



# Report to North Norfolk District Council

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for Communities and Local Government

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**PLANNING AND COMPULSORY PURCHASE ACT 2004**

**SECTION 20**

**REPORT ON THE EXAMINATION INTO THE**

**NORTH NORFOLK CORE STRATEGY**

**INCORPORATING DEVELOPMENT CONTROL POLICIES**

**DEVELOPMENT PLAN DOCUMENT**

Document submitted for examination on 18 June 2007

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## 1 Introduction

- 1.1 Under the terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004, the purpose of the independent examination of a development plan document (DPD) is to determine:
  - (a) whether it satisfies the requirements of s19 and s24(1) of the 2004 Act, the regulations under s17(7), and any regulations under s36 relating to the preparation of the document.
  - (b) whether it is sound.
- 1.2 This report contains my assessment of the 'North Norfolk Core Strategy incorporating Development Control policies' DPD (for the sake of brevity hereafter referred to solely as the CS) in terms of the above matters, along with my recommendations and the reasons for them, as required by s20(7) of the 2004 Act.
- 1.3 My role is to consider the soundness of the submitted DPD against each of the nine tests of soundness set out in PPS12. In line with national policy, the DPD is presumed to be sound unless it is shown to be otherwise by evidence considered during the examination. The changes I have specified in this binding report are made only where there is a clear need to amend the document in the light of the tests of soundness in PPS12. None of these changes would materially alter the substance of the submitted plan and its policies, or undermine the sustainability appraisal and participatory processes already undertaken as an integral part of its preparation.
- 1.4 My report firstly considers the procedural tests (1-3), and then deals with the tests of conformity (4 & 5). Finally, I look on a topic focussed basis at relevant substantive matters and issues considered during the examination with particular reference to the coherence, consistency and effectiveness (tests 6-9).
- 1.5 As far as the latter tests are concerned, because the DPD contains two separate elements, Chapter 2-the Core Strategy (with its associated Key Diagram), and Chapter 3-the Development Control policies (with its associated Proposals Map), I generally address them in sequence except where there are clear and unavoidable linkages and overlaps. Such an exception includes the (strategic) Housing polices and the 'Development Control' policies for Affordable Housing. PPS12 indicates that the two elements (ie strategy and generic DC policies) could be separately produced (my emphasis), but paragraph 2.28 makes clear that development control policies "*may be included as part of the core strategy or in a separate DPD*". In any event, it is plain that both the Core Strategy and the DC policies are intended to be consistent and work together. As a result, in this instance, the Implementation and Monitoring framework (Chapter 4) addresses both the Core Strategy and Development Control policies. Thus I consider the soundness of that part collectively to ensure that the end effect is mutually consistent and effective in line with the aims of PPS12 and 'soundness' tests 6-9 in the round.

## **Overall Conclusion**

- 1.6 My overall conclusion is that the North Norfolk CS (and associated DC policies) is sound, provided it is changed in the ways specified. The principal changes which are required are, in summary:
- a) Incorporation of the Council's Schedule of Minor Modifications except for those which I have concluded are not necessary or are inappropriate and hence have specifically not recommended (*see body of report and Annexes A and B*);
  - b) Fine tune of the Housing Strategy (SS3) and Affordable Housing Policy (HO2) to enhance chances of successful delivery;
  - c) Deletion of DC policies HO9 and EC7;
  - d) Other modest changes to strategic and DC policies and associated justifying text as set out in the report.

## **Council's Suggested Minor Modifications**

- 1.7 Prior to the start of the public hearing sessions the Council produced a series of possible changes or minor modifications to the CS. These were supplemented by further possible changes as the hearing sessions progressed. In bringing these forward the Council stressed that, in its view, the document as originally submitted was 'sound' having regard to the tests in PPS12. In the main they were produced to respond to representations received at the post submission representations stage in an effort to build the maximum consensus with its stakeholders and to clarify particular points of detail.
- 1.8 Consideration and acceptance of the 158 modifications listed in the Council's consolidated schedule could be viewed as indicating that the plan was 'unsound' on submission. However, I have had regard to the Council's substantial evidence base and its engagement with a wide range of stakeholders during the plan preparation process.
- 1.9 Such positive engagement was underlined in views expressed by a wide spread of representors when exercising their statutory right to be heard. In essence many representors were supportive of the main thrust of the DPD but were concerned about its detailed interpretation and effect. Many wanted to follow through points they had made in the plan's preparation to what they saw as their logical conclusion. As a result they advocated changes to parts of the document to ensure that it was 'sound'.
- 1.10 I have also had regard to the fact that the CS contains both strategic policies and more detailed development control policies. As a result the scope for detailed comment is materially greater, as is the possibility that, for the sake of coherence and consistency, 'reading across' of strategic and DC policies may require extra fine tuning.

- 1.11 Finally, I have noted the thrust of the government's recently proposed modifications to the plan making system<sup>1</sup>. These include proposals to improve consultation arrangements to give the public more opportunity to get involved at the beginning of the process, and revisions to the process of plan making allowing final representations on the plan to be made before it is submitted for examination.
- 1.12 All of these factors have led me to conclude that each suggested Minor Modification should be considered on its merits against the acid test of whether it would fundamentally alter the thrust of any of the policies. If the thrust was materially different such that the Sustainability Appraisal might need to be reconsidered and/or further public consultation carried out, then my powers to amend it would be limited.

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<sup>1</sup> Streamlining Local Development Frameworks: Consultation, DCLG November 2007

## 2 Procedural Tests

### ***Test 1 – Consistency with Local Development Scheme***

- 2.1 The CS DPD is contained within the Council's Local Development Scheme [LDS], the updated version having been approved in May 2007 [Document G19]. In accordance with the aims listed in the LDS the CS sets out the vision, objectives and strategy for the spatial development of the North Norfolk district area for the period up to 2021. The approved LDS also indicates that the document will include "*generic development control policies, a monitoring and implementation framework, key diagram and inset maps of the towns and service villages*".
- 2.2 In the LDS the DPD is shown as having a submission date of June 2007 and an examination date commencing in December 2007. The DPD document met these timelines and included the elements listed. Although some queries were raised, none of the representations on the submitted DPD raised substantive procedural objection to the document's preparation and the approved LDS.
- 2.3 Accordingly, I am satisfied that, as the preparation of the DPD has been generally in accordance with the LDS, Test 1 of paragraph 4.24 of PPS12 has been met.

### ***Test 2 – Compliance with Statement of Community Involvement (SCI) and Associated Regulations***

- 2.4 Following independent examination the Council's Statement of Community Involvement [SCI] had been found sound by the Secretary of State and was formally adopted by the Council in April 2006, well before the examination hearings took place.
- 2.5 At the examination there was some modest criticism of the extent of consultation carried out during the preparation of the DPD leading up to its submission. However, in part this seems to have arisen from confusion about a Site Specific DPD which the Council had initially intended should be submitted alongside the CS. In the event the Council had decided to defer this until after the CS had been examined (and hopefully) found sound in line with the revised LDS. As such it would be premature for me to respond to comments made in respect of any of the initially identified specific sites pending the reformulation of that DPD once the CS has been 'found sound' and adopted. Detailed concerns expressed about the consultation process are considered later in the sections dealing with the town strategies, town centre policy in general and DC policy EC5.
- 2.6 From the documents submitted by the Council, including the Regulation 28 and 31 Statements and its Self Assessment [A5], I conclude that the Council has met the requirements set out in the Regulations. I conclude, accordingly, that Test 2 has been met.

### ***Test 3 - Sustainability Appraisal***

- 2.7 In accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 the CS has been subject to Sustainability Appraisal (SA) throughout its preparation. This process included a SA Scoping Report, revised following consultation in late 2005, and a draft SA published alongside the Preferred Options report in September 2006. The final SA report, including a parallel Strategic Environmental Assessment, was published alongside the submitted CS (Core Document A2). The Council has confirmed that the SA report covers both the Core Strategy and the generic Development Control policies.
- 2.8 As part of the examination representors raised various queries in relation to the document's detailed policies and associated environmental, social and economic impacts. These are most appropriately considered under the tests of coherence, consistency and effectiveness which follow later in my report.
- 2.9 North Norfolk has many international and national wildlife designations including the N Norfolk Coast Special Protection Area (SPA), the Broadlands SPA, The Broads Special Area of Conservation (SAC) and the River Wensum SAC amongst others.
- 2.10 The potential impact of the CS on these was subjected to a systematic screening for Appropriate Assessment with the final report published in June 2007 [A4]. By way of a matrix the document undertook the Task 1 screening process and concluded that the DPD's policies and proposals (both the Core Strategy and Development control policies) were unlikely to have a significant effect on the conservation of any European SPA and SAC sites. As a result it further concluded that a Task 2 Appropriate Assessment was not required. This process was undertaken in consultation with Natural England who have not raised objection to the overall conclusion.
- 2.11 Detailed concerns in relation to ensuring the long term protection of some of the areas are considered later in my report.
- 2.12 Having regard to the substantial, well documented evidence base, and the lack of substantive challenge to it, I am generally satisfied that the plan and its policies have been subjected to Sustainability Appraisal and that the associated consideration of Appropriate Assessment has been undertaken. As a result I conclude that Test 3 has been met.
- 2.13 Accordingly, I am satisfied that the procedural tests 1, 2 and 3 have all been met.

### **3 Conformity Tests (tests 4 and 5)**

- 3.1 The main issues under these tests are:
- 3.2 Test 4 - whether the plan is a spatial strategy which has had regard to other relevant plans, policies and strategies relating to the area or to adjoining areas; whether it is consistent with national policy, (in particular Planning Policy Statement (PPS) 1 – Delivering Sustainable Development,, PPS3 - Housing and PPS7 – Sustainable Development in Rural Areas); and whether it is in general conformity with the Regional Spatial Strategy.
- 3.3 Test 5 – Has the DPD had regard to the authority's community strategy?

#### ***Test 4A – Is it a Spatial Plan?***

- 3.4 Key principles of spatial planning are set out in Planning Policy Statement (PPS) 1: Delivering Sustainable Development, in PPS12 and in its companion guide. Spatial planning aims to ensure the most efficient use of land by balancing competing demands within the context of sustainable development. It goes beyond traditional land use planning to bring together and integrate policies for the development of land with other policies and programmes which influence the nature of places and how they function.
- 3.5 The spatial portrait of North Norfolk in CS section 1.3 is concise and locally distinctive. It gives a clear picture of the mainly rural and coastal character of the district, its associated landscape qualities, the nature of the settlement pattern and transport links, and the area's current socio-economic make-up and dynamics. It categorises three sub-divisions in the western, central and eastern parts of the district which have distinctive characteristics. Suggested minor wording changes MM2-MM7 (Doc I3(iv)) would provide additional clarity and detail without changing the overall sense of the portrait. MM6 in particular would more positively express the development potential of North Walsham in line with the wishes of local representations and is supported for that reason. MM88 would simply update the district's population figure to mid 2006. These suggested modifications are supported.
- 3.6 The Key Issues in section 1.4 draw on the spatial portrait and provide a clear context for the 'Vision for North Norfolk' in section 2.1. MM8 and MM9 would more positively express the opportunities for economic progress arising from structural changes in the local economy and should be incorporated. MM10 is a helpful reminder of the need to have regard to the impacts of climate change, sea level rise and coastal erosion on coastal geology, and is supported.
- 3.7 The vision for North Norfolk provides a concise descriptive overview of the general direction of development during the plan period to 2021. (For statistical and policy monitoring purposes the

document's 'base date' is 2001). In particular the section indicates that the area's seven towns and one large village will be the focus of the majority of development activity. MM12 would clarify which places these were and for clarity's sake is supported.

- 3.8 In the wider countryside the Vision indicates that development will be focused on identified settlements offering a range of facilities to serve their local area. The priority for the other rural settlements, the large areas of open countryside and the coastal area is to protect their character and landscape, and to improve the diversity and environmental quality of the natural resources and built heritage, while rising to the challenge posed by climate change. MM13 is a minor clarification of the latter point which is supported.
- 3.9 Individual portraits of the main settlements give a clear overview of how they are likely to evolve over the plan period. There was some criticism about the detailed wording associated with the portrait for Wells-next-the-Sea. I accept that the wording change in MM90 would more clearly express the aims to provide housing to meet local needs, to protect and improve essential supporting community facilities, and to retain employment activity and to support new enterprises.
- 3.10 In Section 2.2 the Core Aims and Objectives spell out a clear Strategic Vision based on the area's Sustainable Community Strategy Document with a clear spatial emphasis. The minor editing changes in MMs 11, 14 and 15 would assist clarity and readability.
- 3.11 More generally the Strategic Policies flowing from the Portrait, Visions and Core Aims collectively form a clearly spatial plan which is reflected in the Key Diagram.
- 3.12 I consider detailed aspects of the various strategy topics later, but overall I conclude that the Core Strategy is a spatial plan and that it would be **sound** so far as Test 4A is concerned.

***Test 4B – Consistency with national planning policy***

- 3.13 While the Act requires a local authority to have regard to national policies and guidance when preparing a local development document (LDD), it is not expected that a DPD simply repeats national planning policy, for then it could not be locally distinctive.
- 3.14 In my view the submitted CS has generally followed this principle in the process of preparing the CS and, as far as is practicable, in its final submission content. I note, too, that in the Sustainability Appraisal Scoping Report [G17] the matrix therein lists national and international plans and proposals as well as other local policy documents such as the Local Transport Plan and is used to cross-check their possible implications for the preparation of the CS and the Sustainability Appraisal.

3.15 I return to detailed questions of consistency later in the report, but, subject to the wording changes contained in my later recommendations, I am satisfied that the CS has been prepared having regard to the general thrust of up-to-date national policies and guidance and that this part of Test 4 is met.

***Test 4c – General Conformity with the Regional Spatial Strategy***

3.16 The test requires that the CS should be in general conformity with the regional spatial strategy. At the time the DPD was submitted for examination the extant RSS was RPG6 "Regional Planning Guidance for East Anglia to 2016" [D14] prepared in the late 1990's and issued in November 2000.

3.17 However during the examination all stakeholders accepted that RPG6 had been overtaken by events. The district is now included within the East of England for which draft guidance was published in 2004 [D4]. The Examination in Public took place in late 2005/early 2006 and the Panel's Report was published in June 2006. Following receipt of the latter the Secretary of State's proposed changes were published in December 2006 [D12]. The Secretary of State published further proposed changes in October 2007 relating to the protection of sites of European or international importance for wildlife [D16]. Publication of the final East of England Plan is expected in Spring 2008 with a late consultation relating to the accommodation needs of Gypsies and Travellers being undertaken at the time this report was drafted.

3.18 Having regard to the soundness test, the CS has been prepared in the context of, and in parallel with, the emerging RSS14 so as to reflect the most up-to-date regional policy. The term RSS used in the DPD refers to the Secretary of State's Draft Revision of December 2006 and not the adopted RPG. In the circumstances this appears to be a sensible approach and is the approach I have followed in this report though relevant references to RSS in the document should make this clearer. I am satisfied that any late changes in the final version of the East of England Plan would not alter the main thrust of its strategic policies likely to bring into question the general consistency of the CS with the RSS.

3.19 The East of England Regional Assembly (EERA) has raised no conformity issues on the CS and has issued a certificate [A22] stating that it considers the submission document to be in general conformity with the Proposed Changes to the draft East of England Plan.

3.20 In later sections I examine in greater detail the housing and employment issues and their relationship to the emerging RSS. However, on the basis of the submitted evidence and the lack of concerted challenge to the main strategic thrust of the CS in relation to focussing development in main settlements and

protecting the countryside and the environment, I conclude that the CS is in general conformity with the emerging RSS. Test 4C is therefore met. For the sake of clarity if the final RSS is issued before the DPD is adopted the Council should omit references in the CS to its 'emerging' status and correct any amended RSS policy references.

***Test 5 – Having regard to the Authority's Community Strategy***

- 3.21 The CS Preferred Options Document [G10] details the relevant community strategies and explains how they informed the drafting of the CS. In particular the North Norfolk Sustainable Community Strategy adopted by the Local Strategic Partnership (LSP) in 2006, resulted from market research to identify the key issues of concern to the people of the area [F15]. The research was undertaken at the same time as the CS consultation on issues and options with the results fed into each other. Both documents can be seen to be well aligned.
- 3.22 The Community Strategy's key aims of providing more affordable housing, developing the local economy to provide better job career and training opportunities, and providing more leisure and recreation opportunities particularly for the young, have thus been incorporated into the CS aims and policies. In addition the LSP have been involved in the preparation of the CS as evidenced in the CS Consultation Statement [A3].
- 3.23 On the basis of the submission document and related evidence, and the lack of any counter evidence, I conclude that the preparation of the CS has had regard to the Authority's Community Strategy and that soundness test 5 is met.

#### **4 Coherence, consistency & effectiveness (Tests 6 – 9)**

***Test 6: Coherence and consistency within and between DPDs prepared by the Council and by neighbouring authorities, where cross boundary issues are relevant.***

- 4.1 Where there are cross border issues the CS recognises them and the evidence base indicates that preparation and resultant policies have sought to ensure consistency with the plans of neighbouring authorities. For example the modest planned growth of the secondary settlements of Hoveton and Stalham rightly acknowledges the need to ensure no adverse effects on the Broads Special Area of Conservation which extends well beyond the district boundary.
- 4.2 The Development Control policies section of the DPD includes a range of policies setting out the detailed considerations against which planning applications that accord with strategic policies will be assessed. PPS12 makes clear that development policies DPDs need to demonstrate consistency with the CS which is the prime document. In examining the DPD as a whole, including consideration of the submitted representations, I have sought to confirm such consistency. Subject to the inclusion of minor wording changes recommended in later parts of this report, I am satisfied that the development control policies would be consistent with the overall thrust of the strategic policies in the CS.
- 4.3 Overall, I conclude that the document as a whole forms a clear and sound basis to steer strategic development choices and to guide the preparation of the forthcoming Site Specific Proposals (ie allocations) DPD as set out in the approved LDS [G19] and to act as a detailed set of development policies in assessing individual planning applications.
- 4.4 The CS has been prepared in the context of a number of background studies which cover the district and, where relevant, the sub region. There has been consultation with neighbouring authorities and regard has been had to neighbouring DPDs in course of preparation. I have found no evidence of inconsistency with either the larger scale studies or with the plans of neighbouring DPDs. Therefore, I am satisfied that this soundness test has been met.

## **THE CORE STRATEGY**

### ***Test 7: The most Appropriate Strategies and Policies?***

- 5.1 In my opinion test 7 is the single most crucial test requiring judgment about the soundness of the DPD as a whole since it brings together the detailed aspects of the other tests into a broad examination of soundness of each of the proposed strategies and policies. Hence at this point I look in detail at the appropriateness of the CS and the DC policies having regard to national and RSS policy and the local representations made, for and against the document as a whole, and individual policies within it.

### ***Spatial Strategy – Policy SS1***

- 5.2 **The key issue is whether the spatial strategy is soundly based on evidence, consistent with RSS and national policy, reflective of community views and is the most appropriate policy having regard to the local circumstances.**
- 5.3 There is widespread support and little serious challenge to the main thrust of the proposed settlement strategy and the associated settlement hierarchy. Together these seek to focus the bulk of necessary development in four Principal and four Secondary Settlements, where possible using previously developed land in sustainable locations with access to a range of jobs and services. The policy aims to steer indicative ranges of total new employment land (75%) and new homes (50%) to the Principal Settlements with lesser proportions (25% and 20% respectively) identified for the Secondary Settlements. The important converse of this approach, as provided in detail by policy SS2, is that development in the countryside will be limited to that which requires a rural location.
- 5.4 However, some criticisms were made, both of the need to distinguish between Principal and Secondary settlements, and of the designations of certain settlements within the identified hierarchy and exclusion of others from it. In respect of the latter, concerns were expressed that the rural protection policy constraining most new development in the smaller rural settlements, beneath the level of the identified service villages, could work against the sustainability of the smaller (ie non-selected) villages and the related need to foster rural regeneration in line with national and regional policy objectives.
- 5.5 In the examination as well as considering all of these arguments in the light of national policy and the emerging RSS policies, I also visited all of the identified settlements with particular attention to places where specific concerns were identified.
- 5.6 In my judgment the general thrust of CS Policy SS1 is consistent with national policy and the emerging RSS policies SS1, SS2, SS4 and SS6. The settlement strategy's generation is evidence based and has properly been the subject of public consultation and

refinement [A3, G2, G10, H8]. I consider that it has been founded on a thorough understanding of the nature and needs of the area.

- 5.7 Consultation responses on housing distribution indicated that the best option for addressing key identified priorities (affordable housing, supporting rural communities and protecting the character of villages) was concentration of new development in existing towns and the larger villages. The approach is consistent with emerging RSS policy SS4 which states that outside the region's Key Centres for Development and Change (none of which are in North Norfolk) development in rural areas should be focussed in selected market towns and thereafter in key service centres. These are places that are well connected and already have a range of facilities and services and in which there would also be environmental benefits in terms of reducing car movement and reliance on private car usage. The CS also recognises that such concentration of development would enable necessary improvements to local infrastructure to be secured through developer contributions.
- 5.8 By distinguishing between Principal and Secondary towns the strategy seeks to focus a greater proportion of the estimated level of development needed during the plan period in the most sustainable and best served places. I acknowledge that the dynamics and interactions between the towns and their various strengths and weaknesses are in practice quite complex. However, in my judgment, as a matter of sustainable planning principle, the identification of settlements with the greatest potential for further growth and the focus of new development therein is sound practice in line with national and regional policy aims. I have not been shown an alternative overall spatial strategy which is sufficiently clearly focussed and demonstrably more appropriate. However, I acknowledge that there is room for legitimate debate about the appropriate classification of towns close to the margins between the main tiers of the hierarchy.

