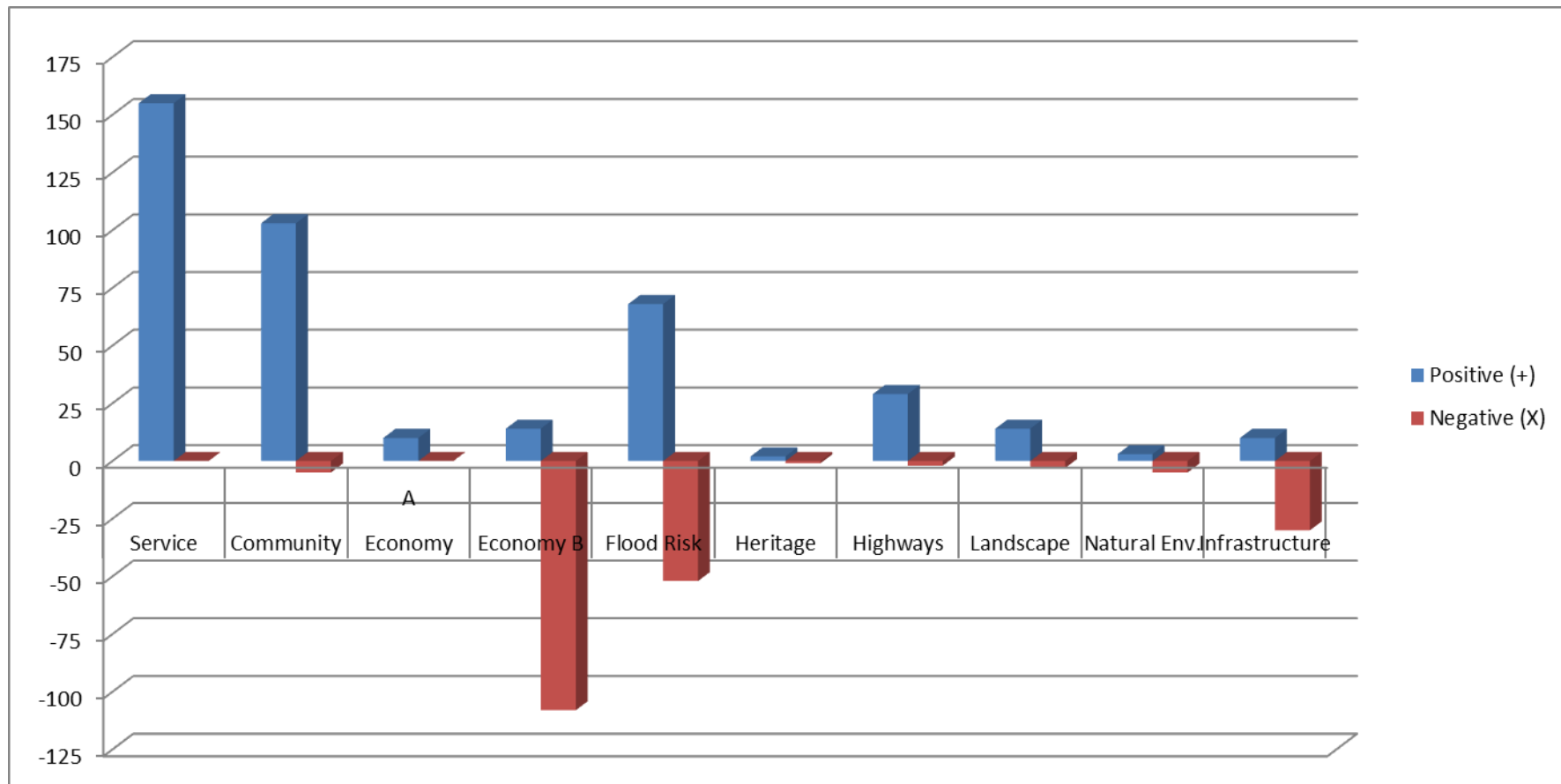
96



## 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
<b>F2.4 (997)</b>	<b>+</b>	<b>+</b>	<b>o</b>	<b>xx</b>	<b>+/x</b>	<b>#</b>	<b>#</b>	<b>#</b>	<b>#</b>	<b>x</b>

## 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
<b>G94.1 (Part of 890)</b>	<b>+</b>	<b>+</b>	<b>o</b>	<b>x</b>	<b>+/x</b>	<b>o</b>	<b>#</b>	<b>o</b>	<b>o</b>	<b>?</b>

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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
<b>West Winch Growth Area</b>	<b>++</b>	<b>+</b>	<b>0</b>	<b>X</b>	<b>+</b>	<b>#</b>	<b>+</b>	<b>#</b>	<b>#</b>	<b>#</b>
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.

**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.

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## 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.				
<b>Question</b>		<b>Answer</b>				
<p><b>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?</b></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			
<b>Question</b>	<b>Answer</b>	<b>Comments</b>				
<b>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?</b>	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	<b>Actions:</b>
		<b>Actions agreed by EWG member:</b> .....
<b>Assessment completed by:</b> <b>Name</b>		
<b>Job title</b>	<b>Date</b>	

**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 7<sup>th</sup> 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 policy<sup>1</sup>.

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 1<sup>2</sup> (page 23) refers to the Council being in discussion with stakeholders, working

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<sup>1</sup> National Planning Policy Framework paragraph 182

<sup>2</sup> 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

9<sup>th</sup> 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 HRA<sup>1</sup> 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

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<sup>1</sup> <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 surveys<sup>2</sup> could be adapted to provide a more West Norfolk-

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<sup>2</sup> 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.

