

Draft LP20 Green Infrastructure Policy (previously DM19)

Link to draft policy and comments in full received from the draft consultation stage:

<https://west-norfolk.objective.co.uk/portal/lpr2019/lpr2019?pointId=s1542884095392#section-s1542884095392>

Consideration of issues:

The main issues raised by consultees were:

- the need to reference the Anglian River Basin Management Plan and The Gaywood Valley Living Landscape Project.
- the need for the policy to seek a contribution to green infrastructure from all development, not just major development, as smaller development will also give rise to pressures on the existing green infrastructure network. This contribution should be proportional, and where it is not deliverable on site, particularly on small development sites where space is a key constraint, a proportional contribution could be made to off-site green infrastructure delivery.
- Natural England would like new policies on Rights of Way.

The resulting changes recommended to the policy and supporting text are set out below.

Officer Recommendations to Task Group:

The Task Group is recommended to:

- 1) include reference to the Anglian River Basin Management Plan in the supporting text.**
- 2) add to the end of section 2 of the Policy - '2e The Gaywood Valley Living Landscape Project'.**
- 3) amend the first line of Section 4 of the Policy to read 'All development will contribute proportionally to the delivery of green infrastructure ...'.**
- 4)**

Policy Recommendation:

Strategic Policy

Policy LP20 Green Infrastructure

1. Opportunities will be taken to link to wider networks, working with partners both within and beyond the Borough.
2. The Council will protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks, including National Trails.
3. The Council supports delivery of the projects detailed in the Green Infrastructure Study including:
 - a. The Fens Waterway Link- Ouse to Nene;
 - b. The King's Lynn Wash/Norfolk Coast Path Link;
 - c. The former railway route between King's Lynn and Hunstanton;
 - d. The Wissey Living Landscape Project; and
 - e. The Gaywood Valley Living Landscape Project.
4. The Council will identify, and coordinate strategic delivery, with relevant stakeholders, of an appropriate range of proportionate green infrastructure enhancements to support new housing and other development and mitigate any potential adverse effects on designated sites of nature conservation interest as a result of increased recreational disturbance arising from new development. All new development must ensure there is no adverse effect on a European Protected Site through the provision of appropriate measures.
5. Major All development will contribute proportionally to the delivery of green infrastructure, except:
 - a. where it can be demonstrated the development will not materially add to the demand or need for green infrastructure.

- b. where such a contribution would make the development unviable, the development will not be permitted unless:
- i. it helps deliver the Strategic Policies; and
 - ii. the relevant contribution to the Strategic Policies could not be achieved by alternative development, including in alternative locations or in the same location at a later time; or
 - iii. unless the wider benefits of the proposed development would offset the need to deliver green infrastructure enhancements.

Supporting Text

LP20 Green Infrastructure Policy (previously DM19)

Introduction

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

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

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

Green Infrastructure Study

6.7.2 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.
- Projects included - The Fens Waterway Link- Ouse to Nene; the King's Lynn Wash/Norfolk Coast Path Link; the former railway route between King's Lynn and Hunstanton; The Wissey Living Landscape Project; and the Gaywood Valley Living Landscape Project.

6.7.3 This Study has been supplemented by 2013 research identifying existing green infrastructure projects around the Borough being undertaken by a range of agencies. This combined information will aid the Council in developing and targeting further green infrastructure funds and endeavours, particularly in relation to planned development which has been identified by the Habitats Regulations Assessment as having potential adverse impacts on designated nature conservation sites. By supporting existing projects, or filling gaps (geographical or type) in existing or emerging provision, the Council's efforts can be targeted to best effect. The Norfolk Green Infrastructure and Recreational impact Avoidance and Mitigation Strategy (2020) was produced as part of the NSPF.

Relevant Local and National Policies and Guidance

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

Strategic Policies:

- LP17 Environmental Assets
- LP32 Community and Culture

- LP05 Infrastructure Provision

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

Marine Policy Statement/East Marine Plan Policies:

- BIO1-2 Biodiversity
- ECO1 Cumulative Impacts
- MPA1 Marine Protected Areas
- SOC3 Terrestrial and Marine Character

Policy Approach

6.7.4 Retaining and developing the Borough's green infrastructure network is highly important to the long-term wellbeing of the area. Furthermore 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.

6.7.5 The Borough Council seeks to protect existing green infrastructure, deliver new green infrastructure to support new development and mitigate its impacts, and support cross boundary green infrastructure projects in partnerships with neighbouring authorities and other organisations. Green space can perform a number of functions and the historic environment in particular has an important contribution to make. Parks and gardens, open spaces within Conservation Areas and the grounds of listed buildings can contribute to the wider objectives and benefits of green infrastructure, for example by enhancing health and well-being and biodiversity, and improving the efficiency of drainage systems.

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

Sustainability Appraisal:

LP20 Green Infrastructure

This policy is very similar, to the equivalent policy considered in the SADMP process and the sustainability appraisal of that. The proposed policy was assessed as having a positive effect. DM19 Green Infrastructure/Habitats Monitoring and Mitigation has been split across two policies as the topics whilst related are distinct.