### ***Main Settlements***

- 5.9 The 'Settlement Planning for North Norfolk' study [H8] analysed the main employment areas and travel to work movements to provide information on the function and relationship of the area's settlements and their interrelationships with the aim of minimising travel and promoting optimal self-containment. There are no significant arguments against the resultant designation of the larger towns of Fakenham and North Walsham as Principal Settlements. However, representations were made as to whether the towns of Cromer, Holt and Sheringham had been correctly designated within the designated settlement hierarchy.
- 5.10 For Cromer and Sheringham I have considered the RSS strategic context and the generally rural nature of the district, the Council's evidence, including the range of facilities in each of the towns, and the constraints of the boundaries of the Area of Outstanding Natural Beauty (AONB), and the opportunities afforded by less

environmentally constrained land. I acknowledge that there are some similarities between the two towns which both have major tourist attractions and related economic activity. But in my view the retail function and shopping offer of Cromer is markedly larger and stronger than Sheringham's and the town has greater scope for growth. Having had regard to the district-wide quantum of housing and employment development land required by the emerging RSS, my judgment is that Cromer and Sheringham's classifications, as Principal and Secondary settlements respectively, are generally supported by the evidence, are appropriate and should therefore be supported. I return to the question of each town's shopping centre function later.

- 5.11 It is true that Holt with a 2001 population of 3,350, is smaller than the other Principal Settlements, but the process of designation was not simply a reflection of current size and function. Along with Cromer and Fakenham it is a net importer of workers and offers a good range of services. By comparison with Sheringham and Cromer, Holt is somewhat less constrained by surrounding protected landscape designations and thus it has increased (though not unlimited) scope for both additional housing and employment development, including utility capacity. Furthermore, the Council's analysis has highlighted the extent to which Holt, Sheringham and Cromer have potentially complementary roles and form a linked 'cluster' alongside the north coast. Given the scope for mutually beneficial linkages, especially in relation to employment and the potential for serving employment needs of the Coastal AONB (where significant new development is to be resisted), I consider that Holt's designation as a Principal Settlement, while not overwhelmingly strong, has not been shown to be fundamentally unsound. Therefore I conclude it should be supported.
- 5.12 Hoveton, in some ways a large village, effectively functions as a small service town with the adjoining Wroxham, on the other side of the River Bure in the adjacent district of Broadlands. Importantly, it is served directly by the Bittern railway line which connects a large part of the district to the north with the regional hub of Norwich to the south. In my opinion, given its specialist shopping and tourism service role and its potential to meet some of the development and housing needs of the adjoining Broads Area Hoveton is appropriately designated as a Secondary Settlement.
- 5.13 For similar reasons the specialist roles of Stalham and Wells-next-the-Sea, as tourism gateways, respectively, to the Norfolk Broads and the coastal AONB, and as local retail and service centres, support their designations as Secondary Settlements.
- 5.14 Other more detailed aspects of the development strategy for each of the Principal and Secondary Settlements are considered in the later section in which the individual town strategies are examined (Policies SS7 – SS14).

### ***Service Villages***

- 5.15 I now turn to the Service Villages and Coastal Service Villages. These are a tier of settlements below market towns that could accommodate development of an appropriate scale and nature to meet local housing and employment needs. Policy SS3 indicates the relatively modest scale of housing allocation sites that would be sought through the forthcoming Site Specific Proposals DPD.
- 5.16 I note that the coastal villages were separately identified to indicate their subtly different status and function because of their anticipated role in relation to local re-locational needs related to the threats posed by coastal erosion and flood risk. This is considered fully within the DC policies section, in particular in relation to policies EN10, EN11 and EN12. In my view the need for their separate distinction within the overall settlement hierarchy is not very clearly justified. However, the villages do perform a service settlement function and insofar as it sets the scene for a different policy in relation to how these identified settlements may develop in response to the threat of coastal erosion, I am content that the overall Service Village level of the hierarchy remains sound even with the added description.
- 5.17 More generally a number of representations queried the restrictive range of villages chosen and the need to limit the growth of smaller (non-selected) villages but which still enjoyed a range of facilities. The concern was on the basis that the level of services and the long term viability of the settlements could decline if some growth was not permitted. Others resisted selection because they did not wish to see the character of the settlement harmed by additional development, particularly if it was unrelated to local needs.
- 5.18 Questions were also raised as to how robust had been the analysis informing the strategy and the choice of settlements. In this regard I note that paragraph 3.18 of the explanatory text to emerging RSS policy SS4 states that "Key service centres" are large villages with a good level of services which might include a range of services including a primary school in settlements and a secondary school easily accessible by public transport, primary health care facilities, a range of retail and service provision capable of meeting day-to-day needs, local employment opportunities and frequent public transport to higher order settlements.
- 5.19 In my view this definition enables a degree of discretion to be exercised at the local level, but the overall aim and intent is clear in that informed choices need to be made as to the status of particular settlements and their potential for future growth and development.
- 5.20 The Council's Service Village Methodology is set out in the submitted Sustainability Appraisal [A2]. It noted that very few villages in the district meet the regional description of key service centres but it sought to develop an appropriate selection methodology. This involved a three stage process looking at the eighty odd villages identified in the current local plan against the main elements of what in RSS terms would be somewhat lower

order service villages. In stages 1 and 2 it paid particular regard to the presence of a local school and the County Council's level of support for public transport services. The third stage focussed on 30 villages looking at the range of local facilities, including local convenience shopping, and the existence of local employment opportunities.

- 5.21 Concerns were expressed that seven of the selected Service Villages lacked any primary health care facility and were thus inconsistent with emerging RSS and should be de-selected on the grounds of not providing an adequate range of service provision. (Catfield, Corpusty & Saxthorpe, Southrepps, Little Snoring, Roughton, Overstrand, and Weybourne).
- 5.22 However, the list of facilities in the RSS is illustrative and not mandatory or prescriptive. I accept that its over rigid application in the North Norfolk context would leave large areas of the district's rural hinterland without access to a designated local centre. Despite some of their apparent deficiencies these villages contain real communities and do act as local centres for the surrounding (and extensive) rural areas. Their identification has the policy effect that they are then considered suitable locations for a modest quantum of additional housing which can help meet rural affordable housing needs while also making some contribution to safeguarding local employment opportunities and providing a framework for other public planning such as local school development. The precise extent of any additional housing would fall to be considered within the Site Specific Proposals DPD plan making process which follows after the CS DPD adoption albeit that the maxima in any one village would be controlled by policy SS3. In my judgment having regard to the deeply rural nature of much of the district the policy is not deficient in this regard.
- 5.23 Issues in relation to a number of other individual settlements are addressed briefly below.
- 5.24 **Aldborough:** It was suggested that the lack of a journey to work public transport service should disqualify the village as a service settlement. However, the Sustainability Appraisal Service Village Methodology [A2, p29 and Appendix I] shows that Aldborough has a good range of services including a doctor's surgery. The lack of a commuting service is not critical in my view.
- 5.25 As to whether the provision of extra affordable housing could be easily assimilated in a village which had struggled to adjust to a previous affordable housing estate, PPS3 makes clear that the government's strategic aim is to create sustainable, inclusive and mixed communities in all areas. I consider later the tenure mix of affordable housing under policy HO1-3, but I see no reason for rejecting the settlement's selection on this ground. The Conservation Area status of much of the village and its surroundings should help to ensure that the scale and design of new development is in character with the village.

- 5.26 **Catfield:** As to whether the risk of flooding was such that Catfield should not be identified as a Service Village since additional development would be at risk, the EA Flood Zone Maps show extensive open areas to the north and east lying within Flood Zones 2 and 3, but the village itself, and the access road to and from the south, is on somewhat higher ground. Any new development planned would have to satisfy the fairly stringent policy requirements of policy EN10 which is based on the EA criteria and supported by the Agency. The topic should be kept under review so that should the situation change materially the village's designation could be re-visited if necessary as part of the forthcoming Site Specific DPD plan making process. The village meets the required level of services and has a large employment area. On the current evidence base, I see no good reason to delete Catfield from the list of designated Service Villages.
- 5.27 **Sculthorpe Village:** The suggestion arose that the village was sustainably located in relation to Fakenham and that, because of its loose knit linear form, it could reasonably be developed further to assist in the planned delivery of additional housing for the town.
- 5.28 The village has very few facilities to qualify as a service village having regard to the spatial planning methodology used across the district. Moreover, further residential development on any scale here could confuse, and potentially slow down, the delivery of the planned northerly extension at Fakenham which would be more likely to deliver a greater proportion of affordable housing. I conclude the change sought would make the plan unsound.
- 5.29 **Sculthorpe former Airbase:** The 'village' lies adjacent to the former Sculthorpe Airbase in open countryside about 8km west of the centre of Fakenham. The base itself is now redundant and the former technical area is subject to limited commercial use and is the subject of DC policy EC4 which is discussed later.
- 5.30 The issue arose as to whether the de-selection of the former living quarters, following its inclusion at an earlier stage of plan making, represented an arbitrary misapplication of the selection methodology, as the local shop had been mistakenly recorded even though it was closed at the time of the survey.
- 5.31 I saw the significant number (approximately 340) of dwellings in Blenheim Park and Wicken Green, and the large school complex, together with the social club, the former convenience shop, and the extensive areas of previously developed land adjoining. I have some sympathy with the view that, seen as a whole, there is a need to plan for a more positive future than might otherwise apply to a non-selected village. It is also not clear as to whether the Council's approach to settlement selection has had regard to the close proximity and potential complementary nature of Syderstone, the adjoining small village to the west which lies within the Kings Lynn and West Norfolk administrative area.

- 5.32 In the absence of clear evidence to the contrary I am satisfied that the non-selection of the housing areas as a service village is consistent with the settlement hierarchy methodology applied across the district. Hence I am not persuaded that this part of the plan is "unsound" for strategic purposes. Nevertheless, I am less than convinced that it will lead to sustainable planning of the Blenheim Park/Wicken Green and adjoining Tattersett business park as a whole. Consequently, I revisit this later in considering policy EC4 relating to Redundant Defence Establishments.
- 5.33 **Southrepps:** The main part of Southrepps is separated by open countryside from the outlying Lower Southrepps, where the village school is located. However, as the other village facilities are all in the main village I see no compelling reason to allow additional dwellings away from the main facilities which would be the effect of extending the settlement designation.

### ***Rural Villages***

- 5.34 The remaining non-selected villages are classified as 'Countryside' where development such as agriculture, recreation and tourism, community facilities, reuse of existing buildings, renewable energy projects and affordable housing may be permitted. Such development would conform with policy SS4 of the emerging RSS. The question of whether there should be scope for some additional market housing development in the non-selected villages is examined as part of policy SS2 which follows.

### ***Overall Conclusion on Policy SS1***

- 5.35 In my view the submitted DPD has been prepared on a generally sound evidence base and the methodology is a robust and reasonable approach to the need to focus new development in sustainable locations as required by national and RSS policy. I conclude, on balance, that the identification of the selected Key Settlements and the specification of the broad scale of related development potential, represents the most appropriate strategy.
- 5.36 During the public examination sessions the Council agreed that the submission version of the Key Diagram did not need to refer to the scale of any greenfield release by reference to the Primary or Secondary status of the settlement in the hierarchy. Since this implies something which is not in the policy itself I agree.
- 5.37 Subject to this change (MM18), and a very minor word change to clarify that both Little and Great Walsingham form part of one identified Service Village in that part of the District (and a consequential re-titling of the Key Diagram) (MM16&17), I conclude that Policy SS1 meets Test 7 and is sound in that regard.

### ***Development in the Countryside – Policy SS2***

- 5.38 **The key issue is whether the restrictive policy approach to development in the Countryside (including in non-selected settlements) is overly restrictive and the most appropriate policy having regard to the local circumstances.**
- 5.39 Reference has already been made to the complementary role played by this policy in relation to SS1 and the concerns of some communities have already been touched on above. In particular a number of parishes and individuals have sought to press the case for modest controlled housing development to be permitted in what they describe as "de-selected" villages that would now be classified as Countryside. The point they make is that small villages need some scope for modest evolutionary change if they are to adapt to changing circumstances, maintain existing local services and survive as living communities.
- 5.40 Having seen elsewhere the decline of some villages as living and working communities, and their effective transition to remote dormitory suburbs, I have some sympathy with this view. However, as discussed above the settlement selection methodology used is a robust and in my view fair way of selecting the Service Villages and is broadly consistent with regional guidance. The non-selected villages are in generally less sustainable and more remote locations and lack convenient access to a variety of services and facilities by means other than the car. In most cases the liberal introduction of new market housing would not be consistent with national policy guidance in PPS3 and PPS7 or with emerging RSS policy. Such development could also harm the established rural character of smaller villages. While the provision of affordable housing to meet local needs would be permitted in appropriate cases, in my view new speculative market housing should be restricted to prevent dispersed dwellings leading to a dependency on travel by car to reach basic services. Overall I have seen no firm evidence to suggest that the policy is not sound in its submitted form.
- 5.41 Monitoring of the DPD policies will reveal the extent to which the selected settlements are meeting the plan's delivery targets and trajectory for both market and affordable housing. If, over time, there is a demonstrable short fall in delivery of either type then the case for reviewing the housing supply potential of the more sustainably located of the non-selected villages could become stronger. However, in my view the overriding policy imperative is rightly to focus the pressure for new development on the selected settlements. To do otherwise would confuse the objective and run the risk of harming the delivery of the most sustainable development.
- 5.42 A further sub issue was whether the policy should permit the residential conversion of redundant rural buildings. My reading is that the CS does not rule this out in particular circumstances and hence in my view is not a strategic matter. However, I consider the issue in the later section dealing with DC Policy HO9.

- 5.43 As to whether the policy should include extensions to existing rurally located businesses in the list of permissible development in the Countryside, DC Policy EC3 provides that extensions to such businesses will be permitted where it is of an appropriate scale and would not harm the character of the area. This would be consistent with PPS7 para 5(ii) and thus I support its inclusion by incorporation of MM126.
- 5.44 For the above reasons subject to the above change, I consider that Policy SS2's balance between protecting the countryside and enabling necessary development is the most appropriate having regard to local circumstances.

### ***Housing – Policy SS3***

- 5.45 **The main issue is whether the Core Strategy is capable of delivering the planned requirement for new housing having regard to timing, distribution and the identified housing needs of the area.**
- 5.46 In this section I concentrate on the overriding strategic policies. Related DC policies (such as affordable housing and dwelling mix) are considered more fully in the later section.

#### **Background**

- 5.47 PPS3 makes clear that the government's key housing policy is to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live. This includes improving affordability across the housing market, including by increasing the supply of housing, and creating sustainable, inclusive and mixed communities in both urban and rural areas. These aims are reflected in the emerging RSS.
- 5.48 In line with national guidance, preparation of this element of the CS was informed, among other evidence, by a sub-regional Strategic Housing Market Assessment [H12] and, as part of that wider study, a district wide Housing Needs Study [H3]. At the sub-regional level distinct housing market gaps in the notion of a balanced housing ladder were identified, including a high demand for affordable housing which had not been satisfied in recent years. This was driven by a combination of inward migration, often for retirement, second home ownership and relatively low average family incomes by comparison with the cost of both new build and second hand housing.
- 5.49 While the district faces high levels of demand and need for new housing, the RSS recognises that the area should be one of relative constraint owing to its attractive environment, its location, the appeal of the area for retirement immigration, and the likelihood that high levels of growth would result in an increase in unsustainable commuting. Thus the Core Strategy attempts to strike a balance between meeting the need for additional housing,

safeguarding the quality of the local environment and securing sustainable development with particular reference to transport options.

- 5.50 In the adopted local plan there were no housing allocations and the supply of housing was entirely reliant on windfalls. Despite this the Council's evidence indicates that since 1995 the district has delivered new housing broadly in line with the approved Structure Plan and adopted Local Plan expectations. However, the annual average dwelling completion rate of 381 pa over the last ten years has seen a falling trend over the last 3 years.

### **The Housing Numbers Required**

- 5.51 The detailed background to proposed Policy SS3 is set out in 'Background Paper No 1: Housing' [A10]. This provides evidence of the three main constituents of the provision: dwelling completions, existing commitments and proposed allocations. The analysis is based on a broad raft of submitted evidence documents including the Urban Capacity Study for North Norfolk 2005 [F14], the Housing Land Availability Report 2007 [F17] and the North Norfolk Housing Needs Study [H3i].
- 5.52 There is no serious challenge to the nature and quality of the data or of the Council's general conclusions drawn from these documents. Having closely scrutinised these documents I consider that they form a sound basis for forward planning purposes.
- 5.53 The plan period runs from April 2001 to March 2021. Some 6,400 dwelling units were originally proposed in the (February '04) Draft East of England Plan [D15]. But the Council considered that this would be insufficient to help address the district's housing needs, with particular reference to meeting the pressing need for affordable housing<sup>2</sup>. Consequently, following Council led representations, accepted and recommended by the EIP panel, this was increased by the Secretary of State. As a result Policy H1 of the emerging RSS [D16] now requires that the district delivers a total of 'at least' 8,000 dwellings, equivalent to an average rate of at least 400 per annum. Policy SS3 takes this as its starting point.

### **Dwelling Completions**

- 5.54 Monitoring data indicates that in the first 6 years of the plan period (to April '07) a total of 2,062 dwellings units have already been built, a rate of about 344 per annum. If the increased RSS minimum total is to be delivered the CS accepts that development rates need to accelerate significantly during the balance of the plan period. Policy SS3 aims to achieve such accelerated delivery as shown in the Housing Trajectory at CS Figure 4.1. Thus to meet the 8,000 unit total the residual requirement is 5,938 representing an annual average of about 430 units for each remaining year. The trajectory shows projected delivery in excess of 9,000 dwellings by

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<sup>2</sup> as confirmed by the sub-regional (REAP) Strategic Market Housing Assessment 2007 - [H11]

2021 from a combined supply comprising commitments, allocations and windfalls (for which see later paragraphs).

### **Existing commitments**

- 5.55 At April 2007 the five year deliverable housing supply, including dwellings under construction and sites with planning permission, was 1,976 dwelling units against a gross requirement of 2,120 [F18], equivalent to 4.7 years' worth of supply. This represents a very slight shortfall over the five year deliverable supply anticipated in PPS3. However, given the relatively recent increase in the RSS requirement over historic levels of supply, the environmental restraints of large parts of the area, and the plan's scope for accelerated delivery in later years, the modest shortfall is not of great moment.
- 5.56 Nevertheless, there is a clear need to monitor the grant of new permissions, commencements and completions to help ensure that a five year deliverable supply is reached as soon as possible, and maintained thereafter. Indicators in Table 4.4 of the CS's Monitoring section of the DPD and the Council's Annual Monitoring Report would provide an appropriate mechanism for reviewing progress. Timely adoption of the CS itself will enable the Council to progress the additional housing delivery in the later years of the period including by allocating housing sites through the mechanism of the forthcoming Site Specific Proposals DPD.
- 5.57 The policy table indicates that a total provision of 9,488 is anticipated, of which the policy text anticipates that at least 8,000 dwellings will be built between 2001 and 2021 with development rates continuing at annual average rates for at least three years thereafter. Subject to my earlier comments, and on paper at least, this would ensure that the strategy includes a 5, 10 and 15 year housing supply following the anticipated date of adoption of the CS (Summer 2008), broadly in line with the expectations in PPS3.

### **Planned provision – Allocations and Windfalls**

- 5.58 However, within the gross figures I have considered whether the housing strategy's apparent partial reliance on windfalls as part of overall supply is in line with guidance in PPS3, and if not whether the level of allocations is too low and should be increased.
- 5.59 Paragraph 54 of PPS3 makes clear that LPAs should identify sufficient specific deliverable sites to deliver housing in the first five years while paragraph 55 states that they should also identify a further supply of specific, deliverable sites for years 6-10 and, where possible, for years 11-15, or failing the latter broad locations for future growth. Paragraph 58 states that in determining the land requirement LPA's should not include sites for which they have granted planning permission unless evidence shows that they are deliverable and likely to contribute to delivery at the point envisaged, while paragraph 59 states that allowances for windfalls should not be included in the first 10 years of land supply unless

LPAs can provide robust evidence of genuine local circumstances that prevent specific sites being identified in which case a realistic allowance should be included.