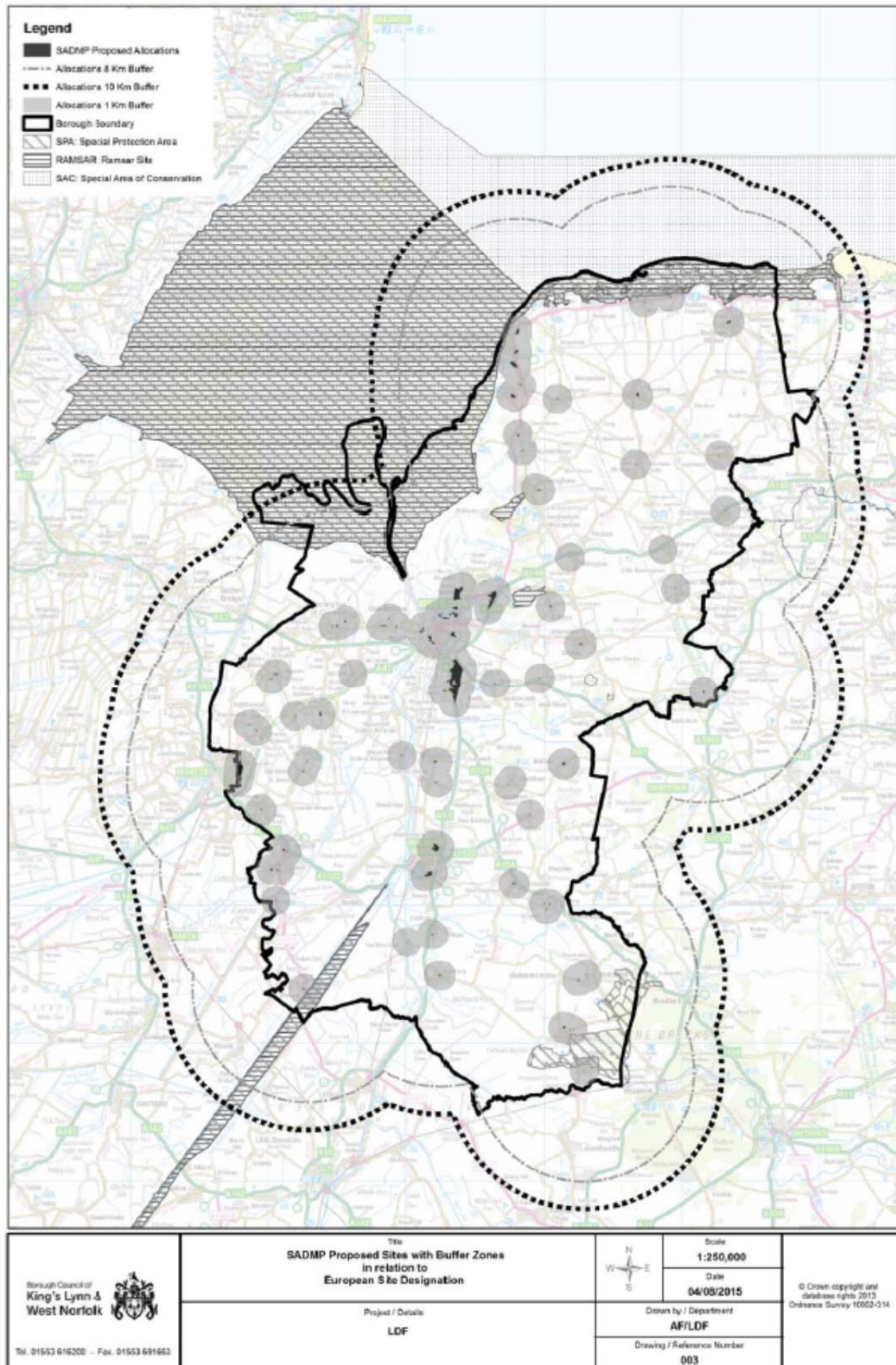
8.1.6. The effectiveness of the Strategy will be monitored and there is sufficient flexibility to ensure that the Strategy can be updated to reflect new information, particularly in response to data from monitoring the European Sites.

## **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
<b>TOWNS</b>						
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
<b>VILLAGES</b>						
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
<b>TOWNS</b>					
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
<b>VILLAGES</b>				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"> <li>• Information/notice boards</li> <li>• Wardens</li> <li>• Education and enforcement</li> <li>• Access restrictions, dog control, gating</li> <li>• Bird hides</li> <li>• Fencing/planting/landscaping/screening</li> </ul> <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

	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	
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				
Nar Ouse Riverside Park/Hardings Pits Project K: King's Lynn Map 673	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	<b>Norfolk Wildlife Trust (NWT)</b> , 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	





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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>17 69</p> <p>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 &amp; 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).	Regiona l	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 environm ent 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 Environme ntal Enterprise Zone (BrEEZe)	
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								was prepared in February 2015.	
Gaywood Valley Project G: Borough Map	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	Regional	Biodiversity, access, recreation, PROW, regeneration	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.	Employed a GI officer in 2009 to manage the development of the Plan (post for three years).	High	G, U, F, M Links to historic environment to be confirmed	The Gaywood Valley Project was completed in 2013	

183	<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		<p>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</p>	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 &amp; 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 &amp; 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 &amp; 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  <b>Q:</b> 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 &amp; 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"> <li>□ London Road at Southgate (R1);</li> <li>□ London Road at Tower Gardens (requires strong frontage overlooking 'The Walks') (R2);</li> <li>□ John Kennedy Road at Port Entrance (R3);</li> <li>□ John Kennedy Road at current positions of the former Zoots Nightclub/the disused railway (R4); and</li> <li>□ Gaywood Road on the line of town wall (strong frontage to Austin</li> </ul>	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		

<p>A10 Link Project <b>W:</b> Downham Market Map</p>	<p>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)</p>	<p>Borough</p>	<p>Transport links, PROW, recreation and biodiversity</p>	<p>NCC (Access/ROW Dept.)</p>	<p>Project not yet developed. Feasibility of options to be explored.</p>	<p>Medium</p>	<p>Y, AB</p>		
<p>Cock Drove and Kingston's Plantation Project <b>X:</b> Downham Market Map</p>	<p>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</p>	<p>Town</p>	<p>Recreation and biodiversity</p>	<p>BCKLWN and developers</p>	<p>Project not yet developed. Feasibility of options to be explored.</p>	<p>Medium</p>	<p>AC, Y, Z</p>		

	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.								
195	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 <b>Z</b> : 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 <b>AB</b> : 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 <b>AG</b>: 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 <b>AH</b>: 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  <b>AI:</b> 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 &amp; 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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Farm Schemes - Stewardship Schemes Located across the Borough	<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"> <li><input type="checkbox"/> conserve wildlife (biodiversity);</li> <li><input type="checkbox"/> maintain and enhance landscape quality and character;</li> <li><input type="checkbox"/> protect the historic environment and natural resources;</li> <li><input type="checkbox"/> promote public access and understanding of the countryside; and</li> <li><input type="checkbox"/> protect natural resources.</li> </ul> <p>The secondary objectives of Environmental Stewardship are:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> genetic conservation; and</li> <li><input type="checkbox"/> flood management.</li> </ul> <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>	Borough	Agriculture, conservation (biodiversity, landscape, historic environment and natural resources) recreation, education and flood management	NE & BCKLWN	Ongoing	Medium	G, U	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	
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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 <b>AC</b>: 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 <b>AD:</b> 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 <b>AE:</b> 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.	
202	Ouse Washes Living Landscape Project			Cambs ACRE				Underway	
	Heacham links Project <b>AF</b> : 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								
203	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"> <li><input type="checkbox"/> Brancaster;</li> <li><input type="checkbox"/> North Wootton;</li> <li><input type="checkbox"/> Clenchwarton;</li> <li><input type="checkbox"/> Walpole;</li> <li><input type="checkbox"/> St Lawrence;</li> <li><input type="checkbox"/> Wiggshall;</li> </ul>								