LP20: Green Infrastructure																							
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	+		-
LP20	++	0	++	+	+	0	0	++	++	0	++	++	0	++	++	++	0	+	0	+	+22	0	Likely Positive Effect +22
Draft LP20	++	0	++	+	+	0	0	++	++	0	++	++	0	++	++	0	+	0	+	+22	0	Likely Positive Effect +22	
No Policy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Likely Neutral Effect

Appendix 1: Summary of Comments & Suggested Response:

Consultee	Nature of Response	Summary	Consultee Suggested Modification	Officer Response/Proposed Action
Planning Advisor Environment Agency	Support	We welcome this Policy which takes into account the NPPF and Defra 25 Year Plan. It also promotes cross boundary working, this helps to ensure that strategic priorities across local boundaries are properly co-ordinated.	We recommend that the Plan should encourage developers to have regard to the Anglian River Basin Management Plan where relevant.	Agree – include reference to the Anglian River Basin Management Plan in supporting text.
Mrs Daphne Sampson	Object	The importance of high quality green infrastructure in helping to mitigate climate change in drawing down carbon dioxide from the atmosphere needs to be clearly stated and expert advice sought. In view of the seriousness of the climate change threat needs to be given much greater weight in all planning decisions. Removal of woodland and other 'carbon sinks' should be a clear counter indication in planning decisions.		Comments are noted.
Conservation Officer Norfolk Wildlife Trust	Object	We recommend that section 4 of the policy should seek a contribution to green infrastructure from all development, not just major development, as smaller development will also give rise to pressures on the existing green infrastructure network. This contribution should be proportional, and where it is not deliverable on site, particularly on small development sites where space is a key constraint, a proportional contribution could be made to off-site green infrastructure delivery. Section 2 should also make reference to the Gaywood Living Landscape in addition to those already listed.	Add to end of section 2 - '2e Gaywood Living Landscape Project' . Section 4 to start 'All development will contribute proportionally to the delivery of green infrastructure ...'.	Agree - add to the end of section 2 - '2e Gaywood Living Landscape Project'. Agree – start Section 4 with 'All development will contribute proportionally to the delivery of green infrastructure ...'.

Consultee	Nature of Response	Summary	Consultee Suggested Modification	Officer Response/Proposed Action
Historic Environment Planning Adviser, East of England Historic England	Support	Support - We welcome reference to the historic environment in relation to green infrastructure		Support is noted.
Norfolk Coast Partnership (AONB)	Object	Policy LP20 Green Infrastructure 2e - include 'Gaywood Valley' which was included in the GI Study.		Agree as above in NWT comment response.
Consultations Team Natural England	Object		<p>Access and Rights of Way</p> <p>Natural England advises that the Plan should include policies to ensure protection and enhancement of public rights of way and National Trails, as outlined in paragraph 98 of the NPPF.</p> <p>Recognition should be given to the value of rights of way and access to the natural environment in relation to health and wellbeing and links to the wider green infrastructure network.</p> <p>The plan should seek to</p>	<p>Include a paragraph 98 style wording in Policy.</p> <p>The policy's first criterion seeks opportunities to link to wider networks, working with partners both within and beyond the Borough.</p>

Consultee	Nature of Response	Summary	Consultee Suggested Modification	Officer Response/Proposed Action
			link existing rights of way where possible, and provide for new access opportunities. The plan should avoid building on open space of public value as outlined in paragraph 97 of the NPPF.	Policy LP23 deals with the protection of existing open space.
Consultations Team Natural England	Mixed	<p>Natural England is strongly supportive of this policy including the Council’s proposal to co-ordinate delivery of strategic green infrastructure to address recreational disturbance impacts and to ensure no adverse effect to European sites. We welcome the requirement for major development to contribute to the delivery of green infrastructure.</p> <p>We advise that Policy LP20 is referenced in development policies that have a requirement to deliver GI and/or have been identified as part of the GI study. It is Natural England’s view that all new development should provide adequate and proportionate open space provision. Green Infrastructure (GI) should be well-designed and multifunctional facilitating a variety of recreational activities whilst supporting biodiversity.</p>	<p>We advise that large developments (50 dwellings or more) include green space that is proportionate to its scale to minimise any predicted increase in recreational pressure to designated sites, by containing the majority of recreation within and around the developed site.</p> <p>The Suitable Accessible Natural Green Space (SANGS) guidance can be helpful in designing this; it should be noted that this document is specific to the SANGS</p>	<p>Support is noted and welcomed. This is done currently through this policy, LP 19 and LP 24.</p> <p>Noted.</p> <p>Noted.</p>

Consultee	Nature of Response	Summary	Consultee Suggested Modification	Officer Response/Proposed Action
			<p>creation for the Thames Basin Heaths, although the broad principles, including 8ha / 1000 population provision, are more widely applicable.</p> <p>Green infrastructure design should seek to achieve the Natural England Accessible Natural Greenspace Standards, detailed in Nature Nearby, including the minimum standard of 2ha informal open space within 300m of everyone's home. As a minimum, we advise that such provisions should include:</p> <ul style="list-style-type: none"> · High-quality, informal, semi-natural areas · Circular dog walking routes of 2.7 km2 within the site and/or with links to surrounding public rights of way (PRoW) 	<p>Environment Bill is still passing through Parliament. Planning guidance on net gain will follow.</p>

Consultee	Nature of Response	Summary	Consultee Suggested Modification	Officer Response/Proposed Action
			<p>Dedicated 'dogs-off-lead' areas · Signage/information leaflets to householders to promote these areas for recreation · Dog waste bins · to the long term maintenance and management of these provisions There are opportunities in development to conserve and enhance biodiversity through net gain.</p> <p>We advise that biodiversity net gain is incorporated into Policy LP20 to enable delivery through development. This requirement should be proportionate to the size of the development and not limited to large applications.</p> <p>It is recommended that policy is founded on an evidence base that</p>	<p>Norfolk GI and RAMS strategy is meeting this requirement.</p> <p>Noted.</p>

Consultee	Nature of Response	Summary	Consultee Suggested Modification	Officer Response/Proposed Action
			<p>includes mapping assets and identifying areas for creation (incorporated in GI strategy and SPDs).</p> <p>We highlight the importance of measurable net gain in the creation of habitat and improvements to biodiversity and refer you to the Defra 25 YEP and paragraph 174 of the National Planning Policy Framework, specifically: “promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity”.</p>	