- 5.60 At face value the CS's overall projected supply, as shown in the SS3 table, includes a significant element of both planning permissions and windfalls and thus appears to be at odds with national policy as expressed in PPS3.
- 5.61 However, both in its (successful) representations for more housing to the RSS EIP, and in its preparatory work on the CS, the Council has recognised that it needs to be more proactive in identifying housing development opportunities through the LDF. The Council's 2005 Urban Capacity Study (UCS) [F14] was prepared under guidance in the former PPG3, but nevertheless sought to follow best practice available at the time, including the then PPG3 practice guide 'Tapping the Potential' .
- 5.62 The survey of the largest 10 settlements looked to identify specific sites capable of accommodating five or more dwellings not benefiting from planning permission at the time as listed in the study's Appendix 1. (As a separate exercise a later part of the study also examined the potential of smaller sites of up to four dwellings to accommodate additional housing).
- 5.63 In line with practice guidance a full range of sources of capacity was appraised including the subdivision of existing housing, spaces over shops and other commercial premises, empty homes, previously developed vacant and derelict land and buildings, intensification (non-garden and garden sites) and so forth. Unconstrained capacity was estimated on the basis of a density multiplier of 30 dwellings per hectare (dph) and the sites were also appraised for developability (ownership intentions and infrastructure capacity), market viability, public transport accessibility, distance to settlement centre, local character, and planning policies and standards. This resulted in the identification of a total of 893 dwellings in the ten largest settlements. When assessed against the then target housing requirement of 6,400 this indicated a very modest shortfall of 96, effectively representing the need for new land allocations on greenfield sites across the district.
- 5.64 Once the emerging RSS had agreed to the requested increase in the target total to 8,000 the need to bring forward additional allocated sites was brought into focus. Accordingly the Core Strategy has sought to increase the amount of allocated housing sites by proposing greenfield sites to be located broadly in line with the settlement hierarchy. Individual sites were appraised by the preliminary preparation of (and consultation on) the Site Specific Proposals DPD Preferred Options Document [G15] and its associated Sustainability Appraisal [G16]. While several potential allocations will be relatively straightforward (eg Fakenham), this exercise has provided robust evidence that in some settlements (eg Comer, Sheringham, Holt) the constraints of the AONB, other

landscape designations and material bio-diversity constraints, coupled with the limited in-settlement opportunities, in practice make a more generous allocation of sites very difficult to achieve and possibly contrary to other key aims. The evidence in the Site Specific Proposals Preferred Options SA [G16] shows that sustainably located sites likely to be environmentally acceptable are in very short supply.

- 5.65 Having regard to deliverability in general terms the service providers indicated that they are now reviewing their strategic investment planning at sub-regional level to incorporate emerging RSS and LDF requirements, and that the adoption of realistic Core Strategy and Site Allocation DPDs would enable them to plan their provision so as to meet the future likely demands, as envisaged in SS3, in timely fashion.
- 5.66 As I have indicated above, in the interests of greater certainty of delivery PPS3 generally eschews the use of windfall allowances in the first 10 years of supply. The CS is not on all fours with the main thrust of this advice and hence, if the plan making process was starting now, it might well be deemed to be unsound.
- 5.67 However, the Council's evidence, including the high number of unimplemented planning permissions, the UCS and the Five Year Land Supply Statement, provide robust evidence that windfalls have continued to deliver housing units at a steady rate for many years and seem likely to continue to do so without material harm to the area's significant environmental constraints. In doing so they have helped to deliver sustainable development, provide necessary housing and meet national targets on the use of previously developed land. In the last six years 78% of all dwelling completions have been located in one of the proposed Selected Settlements despite the fact that the adopted local plan contained no housing allocations. Moreover, the CS is proposing the removal of development boundaries from 61 rural settlements. Thereafter, in line with PPS3 and PPS7 those villages would be regarded as unsuitable locations for new housing development other than for the provision of affordable housing to meet local needs. The Council's methodology applies a 50% discount to the historic rate within the Selected Settlements and would assume a significant slow down in the historic level of windfall delivery. Given the scope for increased density of development (which I consider later) I agree with the Council that if anything their assumption would represent a conservative estimate of likely rates of windfall development.
- 5.68 If the real and tangible environmental limits of the district's several towns, constrained as they are by national and regional landscape and other natural and heritage designations, are to be respected, while significant new infrastructure investment is also to be planned and delivered, in my view the inclusion of a realistic windfall delivery estimate in the light of the identified local circumstances would ensure a continuing and welcome supply of new housing and

justify a departure from the PPS3 norm in this regard. In my judgment this would be fully in line with the qualifications allowing such an approach contained in paragraph 59.

- 5.69 Conversely, the suggested alternative of increasing the allocations for the selected towns at this late stage in the forward planning process would require a revised Sustainability Appraisal and additional round of public consultation in which environmental interests, generally supportive of the CS in its present form, would no doubt press the case for a precautionary approach. On the robust evidence available it is not clear or certain that significant increases in allocations in the selected settlements could easily be accommodated without significantly breaching environmental limits. In short it may not lead to increased delivery and could actually slow down delivery which might otherwise have taken place.
- 5.70 Since this type of development will continue to come forward in any event, and since it makes a positive contribution to meeting the RSS policy SS2 target of 60% of development to be on previously developed land, I conclude that in the very particular local circumstances of this largely rural and environmentally constrained district, it is more transparent, clearer and in the interests of achieving sustainable development for the windfall column in the policy SS3 table to remain. It follows that there is no overriding need to revise the allocated numbers upwards.
- 5.71 However, the Council will need to monitor closely the identification and delivery of allocated sites and the related provision of affordable housing so that any significant slippage in actual delivery can be subjected to a local review of the policy with a view to identifying additional, acceptable sites for allocation having full regard to the advice in PPS3 on the urgent need to maintain a continuing supply of new dwellings.
- 5.72 In my judgment, on balance, the achievement of the outcomes shown in the SS3 table should at least meet the RSS requirement during the plan period and may possibly exceed it. Providing such over-achievement was in sustainable locations and helped to meet identified housing need the latter outcome would not be inconsistent with government policy in PPS3 and the emerging RSS and would echo the Council's own aims in this regard.

### **Geographical distribution of new housing**

- 5.73 The numbers of dwellings already built and those committed (ie with planning permission at April 07) are shown by reference to their location in the Principal and Secondary Settlements and the Service Villages (as well as the non-Service Villages where market housing provision would be effectively stopped post adoption). This provides settlement and settlement type subs-totals giving a clear indication of the locational pattern of new housing to be built. The sub-totals properly reflect the relative emphasis placed on the main settlements in the Spatial Strategy SS1 and the various individual town strategies SS7 – SS14.

### **Overall Conclusion**

- 5.74 Given the number of dwellings already built and committed, and making a justifiable allowance for future windfall development in the selected settlements at a reduced rate, the policy should lead, via the forthcoming Site Specific Proposals DPD, to the allocation of sufficient land to accommodate 3,400 new dwellings. Including the windfalls, rural housing and conversion estimates at least 8,000 dwellings would be likely to be constructed during the plan period in line with the requirements of the emerging RSS.

### **Other Minor Modifications**

- 5.75 During the examination the Council proposed a number of modifications to clarify and explain parts of policy SS3 and justifying text. These included MM24 which seeks to clarify that sites would be released in order to ensure a consistent delivery of housing during the plan period. In my view neither MM24 nor any of the other changes would alter the thrust of the policy, but they would add clarity and improved explanation. I consider that they can be included without the need for additional publicity or revisions to the SA. I conclude, therefore, that the suggested changes should be made.

### ***Environment – Policy SS4***

- 5.76 **The main issue is whether the Strategy is founded on a secure evidence base and is sufficiently sound and flexible to protect the environment while enabling sustainable development and addressing the impact of climate change?**
- 5.77 In line with national guidance in PPS7 and 9, emerging RSS policies (ENV2 and ENV3) aim to ensure that the region's nationally defined countryside characteristics and its biodiversity, earth heritage and natural resources are protected and enhanced through the conservation, restoration and re-establishment of key resources. The RSS aims for all subsidiary plans to provide the strongest level of protection to internationally and nationally designated sites and to ensure that development does not harm the integrity of sites of European or international importance for nature conservation.
- 5.78 Consistent with this approach CS Policy SS4 aims to provide an over-arching framework to conserve and enhance the district's considerable natural and built environmental assets, while ensuring that development proposals contribute to the delivery of sustainable development. With respect to the latter, it aims to respond positively to the need to reduce carbon emissions and to adapt to ongoing climate change, including by minimising risks associated with coastal erosion and flooding. Where there is no conflict with biodiversity interests, public enjoyment and use of the natural environment is encouraged. Proposed DC policies EN1 to EN13 collectively seek to give more detailed mechanisms to control new development in line with the strategic policy's aims.

- 5.79 The strategy has been informed by the presence of the North Coast AONB designation (and related Management Plan 2004-2009 [E26]), The Broads and its Management Plan [E19] and the North Norfolk Coast Special Protection Area (SPA) among a wide range of natural and built environment designations whose intrinsic qualities are expected to be protected and where possible enhanced. The substantial evidence base also includes a draft Landscape Character Assessment [G7] and Ecological Network Maps [E14 and CS Appendix B].

### **Landscape Areas**

- 5.80 The former identifies distinctive landscape character types and incorporates biodiversity and historic landscape features and is to be used to help implement the related DC policy EN2. Concern was expressed at the draft status of the document and whether it provided a sufficiently rigorous and detailed analysis in which to base the Core Strategy and related DC policies.
- 5.81 Ideally, a completed landscape appraisal would have been preferable, but I note that the LCA has more recently been revised in partnership with neighbouring authorities and will be subject to consultation with interested parties during 2008. There is no detailed evidence to indicate that the identification of the key areas or the strategic policy itself is unsound. Since the detailed appraisal of development schemes will be informed by the subsequently amended LCA document, and related guidance for the Norfolk Coast AONB, I am satisfied that sufficient detailed knowledge will be in place properly to guide the implementation of the strategy and policy EN2.

### **Biodiversity**

- 5.82 The Ecological Network Maps were prepared by the Norfolk Wildlife Trust and Norfolk Biodiversity Partnership and identify core areas for bio-diversity where protection, enhancement and expansion of the existing resource will be a priority. There is no counter evidence to indicate that the analysis is deficient and hence I conclude that the strategic policy is sound in this regard.

### **Other environmental policy aims**

- 5.83 The policy also seeks: to support renewable energy proposal where impacts on amenity, wildlife and landscape are acceptable; to ensure new development includes open space and high quality landscaping and enables access to the countryside; to conserve and enhance the local distinctiveness of the built environment and public realm through the protection of buildings and structures. In my judgment these parts of the policy are founded on a sound evidence base and are consistent with national and emerging RSS policy.

### **Flood Risk and Coastal Erosion**

- 5.84 In line with national policy in PPS25 and emerging RSS policy WAT4, the strategic policy also seeks to balance the general aim of protecting the area's environmental assets with the need to address significant climate change impacts, including by minimising the exposure of people and property to the risks of coastal erosion and flooding. Both the strategic and DC policies EN10-12 have taken account of the flood zones included in the Environment Agency flood maps and a sub-regional Stage 1 Strategic Flood Risk Assessment (SFRA)[H10]. The SFRA refines the EA flood zones and takes account of future climate change impacts, such as rising sea levels, and related strategies such as the Broadlands Rivers Catchment Flood Management Plan [C28] and the two Shoreline Management Plans [E1 & E6].
- 5.85 Concern was expressed that related and detailed DC policies had been put forward on the assumption that the second of these two (E6 and E6i as revised) relating to Sub cell 3b to the east of Kelling Hard, including the 'cliffed' coastal frontage shown on the Key Diagram from east of Sheringham to south of Happisburgh, would be adopted when the document was still in the process of finalisation, and hence was premature. I address the detailed questions arising from these representations, including the likely severity of the risks, the timeframe of their likely impact, and the appropriate form of policy protection, under consideration of the more detailed DC policies EN10 – EN12 which seek to address the affected areas, later in the report.
- 5.86 However, for the purposes of strategic policy, I am satisfied that the aims and overall thrust of SS4, including the identification of the areas of the coast at risk and the general advisability of avoiding new development in areas at risk of flooding or erosion (ie the identified 'at risk' parts of the coast), are fully consistent with national guidance and emerging RSS. I conclude, too, that the policy is founded on a secure evidence base and is sufficiently sound and flexible to protect the environment and address the impact of climate change while securing sustainable development.

#### **Minor Modifications**

- 5.87 In response to detailed representations, the Council suggested some minor text changes to the explanatory text which I consider would add clarity without altering the policy in any material way. The addition of a sentence to the policy itself, giving encouragement to the use of Sustainable Drainage Systems (SuDS), to help reduce flood risk, was sought by the Environment Agency (MM29). The promotion of such systems is actively encouraged by PPS1 and PPS25 and hence the change would encourage developing best practice without requiring public consultation or review of the Sustainability Appraisal. I recommend accordingly.
- 5.88 MM26 proposes the removal of explanatory map 2.2 with the various environmental designations shown therein to be shown on

the Proposals Map. I agree that the detailed information required to operate the strategic and related DC policies would be most accurately and properly conveyed by inclusion on the OS based Proposals Map derived from the DC policies and hence I agree to the suggested deletion of Map 2.2 from the document in the interests of clarity.

### ***Economy – Policy SS5***

**5.89 The main issues are whether the policy is: founded on a sound evidence base; responsive to local economic and employment needs; consistent with emerging RSS; and the most appropriate strategic policy in all the circumstances?**

#### **Economic Background**

5.90 As a largely rural area some distance from major urban centres the district has a relatively narrow economic base with a spread of employment in the agricultural, manufacturing, tourism and social care sectors. Unemployment rates are low, but there is a seasonal dimension to employment in the labour market and, in terms of choice and quality, job opportunities are limited. With a large retired resident population, and a tendency for young people to leave the district for job choice and cheaper housing, the Council and its community stakeholders aspire to broaden the economy in order to offer a wider choice of job opportunities and achieve a more balanced economy and population. Parts of the district need, and are keen to foster, economic and associated physical regeneration, while the agricultural, marine and tourism sectors have experienced considerable structural changes which continue.

5.91 The plan's strategic aim is to ensure that as many people as possible will have access to good quality, well paid jobs which are close to where they live while also protecting the quality of the countryside.

#### **The Evidence Base**

5.92 The strategy is founded on a broad raft of economic appraisal documents covering a range of sub-topics. These include the North Norfolk Economic Development Strategy, 2003 [F2], the Norfolk Employment Study, 2005 [E10], a Rural Economy Study, 2005 [H6], a Settlement Planning/Travel to Work Analysis, 2005 [H8], Employment Land in N Norfolk, 2006 & 2007 update [G11 & G12]; the Tourism Sector Study, 2005 [E28], and N Norfolk Retail & Commercial Leisure Study 2005 [H5].

5.93 Collectively these provide a comprehensive picture of the local economy and the identifiable socio-economic trends at play relevant to spatial planning and the encouragement of sustainable development. While representors have raised points of detail in relation to a range of economic and employment topics, I have discerned no concerted criticism of the underlying analysis underpinning the CS's policy overall aims and objectives. In

summary, these are: to promote the diversification and development of a more balanced local economy, allowing businesses to succeed and providing a wide variety of job opportunities for the resident population in accessible locations within the three distinct job search/employment areas (East, Central and West) identified by the analyses.

- 5.94 The analysis supports the Council's view that much of the forecast growth in employment is likely to occur in sectors which do not require the provision of employment land in conventional industrial locations. However, the strategy does recognise the long term nature of employment needs and trends, and seeks as far as possible to ensure a flow of available sites and to protect the existing sites in the most sustainable locations.
- 5.95 I conclude that in general terms the strategic policy SS4 is founded on a sound, comprehensive and credible evidence base which serves as a good foundation for the generation of policy options in the various economic and employment sectors active in the district while also responding to the needs of differing geographical areas.

#### **Emerging RSS Economic & Employment Policy**

- 5.96 Policy E1 of the emerging RSS East of England Plan [D16] includes an indicative jobs growth target in North Norfolk of 4,000 extra jobs by 2021 and requires that LDDs should enable delivery of this target. RSS Policy E2 also requires that LDDs should ensure the identification, allocation, safeguarding and/or protection of sites and premises to meet all sectoral requirements to meet Policy's E1 growth targets.

#### **Future jobs**

- 5.97 CS Policy SS5 states that at least 4,000 additional jobs will be provided between 2001 and 2021. It envisages the jobs growth across the various sectors, including by the designation of existing employment land in the Principal and Secondary Settlements and some Service Villages and by the allocation of new sites to increase the choice of sites and to achieve a more sustainable balance of jobs and homes.

#### **Distribution of jobs**

- 5.98 The table in CS policy SS5 indicates the distribution of protected and yet to be allocated employment land by sub-area and main settlements. In general terms the policy is consistent with the emerging RSS. Its generation was informed by an assessment of the existing supply and likely demand for employment land in each place having regard to the quantities and types of land developed and/or used over the preceding decade [G11, G12]. I am satisfied that this provides a sound evidence base in line with published national guidance on undertaking employment land reviews[C8].
- 5.99 A modification proposed by the Council in the interests of clarity (MM 92) would delete two of the columns showing: (a) existing

designations/levels of vacancy; and (b) the overall approach and change in supply. At first glance this seems to remove useful information, especially in relation to the balance of land to be sought in each of the main settlements.

5.100 However, the net changes in the plan period (ie both additions and reductions) shown in the second column are contained in the CS individual settlement strategies following later. In these circumstances I accept that the information in the columns was essentially background information originally included for consultation purposes and which is no longer directly relevant to the plan policy itself. I recommend accordingly and I comment later, under the town strategies, on the employment land balance proposed to be struck in each place.

5.101 At the strategic level I consider that the general distribution of employment land to be protected and allocated in the forthcoming Site Specific Proposals DPD as shown in Policy SS5 is consistent with the aims of emerging RSS and the plan's own core aims.

5.102 Detailed concerns were expressed and a wide debate ensued as to whether the plan was proposing the right balance of population, jobs and employment land in a range of settlements on which I comment briefly as follows.

#### **The East of the District**

5.103 **North Walsham:** The town has recently experienced major reductions in manufacturing jobs, factory closures and considerable demolitions. However, in part its relative proximity to Norwich affects the demand for local employment and the viability of new commercial development. The town also has significant areas of available brownfield and greenfield sites, some of which are only just becoming available.

5.104 On the submitted evidence, including considerable vacant and longstanding allocations (which I acknowledge have been faced with genuine delivery problems), major new allocations are not presently warranted in my view. Indeed, slow historic land take-up and the difficulties of HGV access caused by the town's railway bridges, lend weight to the strategy's proposed overall reduction in employment land allocated related to infrastructure provision no longer planned. Nevertheless, take up of employment land and the provision of new jobs will need to be monitored so that the policy can be reviewed if there is clear evidence that employment has grown and that additional employment land is in fact needed during the later part of the plan period.

5.105 However, given the planned growth in housing numbers and the generally agreed need to enable local businesses to expand, I consider that the plan rightly seeks to retain a choice of suitable development sites to meet medium term needs, including by resisting changes from employment use where the land and premises remain suitable for such uses. This may require flexible

implementation of the strategy at site-specific level to aid project viability in the recycling of redundant land and premises, an aim which is generally supported by all parties.

- 5.106 Subject to such flexible and sensitive implementation, including the encouragement of mixed use development on appropriate sites, I consider that the strategy can provide a sound framework for the balanced delivery of compatible uses aimed, in the first instance, at economic regeneration and associated benefits to the town. Thus I recommend no change to the thrust of this aspect of the plan.
- 5.107 **Stalham:** The town has a relatively small number of local jobs and only limited new housing is proposed. In the absence of any spare employment land I consider that a modest addition to provide a total of 5 hectares is warranted and appropriate.
- 5.108 **Hoveton:** This Secondary Settlement has only limited employment land, but the proximity of Norwich and the ease of outward commuting facilitated by the Bittern railway line acts as a discouragement to inward investment. Given this, and its healthy level of tourism and related service jobs, I agree with the Council that no further employment land allocation is warranted.
- 5.109 **Coltishall:** The closure of the RAF base here has been the major element in a significant loss of defence sector jobs in recent years. The base has not been identified as a settlement, and hence no new housing growth is planned. But representations were made as to whether there was enough flexibility in the Strategy and the related DC policy EC4 to maximise the development potential the base offered. I deal with this area specific issue in the following section.

### **The Centre of the District**

- 5.110 **Cromer:** There are a few small vacant employment sites remaining off Holt Road but few current opportunities to add to these due to environmental constraints and the need to preserve the attractiveness of the town as a key tourism and services destination. For that reason I accept the importance of retaining the existing 20 hectares of employment land in the town but recognise the genuinely limited options for adding to it in an environmentally sustainable way.
- 5.111 **Holt:** The town's architectural heritage and quality shopping services are major attractions and its distinctive character is further reinforced by the presence of Gresham's public school and the Kelling Hospital. Collectively these help to underpin the strength of this part of the local economy. The town is a net 'importer' of employees from surrounding areas, and both new housing and employment is indicated. In particular, the Hempstead Road Industrial Estate has room for further development.
- 5.112 A wider choice of jobs is also planned by the addition of 6 hectares of employment land through designation of a site for a B1 office park in the forthcoming Site Specific Proposals DPD building on the

town's good strategic location within the A148 corridor. In my view this would help the town and its wider area in this central part of the district where employment land is in relatively short supply and where options are limited by environmental designations.

- 5.113 **Sheringham:** The town has a limited supply of employment land where there is little evidence of demand for industrial development. A former unused allocation is in the AONB and is poorly related to housing areas. As a result, and having regard to the employment opportunities in Cromer and Holt, I support its proposed reduction from the protected supply of employment land.

### **The West of the District**

- 5.114 **Fakenham:** In terms of its population and employment mix Fakenham already has a high level of self-containment as well as providing jobs for a wide rural hinterland in the western part of the district. Large scale housing development is planned. Policy SS5 proposes 5 hectares of new employment land here. This, and the protection of the existing employment sites, would help meet the job needs of the proposed residential expansion on the north side of the town and its hinterland. For that reason I conclude that this element of the strategy merits support.