- 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"> <li><i>1. Informal open space (over and above the Council's normal standards for play space);</i></li> <li><i>2. Landscaping, including landscape planting and maintenance;</i></li> <li><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></li> </ol> <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><b><u>2. Avoidance measures for impacts on Dersingham Bog and Roydon Common SAC/ Ramsar</u></b></p>	
<p><b>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,</b></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>

<b>a. Informal open space (over and above the Council's normal standards for play space);</b>	
<b>b. Landscaping, including landscape planting and maintenance;</b>	
<b>c. A network of attractive pedestrian routes, and car access to these</b>	
<b>d. Contribution to enhanced management of nearby designated nature conservation sites and/or alternative green space</b>	Specified in policies E2.1; E3.1; E4.1 (West Winch, South Wootton, Knights Hill).
<b>e. programme of publicity</b>	Specified in policies E2.1; E3.1; E4.1 (West Winch, South Wootton, Knights Hill).
<b>f. The new developments should be subject to screening for HRA</b>	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).
<b>g. ongoing monitoring,</b>	Levy/delivery group will cover.
<b>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.</b>	GI Delivery/HRA M&M Group set up.
<b>i. explore options for obtaining long-term access or acquiring further recreational greenspace</b>	Through GI Delivery/HRA M&M Group.
<b>j. reducing on-site impacts of recreational disturbance. This could also be assisted by developer contributions.</b>	Levy/delivery group will cover.
<b><u>3. Avoidance measures for North Norfolk Coast SPA/ Wash SPA/ SAC</u></b>	

<p><b>Baseline visitor pressure data, monitoring and management measures will need to be developed and demonstrated to be deliverable.</b></p>	<p>Survey underway.</p>
<p>With regard to the <b>combined effect of housing proposals</b> specific to the submission document:</p> <ul style="list-style-type: none"> <li>• Heacham</li> <li>• Hunstanton</li> <li>• Docking</li> <li>• Burnham Market</li> <li>• Snettisham</li> <li>• Ingoldisthorpe</li> <li>• Dersingham</li> </ul>	<p>M&amp;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 &amp; 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"> <li>• <b>a parallel strategy of GI provision, plus</b></li> <li>• <b>a programme of permanent public information</b></li> </ul>	<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 &amp; 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.**

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## 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

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>						
For housing allocations <i>[such as this]</i> within 8km of Roydon Common SAC/ Ramsar, the following package of habitat protection measures <b>is proposed. It is anticipated to include provision of</b> enhanced informal recreational provision on (or in close proximity to) the allocated site - <i>[see categories below in first column]</i>						
<b>a. Informal open space (over and above the Council's normal standards for play space);</b>	Existing Open Space	There is extensive accessible open space in the King's Lynn area, including:  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
212		<ul style="list-style-type: none"> <li>o Central Park 2.88ha</li> <li>o Bawsey Country Park (5km away)</li> </ul>			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
213				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>b. Landscaping, including landscape planting and maintenance;</b>	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.	
<b>c. A network of</b>	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	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
<p>attractive pedestrian routes, and car access to these</p>	<p>network of paths</p>	<p>significant network of extensive footpaths around the area including:</p> <ul style="list-style-type: none"> <li>• Nar Valley Way (King's Lynn and Wormegay (with 14km loop) and on to Narborough and beyond.</li> <li>• Fen Rivers Way along the River Great Ouse from King's Lynn to Cambridge</li> <li>• Peter Scott Walk from West Lynn</li> </ul>	<p>network already exists.</p>	<p>already exists</p>		<p>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.</p>

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<b>Site E1.4-E1.9 King's Lynn Sites</b> <b>Mitigation Type</b>	<b>Mitigation</b>	<b>Background</b>	<b>Confidence of delivery</b>	<b>Delivery issues</b>	<b>Funding &amp; Delivery</b>	<b>How will the mitigation work</b>
215		via the Ferry to Sutton Bridge.  There are also cycle paths: <ul style="list-style-type: none"> <li>• To/from King's Lynn town centre</li> <li>• National Cycle Routes 1 (Dover to John O'Groats) and 11 (King's Lynn to Cambridge) can be accessed</li> </ul>				
	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.	
<b>d. Contribution to enhanced management of nearby designated nature conservation sites and/or alternative green space</b>	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.
<b>e. programme of publicity</b>						
<b>f. The new</b>	Project level	The major	<u>High</u> – This will	None.	This will be	This will not in itself



<b>Site E1.4-E1.9 King's Lynn Sites</b>	<b>Mitigation</b>	<b>Background</b>	<b>Confidence of delivery</b>	<b>Delivery issues</b>	<b>Funding &amp; Delivery</b>	<b>How will the mitigation work</b>
<b>Mitigation Type</b>						
<b>developments should be subject to screening for HRA</b>	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.
<b>g. ongoing monitoring,</b>						
<b>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.</b>						
<b>i. explore options</b>						

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 <b>is proposed. It is anticipated to include provision of</b> enhanced informal recreational provision on (or in close proximity to) the allocated site - <i>[see categories below in first column]</i></p>						
<p><b>a. Informal open space (over and above the Council's normal standards for play space);</b></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"> <li>o West Winch Common*,</li> <li>o North Runcton Common*,</li> <li>o Setchey Common*</li> <li>o William Burt Centre recreation ground</li> <li>o Bawsey Country Park (5km away)</li> </ul> <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						
220					<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.
221	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						
222				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>b. Landscaping, including landscape planting and maintenance;</b>	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>26. 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"> <li>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</li> <li>Nar Valley Way at Setchey (King's Lynn</li> </ul>	<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						
224	<p>one direction, and Wormegay (with 14km loop) and on to Narborough and beyond.</p> <ul style="list-style-type: none"> <li>• Constitution Hill via wood to Rectory lane and on to Chequers Lane</li> <li>• North Runcton village to Setch Lane</li> </ul> <p>There are also cycle paths:</p> <ul style="list-style-type: none"> <li>• to King's Lynn town centre</li> <li>• the whole length of West Winch, alongside the A10</li> <li>• via Setchey to A10/A134 junction</li> </ul>					



Site E2.1 West Winch Growth Area	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
Mitigation Type						
225		<p>near Tottenhill</p> <ul style="list-style-type: none"> <li>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)</li> </ul>				
	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 Type	Mitigation	Background	Confidence of delivery	Delivery issues	Funding & Delivery	How will the mitigation work
226		<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.
<b>d. Contribution</b>	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>227</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.						