- 5.115 **Wells next the Sea:** The town has a limited supply of employment land and limited evidence of demand. Only limited housing growth is being promoted. I note the scope for increased business start-up and local business growth, and the local community's general support for these opportunities, but on the current evidence there is insufficient demand to warrant additional employment land allocations in my view, though I agree that the existing allocation should be retained.

- 5.116 **Great Ryburgh:** This village, some 6 km south east of Fakenham, has a limited range of facilities and has not been identified as a Service Village. Crisp (Anglia) Maltings, a successful food and drinks processing company, employ 110 employees at their regional plant which is identified as an Employment Site within the village limits shown in the current local plan. They are concerned that the demotion of the village's status to countryside within the spatial hierarchy could work against the company's growth plans.

### **Existing businesses in the Countryside**

- 5.117 Similar points to the above were made in respect of the growth needs for other existing businesses historically located in the countryside and to redundant employment land in de-selected villages (eg Northrepps). In response to both the specific and the more general point of the wider representations the Council clarified that another part of CS policy SS5 states that: "*the rural economy and farm diversification will be supported including extensions to existing buildings of an appropriate scale and re-use of existing buildings...*". The proposed Minor Modification (MM126) to the strategic CS Countryside Policy SS2, which would include

'extensions to existing businesses' in the list of permissible but controlled activities in the countryside, would enable the economic merits of all business in the countryside to be considered on their merits while also protecting local job opportunities. The Council also noted that proposed DC policy EC3 would be permissive of extensions to existing businesses in the countryside where of appropriate scale and not harmful to the character of the area.

5.118 In my view a flexible and balanced approach of this kind is consistent with national policy in PPS7 and the thrust of emerging RSS policy SS5 (Priority Areas for Regeneration which includes, among a number of places, "*the remote rural areas of Norfolk and Suffolk*") and RSS policy E1 [D6]. These are in turn based on the Regional Economic Strategy [D7] and its various sectoral strategies which collectively aim to secure valuable diversification of the regional/local economy to provide a prosperous future for all. I consider that there is sufficient generalised policy support available to existing rurally located businesses and sites as to make any further localised identification and/or protection of the Ryburgh maltings, and other similar rural business sites, unnecessary.

### **Tourism**

5.119 Policy SS5 also aims to support the tourism industry by retaining a mix of accommodation and by encouraging new accommodation and attractions which help diversify and extend the more traditional holiday season. Cycling, walking and heritage tourism is also to be encouraged.

5.120 In my view this part of the policy is consistent with the thrust of emerging RSS policy to foster sustainable economic development including tourism as found in its policies SS4, SS9 and E7.

5.121 A representation was made that the plan should seek positively to address the potential of global warming and 'long hot summers' by encouraging maritime water sports by the construction of a harbour or marina. In my view the promotion of such an idea would not be inconsistent with, or precluded by, the proposed policies in the plan. But is too speculative to be included as a plan proposal and hence I conclude that the lack of such a proposal does not make the CS unsound.

### **Town Centres**

5.122 The policy also sets out and defines the role of town centres as a focus for a broad range of shopping, commercial and other uses including a two tier retail centre hierarchy. It outlines the intended role of Primary Shopping Areas and Primary Retail Frontages in focussing retail development in the central area of the specified towns. In brief larger scale developments would be located in Large Town Centres with the Smaller Town Centres limited to smaller schemes to meet local needs and support their roles as visitor and tourist destinations.

- 5.123 In my view the aims of this part of the policy are generally consistent with national guidance in PPS6 and emerging RSS policy SS6 which aims to create thriving, vibrant and attractive town centres.
- 5.124 However, some argued whether this part of the policy was insufficiently flexible and that it was not necessary to define Principal and Secondary Settlements or Large and Small town centres. I consider this later.
- 5.125 Overall, I conclude that policy SS5 is founded on a sound evidence base; is responsive to local economic and employment needs; is consistent with emerging RSS; and is the most appropriate strategic policy in all the circumstances.

### **Minor Modifications**

- 5.126 In response to detailed representations, the Council suggested some minor text changes to parts of the policy wording and the explanatory text. Having carefully considered each of them I consider that they would add clarity without altering the thrust or intent of the policy in any material way or requiring amendment to the SA or additional public consultation. I recommend accordingly.

### ***Access and Infrastructure – Policy SS6***

- 5.127 **The main issues are: have Access and Infrastructure issues been satisfactorily addressed so that the rest of the plan can deliver the necessary development at the right time and with sufficient and appropriate accessibility, offering modal choice and adequate and appropriate open space and greenspace?**
- 5.128 In response to the additional burden which new development places on local infrastructure and facilities (transport services, water supplies, health services and school places), the introduction to the policy explains that its purpose is twofold: (i) to ensure new development does not take place without adequate provision of infrastructure; (ii) to ensure that development supports the aim of reducing reliance on car-travel and provides opportunities for access by a choice of travel modes. The policy itself embraces these two topics, but it also includes strategic policy towards: public services provision; the provision and protection of open space; and developer contributions.
- 5.129 Emerging RSS policy in the East of England Plan [D16] aims collectively to create a framework to allow sustainable development to meet housing needs, support continued growth of the economy and enable all areas to share in prosperity, while driving up energy efficiency, reducing the risk of damage from flooding, improving accessibility and the efficient use of water and waste recycling and providing a well designed living environment adequately supported by social and green infrastructure.

- 5.130 The comprehensive CS evidence base includes the 2007 Environment Agency "Hidden Infrastructure" report [C29], the Local Transport Plan (LTP) for Norfolk 2006-11 [E12], the Norfolk Coast Transport Strategy [E38] the Strategic Housing Market Assessment 2007 [H11], the Strategic Flood Risk Assessment, Part 1 [H10] and the North Norfolk Open Space & Recreations Study, 2006 [H9].
- 5.131 Detailed representations have been made as to the impact of the policy in specific locations which I address later, but there has been no significant criticism of the breadth or content of the evidence base. The policy itself sensibly seeks to create a framework for the timely provision of infrastructure and local service provision to serve new development in the light of RSS policy and the constraints highlighted in the evidence base.
- 5.132 The identified key infrastructure constraints in the district's towns are sewerage treatment, energy supply and education capacity. Table 4.1 of the document's Implementation and Monitoring section gives summary information of the various constraints by settlement which was used to help draft the planned new housing trajectory. Suppliers of at least part of each of these services were represented at the hearings and answered questions from representors present as they related to particular settlements.

#### **Is the plan sufficiently pro-active on infrastructure?**

- 5.133 Concern was expressed, in particular by agents involved in the proposals for the Fakenham urban extension, that policy SS6 should establish firm guidelines, timescales and/or mechanisms for a more proactive approach to address the potential shortfall of infrastructure to enable development sites to be brought forward in timely fashion.
- 5.134 I return later to the details in relation to Fakenham in the following consideration of town strategies. However, on the broader point of principle, it is clearly important that key infrastructure is in place within sufficient time to deliver the plan's more significant developments on time. In my view, on the available evidence, the need for timely infrastructure provision is adequately cross-referenced in the other parts of the DPD which set the quantity, distribution and timing of new development, notably policies SS1, SS3, SS4, SS5, the individual main Town Strategies SS7-SS14 and related DC policies. The Implementation and Monitoring section of the DPD, including its summary of the various constraints, headlines the areas where additional investment will be needed to deliver the development needed to meet the plan's strategic aims. Table 4.2 indicates the likely phasing of the housing commitments, allocations and windfalls by location in three time bands. In addition Table 4.4 Monitoring of Core Aims includes several indicators whose successful achievement will depend, in part at least, on the timely resolution of the broadly known and predictable service improvement requirements.

- 5.135 From the various discussions at the public hearings it is clear that there has been, and continues to be, active engagement between the Council and the plan's various relevant stakeholders including the County Council, the Environment Agency, and the regional power and water suppliers. With a range of responsible delivery bodies it is unlikely that all investment cycles would be perfectly synchronised at any one time. But my impression is that the relevant bodies are clearly aware of the levels and locations of development proposed in the plan and of the related service provision tasks they need to face and overcome. Some made the point that the certainty provided by adoption of the Core Strategy will feed into their forward and investment planning processes enabling them to ensure that adequate financial and provision is in place in time to meet the development timetables in the plan.
- 5.136 Subject to the necessary monitoring of progress, and the continuing engagement of the various agencies and suppliers in the forthcoming Site Specific Proposals and Planning Obligations DPDs, I consider that policy SS6 is sufficiently pro-active with regard to infrastructure provision.

#### **The Bittern Line Railway – Strategic Role**

- 5.137 A more general concern raised was whether the drafting of the plan had given sufficient weight to the strategic importance of the Bittern Line CRP Railway which passes through a considerable part of the district on its way from Norwich to Sheringham. I note that the line connects four out of the eight Principle and Secondary Settlements (including North Walsham, the largest town) with the regional centre and beyond. It is thus an important element of public transport infrastructure. Its role in meeting RSS policies T1, T7 and T13, and the CS's sustainable transport aspirations for increased modal choice (and shift from car usage) in journeys to work, school/college, shopping, recreation, culture, leisure and tourism should not, therefore, be underestimated. The fixed and semi-permanent nature of its infrastructure makes the protection of long term options for improved usage and track capacity an understandable concern for the CRP partners.
- 5.138 In my view it is unfortunate, therefore, that the role of the railway line and its potential for assisting the desired move to less reliance on the private car, a very clear RSS and CS aim, has not been more clearly emphasised in the plan text. The issue is relevant in relation to matters such as safeguarding land for line and operational improvement projects such as longer trains (and platforms), track dualling/re-instatement, additional station car parking and public transport interchange facilities.
- 5.139 However, in the apparent absence of firm plans by Network Rail, the CRP and the train operating company, it is hard to see what more could have been put into the plan policy itself without risking planning blight in pursuit of ideas which, as far as I was made aware, are at this stage aspirational. No doubt this matter will be

kept under review by the Council, the County Council and the other members of the Bittern Line Partnership so that it may figure more fully in future plan making processes, including the forthcoming Site Specific Proposals and Planning Obligations DPDs. To assist such processes to bring forward such improvements where possible, I recommend a short clause be added to the policy and a sentence to the explanatory text within the Transport section which would make the plan's aims in this regard clearer, more consistent with strategic objectives, and hence sound. In my view such a modest change, in line with the document's published core aims, does not require additional SA or further public consultation.

### **Open Space**

5.140 Regional policy requires that networks of accessible greenspace are provided, linking developed areas with the countryside. In pursuit of this aim the CS policy aims to ensure that new development provides new open space, and also protects and enhances existing spaces and facilities, in meeting Open Space standards, including by the mechanism of developer contributions.

5.141 There was general support for the policy which I consider is in line with the aims of national guidance in PPG17. However, various detailed concerns were raised about the operation of the policy aims at local level which I deal with in the following section of the report considering the Town Strategies. I am satisfied that for strategic purposes this part of the policy is sound

### **Developer Contributions**

5.142 In line with national guidance in paragraph B25 of Circular 05/2005 'Planning Obligations', the policy includes a reference to the role of developer contributions in helping to ensure the adequate provision of infrastructure, services, community facilities and open space. I consider that this serves as a useful strategic reminder and 'hook' to the more detailed, but directly related DC policy CT2 (which I consider in the later section), and to the forthcoming Planning Obligations DPD. For strategic purposes I am satisfied that this part of policy SS6 is sound.

### **Conclusion**

5.143 Overall, I conclude that at strategic level access and infrastructure issues been satisfactorily addressed to help the rest of the plan to deliver the necessary development at the right time and with sufficient and appropriate accessibility offering modal choice, and securing adequate and appropriate open space and greenspace.

5.144 A Minor Modification (MM35) suggested by the Council would clarify that the settlement of Little Walsingham shown on Map 2.3 'Transport Designations' is intended to include Great Walsingham and hence should be re-titled "Walsingham". This would assist clarity and understanding and I recommend accordingly.

5.145 To make Policy SS6 sound, the following changes are required:-

**Adopt MM35, and**

**Add to the policy's transport strategy section, at the end of the second sentence after the words "...and by promoting public transport and sustainable tourism" the following words: " including by supporting increased use of the Bittern Railway line." And**

**Add to the end of paragraph 2.8.6 the following sentence:**

**"In relation to new development planned within and adjoining settlements served directly by the Bittern Line, opportunities to help improve the frequency, timings and passenger carrying capacity of the line, and associated interchange facilities, will be examined and, where environmentally acceptable, supported and promoted."**

### ***TOWN STRATEGIES***

5.146 PPS1 makes clear that one of the key features of spatial planning in achieving sustainable development is to consider the specific needs and problems of local communities and how they interact, and relate them to the use and development of land, while ensuring that development proposals are inclusively designed to respond to their local context and create or reinforce local distinctiveness. Accordingly, I welcome the inclusion in the Core Strategy of individual Town Strategies for all of the identified Principal and Secondary Settlements, while noting that the need to respond to local distinctiveness applies to development proposals at every level within the settlement hierarchy.

5.147 The following section considers the specific merits of each of the town strategies in the context of the wider district-wide strategy and the individual representations made. Since the broader principles have been largely established in the preceding sections I make no apologies for the relative brevity of my remarks here which should not be interpreted as indicating that the individual place strategies are not equally important in their own right as the wider policies. The various bullet points in the strategies for each settlement refer to detailed matters and proposals some of which are more fully explained in the subsequent section on the proposed DC policies. I touch on these matters here only insofar as it is necessary to comprehend the strategic issues.

5.148 As a generality the Council submitted that the Town Strategies have been tested through the consideration of alternatives, comprehensive consultation, Sustainability Appraisal and Appropriate Assessment. As a result, in its view, they represented

a robust approach to development in each of the towns consistent with the plan's strategic aims and other policies.

- 5.149 **The main issue for each town is whether the strategy is consistent with the CS's overall approach and responsive to local issues, needs, opportunities and constraints.**

***Policy SS7 – Cromer***

- 5.150 As a Principal Settlement with a Large Town Centre the policy seeks: to deliver between 1,000-1,150 dwellings, including 400-450 on newly identified sites; to secure about 5,000 sq metres of comparison goods retail floor space; and to protect a total of 20 hectares of employment land. Also proposed are a public realm designation to enhance the town's attractiveness, other proposals for environmental improvement, redevelopment of the district hospital and improved open space and recreational provision. The strategy also looks to address car parking needs to the east of the town, a new local park to the south and a site for a new school.
- 5.151 The issue arose as to the scale of planned growth and the requirement, in order to provide much needed affordable housing, for new development on greenfield sites. A related question is whether such growth is compatible with policies designed to protect the character of the town and its role as a tourist resort surrounded by an AONB and bordered by the sea with its attendant risk of coastal erosion. A further question was if this might lead to recycling of valuable green space within the town for housing purposes contrary to the aims of national guidance in PPG17.
- 5.152 Such issues inter-relate with the question of whether the plan is over-reliant on windfalls and that as some potential development sites identified in earlier consultation may prove difficult, if not impossible, to deliver, the strategy should seek to increase the housing numbers target and identify additional development sites to ensure full housing delivery from allocated sites, as well as increased employment allocations. The constraint on development currently imposed by the limited capacity in the town's sewerage capacity and whether the plan was sufficiently pro-active in this regard is a related concern.
- 5.153 Elsewhere I have concluded on the issues of housing windfalls and affordable housing. In my view there are genuine tensions between development and conservation needs in Cromer which the proposed strategy seeks openly to resolve. The sensitive landscape setting of the town including the AONB is a significant constraining factor. In my judgment the town strategy has struck a reasonable balance between competing aims and objectives to offer a realistic and balanced way forward. Much of the detailed work in association with both the new housing provision and the other specific development proposals will be carried through in the forthcoming Site Specific Proposals DPD. On balance, I conclude that the level of development proposed is supported by the evidence and consistent with balancing the various aims of the plan's other

strategic policies. If monitoring of infrastructure provision and housing delivery reveals significant slippage these parts of the plan may need to be reviewed to address the shortfall.

- 5.154 On a detailed point, a considerable volume of local opinion was concerned about the strategy's inclusion of the need for a car park to serve the east of the town which has become embroiled with a recent (now withdrawn) proposal to use part of the North Lodge Park for this purpose. I note the high level of local concern about this matter and the questioning of the evidence as to the need for such a facility in this part of the town. Nevertheless, in the summer it is agreed that the town is congested and parking is generally in short supply. Furthermore, I note the Council's concern to ensure the continuing vitality and viability of the eastern end of the town centre. Looked at in the round, to my mind this element is not a vital part of the strategy which has sufficient checks and balances for the issue to be researched further and resolved locally. In the absence of clear evidence that public parking is not required here at peak times of the year, and given the environmental safeguard in its final clause, I see no pressing case for deleting the bullet point.
- 5.155 Representations about the need to protect and improve the provision of open space in the town in the face of historic losses of such spaces, are noted. These concerns should be assisted by the proposed provision of a neighbourhood park in the south and the operation of DC policies CT1 – CT3 which would seek to protect existing open spaces and to provide new recreational spaces when new development is permitted.
- 5.156 Service providers are aware of the sewage treatment needs and a planned solution to this has been taken account in the proposed phasing of development as set out in section 4 of the document.
- 5.157 Although the need to preserve and enhance the conservation area may present a design challenge, there would appear to be modest re-development opportunities at the edge of the existing centre. Thus in my view the strategy's comparison goods retail floor space expansion is feasible and is not inconsistent with the town's planned growth. Should that optimism prove unfounded monitoring of progress would enable consideration to be given to the next sequentially available options close to the town centre in accordance with national guidance in PPS6. No change to the strategy is needed in this regard.
- 5.158 Overall, subject to the minor wording clarification proposed by the Council in relation to the timing of infrastructure upgrading, I conclude that the town strategy for Cromer is sound.

### ***Policy SS8 – Fakenham***

- 5.159 The town is designated as a Principal Settlement with a Large Town Centre with provision for a major mixed urban expansion to the north of the town. The policy aims to deliver 1,300-1,400 dwellings over the plan period including 800-900 on newly identified

development sites. Up to 6,000 sq metres of comparison goods retail floorspace within or close to the town centre would be provided, and about 52 hectares of employment land will be safeguarded with 7 hectares of new land made available in the northern expansion area, also set to accommodate a site for a Primary School. The proposed town centre public realm designation aims to boost the town's attractiveness. New development will be phased to align with necessary infrastructure works, including the need to improve sewage treatment capacity and address storm water run off, so as to prevent harm to the River Wensum and the Broad system catchment where the quality of water discharges is of concern.

- 5.160 The town has a high degree of self-containment in terms of its housing and jobs balance and its expansion potential to the north of the town, where much of the land is in single ownership, has been anticipated for some years. All parties agree that the growth of the town to the south and west is constrained by the River Wensum and its downstream flood plain and sensitive wetland habitats. Accordingly, a majority of representors had no serious objection to the policy's main thrust for substantial growth in the north which would accord with policies SS1, 3 and 5. I note, too, that the plan does not rule out the provision of new housing on other suitable sites elsewhere within the built-up area, subject to the resolution of known infrastructure constraints (see below). In my view the growth plans are supported by the evidence base and are consistent with the higher order strategies.
- 5.161 As to whether the policy was the most appropriate in all the circumstances, representations from the main landowner of the northern expansion area observed that the land had greater potential for housing delivery if delivery in the rest of the district was insufficient or held up, and/or deemed to be over-reliant on windfalls. In its view the town strategy was insufficiently ambitious or proactive in its phasing which appeared unnecessarily constrained by essentially fixable infrastructure concerns.
- 5.162 The Council acknowledged that the expansion area had additional delivery potential beyond the end of the plan period and said it is not inimical to such extra growth taking place beyond or even within the plan period. It noted that the wording of the policy did not prevent an earlier start if it could be demonstrated that there was sufficient capacity in the sewage treatment capacity.
- 5.163 The key infrastructure provider said that in absolute terms the town currently has some spare sewage treatment capacity. The problem was twofold: the amount and pollution level (especially phosphorous content) of treated discharge water into the environmentally sensitive River Wensum in which the EA required no greater volume and a materially improved level of treatment; and the need to renew the town's aged and limited foul sewerage system (which runs through the centre of the town) to the treatment works on the southern side. These were not necessarily

insuperable problems, but they were complex and needed time and significant resources to fix. Innovative grey and surface water demand management and treatment at source might assist, as well as significant investment which could conceivably accelerate delivery of the infrastructure improvements albeit that the sewerage replacement was a large project in both physical and financial terms. Confirmation of the CS would help the infrastructure providers argue the case for the necessary funding in what was a competitive bidding process.

- 5.164 In my view it is encouraging that the key stakeholders are engaging constructively with a focus on delivery and a growing understanding of each others needs and constraints. The Council's suggested minor modification (MM95), which clarifies the operation of the phasing mechanism, would go some way to enabling more rapid delivery and occupation to be achieved prior to 2016 if it were shown to be technically and financially possible, while still ensuring that there would be no adverse effects on European (nature conservation) sites. Accordingly, I recommend in its favour.
- 5.165 Two local conservation groups owning sensitive habitat land next to different parts of the river made representations that the strategy's proposal to create a Country Park in the vicinity of the Wensum Valley, as part of a network of open spaces, paths and cycle ways linking to the town centre, would seriously jeopardize the nature conservation interests including the River's SAC and SSSI and the Broads ESA. They sought removal of this part of the Strategy.
- 5.166 However, the Council indicated that it had no intention of imposing public access to areas of sensitive nature conservation against the wishes of their landowners. At least in part, its suggested Minor Modification (MM129) would address such concerns by ensuring that improved public access to the Wensum Valley would only take place with the agreement of landowners having due regard to ecologically sensitive areas. Bearing in mind the internationally protected status of the river and the control offered by CS policy SS4 and DC policy EN9, in my opinion the wording as modified would strike a reasonable balance between the acknowledged biodiversity/conservation interests and the informal recreational needs of a growing settlement. In such circumstances I find it highly improbable that the Council would seek to impose its will on reluctant landowners active in fostering the protected assets. I conclude, therefore, that MM129 should be incorporated in the plan to allow further consultation to take place on the form and nature of improved public access in this area, and I recommend accordingly.
- 5.167 Given the plans for additional population and employment the expressed need for a community resource facility would appear a logical complement to such growth plans. Hence I support the Council's proposed explanatory text addition (MM143) which would enable the principle and location of such a centre to be considered as part of the forthcoming Site Specific Proposals DPD process.

- 5.168 The retail growth and public realm elements of the town strategy are supported by the evidence and appear consistent with the higher order strategic policies and hence warrant support. Although the plan does not spell it out I would expect such retail growth to have regard to the need for adequate car parking in line with the approved parking standards by way of a traffic impact assessment where necessary.
- 5.169 Overall, subject to the minor clarifications proposed by the Council, I conclude that the town strategy for Fakenham is sound.

***Policy SS9 – Holt***

- 5.170 The strategy aims to accommodate a range of between 650-700 new dwellings with 5 hectares for a business park type development, accessed from the A148, to be added to 10 hectares of existing/allocated employment land. New development is to be well integrated with the established built-up area and to minimise the impact on the AONB and the Glaven Valley Conservation Area. Improvements to the town centre environment and public realm will be sought to ensure its continuing attractiveness to residents and visitors. The strategy includes a requirement that the major new development must not harm the Norfolk Valley Fens SAC within whose groundwater catchment area the impact of storm water run-off must be fully mitigated.
- 5.171 There are a few dissenting voices to the level of growth proposed but more generally there is support for it. Although it is referred to in the explanatory text, the need for additional car parking provision, linked to the very successful and attractive town centre, has been raised but is not in the policy itself. In my view this is a valid point but one which should be capable of pursuit via the forthcoming Site Specific Proposals DPD process and ahead of any significant increase in retail or related leisure/tourism development.
- 5.172 Should there be scope for additional new houses towards the end and beyond the plan period to help achieve the 15 year supply required by PPS3 the Council has indicated that it does not see the proposed allocations as maxima, while indicating that the environmental impact of such extra development on the sensitive setting of the town would need to be taken into account. In this context I consider that no change to the target range of housing units is presently warranted.
- 5.173 The possible safeguarding of land to extend the North Norfolk Railway towards the town centre and ultimately to Melton Constable and Fakenham, as advocated by a local railway pressure group, is addressed later under my consideration of DC policy CT7.
- 5.174 A minor modification suggested by the Council (MM130) would correct a drafting error in relation to the proposed dwelling numbers to align with the planned figures in SS3. As this would clarify the meaning of the policy at the local level I recommend its inclusion.

5.175 Overall, I conclude that the town strategy for Holt is sound.

***Policy SS10 – North Walsham***

5.176 In line with the Spatial Strategy SS1 North Walsham is designated as a Principal Settlement with a Large Town Centre. The town strategy includes: 900-1,100 dwellings over the plan period with 400-550 dwellings on newly identified development sites well related to the built-up area; some 65 hectares of employment land to be retained (reduced by 15 ha from the adopted local plan allocations); new comparison goods retail floorspace of about 4,000 sq metres in or close to the town centre; the relocation of Paston College; a town centre public realm designation to boost the town's attractiveness; identification of a suitable site for a new school. All development proposals are expected to address surface water run-off and ensure no harm to the Broads SAC.

5.177 The largest town in the district (2001 population of 12,100 and an extensive rural hinterland) North Walsham has strong employment, shopping and other links to Norwich and an economy adjusting positively to the removal of large scale manufacturing enterprises.

5.178 Representations were received that the explanatory text setting out this context was unduly negative and put a problematic 'spin' on the opportunities now facing the town. In an effort to meet this criticism the Council has suggested three minor modifications (MM131-133) which seek to stress the positive opportunities for successful growth and development. Representors have generally welcomed the change and, since it does not change the thrust of the town strategy growth elements, I consider that the revised text should be adopted and I recommend accordingly.

5.179 Representations from a major house developer argued that not only was the language of the policy's explanation pessimistic, but so were its new housing and employment development ambitions. In particular, an increase in new housing allocations to 1,100 dwellings over a longer period to 2026 could be accommodated by way of a sustainable urban extension on the south side of the town. This would help reduce the CS's general over-reliance on housing windfalls and demonstrate a 15 year housing supply in line with PPS3, it was said.

5.180 My understanding is that the town has experienced considerable housing development in recent years and that further substantial growth in the medium term would be difficult to accommodate because of infrastructure constraints (especially sewage treatment) and public service limitations (eg primary school places). Pending the successful recycling of former employment sites (which are not best served for access to the regional highway network), the relatively high level of out commuting to Norwich is also a concern and suggests that expansion on the scale sought may not be sustainable. In the absence of a Sustainability Appraisal showing that a significantly higher level of housing could be satisfactorily accommodated, I conclude that the CS's proposed housing levels

are sound at the present time and that the change sought by the representor would make the Town Strategy unsound.

- 5.181 Other representors argued for additional employment land allocations on the basis that the proposed reduction of 15 hectares over the local plan allocations would lead to a shortage of such land in the later years of the plan. However, I note that the highway constraints to HGV access posed by the town's railway bridges and the limited access to the national road network, at least in the short term prior to the construction of the Norwich Northern Relief Road, seem likely to at least limit speculative demand for additional employment land. Electricity supply capability in the town and surrounding area is also close to capacity and would require major investment to resolve. In addition the plan's employment proposals for the former RAF Coltishall about 7km to the south could further limit the take up of employment land. On the available evidence I am not persuaded that additional employment land allocations are warranted prior to the next review of the plan. However, regular monitoring of development progress and employment generation will take place and should reveal if additional land is required during the later part of the plan period.
- 5.182 Others argued for greater flexibility in land uses to assist the viability of redevelopment of former employment sites poorly located for continued industrial use, including by residential development. Given the fall in the level of manufacturing employment over recent years in my judgment the need to protect land capable of generating new employment justifies a precautionary approach to the permanent loss of such land. However, conceivably there are particular circumstances which might warrant an element of mixed use development to kick start useful employment generating development. In such a case this would be a material consideration to be weighed in the balance against the plan's other strategic aims. I conclude that no change in this part of the policy has been shown to be necessary at the present time.
- 5.183 In the light of existing infrastructure constraints, and at the prompting of the EA, the Council suggested a minor modification (MM96) clarifying the need for the availability of sewage treatment capacity to be adequately demonstrated before development is permitted (upgrades are programmed for post 2016). In the interests of consistency, certainty and clarity I recommend that this be included in the policy bullet points.
- 5.184 I will also make a further minor change to clarify that the search for a school site in the forthcoming Site Specific Proposals DPD is for a Primary School as detailed in the Implementation and Monitoring Section at paragraph 4.1.22.
- 5.185 Representations about the need to provide improved disabled access and station car parking close to North Walsham station are

addressed in my consideration of DC policy CT7 in the following section.

5.186 Overall, I conclude that, subject to the inclusion of the minor modifications set out below, the proposed town strategy for North Walsham is sound.

***Policy SS11 – Hoveton***

5.187 As a designated Secondary Settlement with a Small Town Centre, the strategy anticipates that Hoveton will accommodate between 130-200 new dwellings, including 100-150 dwellings in newly identified sites well related to the built-up area, and with 10 hectares of land identified and retained for employment generating development. All development must not harm the Broads SAC.

5.188 The large village is effectively a twin settlement/small town with the adjoining settlement of Wroxham on the south side of the River Bure (in Broadland District Council) at the gateway to the Broads. By reason of this special geographic juxtaposition both settlements have associated tourism and boat business activities.

5.189 Representations were made that, having regard to both flood risk management and development viability issues, some flexibility between land uses would be desirable in the Tunstead Road/Two Saints Close area. In my opinion that would be a matter best assessed on a site-specific basis within the overall framework established by the rest of the Core Strategy and the related DC policy framework.

5.190 A further representation was made that an additional employment land allocation should be made as an extension to the existing Stalham Road Industrial Estate to provide more jobs including in enterprises capable of offering a wider and better range of jobs. The location may be sustainable in relation to housing within the settlement, but there is no firm evidence to indicate that there is realistic demand for speculative development in this location, no Sustainability Appraisal has been undertaken to demonstrate that its local impact would be benign, and no public consultation has tested its acceptability or otherwise within the local community including within the adjoining residential areas of Littlewoods Lane. In such circumstances the case for such an additional employment land allocation has not been shown to be sound and no change to the plan is warranted.

5.191 Overall, I conclude that the proposed town strategy for Hoveton is sound.

***Policy SS12 – Sheringham***

5.192 Sheringham is designated as a Secondary Settlement with a Small Town Centre with the following proposals: between 600-700 dwellings over the plan period including 200-250 dwellings on newly identified sites well related to the built-up area and minimising encroachment into the town's countryside setting; 500-750 sq

metres of new comparison goods retail floor space to be allocated via the SSP DPD and safeguarding of a central market site; about 6 hectares of employment land will be designated and protected; a town centre public realm designation to boost the town's attractiveness; protection of important approach routes to enhance the setting; new development must demonstrate that it will not harm the Norfolk Valley Fens SAC and its groundwater catchment.

5.193 A representation argued that as a seaside town subject to coastal erosion the town's planned growth was incompatible with the plan's core aims to provide for long term sustainable development and also to mitigate and adapt to impacts of coastal erosion and flooding. In the long term new growth would increase the costs for future generations of adapting to coastal change when it would instead be possible to re-allocate the extra housing and facilities to inland settlements, it was said.

5.194 In my view the analysis of coastal erosion in the submitted Shoreline Management Plan attempts to strike a scientifically informed balance in seeking to adapt to the projected coastal erosion and associated flood risk management. My understanding is that the particular parts of the coast including Sheringham and Cromer are less prone to rapid erosion, have already been protected and can continue to be defended in the medium term. The 100 year 'fallback' lines shown on the Proposals Map in relation to DC polices EN11 and 12 (relating to the areas most prone to predicted erosion) exclude all of the town's built-up area. Accordingly, in relation to this factor I find the town's housing growth plans sound.

5.195 Conversely a house builder argued that the number of new dwellings to be allocated should be increased as the plan is over-reliant on windfalls and potential development sites identified in earlier consultation may prove difficult, if not impossible, to deliver. A similar representation was made by a landowner to the effect that the town was large enough, and had sufficient development potential, to be identified as a Principal rather than Secondary Settlement justifying a corresponding increase in new planned development.

5.196 Bearing in mind the presence of the Coastal AONB and other landscape constraints of the town, the limited scope for employment development and the presently constrained infrastructure capacity, in my view the strategy has struck a reasonable balance between competing aims and objectives to offer a realistic and balanced way forward. Much of the detailed work in association with both the new housing provision and the other specific development proposals will be carried through in the forthcoming Site Specific Proposals DPD. Against this background I conclude, on balance, that the town's designation as a Secondary Settlement and the level of development proposed is supported by the evidence and consistent with balancing the various aims of the plan's other strategic policies and the identified constraints. If the

regular monitoring of district-wide housing delivery reveals significant slippage the Council may need to review ways in which to address any identified shortfall within both the Principal and the Secondary Settlements including Sheringham.

- 5.197 Further representations were made to the level of retail provision in the town strategy. While one retailer supported the town's designation as a Small Town Centre, another questioned its appropriateness given the existing and projected population level and the retail provision to date. Based on the submitted evidence I consider that the notion of a two tier shopping centre hierarchy is supported and given the relatively modest planned housing growth there is no firm evidence that a greater level of additional convenience goods floor space is warranted. I therefore conclude that this part of the policy is sound.
- 5.198 In the light of existing infrastructure constraints in the town and Cromer, and at the prompting of the EA, the Council suggested a minor modification (MM97) clarifying the need for the availability of sewage treatment capacity to be adequately demonstrated before development is permitted (upgrades are programmed for post-2011). In the interests of consistency, certainty and clarity I recommend that this be included in the policy bullet points.
- 5.199 Subject to the above minor change I conclude that the policy for Sheringham is consistent with the overall strategic framework and is sound.

***Policy SS13 – Stalham***

- 5.200 Stalham is designated as a Secondary Settlement with a Small Town Centre with the following proposals: over the plan period a total of 300-400 dwellings including 150-200 dwellings in newly identified sites well related to the built-up area; about 5 hectares of employment land to be identified and protected including 3.5 hectares on new allocations; all new development to address storm water issues and ensure no harm is caused to the Broads SAC.
- 5.201 The local Town Council made representations about the extent to which it had been engaged by the District Council in the consultative process leading up to submission of the DPD. Whatever may have occurred in the pre-Examination processes the Town Council was able to take an active part in the public hearing sessions and I am not aware of any material prejudice to its interests. The Town Council had no criticism of the town's overall spatial strategy or of the centre's proposed placement within the district's retail hierarchy. Its substantive concern was with the soundness of the policy in relation to the definition of the main shopping street and control of changes of use therein. In my view these concerns are best dealt with under my consideration of DC policy EC5 in the following section.
- 5.202 The representations of a major retailer with a presence in the town queried whether the Town Strategy accurately reflected its role as a

service centre for Broads tourism-related activity and in serving a considerably wider rural hinterland, including the nearby coastal villages. It sought to remove the 'Small Town Centre' designation and to emphasise Stalham's role in serving a wider catchment area.

5.203 In my view the designation of the town as a Secondary Settlement with a Small Town Centre is supported by the submitted evidence and is consistent with the overall Spatial Strategy. However, I consider that the town's particular and wider retail and service role could usefully be acknowledged in the policy without triggering the need for further Sustainability Appraisal or public consultation. Hence I will make an appropriate text addition.

5.204 In the light of existing infrastructure constraints in the town, and at the prompting of the EA, the Council suggested a minor modification (MM97) clarifying the need for the availability of sewage treatment capacity to be adequately demonstrated before new development is permitted (upgrades are programmed for post-2016). In the interests of consistency, certainty and clarity I recommend that this be included in the policy bullet points.

5.205 Subject to the above minor change I conclude that the policy is consistent with the overall strategic framework and is sound.

***Policy SS14 – Wells-next-the-Sea***

5.206 Wells-next-the-Sea is designated as a Secondary Settlement with a Small Town Centre with the following proposals: over the plan period 200-300 dwellings will be provided including 100-150 on newly identified greenfield development sites well related to the built-up area; some 3 hectares of land will be designated as land to be used for employment purposes and protected as such; a new car park will be allocated via the SSP DPD process subject to showing that it would not harm the North Norfolk Coast SPA; a public realm designation to boost the town's attractiveness; protection of important approach routes to enhance the town's setting.

5.207 Representations from the Wells Area Partnership, a local community 'umbrella' organisation, argued that the policy did not sufficiently promote the need to diversify the local economy and help increase local employment opportunities by furthering the creation of a sustainable community the nucleus of which was already in evidence within the town and its various community organisations. In an effort to meet this criticism the Council suggested a modification to the explanatory text (MM99 and MM134) which seeks to draw out the positive opportunities for successful growth and development rather than focussing on perceived weaknesses. The Partnership welcomed the change and, since it does not change the thrust of the town strategy growth elements, I consider that the revised text should be adopted and I recommend accordingly.

5.208 Subject to this change I conclude that the Town Strategy for Well is consistent with higher order strategy, supported by the evidence and hence sound.

5.209 To make the various Town Strategies sound, the following changes are required:-

**Policy SS7–Cromer – Adopt MM94**

**Policy SS8–Fakenham – Adopt MM95, MM129 & MM143**

**Policy SS9–Holt – Adopt MM130**

**Policy SS10–North Walsham – Adopt MM96 & MM131-133 and insert the word “Primary” before “School” in the policy’s final bullet point.**

**Policy SS12–Sheringham – Adopt MM97**

**Policy SS13–Stalham – Adopt MM98**

**And insert the following words as an additional bullet point:  
“Retail, service, community facilities and other appropriate town centre uses, of an appropriate scale only, will be encouraged within the town centre to help revitalise it and strengthen its particular and wider role as a service centre for the Broads and the surrounding rural catchment area.”**

**Policy SS14–Wells-next-the-Sea – Adopt MM99 & MM134**

## **DEVELOPMENT CONTROL POLICIES AND PROPOSALS MAP**

### ***Test 7: The most Appropriate Strategies and Policies?***

- 6.1 I now examine the merits of the 40 Development Control policies in the DPD with consideration being given to the extent to which they complement and are consistent with the Core Strategy policies.
- 6.2 In my view it is a little disappointing that the number of the policies is as large as it is since one of the aims of the new system is to cut down on the length of policy documents. However, the adopted local plan had some 153 policies including both strategic and detailed matters. The combined CS and DC policies now total some 54, so this is a step in the right direction. When the document is next reviewed it is to be hoped that the opportunity to rationalise and condense the policy framework by building on the drafting and implementation experience gained might be grasped.

### **HOUSING POLICIES**

#### ***Policy HO1 – Dwelling mix and type***

- 6.3 The policy aims to address the imbalances in the existing district-wide stock identified in the SHMA [H11]. This indicated a preponderance of larger detached dwellings in the existing housing stock, a limited supply of lower-cost market houses and a high level of need for smaller, more affordable homes across tenures. Essentially the policy requires new developments to include a proportion of small two bedroom dwellings and, for larger sites, ones suitable for adaptation for occupation by the elderly, infirm or disabled.
- 6.4 While there were representations that the policy was overly prescriptive and inflexible, the evidence base is robust and provides a valid rationale which is in line with the aims of PPS3 to create mixed communities and address affordability. If housing needs change significantly over time this would be a material consideration which could trigger a review of this policy.
- 6.5 Given one of the district's particular demographic challenges (that of increasing numbers of elderly people) there is a need to provide retirement and sheltered housing, in part for the sake of potential occupants and in part to help free up the rest of the housing ladder. Although this is referred to in the explanatory text, it is not included in the policy itself. I recommend a small change which has no implications for SA or public consultation. I also accept that a clarifying minor modification (MM135) would help address concerns about the practicality of delivering the policy. Subject to the minor changes recommended, I conclude that the policy is consistent with the strategic policies and is sound.

6.6 To make Policy HO1 sound, the following changes are required:-

**Adopt MM135, and**

**Add the following words as a final paragraph:**

**"The provision of purpose built and/or specialist accommodation for the elderly, in appropriate locations within selected settlements in accordance with Policy SS1, and well served by public transport and local services, will be supported provided that it does not: detract from the character of the surrounding area; involve the use of land safeguarded for employment purposes where the need for such safeguarding remains."**

***Policies HO2 and HO3 – Provision of Affordable Housing***

- 6.7 HO2 is a general policy for Affordable Housing (AH) while HO3 relates to such housing in the countryside. Since they are inevitably linked they are considered together. Both are directly linked to Core Strategy strategic policy SS3 which requires that at least 30% of housing built between 2008 and 2021 will be affordable, of which about 80% *"will be for social rented accommodation with the remainder comprising intermediate/affordable housing."*
- 6.8 Government policy in PPS3 states that a key policy objective is: *"to deliver a mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas, both urban and rural."* PPS3 adds that in LDDs authorities should: *"set an overall target for the amount of affordable housing to be provided (reflecting) an assessment of the likely economic viability of land for housing within the area, taking account of risks to delivery and drawing on informed assessments of the likely levels of finance available for AH, including public subsidy and the level of developer contribution that can reasonable be secured."*
- 6.9 Emerging RSS policy H3 states that LDDs should set appropriate targets for affordable housing taking account of a range of factors including local need assessments, housing market considerations and the need, where appropriate, to set specific targets for social rented and intermediate housing. At regional level housing delivery is to be monitored against the expectation that some 35% of housing from planning permissions granted after adoption of the RSS are affordable. Of an annual regional need of 11,000 new affordable homes per year the RSS's 2003/04 analysis anticipates that some 65% should be social rented, 22% intermediate rented and 12% social rented 'backlog'.
- 6.10 In the district AH needs have been identified as a key Council priority over recent years. This reflects the relatively low average

wages in the area and the high average house prices driven, in large measure, by second home ownership and the in-migration of retired people. Detailed analysis is found, among several documents, in the Housing Needs Study 2003 [H3] as updated in 2007 [H3i], and the recent (sub-regional) Strategic Housing Market Assessment (SHMA) prepared jointly with the neighbouring rural authorities, Breckland and King's Lynn & West Norfolk DCs [H11].