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## 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 <b>is proposed. It is anticipated to include provision of</b> enhanced informal recreational provision on (or in close proximity to) the allocated site - <i>[see categories below in first column]</i></p>						
<b>a. Informal open space (over and above the Council's normal standards for play space);</b>	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"> <li>• Village Green</li> <li>• The Pingles</li> <li>• South Wootton Common (<i>limited public rights but public footpaths crossing it</i>)</li> <li>• Ling Common (<i>limited public rights but public footpaths crossing it</i>)</li> <li>• The Gongs (<i>access land</i>)</li> <li>• Marsh Common (<i>access land</i>)</li> <li>• Ouse marshes</li> </ul>	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.

<b>Site E3.1 Hall Lane South Wootton</b>	<b>Mitigation</b>	<b>Background</b>	<b>Confidence of delivery</b>	<b>Delivery issues</b>	<b>Funding &amp; Delivery</b>	<b>How will the mitigation work</b>
<b>Mitigation Type</b>						
	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>b. Landscaping, including landscape planting and maintenance;</b>					Developer	As part of specific planning application
<b>c. A network of attractive pedestrian routes, and car access to these</b>	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						
233	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"> <li>• 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.</li> <li>• 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.</li> <li>• Cycle path to Gaywood Valley</li> </ul>				
234	Local Greenspace	<p>South Wootton Draft Neighbourhood Plan<sup>3</sup> 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>

<sup>3</sup> 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>

<b>Site E3.1 Hall Lane South Wootton</b>	<b>Mitigation</b>	<b>Background</b>	<b>Confidence of delivery</b>	<b>Delivery issues</b>	<b>Funding &amp; Delivery</b>	<b>How will the mitigation work</b>
<b>Mitigation Type</b>						
<b>d. Contribution to enhanced management of nearby designated nature conservation sites and/or alternative green space</b>						
<b>e. programme of publicity</b>	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.
<b>f. The new developments should be</b>	Project level HRA	Required as part of policy E3.1	High		Developer's responsibility.	

<b>Site E3.1 Hall Lane South Wootton</b>	<b>Mitigation</b>	<b>Background</b>	<b>Confidence of delivery</b>	<b>Delivery issues</b>	<b>Funding &amp; Delivery</b>	<b>How will the mitigation work</b>
<b>Mitigation Type</b>						
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	

<b>Site E3.1 Hall Lane South Wootton</b>	<b>Mitigation</b>	<b>Background</b>	<b>Confidence of delivery</b>	<b>Delivery issues</b>	<b>Funding &amp; Delivery</b>	<b>How will the mitigation work</b>
<b>Mitigation Type</b>						
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						
<p>HRA required avoidance measures for potential impacts on Dersingham Bog and Roydon Common SAC/ Ramsar</p> <p>238 For housing allocations [such as this] 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 - [see categories below in first column]</p>						
<b>a. Informal open space (over and above the Council's normal standards for play space);</b>	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"> <li>• South Wootton Common (<i>limited public rights but public footpaths crossing it</i>)</li> <li>• Ling Common (<i>limited public rights but public footpaths crossing it</i>)</li> <li>• Reffley Wood (52.9ha)</li> <li>• Reffley Springwood (3.6ha)</li> <li>• Reffley Recreation Ground</li> <li>• Bawsey Country Park (6km away)</li> </ul>	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						
239	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>b. Landscaping, including landscape planting and maintenance;</b>					Developer	As part of specific planning application
<b>c. A network of attractive pedestrian routes, and car access to</b>	Footpath links to wider network	Highlighted in policy. <ul style="list-style-type: none"> <li>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.</li> <li>Cyclepath across Gaywood Valley between Reffley and Springwood, connecting to the wider network.</li> </ul>	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						
240 these		<ul style="list-style-type: none"> <li>Lodge Lane leading to Castle Rising village and onwards to Sandringham.</li> </ul>				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 <sup>4</sup> 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

<sup>4</sup> 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						
241		<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>						

<b>Site E4.1 Knights Hill</b>	<b>Mitigation</b>	<b>Background</b>	<b>Confidence of delivery</b>	<b>Delivery issues</b>	<b>Funding &amp; Delivery</b>	<b>How will the mitigation work</b>
<b>Mitigation Type</b>						
<b>e. programme of publicity</b>					Covered by general charge / approach	
<b>f. The new developments should be subject to screening for HRA</b>	Project level HRA required as part of Policy E 4.1 11					
<b>g. ongoing monitoring,</b>					Covered by general charge / approach	
<b>h. ongoing dialogue, most likely organised by the Borough Council, and involving all relevant stakeholders, with the specific aim</b>					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						
<p>of reducing effects on these sites, examining the results of site monitoring and acting on any findings.</p>						
<p>243. i. explore options for obtaining long-term access or acquiring further recreational greenspace</p>					<p>Covered by general provision for Monitoring &amp; Mitigation &amp; GI Panel</p>	
<p>j. reducing on-site impacts of recreational</p>					<p>Covered by general charge / approach</p>	

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 <b>is proposed. It is anticipated to include provision of</b> enhanced informal recreational provision on (or in close proximity to) the allocated site - <i>[see categories below in first column]</i></p>						
<b>a. Informal</b>	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

<b>Sites F2.2, F2.3 &amp; F2.4 Hunstanton</b> <b>Mitigation Type</b>	<b>Mitigation</b>	<b>Background</b>	<b>Confidence of delivery</b>	<b>Delivery issues</b>	<b>Funding &amp; Delivery</b>	<b>How will the mitigation work</b>
<b>open space (over and above the Council's normal standards for play space);</b>  245		<ul style="list-style-type: none"> <li>○ The Green</li> <li>○ Boston Square Sensory Park</li> <li>○ Hunstanton Lighthouse</li> <li>○ Hunstanton Park and Rookery</li> <li>○ West Belt</li> <li>○ Recreation Ground</li> <li>○ Beach; and</li> <li>○ Sand dunes</li> </ul>	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>b. Landscaping, including landscape planting and maintenance;</b>		<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
<b>c. A network of attractive</b>	Footpath links to wider network	<p>Highlighted in policy.</p> <ul style="list-style-type: none"> <li>• A network of public footpaths in or leading to open</li> </ul>	High	None known Coastal Path - Work	Developer	Provide convenient and

<b>Sites F2.2, F2.3 &amp; F2.4 Hunstanton</b> <b>Mitigation Type</b>	<b>Mitigation</b>	<b>Background</b>	<b>Confidence of delivery</b>	<b>Delivery issues</b>	<b>Funding &amp; Delivery</b>	<b>How will the mitigation work</b>
246 <b>pedestrian routes, and car access to these</b>		countryside including Round England Coastal Path (Weybourne - Hunstanton - Sutton Bridge) <ul style="list-style-type: none"> <li>• 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.</li> </ul>		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

<b>Sites F2.2, F2.3 &amp; F2.4 Hunstanton</b>	<b>Mitigation</b>	<b>Background</b>	<b>Confidence of delivery</b>	<b>Delivery issues</b>	<b>Funding &amp; Delivery</b>	<b>How will the mitigation work</b>
<b>Mitigation Type</b>						
<b>developments should be subject to screening for HRA</b>	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.
<b>g. ongoing monitoring,</b>					Covered by general charge / approach	
<b>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</b>					Covered by general provision for Monitoring & Mitigation & GI Panel	



<b>Sites F2.2, F2.3 &amp; F2.4 Hunstanton</b> <b>Mitigation Type</b>	<b>Mitigation</b>	<b>Background</b>	<b>Confidence of delivery</b>	<b>Delivery issues</b>	<b>Funding &amp; Delivery</b>	<b>How will the mitigation work</b>
<b>the results of site monitoring and acting on any findings.</b>						
<b>i. explore options for obtaining long-term access or acquiring further recreational greenspace</b>					Covered by general provision for Monitoring & Mitigation & GI Panel	
<b>j. reducing on-site impacts of recreational disturbance. This could also be assisted by</b>					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.						

21-08-20

## Appendix 10- Initial Timetable for GI/Mitigation/Monitoring Process (2015/2016)

Activity	Purpose	Timescale
<p>1. Form Borough Council HRA M&amp;M &amp; GI Coordination Panel</p>	<ul style="list-style-type: none"> <li>• Understand the cumulative resource available for GI &amp; coordinate new facilities &amp; management of existing.</li> <li>• Influence investment decisions of BCKLWN &amp; other parties</li> <li>• Monitoring information available/needed.</li> </ul>	<p>First meeting on 22 September 2015, then ongoing (link to Duty to Co-operate outcomes) May 2016 &amp; 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 &amp; mitigation strategy)</p>	<ul style="list-style-type: none"> <li>• Through the planning application process on individual allocated sites</li> </ul>	<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 &amp; Nature Conservation in Norfolk: A strategic geographical overview of recreational pressures &amp; opportunities  (led by Norfolk Biodiversity Partnership (NBP))</p>	<ul style="list-style-type: none"> <li>• Understand visitor numbers</li> <li>• Origin of visitors</li> <li>• Proportions from areas having growth</li> <li>• Appreciation of likely direct pressures from visitors from new developments</li> </ul>	<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"> <li>• Understanding results</li> <li>• Planning for <u>future</u> directions of growth</li> <li>• Developing responses to pressures                             <ul style="list-style-type: none"> <li>- Strategically</li> <li>- Direct local management or amelioration of predicted impacts (current pressures too)</li> </ul> </li> </ul>	<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 &amp; Delivery Plan (Also see Section 6 of Strategy)</p>	<p>GI Strategy &amp; Action Plan</p> <ul style="list-style-type: none"> <li>• Use to influence investment e.g. BCKLWN Capital Programme</li> <li>• 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</li> </ul>	<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 &amp; The Wash &amp; N Norfolk Coast European Marine Site Annual Management Plans</p>	<ul style="list-style-type: none"> <li>• Management of visitor pressures</li> </ul>	<ul style="list-style-type: none"> <li>• AONB Strategy &amp; Action Plan 2014-19</li> <li>• The Wash &amp; NNC Annual Management Plan 2014-15</li> </ul>
<p>7. Natura 2000 Sites Monitoring &amp; Mitigation Strategy</p>	<ul style="list-style-type: none"> <li>• Addressing specific issues</li> <li>• Demonstrating ability to fund mitigation works</li> <li>• Processes to achieve mitigation <ul style="list-style-type: none"> <li>- GI levy</li> <li>- Unilateral Undertaking route</li> <li>- HRA Mitigation &amp; Monitoring &amp; GI Coordination Panel</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Agreement to Strategy anticipated by Cabinet by 9/9/15</li> <li>• S of CG with NE/RSPB/NWT 9/15</li> <li>• Ability to deliver mitigation on adoption – fund, etc.</li> <li>• Achieve clarity on types/actual projects: Autumn 2015</li> </ul>