- 6.11 It follows from the foregoing, and my consideration of the representations made, that **the main issues are: Is the needs analysis and evidence base sufficiently robust to underpin the policy? Are the site size thresholds, percentages and type of AH sought supported by the evidence and achievable? Are the policy's control mechanisms appropriate and is the policy sufficiently flexible to respond to changed circumstances? Is the policy for AH in the countryside appropriate and consistent with the rest of the DPD?**

#### **The Needs Analysis and Evidence Base**

- 6.12 Various stakeholders hold differing views as to the precise level and nature of AH needs. But there is little dissent from the overall proposition that house prices in the area are very high in relation to local needs and earning capacity of young people, new and suppressed households and the low paid generally and thus that the need to provide for improved housing affordability is pressing.
- 6.13 The SHMA indicates that the overall assessed level of housing needs has risen from 509 per annum in 2003 to 921pa in 2007. Since the RSS generated total annual residual housing supply target is just 430 dwellings for each of the remaining years of the plan period, it is plain that the provision of AH at anything like the assessed level is simply undeliverable within the RSS supply headline and the environmental constraints of the area. To get anywhere near this figure would entail more than doubling the RSS build rate for the plan period, even assuming that all houses could be affordable by a combination of public and private resources.
- 6.14 All parties accept that that is not a viable proposition, although some argued that a materially larger overall housing target to be met from extra allocated sites was justifiable on the basis that it would assist in getting closer to meeting the need for AH. However, this solution would require a major review of the plan and a new SA. In my view, given the known environmental and infrastructure restraints, there could be no certainty as to the outcome of such a change which could unnecessarily delay adoption of the plan and actually slow down delivery, at least in the short to medium term.
- 6.15 At the examination there was criticism of the validity and methodology of the 2007 SHMA insofar as the balance between postal surveys and personal interviews was concerned and thus whether the conclusions could be relied on to the extent being sought by the policies. However, with the possible exception of the survey methodology, on which opinions were frankly not reconciled

in debate, I consider that the needs analysis methodology has generally followed the national DCLG guidance. While the fine detail of the study's conclusion could be debated at length, in my view the general thrust of the evidence is clear enough, namely that there are real affordability gaps which have simply not been addressed by policies to date. If such needs are to be successfully addressed a quantum increase in the provision of more affordable housing of a range of types is thus warranted. There is little if any cogent evidence to the contrary, and thus I conclude that the Housing Needs studies in general, and the 2007 SHMA in particular, provide a sound basis for most of the proposed policy framework.

### **Site Size Thresholds, Percentages and type of AH sought**

- 6.16 The government's PPS3 supplement '*Delivering Affordable Housing*' of November 2006 [B19] noted the marked rise in house prices outside London and the south east and the consequence that first time buyers were finding it very difficult to buy a home in the market, a position particularly marked in rural districts and smaller settlements. Among several consequences the supplement noted that there will be a need for more social rented housing and that where housing commands higher prices there is greater scope for securing affordable housing through developer contributions.
- 6.17 Given the high level of annual need and its aggregation over the plan period, and the historically high small site nature of this largely rural area, there is overwhelming support for reducing the site size thresholds below the PPS national indicative minimum site size threshold of 15 dwellings.
- 6.18 In my view the evidence supports policy HO2 and 3 as being generally in line with the thrust of the most recent national and RSS policy in seeking to secure AH from market sites of 10 or more dwellings on sites of more than 0.33 ha in main settlements, and on schemes of 2 or more units, or on sites larger than 0.1 hectares in the service villages.
- 6.19 However, the evidence to support policy HO2's aims of a minimum percentage of 45% AH units in the former and 50% AH units in the latter is less conclusive. There is scant local viability evidence to show that such levels can be achieved on smaller urban sites where development 'entry' costs are likely to represent a higher proportion of the costs of the development. The representations from house-builders and others suggest that there is a risk that landowners and builders will simply decline to build at the lower end of the site size range where meeting such targets is likely to be more challenging and impacting on scheme viability. However, there is no firm evidence to show that such development would be unviable across the board.
- 6.20 I have considered the suggestion of several home-building interests that the policy's AH target percentages should be reduced. However, the many small urban windfall sites, on past experience likely to come forward, may be less viable than the bigger sites and

hence make little or no direct contribution to meeting AH needs. (This is why the plan's overall target is for at least 30% of the housing built between 2008 and 2021 to be affordable, the basis of a minor text clarification change, MM45.) Consequently, I have come to the conclusion that any change that I could make without re-consultation and further SA would be somewhat arbitrary and against the spirit of the increased ambition for AH delivery clearly sought in PPS3 and RSS policy H3.

- 6.21 In any event I note that the policy itself looks for the provision of AH in new or converted dwelling schemes "provided that it is viable to do so" and thus includes a crucial viability test, a key part of national policy in para 29 of PPS3. Thus the target should be seen as a district-wide target to be applied to development proposals alongside site-specific viability considerations.
- 6.22 In the light of my concerns the Council will need closely to monitor delivery of AH and be ready to review and fine tune the policy, in consultation with all stakeholders, if the expressed fears of a housing market price freeze or reverse materialise and begin to slow down the delivery of all housing at the lower end of the site size range.
- 6.23 As to the type of AH to be sought, the needs analysis and RSS policy seem to support a high level of social rented housing of around 80%. However, while noting the size/nature of the affordability gaps in the district which has informed this figure, Government policy clearly seeks a mix of tenures to help free up the operation of the local housing ladder by adding missing steps, while enabling households to move towards home ownership over time. In my view this aim is not fully reflected in the proposed policy framework which appears to pay insufficient attention to the scope for alternative tenure types such as intermediate housing (shared equity, intermediate rent, and the like). For that reason, and to encourage a greater variety of provision, I consider that the policy ambition should be for a range of social rented housing in the range of 70-80% and I recommend a minor change to the policy framework which would have little, if any, impact on the SA.

#### **Control mechanisms and flexibility**

- 6.24 The control mechanisms in both HO2 and HO3 include the imposition of appropriate conditions and/or planning obligations to secure the long term affordability of AH in line with national and regional policy expectations. HO2 also provides that AH is provided in phases as the development progresses and is mixed within the developments in groups no greater than 8 units. This is consistent with the aims of PPS3 to help create mixed and sustainable communities.
- 6.25 There is a degree of flexibility built into the policy framework by the mechanism of the viability assessment which the policy preamble includes. This would enable an appropriate level of AH to be

negotiated on a site-specific basis having regard to anticipated costs of development and purchase prices in the case in question.

- 6.26 However, what is less certain is how the policy would be able to deliver the required level of AH if, as seems possible, the general housing market was to suffer a serious price downturn. Ironically, provided it was not accompanied by a similar downturn in wages and/or employment levels, this would narrow some of the identified affordability gaps. But in any event it would be unlikely to help those significant numbers seeking accommodation near the foot of the housing ladder where the gap between income and cost of entry levels is too great. In addition reduced new market housing supply would be likely to further ossify movements within the market.
- 6.27 In such a price downturn scenario it is hard to see how any one DPD could respond in the short term. This underlines the importance of closely monitoring the delivery of both market and affordable housing so that if economic circumstances were to change markedly, the policy can then be reviewed and if necessary adjusted to deal with the changed situation in consultation with local stakeholders, RSLs, regional and funding bodies. On the evidence available I conclude that this aspect of the policy is sound.
- 6.28 In my judgment those representations that the policy should permit a more flexible approach to off-site provision of affordable housing are not grounded in sound planning reasons and would not accord with the presumption at para 29 of PPS3. Where application of the policy would result in a requirement for part of a dwelling to be AH the policy allows for a financial contribution of equivalent value. The Council's suggested change HM08 would clarify that such proposals should comply with the provisions of the Planning Obligations SPD. This is scheduled in the Council's LDS to be produced in the near future and I support the proposed clarification. The consultation process for the SPD should engage with developer, RSL and funding interests to provide guidance which will ensure robust, consistent and fair implementation of the AH policies.

### **AH in the Countryside**

- 6.29 Policy HO3 seeks to apply the more general AH policy to the slightly different situation outside the identified settlements which are classified as being in the Countryside for settlement planning policy purposes and hence are locations where new housing development would not normally be acceptable. In essence it is a 'rural exception site policy' as foreseen by para 30 of PPS3. By seeking to limit the provision of such houses by reference to a proven local housing need and within a two tier geographical connection to a settlement the policy would help meet locally occurring needs without materially prejudicing the wider aims of settlement policy to meet more general housing needs within or adjacent to the most sustainable locations. In my view it is consistent with PPS3 and is sound.

### **Minor Modifications**

6.30 A number of minor modifications were suggested by the Council (MM41-45). I have examined these in the context of the arguments considered above and I have concluded that they should be supported on the basis that they would improve clarity and understanding.

#### **Overall Conclusions**

6.31 Subject to the Council's suggested modifications and my own minor change in respect of the social housing provision, I conclude that policies HO2 and HO3 are sound.

6.32 To make Policies HO2 & 3 sound, the following changes are required:-

**Adopt MM41 – MM45 inclusive, and HMO8**

**Amend Policy SS3 in the third paragraph from the end by deleting 80% and replacing it with: '70-80%'.**

#### ***Policy HO4–Sites for Gypsies and Travellers and travelling showpeople***

6.33 In line with national and emerging RRS policy, HO4 seeks to provide an enabling framework to help meet the accommodation needs of Gypsies and Travellers and of travelling showpeople. While these groups share some similarities in the nature of the mobile dwellings they chose to inhabit when travelling, they also have differing social characteristics and needs. The policy's text and footnotes acknowledges this but appears to group them together in the policy wording. This can be resolved by small text changes which I recommend.

6.34 Incorporation of the suggested minor modifications (MM100 & 101) would also more accurately reflect advice in Circular 1/2006 that the policy should also provide for unexpected demand and avoid duplication of matters addressed elsewhere and in other legislation.

6.35 To make Policy HO4 sound, the following changes are required:-

**Adopt MM100 & MM101, and**

**Replace the heading and first clause of the policy with the following:**

**"Sites for Gypsies & Travellers, and for Travelling Showpeople"**

**"Development to meet the needs of Gypsies and Travellers and of Travelling Showpeople, will be permitted provided that....."**

***Policies HO5 and HO6 – Agricultural, forestry and essential worker dwellings in the Countryside & HO6 removal of related conditions***

- 6.36 Strategic policy aims to restrain residential development in the countryside outside selected settlements. National Guidance in PPS7 states that isolated new houses in the countryside will require special justification and that where it relates to an essential need for a worker to live permanently at or near their place of work in the countryside the advice in Annex A should be followed. In my opinion the qualifying criteria in policy HO5 and the imposition of related occupancy conditions accurately reflect the guidance in the annex and hence render the main policy sound.
- 6.37 HO6 addresses those situations where circumstances have changed and an essential worker dwelling may no longer be required for its original purpose. Subject to minor clarifying text changes (MM136 and 137) I consider that the policy provides the appropriate safeguards to ensure that the property is first made available for other possible essential accommodation needs in the surrounding area with the aim of minimising the amount of residential development which is located in the countryside contrary to the general thrust of settlement planning policy.
- 6.38 Within the policy's cascade mechanism the inclusion of the need to offer the dwelling to one or more Registered Social Landlords as a potential affordable dwelling is unusual, but in my view is supported by the high level of demand for affordable housing in the area as described in the submitted evidence base.

6.39 To make Policies HO5 & 6 sound, the following changes are required:-

**Adopt MM136 & MM137**

***Policy HO7 – Making the most efficient use of land (Housing density)***

- 6.40 In line with national guidance in PPS3 and emerging RSS policy H1, the policy seeks to ensure that residential development is undertaken at an optimal density having regard to the particular character of the area in which it is situated. Given the need to promote good quality design which is responsive to place I consider that the proposed levels of a minimum of 40 dwellings per hectare in main settlements and 30 in the service villages are a somewhat crude and mechanistic approach. Analysis of the site and local area

characteristics should be part of the design and access statement to be submitted with all applications. For that reason I consider that a minor text change should be added to show that these numbers are indicative targets rather than precise and restrictive regulations.

- 6.41 The modification suggested by the Council (MM41) indicates that the service villages are intended to include the coastal service villages and is supported on the basis that it would improve clarity.

6.42 To make Policy HO7 sound, the following changes are required:-

**Adopt MM41**

**In the policy's second sentence insert "indicative" between "minimum" and "densities".**

***Policy HO8 – House extensions and replacement dwellings in the Countryside***

- 6.43 The policy aims to ensure that the character of the countryside is not harmed by overly large residential extensions (both individually and cumulatively) and replacement dwellings. I note that it seeks to replace two similar policies in the adopted local plan.

6.44 However, adoption of the CS Spatial Strategy means that many former villages will now be designated as "countryside" and hence the thrust of the policy is arguably an over-restrictive limit on individual freedom, reading more like a policy for controlling such development in a Green Belt, which has different strategic aims.

- 6.45 To make the policy sound I consider that a necessary degree of additional flexibility and clarity should be introduced by a minor text change and I recommend accordingly.

6.46 To make Policy HO8 sound, the following change is required:-

**In the first bullet point and the second main paragraph replace the word "significant" by "disproportionately large".**

***Policy HO9 – Re-use of rural buildings as dwellings***

- 6.47 The policy seeks to encourage the re-use of rural buildings where they are closely related to defined settlements, but is silent on the approach elsewhere, albeit that the policy criteria imply that such development would not be acceptable. Several representations considered this to be overly restrictive and queried whether it accorded with national advice in PPS7.

6.48 Paragraph 17 of PPS7 states that "*Re-use for economic development purposes will usually be preferable, but residential*

*conversions may be more appropriate in some locations and for some types of building". It goes on to say that planning authorities should set out in LDDs their policy criteria for permitting the various types of conversion/re-use proposals.*

- 6.49 In principle, the first criterion in Policy HO9, one of proximity to identified main or service settlements, is consistent with paragraph 18 of PPS7. This states that LPAs should "*be particularly supportive (my emphasis) of the re-use of existing buildings that are adjacent or closely related to country towns and villages, for economic or community uses, or to provide housing in accordance with the policies in PPG3, and subject to the policies in paragraph 7...in relation to the retention of local services.*" PPS3 post-dates PPG3 and, in seeking an increased overall delivery of housing to meet all needs, includes the following strategic policy housing objective: "*To create sustainable, inclusive, mixed communities in all areas, both urban and rural.*" It seems then, that there is a balance to be struck between, on the one hand, the focus of development in settlements with a range of facilities and services and good accessibility, and, on the other, the need to foster sustainable development to meet the needs of all communities including the rural ones where the continuing viability of remaining services may be marginal (eg primary school, post office/local shop, pub, bus services).
- 6.50 In the district's case I am conscious of the Spatial Strategy's re-classification of many former 'Selected Small Villages' to "countryside" for settlement planning purposes. This would effectively exclude many previously acceptable residential conversions of buildings within, or closely related to the district's large number of smaller settlements. Such places have some, but not the full range of, local services. In such locations nearby conversions could provide sustainable dwellings in an area of acute housing need without demonstrable harm to the countryside itself while helping to preserve the viability of the remaining services and thereby contributing to sustainability.
- 6.51 I find little apparent justification for imposing a 1km proximity criterion for main settlements and a 0.5km distance for Service Villages with absolutely no conversions within or close to (ie within reasonable walking distance) of the many villages formerly identified in the adopted local plan.
- 6.52 The policy's second criterion, rightly in my view, includes buildings of historic, architectural or landscape value where conversion can be carried out without the need for substantial alteration. It is however, silent on the approach for such buildings within conservation areas or outside the selected settlements where residential conversion may represent the best future for some buildings. This highlights the uncertainty which I consider the policy, in its present form, would create.

- 6.53 I have considered whether to redraft the policy. Of itself that would not be a particularly difficult task. However, my powers to change a submitted DPD are limited and I have concluded that the topic merits further consideration by the Council and public consultation with local stakeholders. This would be likely to delay the adoption of a DPD, the clear majority of which I have found to be 'sound'. For that reason I recommend that this policy be omitted, reconsidered and brought forward at the earliest opportunity (possibly as part of the SSP DPD process). In particular the interaction of relevant advice national advice in PPS1, PPS3, PPS7, PPG13 and PPG15 can be explored and a full range of interested views can be considered and balanced and any necessary SA undertaken.
- 6.54 To avoid a policy vacuum in the interim I also recommend that the adopted local plan policy 29 'The Re-use and Adaptation of Buildings in the Countryside' be retained by removing it from the list of "to be replaced" policies in the Council's proposed Schedule (MM1). This will also require the addition of explanatory text to clarify how the policy would work in the interim until the new policy is prepared and adopted. I accept that reference back to the Local Plan Proposals Map is not an especially elegant solution. However, the alternative of restricting Policy 29's operation to the Core Strategy Selected Settlements would have the effect of further limiting the opportunities for residential conversion counter to the thrust of my reasoning that additional flexibility is required.

6.55 To make the DPD sound, the following changes are required:-

**Withdraw policy HO9 and draft a revised policy having regard to my conclusions herein and the balance to be struck between national guidance in PPS1, PPS3, PPS7, PPG13 and PPG15;**

**Remove Policy 29 from the proposed Schedule of replaced Local Plan Policies in MM1 until such time as the new replacement policy can be brought forward, and add the following explanatory text:**

**"The saved North Norfolk Local Plan policy 29 allows for the re-use and adaptation of buildings in the Countryside for residential purposes where a building is adjacent to the boundary of Growth Towns, Small Towns, Large Villages or Selected Small Villages. These are shown on the Local Plan Proposals Maps (available on ([www.northnorfolk.org](http://www.northnorfolk.org))). This policy\* and the previous boundaries will be used to determine applications for the conversion of buildings in the Countryside to residential purposes only. Policy EC2 will be used to determine applications for the re-use of buildings for purposes other than residential. The Council intends to review this policy at an early date."**

**Add Footnote: “\* For the avoidance of doubt Local Plan policy 29’s cross reference to ‘Policy 127’ no longer applies and the cross reference now applies to CS/DC Policy EC10 ‘Holiday and Seasonal Occupancy Conditions’.”**

## **ENVIRONMENT POLICIES**

### ***Policy EN1 – Norfolk Coast Area of Outstanding Natural Beauty and The Broads***

- 6.56 The policy sets out assessment criteria to ensure that the impact of development on the Norfolk Coast AONB, The Broads and their settings is benign and also encourages remediation and improvement of damaged landscapes as opportunities arise.
- 6.57 PPS7 indicates that the National Parks and AONBs have the highest status of protection in relation to landscape and scenic beauty and that their conservation should be given great weight in planning policies and development control. It states that major developments should not take place in these areas, except in exceptional circumstances, but also advises that suitably located and designed development necessary for economic and social well being should be supported.
- 6.58 In my view there is no need explicitly to repeat this national policy since the policy criteria properly cover the need to prevent development that would significantly harm the special qualities of the AONB and The Broads. I conclude, therefore, that the policy is consistent with national guidance, emerging RSS policy and strategic policy SS4 and hence is sound as submitted.
- 6.59 A text change suggested by the Council (MM103) would clarify the operation of the policy in relation to policy EN12 ‘Replacement of development affected by erosion risk’. This includes approval in principle of the scope for such essential replacement development in the AONB. In the light of the socially pressing need to respond in a positive and practical way to the unavoidable predicted effects of coastal erosion on local people and their communities this is supported and recommended.

6.60 To make Policy EN1 sound, the following changes are required:-

**Adopt MM103**

### ***Policy EN2 – Protection and enhancement of landscape and settlement character***

- 6.61 The policy requires that development be informed by and sympathetic to the distinctive character areas identified in the North Norfolk Landscape Character Assessment [G7]. The Council

explained that this was in the process of being updated and refined in collaboration with the Norfolk Coast Partnership so as to include ecological information and to employ a standard terminology for the naming of landscape character types across the AONB and eventually the entire county. The Norfolk Coast Partnership have also commissioned consultants to prepare landscape character guidance for the Norfolk Coast AONB. Both documents will be available along with a variety of existing conservation area appraisal, town/village Design Statements and the like to help inform implementation of the policy.

- 6.62 The Council propose that Map 3.1 should be replaced by the most up-to-date version of the Landscape Character Assessment and Replace LCA Map MM102i. This and one other minor editorial change are supported and would help make the plan sound. That part of the policy which defines the setting of Sheringham Park is based in evidence and is supported. It is not intended to act as a bar to development but to ensure that the setting is protected. Hence the mooted omission of a parcel of land on the south side of Sheringham from the defined setting is not necessary to make the plan sound.

6.63 To make policy EN2 sound, the following changes are required:-

**Adopt MM46, MM102i**

***Policy EN3 – The Undeveloped Coast***

- 6.64 Large parts of the area's coast are protected by the Norfolk Coast AONB, SSSIs and Nature site designations. To complement these and to reinforce the need to preserve the special undeveloped character of the coast, in line with the aim of national policy in PPG20 and RSS policy SS9, Policy EC3 aims to limit new development to that which requires such a location and will not harm its coastal character.
- 6.65 Although the boundary of the area is not shown on the Proposals Map this arises because no changes are proposed from the area already defined for this purpose in the adopted local plan. The boundary will be added to the published version of the Proposals Map.
- 6.66 I conclude that having regard to the AONB status of most of the area, and subject to two suggested minor editorial/clarification changes which would not alter its main thrust, the policy is sound.

6.67 To make policy EN3 sound, the following changes are required:-

**Adopt MM48, MM57**

***Policy EN4 – Design***

6.68 This is a criteria based policy which aims to promote high quality design which reinforces local distinctiveness and encourages innovative and energy efficient design. The Council has suggested minor text changes which would clarify the operation of the policy and help cross-refer to other parts of the plan thereby improving readability. I conclude that subject to the inclusion of the suggested text changes the policy would accord with national guidance in PPS1 and emerging RSS policy ENV7 and hence is sound.

6.69 To make policy EN4 sound, the following changes are required:-

**Adopt MM49 and MM50**

***Policy EN5 – Public Realm***

6.70 The policy aims to ensure that the important central parts of the main settlements used by the general public are protected and managed to enhance their appearance and usability. Subject to one minor clarification to the explanatory text I consider that the policy is consistent with national and RSS policy and with the CS strategic policies. Accordingly, I conclude that the policy is sound.