## **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),

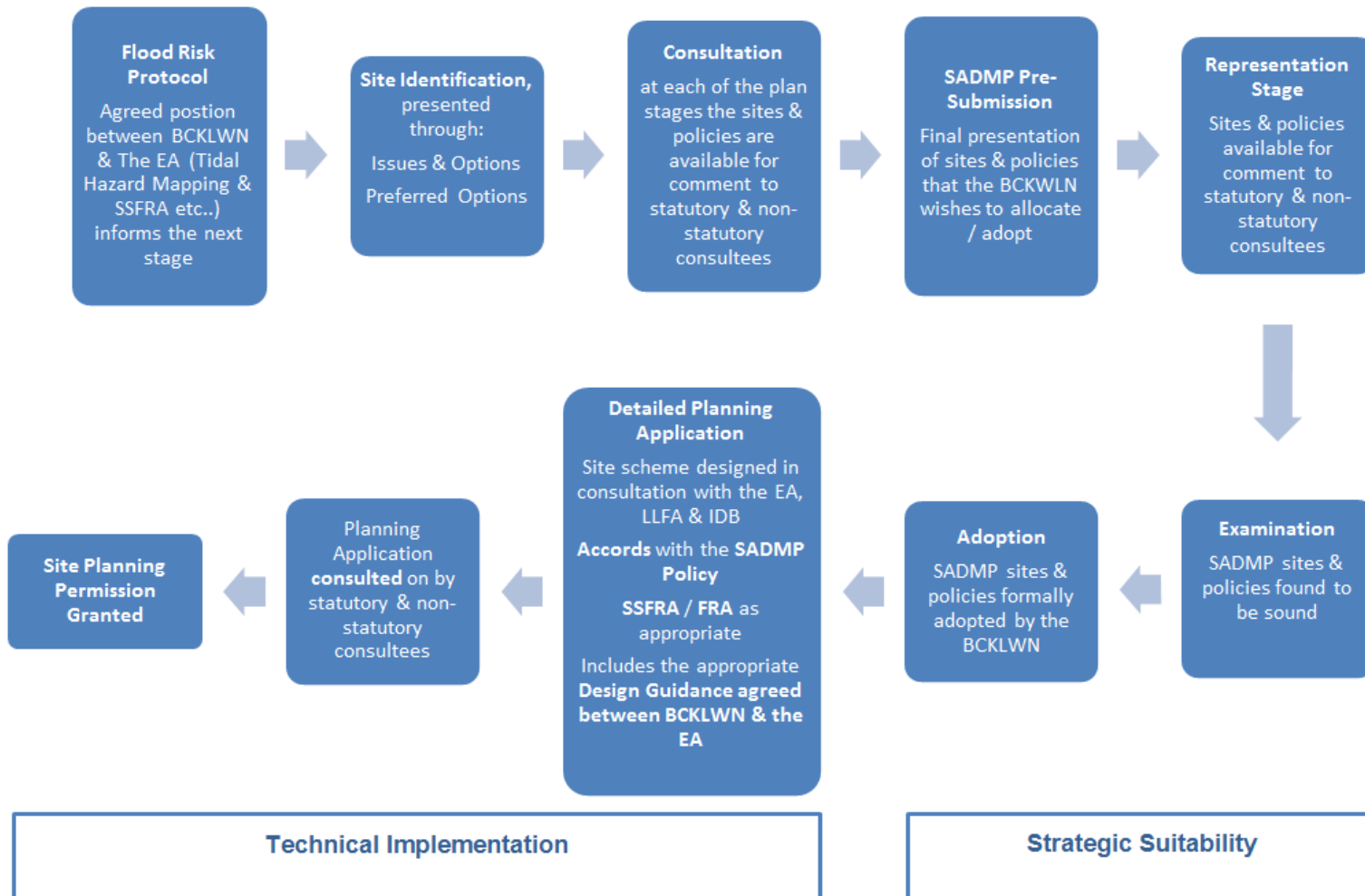
where they could be affected by sources of flooding other than rivers and the sea (e.g., surface water drains, reservoirs)

- 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%				
<b>Total Windfall</b>	140	346	384	425	274	241	731	298	170	293	346	111	199	3,958	304	*75%	228
<b>Total Unallocated</b>	313	467	579	599	461	404	882	377	224	412	438	219	305	5,680	437		
<b>Totals</b>	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.

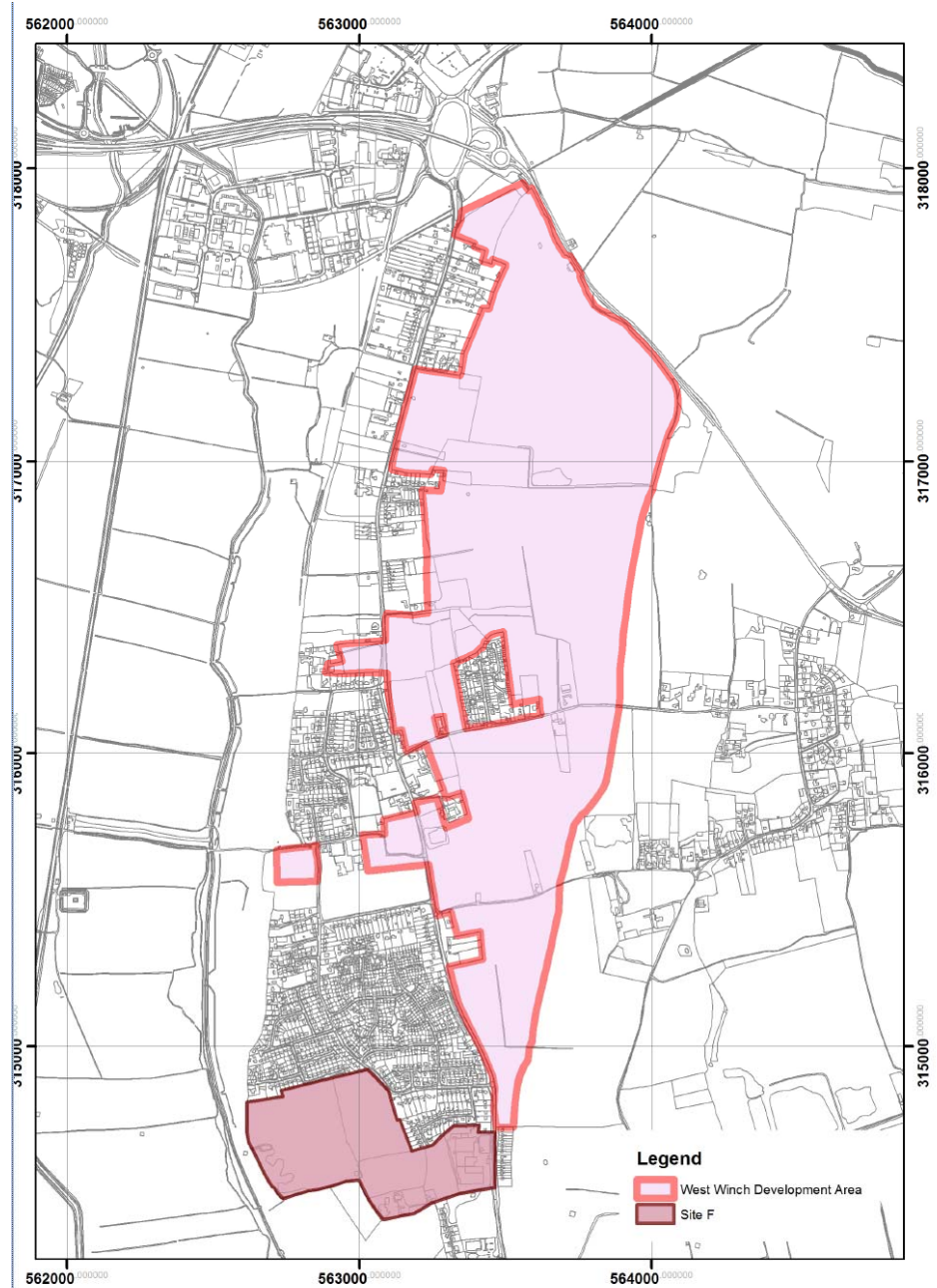
Overleaf is a list of some of the sites that could have the potential to provide a higher number than the stated by the corresponding SADMP site policy. This is not to exclude the other sites, but to give an indication based upon comparing the desired model density and the SADMP modelled density.

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
<b>A. DM Policies</b>				
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>B. Site Policies</b>				
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"> <li>• E1.5 from '+/x' to 'xx'</li> <li>• E1.6 from 'xx' to '+/x'</li> <li>• E1.8 from 'x' to 'xx'</li> <li>• E1.10 from 'x' to 'xx'</li> <li>• E1.11 from 'x' to '+/x'</li> </ul> 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		20
<b>DM 2A</b> 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	Neutral
	PP23 (DM 2A)	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	Positive
<b>DM 19</b> Green Infrastructure	Preferred Option	++	0	++	+	+	0	0	++	++	0	++	++	0	++	++	++	0	+	0	+	Positive
	Option 1	+	0	x	+	+	0	0	+	x	0	x	~	0	~	x	x	0	x	0	x	Neutral
	PP10	++	0	++	+	+	0	0	++	++	0	++	++	0	++	++	++	0	+	0	+	Positive
	PP10 A (DM19)	++	0	++	++	++	0	0	++	++	0	++	++	0	++	++	++	0	+	0	+	Positive

#### 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	
<b>DM 1</b> 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
<b>DM 2</b> Development Boundaries	Proposed Policy	+	++	0	0	+/x	+/x	+/x	+	+	0	0	0	0	+/x	+	0	x	0	0	+	Positive
<b>DM 2 A</b> Early Review of Local Plan	Proposed Policy	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	++	Positive
<b>DM 3</b> 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
<b>DM 4</b> Houses in Multiple Occupation	Proposed Policy	0	~	+	0	0	0	+	++	0	~	0	+	+	0	0	+	+	0	++	++	Positive
<b>DM 5</b> 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	
<b>DM 6</b> Housing Needs of Rural Workers	Proposed Policy	++	0	+	0	0	0	+	+	++	++	0	+	++	0	0	0	++	0	++	++	Positive
<b>DM 7</b> Residential Annexes	Proposed Policy	0	0	0	0	0	0	+	++	+	0	0	+	0	0	+	0	0	0	0	0	Positive
<b>DM 8</b> 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
<b>DM 9</b> Community Facilities	Proposed Policy	0	++	0	0	0	0	+	++	+	0	0	+	+	++	++	+	0	++	+	0	Positive
<b>DM 10</b> Retail Development Outside Town Centres	Proposed Policy	+	+	0	0	0	0	++	++	++	0	0	0	0	0	++	0	0	+	0	+	Positive
<b>DM 11</b> Touring and Permanent Holiday Sites	Proposed Policy	+/x	0	0	++	0	++	++	++	0	0	++	++	0	0	+	0	0	0	0	++	Positive
<b>DM 12</b> Strategic Road Network	Proposed Policy	0	0	0	0	0	0	+	+/x	+/x	0	0	++	0	0	+/x	0	0	0	+	+/x	Positive
<b>DM 13</b> 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	
<b>DM 14</b> 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
<b>DM15</b> Environment, Design and Amenity	Proposed Policy	0	0	0	0	0	++	++	++	+	0	0	+	+	+	0	0	+	0	0	0	Positive
<b>DM 16</b> 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
<b>DM 17</b> 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
<b>DM 18</b> 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
<b>DM 19</b> Green Infrastructure	Proposed Policy	++	0	++	++	++	0	0	++	++	0	++	++	0	++	++	++	0	+	0	+	Positive
<b>DM20</b> 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	
<b>DM 21</b> 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
<b>DM 22</b> 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**

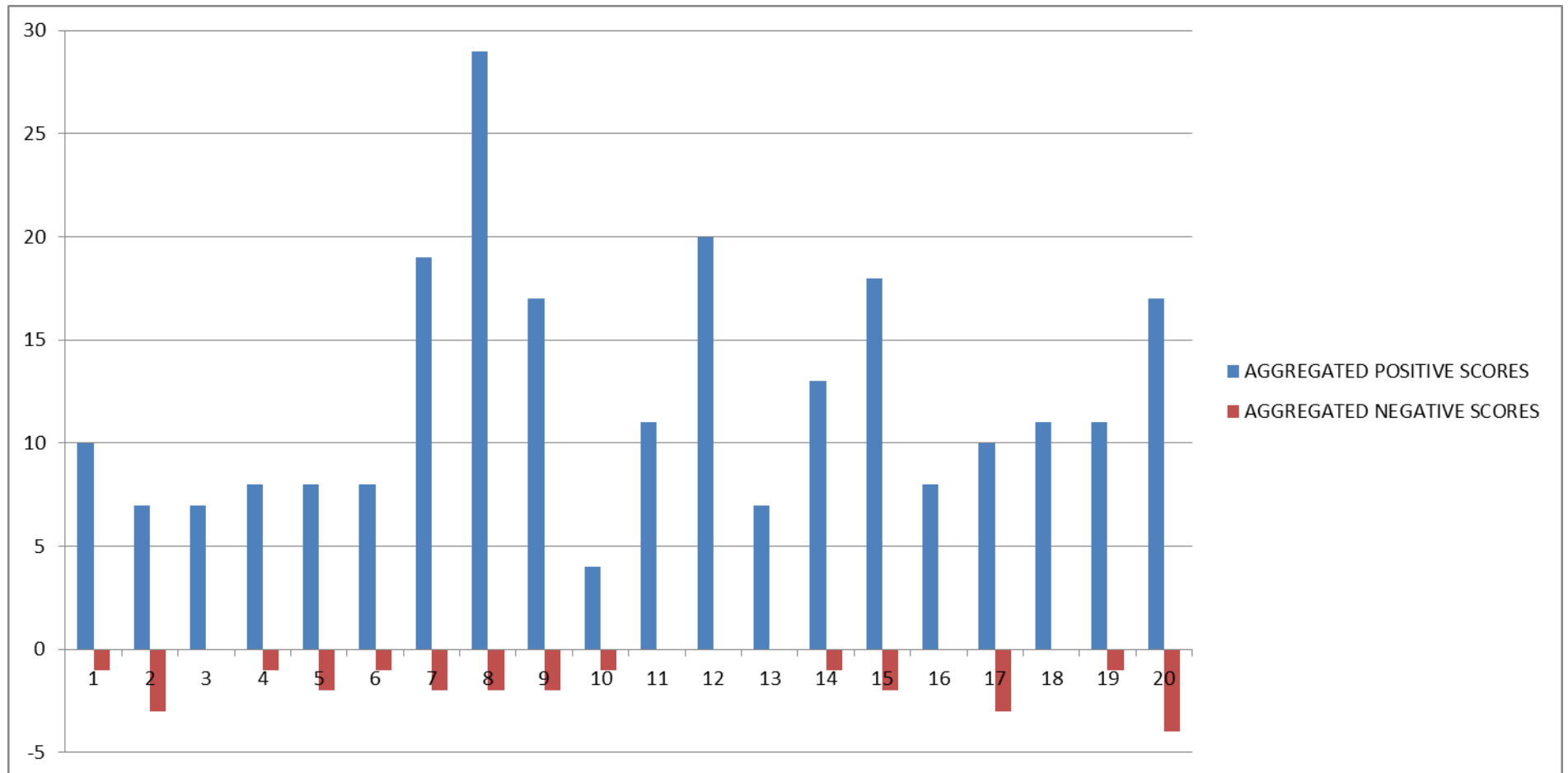
Table A1: Relationship of Pre-Submission Polices, Preferred Options Policies and Issues and Options Policies (Page 76)