6.71 To make policy EN5 sound, the following changes are required:-

**Adopt MM51**

***Policy EN6 – Sustainable construction and energy efficiency***

6.72 The policy aims to reflect national policy in PPS1, PPS22 and elsewhere, and emerging RSS policies ENG1 and ENG2. In combination these seek progressively to increase the sustainability of construction in terms of thermal efficiency, water consumption and the like, and where practical, to encourage de-centralised renewable/low carbon power generation having regard to the Building Regulations and the national Code for Sustainable Homes. The policy includes a raft of assessment criteria and guidelines intended to achieve those aims.

6.73 Several representations argued that the policy was insufficiently flexible and too onerous on developers, and that the Council should

not seek to increase the standards set by the voluntary Code for Sustainable Homes and the Building Regulations.

- 6.74 It is likely that the achievement of better standards may drive up construction costs (at least in the short term until the new(er) technologies achieve greater economies of scale) but I note that it will also significantly drive down running costs for occupiers, especially in the light of fast rising fuel and other building related running costs (eg water and drainage). Policy development in this field has been rapid and public opinion appears ready to support greater compulsion in the collective good.
- 6.75 In my view the policy's ambitious approach, including rising expectations in relation to achieving the voluntary Code for Sustainable Homes star ratings and on-site renewable energy generation on qualifying developments above the stated thresholds, is highly desirable (and arguably essential) if the government's national and international CO<sup>2</sup> reduction commitments are to be achieved. The same policy will apply to all builders and the overall sustainability performance is increasingly a valid marketing plus point. The Council's approach, including its rising target for a percentage of on-site renewable energy generation, mirrors the thrust of the most recent national guidance (and the emerging RSS policies which were endorsed by the Secretary of State) while also reflecting the proposed changes in the Building Regulations. My understanding is that while the targets may be ambitious and challenging, they are achievable if best practice in insulation/thermal efficiency and low energy power usage are integrated at an early stage in the design process.
- 6.76 The Council suggested minor text changes (MM104, 144 & 145) which would not alter the thrust of the policy but would clarify its operation in practice and include reference to appropriate design guidance. I endorse them for those reasons. Overall I conclude that the policy is consistent with national and RSS policy, is supported by a robust evidence base and is sound.

6.77 To make policy EN6 sound, the following changes are required:-

**Adopt MM104, MM144 and MM145**

### ***Policy EN7 – Renewable Energy***

- 6.78 As part of the plan's response to climate change issues, including national government's Climate Change Programme, the policy aims to support renewable energy proposals subject to satisfying assessment criteria intended to prevent environmental harm.
- 6.79 To avoid a potential wording inconsistency the Council has suggested two minor editing changes (MM52 & 53). These would clarify the generally restrictive approach to be taken to large scale

renewable energy development on sites in areas with nationally recognised designations, such as AONBs, SSIs, National Nature Reserves and the like. In line with national guidance in paragraph 12 of PPS22 the policy would allow for small-scale developments within such areas, subject to there being no significant environmental detriment to the area. A policy footnote usefully defines what is considered to be large scale (and by implication small-scale) in this context.

- 6.80 The policy does not provide a numeric target for the quantum of Megawatts of installed renewable electricity to be delivered over the plan period. However, I understand that the plan's monitoring framework (Table 4.4) will seek to maximise such provision with the emerging RSS Policy ENG2 graduated targets for 2010 and 2020 used as benchmarks of progress. This is equivalent to 14% of total electricity consumption by 2010 and 44% by 2020.
- 6.81 On balance, I am satisfied that the policy is consistent with national policy in PPS22 and with emerging RSS policies ENG1 and ENG2. Subject to the minor text changes I endorse, I conclude that the policy is sound.

6.82 To make policy EN7 sound, the following changes are required:-

**Adopt MM52 and MM53**

***Policy EN8 – Protecting and enhancing the historic environment***

- 6.83 The policy aims to ensure the protection and enhancement of the historic man-made environment including historic buildings (both statutorily and locally listed), structures, monuments and landscapes. Although the accompanying text refers to the important role of conservation areas, the policy wording does not refer to the Conservation Area Appraisals and Management Plans whose preparation and review is ongoing. For the sake of consistency and clarity, and to emphasise the important pro-active aspect of conservation, I recommend that the policy is supplemented to reflect this aim. In all other respects I conclude that the policy is consistent with national guidance in PPG15, with emerging RSS policy ENV6 and with the CS strategic policy SS4.

6.84 To make policy EN8 sound, the following changes are required:-

**Insert the following sentence at the end of the policy:**

**“The character and appearance of conservation areas will be preserved, and where possible enhanced, and, in consultation with all relevant stakeholders, area appraisals and management plans will be prepared and used to assist this aim and to encourage the highest quality building**

**design, townscape creation and landscaping in keeping with the defined areas."**

***Policy EN9 – Biodiversity and geology***

6.85 In line with the overarching CS strategic policy SS4, this policy aims to protect the area's varied bio-diversity and geological interests. Two minor text changes (MM54 and 105) would aid clarity and ensure that geodiversity interests were fully covered. Subject to these changes I conclude that the policy is consistent with national guidance in PPS9, emerging RSS policy ENV3 and with CS policy SS4 and hence is sound.

6.86 To make policy EN9 sound, the following changes are required:-

**Adopt MM54 and MM105**

***Policy EN10 – Flood risk***

6.87 Along with the following and in part inter-related policies (EN11 and 12) the policy recognises that several areas within the district are at risk of coastal, river or surface water flooding and that it is likely that climate change and rising sea levels (both absolute and relative) will lead to increased risks. Consequently, in line with national policy in PPS25 and PPG20, and with RSS policies SS9 and WAT4, the plan takes a precautionary approach to new development.

6.88 The policy is informed by a comprehensive evidence base including the Stage 1 Strategic Flood Risk Assessment (SFRA) [H10], the Environment Agency's flood zone maps [D8], the Broadland Rivers Catchment Flood Management Plan [C28], the Kelling to Lowestoft Ness Shoreline Management Plan [E6] and the Shoreline Management Plan (SMP) [E1]. The Stage 2 SFRA including greater level of detail has taken longer to complete than originally anticipated and was expected to be received at the time the examination hearings were taking place.

6.89 In line with PPS25, and its companion Good Practice Guide [B41], the policy aims to apply a sequential test to the location of new development having regard to the identified Flood Risk Zones 1, 2 and 3a. In those areas where zones 3a and 3b are not defined in the SFRA, because the risk is from tidal inundation, the EA maps and site-specific FRAs will be used to assess risk. Importantly no allocations are being promoted in areas of flood risk.

6.90 While some argued that the Council should take an even more precautionary approach, the Environment Agency (EA) who are charged with statutory responsibility for Flood Risk Management, fully support the policy. Subject to some minor editorial changes of

wording which the EA have suggested be made, the Agency has commended the Council on its approach and considers that the policy is sound.

- 6.91 I conclude that the policy is based on a sound evidence base. While the Stage2 SFRA is imminent, and will help inform the implementation of the policy, there is no evidence to indicate that the policy is in any way defective. In my view it already incorporates a sufficiently wide margin of precaution. I therefore conclude that the policy is sound.

6.92 To make policy EN10 sound, the following changes are required:-

**Adopt MM106, MM106(i), MM107(i), MM108, MM108(i), MM109(i) and MM110(i)**

***Policy EN11 – Coastal erosion; and***

***Policy EN12 – Replacement of development affected by coastal erosion risk***

- 6.93 Collectively these policies aim to address the implications for those parts of the North Norfolk coast which are at risk of erosion, in part through sea level rises and increased climate unpredictability, storm damage and the like, and in part because of the underlying nature of their geology.
- 6.94 For those affected areas (stretching from Weybourne to Happisburgh) Policy EN11 defines a Coastal Erosion Constraint Area (CECA) on the Proposals Map (extending from the mean low water mark to the indicative/estimated area at risk of erosion up to 2105) within which new development, or the intensification of existing development or land uses, will not be permitted save where it can be shown not to result in increased risk to life or significant risk to property. In all cases proposals likely to increase coastal erosion as a result of surface water run-off will not be permitted.
- 6.95 The twin policy EN12 acknowledges the long term risk to the future of several of the settlements along this stretch of the coast including the Coastal Service Villages of Overstrand, Mundesley, Bacton and Happisburgh, all of which lie close to the affected areas and are directly affected by the risk of property loss. In essence it aims to safeguard the future function of such settlements by facilitating the 'rolling back' of development in these settlements to 'safer' areas inland.
- 6.96 In places the North Norfolk coast is low lying and susceptible to flooding, and in others it is characterised by soft eroding cliffs created from a glacial material making them unstable when they have a high water content. Coupled with marine erosion this has already resulted in slips and slides and the general retreat of the cliff line along the coastline.

- 6.97 I note that the latest Shoreline Management Plan [E6] (which also covers adjoining local authority areas) had not been finally adopted at the time of the examination hearings but that such adoption was understood to be imminent. In any event there is no technical evidence to cast any serious doubts on its scientific modelling of the risks to these settlements in both the medium and longer term.
- 6.98 The Council's policy and the defined Coastal Erosion Constraint Areas appear to several representors from the most severely affected villages to be over-pessimistic and unduly negative. Some believed that a restraint area based on a 100 year risk of erosion was too long and uncertain and likely to cause unnecessary blight by formalising within the development plan the conclusions of the SMP which was intended to have an evolving and non-statutory purpose.
- 6.99 Having looked carefully at the SMP appraisal and the proposed Proposal map inserts derived therefrom, visited all of these places, and thought long and hard about the potential future consequences of the predicted erosion rates, I have great sympathy for the plight of those people likely to be affected in the medium term both by the erosion process itself on the future of threatened property and livelihoods, and by the implementation of the policy which clearly sets a restrictive framework within the CECAs.
- 6.100 However, I have also had regard to the general government guidance about risk avoidance and climate change predictions in PPS25 and in particular to the more specific guidance in PPG20 paragraphs 2.13 – 2.19. These stress that the consequences and impacts of flooding from the sea and tidal waters are more severe than flooding from rivers and that where there is a risk of land slips and falls of rock policies should avoid putting further development at risk. PPG20 states in terms that new development should not generally be permitted in areas which would need expensive engineering works to protect developments or defend land. Paragraph 2.15 requires a precautionary approach and, in the case of receding cliffs, states that development should not be allowed to take place where erosion is likely to occur "*during the lifetime of the building*" and that such areas should be clearly identified and mapped and shown in development plans. The alternative suggested definitions of 20 or 50 year lines, while not without some merit in relation to some uses, would not fit with the anticipated life of most structures normally considered to be permanent.
- 6.101 In my judgment given the climate change advice in PPS25 Annex B, including the recommended contingency allowances for net sea rise and the expected increases in rainfall intensities, and the attendant local risks identified in the SMP I conclude that there is no preferable policy to the identification of the 100 year CECAs which policy EN11 proposes.
- 6.102 I note that the Council is committed to ongoing dialogue with the locally affected communities and to monitoring the actual change to

the coast against the predicted change. Hopefully this will enable a suitably flexible implementation of the policy where the risk of less sensitive and risk prone uses can be clearly demonstrated to be acceptable in the medium, if not the longer term.

6.103 Overall I conclude that policy EN11 is sound without any change.

6.104 Policy EN12 on the relocation and replacement of affected development was supported by most representors, although others were concerned about its compatibility with other plan policies including, for example, those relating to the protection of the AONB. Yet others were concerned that the policy could encourage speculation and overly large replacement homes in unsuitable locations.

6.105 My understanding is that the Council will be consulting further on this aspect of the policy in the context of the forthcoming Site Specific Proposals DPD. In relation to replacement dwellings this would only apply to those dwellings affected within 20 years of the date of the proposal and the policy contains a number of environmental checks and balances. While the policy may not be the perfect solution in all respects, in my view it rightly signals the strategic aim and on balance is a constructive way forward which has the distinct merit of buying time for the affected communities to begin to make preparation for a much changed future and thereby helping to counter any tendency for planning blight.

6.106 Accordingly, on that basis I conclude that, subject to the minor editorial changes sought by the Council in the interest of clarification, policy EN12 is sound.

6.107 To make policy EN12 sound, the following changes are required:-

**Adopt MM55, MM56 and MM111**

***Policy EN13 – Pollution and hazard preventions and minimisation***

6.108 This is a criteria based policy aiming to ensure that development minimises and where possible reduces all forms of pollution including from light and noise and to water quality.

6.109 The policy has been supported by the EA and in my view is consistent with national guidance, emerging RSS policy and CS strategic Policy SS4. I therefore conclude that the policy is sound.

**ECONOMY POLICIES**

***Policy EC1 – Farm diversification***

- 6.110 The policy seeks to enable farm enterprises to diversify into new agricultural and non-agricultural business activities in order to help sustain the local economy in the face of structural changes.
- 6.111 There was criticism that the policy unreasonably excluded holiday use and tourism which were a recognised part of farm diversification and were supported in national guidance. In my judgment the Council's suggested minor text changes (MM146 & 147) removing the twin requirements that the diversification proposals should be ancillary to agriculture, and that they should exclude holiday uses, would resolve this criticism. A further text change to the explanatory text would help clarify how the policy relates to policy EC2 on the Re-use of buildings in the Countryside for non-residential use (MM154). I support it for that reason.
- 6.112 In my view a further criticism that the policy should not arbitrarily limit the size of ancillary new build would not accord with the generally restrictive approach to new development in the countryside as set out in PPS7 and the policy preference for the re-use of existing buildings where possible. I conclude that the change sought by representors in this regard would not make the plan sound and hence it is not supported.
- 6.113 In all other respects I consider that the policy is consistent with national policy in PPS7 and with emerging RSS policies SS1 and E7 and with the CS's strategic policies SS2 and SS5 and hence I conclude that, subject to the recommended changes, it is sound.

6.114 To make policy EC1 sound, the following changes are required:-

**Adopt MM146, 147 & 153**

***Policy EC2 – The re-use of buildings in the Countryside***

- 6.115 The policy aims to permit the re-use of buildings in the countryside for non-residential purposes subject to satisfying criteria intended to ensure that it would not run counter to the generally more restrictive approach to new development.
- 6.116 I have considered the views of representors that the third bullet point requiring that, if for holiday occupancy, the building should be of historic, architectural or landscape value is unwarranted and in addition to national advice in PPS7. In my opinion the policy's second bullet point, requiring that the building be soundly built and suitable for use without major rebuilding or extension, and that it must protect or enhance the character of the building and its setting, would give sufficient control. Accordingly, I conclude that the third bullet point would be more onerous than intended by the government policy in PPS7 and that it should be deleted to make the policy sound.

6.117 To make policy EC2 sound, the following change is required:-

**Delete the third bullet point**

***Policy EC3 – Extensions to existing businesses in the Countryside***

6.118 The policy is permissive of extensions to existing buildings in the countryside where they are of an appropriate scale and would not harm the character of the area.

6.119 PPS7 is supportive of a wide range of economic activity in rural areas and requires that LDDs include the criteria for permitting economic development in different locations to facilitate healthy and diverse economic activity. Entirely new building outside defined built-up areas is generally discouraged as being unsustainable and harmful to countryside character. Complementary aims are contained in emerging RSS policies.

6.120 How the words "of appropriate scale" might be interpreted was considered. I accept that a percentage or quantum figure would be hard to implement. In practice assessment of the nature of the use and its local impact on the transport network and the site setting would be key determinants, coupled with the extent to which the proposal would add genuine value to the local economy. Read with the CS strategic policies SS2 and SS5 and the other DC policies I conclude that this part of the policy is sound.

6.121 A second part of the policy concerns Bacton Gas Terminal where development is supported within the (fairly extensive) area defined on the Proposals Map. A minor text change suggested by the Council would clarify that such development would be expected to be ancillary to the terminal use. I consider that this would make the wording clearer without changing the thrust of the policy and therefore support its inclusion. For the avoidance of doubt development outside the boundary would be subject to the full range of the CS and DC policies.

6.122 To make policy EC3 sound, the following changes are required:-

**Adopt MM112**

***Policy EC4 – Redundant defence establishments***

6.123 The policy seeks to address the future of four redundant defence establishments in the district. The bases include large areas of brownfield (ie previously developed) land. They are all somewhat peripherally located in relation to the eight designated main settlements. In three out of four cases they are not very well served by the district's highway network.

- 6.124 In my view the policy's underlying aim, to make sensible use of the former bases' reusable buildings within their broadly central 'technical areas' for mainly economic purposes but without expansion of the overall built footprint, would fit with national policy, emerging RSS policy E2 and the DPD's preferred spatial strategy. In addition it would go some way towards replacing the historic economic benefits generated by the bases when they were operational whose loss has weakened the local economy in both direct and indirect (multiplier) terms.
- 6.125 The strategic spatial strategy, policy SS1, seeks to focus most new residential development in the identified main towns and service villages. Because of their limited range of services and facilities, none of the bases have been identified as service villages within the preferred settlement hierarchy. The corollary is that the balance of the often extensive open areas of the bases is deemed to be Countryside wherein new development is to be generally restrained in accordance with the aims of policy SS2.
- 6.126 I consider that there are sufficient similarities between the bases to warrant a generic policy while recognising a point made by representors that each base may require a more site-specific approach based on development briefs outwith the generic DC policy. I return to that aspect later. Individual representations to the effect that some level of mixed use/residential development and a more comprehensive approach to re-use would be appropriate at particular bases are addressed below, along with other points particular to each base.

### **Coltishall Airbase**

#### **Background**

- 6.127 The former WWII RAF Coltishall airbase lies in open countryside about 15km north-east of Norwich city centre and 4km north of Coltishall village, the nearest towns being Aylsham, some 7km to the north-west, and North Walsham, about 8km to the north-east. It was closed for military purposes over the years from 2004 to 2006. Including an already disposed of residential area immediately to the north-west, it extends to some 285 hectares, although it should be noted that the outer south-western third of the runway and associated taxiing areas lie within the adjoining Broadland District Council administrative area.
- 6.128 On the proposed Proposals Map the 'technical area', includes the single person accommodation and mess blocks, offices, workshops and hangar buildings. These are all within the north-western corner of the base, next to the retained housing area, and comprise about 57ha, some 22% of the 261ha of land still within government ownership. For policy purposes the rest of the base would have the status of Countryside where the general new development restraint in policy SS2 would apply. Having regard to the definition in PPS3 Annex B the Council takes the view that the generally open area comprising the balance of the base should not be considered as

previously developed land, although others at the public hearing disagreed on this point.

- 6.129 Since their earlier disposal by the MoD the remaining 377 homes adjacent to the base have been refurbished to a good standard and were being marketed at the time of the public examination.

#### **More recent events**

##### ***Proposed Prison Use***

- 6.130 Following the base's decommissioning, during most of 2007 (when the DPD was in the final stages of preparation) it had been thought that the buildings might be used by the Home Office as a Detention Centre for Asylum Seekers. However, on 5 December (when the public hearings part of the Examination had commenced) the Secretary of State for Justice announced that, as part of a wider programme to increase prison spaces, the former base would be used as a Category C prison.

- 6.131 The MoJ has subsequently clarified that while all of the airfield would transfer to its ownership, only part of the site would be used for the proposed prison, namely most of the area formerly occupied as Single Living Accommodation and associated buildings [I31xi]. Means of vehicular access and the use of the remainder of the site were still to be determined and the precise timetable for a planning application is not yet known.

##### ***Eco Town Proposal***

- 6.132 In parallel with the above events, Coltishall Group Plc, made composite representations on the CS and DC Policies DPD to the effect that: it was missing a strategic policy for RAF Coltishall; that strategic housing policy SS3 was over-reliant on windfalls to achieve delivery of the RSS target housing numbers and that more housing site allocations should be made if delivery and affordability issues were to be successfully addressed; and that policy EC4 was not sufficiently far-sighted, comprehensive and flexible. The Group considered that there was scope for significantly greater development at the base, including for a new innovative residential community. This could take the form of an exemplar Eco-town of about 3,000 highly sustainable new homes with zero carbon footprint through use of wind and solar power, a mix of sizes, types and tenures, a business and technology park, and 100ha of wetlands and open spaces.

- 6.133 In pursuance of this idea the Group responded to the government's invitation to bid for Eco-town status following DCLG's July 2007 publication of the government's Housing Green Paper '*Homes for the Future: more affordable, more sustainable*' and its supporting document, '*Eco-towns Prospectus*' [C49]. In line with the expectations of the Prospectus the Group bid increased the number of homes to 5,000, with other components remaining the same.

- 6.134 At the time of the DPD Examination public hearing sessions the outcome of the bidding process had not been announced by DCLG. However, the Council had placed on record that it was not opposed in principle to an Eco-town for Coltishall [I15] but, in essence, that such a proposal would not accord with the emerging RSS and Core Strategy and hence would be premature pending a mini review of the RSS, as suggested by the Eco-towns Prospectus [C49].
- 6.135 Although the question was touched on briefly at the hearing, no-one present had an informed view as to whether a Category 2 prison was compatible with the development of an Eco-town.
- 6.136 In April 2008, well after the CS hearing sessions had finished, the Housing Minister announced that the Coltishall Eco-town bid had been shortlisted (with 14 others) for further appraisal and refinement work. A further selection process to choose 10 projects for final development and Sustainability Appraisals leading to planning applications will take place later in the year. As part of that process the subsequent DCLG consultation paper, "*Eco-towns: Living a greener future*" is intended to act as a consultation paper with all interested parties and to inform the final site selection process. In Section 5 at page 35 in relation to its preliminary selection of the Coltishall bid, the DCLG notes that MoJ has stated that it considered the Eco-town proposal to be complementary and beneficial to the prison proposal.