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)

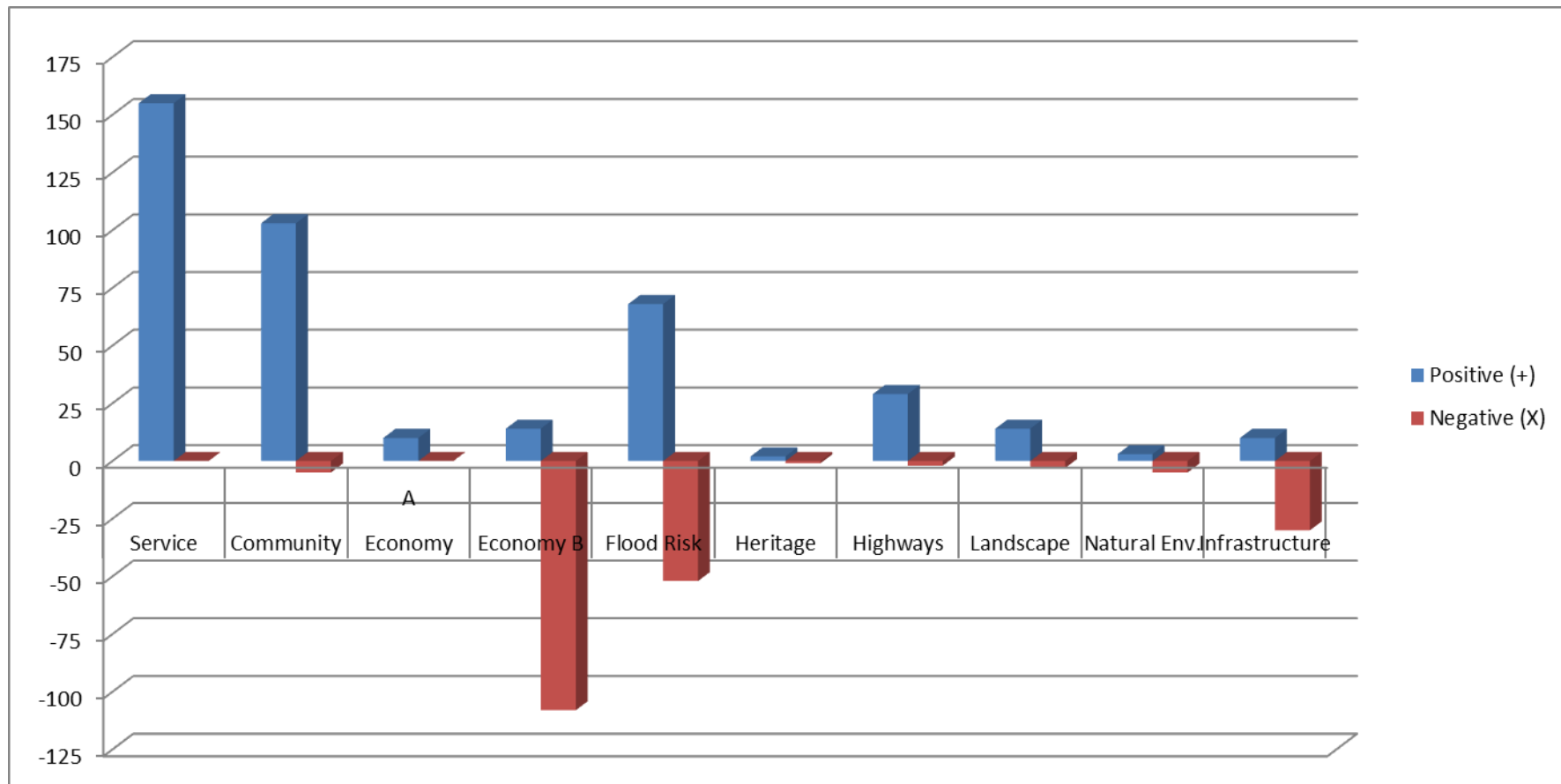
<b>ALL ALLOCATIONS</b>	<b>Access to Services</b>	<b>Community &amp; Social</b>	<b>Economy A Business</b>	<b>Economy B Food Production</b>	<b>Flood Risk</b>	<b>Heritage</b>	<b>Highways &amp; Transport</b>	<b>Landscape &amp; Amenity</b>	<b>Natural Environment</b>	<b>Infrastructure, Pollution &amp; Waste</b>	<b>TOTALS</b>
<b>Aggregated positive scores (+)</b>	156	103	10	15	68	2	29	15	3	10	411
<b>Aggregated negative scores (X)</b>	0	-6	0	-108	-51	-1	-2	-3	-5	-30	-206



## 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
<b>F2.4 (997)</b>	<b>+</b>	<b>+</b>	<b>o</b>	<b>xx</b>	<b>+/x</b>	<b>#</b>	<b>#</b>	<b>#</b>	<b>#</b>	<b>x</b>

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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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**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
<b>G94.1 (Part of 890)</b>	<b>+</b>	<b>+</b>	<b>o</b>	<b>x</b>	<b>+/x</b>	<b>o</b>	<b>#</b>	<b>o</b>	<b>o</b>	<b>?</b>

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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
<b>West Winch Growth Area</b>	<b>++</b>	<b>+</b>	<b>0</b>	<b>X</b>	<b>+</b>	<b>#</b>	<b>+</b>	<b>#</b>	<b>#</b>	<b>#</b>
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



KVW06 has already been developed and part of 485 is an existing residential dwelling so has not been included within the Growth Area.

**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.

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## 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.				
<b>Question</b>		<b>Answer</b>				
<p><b>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?</b></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			
<b>Question</b>	<b>Answer</b>	<b>Comments</b>				
<b>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?</b>	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	<b>Actions:</b>
		<b>Actions agreed by EWG member:</b> .....
<b>Assessment completed by:</b> <b>Name</b>		
<b>Job title</b>	<b>Date</b>	

**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.**