#### **Conclusion on Coltishall element of EC4**

- 6.137 It is not part of my role to reach a judgment or recommendation on whether an Eco-town at Coltishall should go ahead, but rather to determine whether the Core Strategy and DC Policies DPD as submitted is sound. Given that the RSS-led residual housing supply figure for the balance of the plan period to 2021 is some 5,938 dwellings, and that CS policy SS3 shows that the plan is reasonably well placed to meet it, the development of a further 3-5,000 dwellings, at a location not currently identified as a selected settlement within the preferred spatial strategy, would be clearly at odds with the thrust of the Core Strategy and the emerging RSS.
- 6.138 Notwithstanding the representations by the Coltishall Group that the strategy itself was deficient, there has been no clear demonstration that, in the context of the search for development potential of the quantum anticipated by the RSS, the plan's settlement selection process was fundamentally flawed. Furthermore, no Sustainability Appraisal has yet been carried out to assess the environmental and transport implications of a development of the size contemplated by the Eco-town proposal. Save for the DCLG national consultation referred to above (which process is continuing at the time of drafting), neither has there been any consultation with local stakeholders or the general public. Consequently, on the evidence before me I conclude that in respect of the Coltishall base policy EC4 was sound at the point of its submission and internally consistent with the rest of the document.

### **What happens next?**

- 6.139 Should the current national consultation process lead to the continued selection of the Coltishall Eco-town proposal, I understand that it is the government's intention to publish a Planning Policy Statement on Eco-towns which, if and when formally approved, would be a material consideration in the assessment of any subsequent planning application. In that event, if the Council is so minded it could consider the merits of preparing, in full consultation if not jointly with Broadland District Council, an Action Area Plan to promote the integration of the Eco-town, the MoJ's Prison proposals and any related off-site infrastructure works.
- 6.140 Alternatively, should the proposal not be approved by DCLG for further progression, then the Council may need to consider how best to integrate the Category C prison with the preferred commercial use of the balance of the site along with any other essential key worker housing that MoJ may identify as being needed. Conceivably such a scenario could be managed by way of an Action Area Plan and/or a SPD. In either case an adjustment to the Council's LDS would be required.

### **Neatishead (part)**

- 6.141 Former RAF Neatishead is located in attractive open countryside about 5km east of Hoveton and 1.5km north of Horning. It was established in 1941 and I understand it is the longest serving radar site in the world. The open part of the site contains three radar plinths which I understand are recommended by English Heritage as Scheduled Ancient Monuments, with other parts recommended as Listed Buildings, all presumably for their historic interest. In 2004 the MOD declared that the Air Surveillance and Control facility would be significantly scaled down resulting in large parts of the base being declared surplus to future defence requirements. The scaled down operation includes the Air Defence Radar Museum.
- 6.142 The base is in a relatively isolated rural position poorly served by the highway network and in an environmentally sensitive location close to the Broads and the How Hill Nature Reserve. It has never had an established residential community and hence its further significant development for other than commercial uses would not accord with the spatial strategy SS1 and Countryside policy SS2.
- 6.143 I note the primary landowner's representations that the policy should also permit the introduction of leisure and recreation uses in line with the strategic need to broaden the tourism base in innovative ways in line with emerging RSS policy and the North Norfolk Tourism Sector Study [H7].
- 6.144 I accept that the defined technical area and the on-site buildings and structures are fairly extensive, and that some limited new development with appropriate landscaping may help to soften its relatively exposed position within an otherwise attractive landscape. I also note that if the recommended scheduling and listing is

confirmed by government then there would be a presumption against the loss of those structures and buildings.

6.145 However, in my view the policy strikes broadly the right balance in not seeking to extend the gross built footprint of the Neatishead base. Some reasonable flexibility is apparent in that part of the policy which states that "*new build employment generating proposals will be permitted in the areas designated as Countryside where there is particular environmental or operational justification.*" There is nothing in the policy, when read alongside policy EC8 'The location of new tourism development', which would fundamentally preclude a well conceived tourism/leisure/recreation proposal with employment generating potential provided it was of an acceptable scale, form and local traffic impact, and compatible with the retained parts. I conclude, therefore, that this part of policy EC4 is sound.

#### **Sculthorpe Airbase (part)**

6.146 The former air base and adjoining airbase village are sited in open countryside about 8km west of the centre of Fakenham. The two adjoining areas enjoy reasonably good road access via the nearby A148 and the adjoining B1454. Although the (long) runway is still in occasional operational military use, the bulk of historic base itself is now redundant and has been sold off. As a result the main former technical area is subject to limited commercial use. Large areas of open land and the former barracks blocks, the nearest part of the site to the Blenheim Park/Wicken Green residential enclave, lie vacant and increasingly derelict.

6.147 In my earlier consideration of policy SS1, I expressed some concern that, following the omission of the Blenheim Green/Wicken Park residential area from the list of selected Service Villages, the extent of dereliction within those parts of the former technical area shown marked by an X on the (proposed to be amended) Proposals Map was such that the plan seemed unlikely to promote the sustainable development of the area as a whole. In short it seems passive rather than pro-active.

6.148 I am strengthened in this conclusion by looking back at the adopted local plan adopted in April 1998. At that time, and up until the present, the housing area was identified and tightly defined under Policy 4/Inset Map 63 as a Selected Small Village. In addition Policy 75 (Former Military Airfields/Annex 6) identified an Area A of more or less identical extent to Area X now proposed. Within Area A the adopted plan sought "*the regeneration of suitable buildings within the former barrack block area which would support the community and social needs of the resident population and the removal of all other unsuitable buildings in the area*".

6.149 Ten years on, save for the continued operation of a social club on Chestnut Avenue, there is very little, if any, evidence on the ground that this policy has been in any way effective. The more-or-less recent closure of the convenience food store on School Road

suggests that confidence in the potential of the area may have receded. At the same time much of the adjoining housing area is well kept and the sizable school and nursery appears to be thriving.

6.150 While I am unable to conclude that the thrust of policy EC4 is incorrect I am led to the conclusion that a virtual continuation of a 10 year old failed policy does not address the fundamental need to promote sustainable development.

6.151 As a result I conclude that while policy EC4 is not generally unsound, following adoption of the Core Strategy the Council should reconsider the role and functioning of the former Sculthorpe Airbase as a whole in consultation with representatives of the local residential community and the business park owners. The aim would be to produce either an Action Area Plan or SPD aimed at a better integration (or even separation) of residential and commercial areas and a staged improvement of the environment between Batchelor Drive, Lancaster Road and Flag Street. Such a plan could embrace a somewhat wider mix of uses than currently foreseen in EC4, possible including a modest amount of new residential, to serve as enabling development to pump prime the environmental improvements which I deem to be highly desirable if not essential if the Core Strategy's wider ambitions are to be realised here. I recommend accordingly.

### **West Raynham**

6.152 The former air base is located about 9km south west of Fakenham. It has relatively poor road connections to the main highway network. The Proposals Map defines the technical area centred on the former mess blocks, office, workshop and hangar buildings. For development policy purposes the rest of the base would assume the status of Countryside where policy SS2 would apply. In my view the peripheral location and limited accessibility of the site support the aim of policy EC4 in permitting the re-use of the technical area alone for commercial purposes. I conclude, therefore, that this aspect of the policy is sound.

### **Minor Modification**

6.153 The Council's suggested MM148 would simply correct a cross reference and is supported in the interests of clarity and accuracy.

6.154 To make policy EC4 sound, the following changes are required:-

#### **Adopt MM148**

**Following adoption of the CS and DC Policies DPD, consider reviewing that part of policy EC4 concerned with Sculthorpe Airbase with a view to evolving a more proactive approach to the necessary environmental improvement of that part of the area marked X on the adopted Proposals Map.**

***Policy EC5 – Location of retail and commercial leisure development***

- 6.155 In line with national policy in PPS6, RSS policy E5 and the proposed CS strategic policy SS5 the policy aims to provide a locational framework for new retail and commercial leisure proposals in the Principal and Secondary Settlements subject to controlling criteria aimed at ensuring and enhancing the vitality and viability of their centres. For both retail and commercial development proposals three floor area based threshold levels are set to steer development of differing sizes to the most appropriate (town centre) locations. Proposals not fitting within that framework are expected to demonstrate that there is a need for the scale and type of development proposed and that no sequentially preferable site, starting in town centres, is available. The policy also includes a definition of primary retail frontages and a 30% linear criteria process to ensure that they retain their main shopping function.
- 6.156 The policy's evidence base includes the North Norfolk Retail and Commercial Leisure Study, 2005 [H5]. In my view this provides a comprehensive and robust evidence base for the formulation of the policy recognising the strong influence exerted by Norwich over shopping patterns in the district especially in relation to the comparison and bulky goods sectors. The role, function and character of the district's towns and how they are expected to develop is contained in the strategic town strategies SS7-14. The definition of the settlements within the spatial hierarchy and the appropriate level of new retail space within the various centres is informed by the retail study, the likely expected new residential growth of the settlements as set out in the CS, and the shopping and physical characteristics of each place, including the need to respect the local distinctiveness of each place while ensuring that local shopping needs are met, as far as possible, at the local level.
- 6.157 Concern was expressed by a major food retailer that instead of defining large and small town centres the DPD should have just one category of town centre to allow the market to respond more effectively to identified needs. A separate concern questioned the scope for confusion by having Secondary Settlements and Small Town Centres.
- 6.158 However, the identification of differing size centres has taken into account the Retail study, the anticipated population growth levels, and the physical form, function and characteristics of each settlement. In my view the identification of a two tier town centre hierarchy is broadly in line with the expectations in PPS6 (esp para 2.16) and the RSS to adopt a proactive and plan-led approach to planning for town centres, and importantly, to respond to the nature and character of the area's various towns and their respective needs and opportunities, including the tourism functions several of them also serve and the seasonality issues related thereto. The town centre categorisation is a separate, albeit related, process to the establishment of the settlement hierarchy.

- 6.159 The Retail study identified a relatively modest scope for an additional quantum of convenience floorspace provision at district-wide level. This, and the constraints offered by the extensive conservation areas and listed buildings in most of the existing centres, lend weight to the identification of a two tier centre hierarchy wherein a relatively modest amount of retail growth is identified for the smaller centres related to the generally smaller catchment areas and populations they serve.
- 6.160 In my view the use of differing drive time catchment areas is a reasonable analytical device for policy making purposes, although I accept that the reality of shopping patterns is likely to be more complex. Such factors, including qualitative as well as quantitative need and public transport accessibility (to name but two), will be material considerations in the implementation of the policy in relation to specific retail development proposals. There is no compelling evidence that the retail hierarchy as a whole is in need of major rebalancing. Hence I conclude that the floorspace thresholds are sound as indicators of the general level of new development likely to be appropriate at the different levels while the policy as a whole provides a degree of flexibility to take account of the particular circumstances of each settlement and its needs.
- 6.161 At the hearings concern was expressed about the operation and implementation of the Primary Retail Frontages element of the policy. As the policy is concerned with both land use and the physical continuity of shop frontages in both functional and visual terms, I conclude that the linear approach proposed in the policy is more sensitive and appropriate than the floorspace approach mooted in discussion. Accordingly I conclude that the policy is consistent with PPS6 and sound in this regard.
- 6.162 Settlement-specific concerns raised by representors during the examination process include the following:
- 6.163 **Sheringham:** - There was considerable debate about the proposed provision of a new supermarket close to the town centre, about which there are conflicting views for and against.
- 6.164 In principle policy EC5 and the town strategy SS12 would enable such a proposal of a suitable size. The need for a new supermarket of up to 1,400 sq m net sales area was included in the adopted local plan. It appears to have been omitted now because there are proposals already some way along the 'pipeline' (Permission for a replacement Budgens store of 750 sq m net has been granted (but not yet implemented) and approval in principle was granted for a Tesco store of 1,200 sq m net and 300 sq m non-food though conditions were never agreed and the application was refused and is the subject of an appeal.). It is clear that the planning history and land assembly issues are involved and contentious. Any impact assessment is further complicated by the relatively close proximity of Cromer and the resultant overlap of the 10 minute drive times between the two centres.

- 6.165 In my view the judgments about the merits of any particular proposals are for the Council to consider in the first instance, having regard to the strategic and development control policies and to all other material considerations relevant at the time such schemes come forward. There is a degree of consensus about the need to improve the town's convenience shopping offer in a town centre location linked to the Primary Shopping Area. The Retail Study concluded that there is a qualitative need for a supermarket to help prevent turnover 'leakage' to Cromer, to reduce the need for residents and visitors to travel out of the town for weekly bulk food shopping, and to anchor the town's convenience and retail offer. However, it would seem that there is less agreement about the precise quantum of floorspace or the preferred location.
- 6.166 Notwithstanding these tensions, in my view the strategic policy SS5 and the DC policy EC5 provide a well considered, comprehensive and consistent framework for the assessment of any further detailed proposals which may come forward. I conclude, on the evidence, that no material change to these policies is justified in relation to Sheringham.
- 6.167 **Stalham:** - Concern was raised in relation to the definition of the Primary Retail Frontages and the consultations undertaken in this regard. On the latter aspect I am satisfied that, despite some initial confusion, the consultation process was undertaken properly and that by the end of the examination all parties, including the Town Council, had received a full opportunity to make detailed representations about the changes proposed by DC policy EC5 and the Proposals Map in comparison to the adopted local plan.
- 6.168 On the points of substance, I note that the detailed boundary definition of both the Town Centre and the Primary Shopping Area would be changed by the new policy and that it would introduce a Primary Retail Frontage designation which previously did not exist. In my view these are understandable and justifiable changes reflecting the evolving nature of the centre as a whole. It is now adjusting to a range of broader economic trends and to the opening of the relatively recent Tesco supermarket at the south-eastern end of the centre. This was not built at the time the local plan was adopted although it was at the scheme planning stage. I am aware of the Town Council's concern at the detail of these area and boundary changes, but to my mind the proposals are based on the evidence of the Retail study and consistent with the general approach elsewhere.
- 6.169 With regard to the precise definitions of the Primary Retail Frontage I am satisfied that the Proposals Map as originally proposed by the Council is a sensible definition which broadly reflects those parts of the retail frontages which are in shopping use and as such which warrant a degree of detailed control. The fact that these do not include all retail premises at the far western and eastern ends in my view reflects the continuity or otherwise of the uses on the ground and the main concentration of shopping activity and should not be

taken as a signal that the centre is shrinking. I conclude that there is no need to change the Proposals Map as a result.

6.170 Despite the concerns expressed by the main convenience retailer overall in my view the strategic policy SS5 and the DC policy EC5 provide a well considered, comprehensive and consistent framework for the assessment of any further detailed proposals which may come forward. I conclude, on the evidence, that no material change to these policies is justified in relation to Stalham

6.171 **Holt:** - Concern was raised about the need to protect the shopping uses and frontages in this historic town centre. I note the special character of Holt and that its very successful retail and tourism draw (in part boosted by the presence of Gresham public school and the historic Bakers and Larners variety store) is well known and far reaching. To ensure its continuing health at the hearing the Council proposed a modification which would include the definition of Primary Shopping Frontages in the tightly defined core area where retail uses already predominate. I conclude that this change is necessary to make the plan sound without altering the thrust of the strategic policy. However, the suggestion of a reduction in the permissible non-A1 frontage would be too prescriptive and not permissive enough of a range of quasi-shopping uses which in moderation are acceptable in main shopping frontages and which other towns may need to help improve the variety of their offer. Hence I conclude that no change is warranted in the latter regard.

#### **Other matters raised**

6.172 While the RSS contains policies specifically encouraging the support of cultural assets, I note that the policy does not make specific reference to the location of cultural facilities. However, it does refer to theatres and cinemas in a footnote defining commercial leisure facilities. While towns will be the natural focus for a wide range of cultural facilities, especially those related to tourism such as museums, the RSS policy has a wide and inclusive concept of cultural development including rural areas, archaeology, the historic environment, sport and recreation and nature conservation. It is not clear to me that the encouragement of such a wide range of often place-specific activity can be sensibly embraced within this particular development control policy. In my consideration of policy CT3 I recommend the inclusion of cultural facilities in the list of community facilities generally to be protected. Accordingly I conclude that no change to policy EC5 is needed in this regard.

#### **Minor Modifications**

6.173 The Council have suggested a number of minor editorial changes to clarify the wording of the policy. I conclude that all of them would assist the understanding of the policy without affecting its intended aims and should therefore be made.

6.174 On the topic of clarity, the Council should consider whether the policy's use of 'm<sup>2</sup>' as a shorthand proxy for 'sq m' is accurate or

could give rise to confusion. My understanding is that in mathematical terms  $250\text{m}^2 = 250\text{m} \times 250\text{m} = 62,500 \text{ sq m}$ . I am not sure that that is the meaning the Council intended to infer. If I am right then the Council should make the appropriate change to the final version of the DPD.

6.175 To make policy EC5 sound, the following changes are required:-

**Adopt MM58 – MM60, MM82 & MM149 – 152 inclusive**

***Policy EC6 – Public Car Parking Provision***

6.176 The policy aims generally to protect designated public car parks. Development proposals would result in their loss (or reduction) alternative equivalent provision will be sought as a precondition to permission being granted.

6.177 In this largely rural area I consider that this policy is sound as far as it goes. I note that the various town strategies contain aspirations to increase the level of public car parking in particular town centres consistent with maintaining their viability and vitality as service centres. The latter suggestions would be capable of determination at the local level taking account of competing aspirations for scarce central area land. On the available evidence no change is warranted to this policy which I conclude, on balance, is sound.

***Policy EC7 – Amusement Arcades***

6.178 As a coastal area with several traditional seaside towns and family oriented holiday and caravan sites, parts of the area have considerable numbers of amusement arcades. The policy seeks to impose a tightly restrictive approach to the provision of further amusement arcades across the entire district. This is based on its expressed concern, shared by at least two representors in Cromer and Sheringham, with the risk of harm to the character of settlements, noise pollution and loss of residential amenity. The Council's main concern is to avoid any significant increase in provision or over-concentration of such uses in any particular area.

6.179 I accept that the above factors are material in controlling the level of provision in particular places. However, I am concerned that the blanket prevention of further such (ill defined) development over the balance of the plan period to 2021 is overly restrictive, not socially inclusive, and not based on sufficiently sound evidence. Arguably it sits uncomfortably with CS Core Aim 6 to improve access for all to jobs, services, leisure and cultural activities.

6.180 I have found little, if any, support in national guidance or in the RSS for such a restrictive approach. PPS6 tends to focus on encouraging the complementary role of shopping and a range of inclusive leisure uses to meet diverse needs in town centres, while

recognising the need to manage the night-time economy to avoid environmental harm and to tackle anti-social behaviour. Emerging RSS Policy E7 encourages sustainable tourism and the need to regenerate seaside resorts and extend the traditional tourist season. Planning case law is replete with cases of Amusement Centres (generally Amusement-with-Prizes centres rather than Amusement-only Arcades) being found acceptable in principle within town centres, albeit subject to detailed control measures to avoid harmful proliferation and over long breaks in retail frontages.

6.181 As submitted policy EC7 effectively sought to roll forward the adopted local plan policy 83 by limiting new arcade proposals (which are not defined) to parts of one street in Cromer and one street in Sheringham. In response to representations the Council subsequently proposed a change to the text to introduce a criteria based approach (MM113). This would restrict arcades to direct replacements for existing facilities and require no harm to the character of an area or local living conditions. In principle a criteria based approach to control is desirable, but I consider that the policy's strategic thrust is, at best, questionable. Moreover, the proposed modified wording is tantamount to a new policy which has not been subject to public consultation. For these reasons I conclude that it goes beyond the legitimate scope of a minor modification.

6.182 In the light of my conclusions it follows that the policy should be withdrawn and reconsidered by the Council in the light of the above considerations and conclusions. If required a reviewed policy could be brought forward at an available opportunity, possibly as part of the SSP DPD process.

6.183 To make the DPD sound, the following change is required:

**Omit Policy EC7 and supporting text in the two preceding paragraphs**

***Policy EC8 – The location of new tourism development***

6.184 The policy aims to balance the need for tourism development in suitable locations with protecting the quality of the environment. It would establish a framework for locating new tourism development in accordance with a sequential approach reflecting the overall Spatial Strategy and the related settlement hierarchy. Proposals for new build un-serviced accommodation in the Countryside would be treated as if permanent dwellings and precluded.

6.185 PPS7 advises that RSS and LDDs should support sustainable rural tourism and leisure developments which do not harm the character of the countryside and its towns and villages. Emerging RSS Policy E7 encourages sustainable tourism, but points to the vital need to conserve the natural and built interests which underpin tourism

development especially in sensitive locations such as the Heritage Coast, the Coastal AONB, and The Broads.

- 6.186 The submitted evidence base includes a comprehensive Tourism Sector Study 2005 [H7] and the Council has also had regard to the national Good Practice Guide on Planning for Tourism 2006 [C17]. The study identified four distinct asset zones: Resorts & hinterlands; Rural; The Broads & their setting; Heritage Coast including Wells. These have differing abilities to accommodate new development and have been used to fine tune the locational policy. For example new attractions and serviced accommodation are expected to be located in the resort and hinterlands and the rural zones where there is capacity to absorb new visitors and, by implication, not encouraged in the less developed zones with national landscape designations where the sensitive environment could be damaged.
- 6.187 At the examination there was a closely balanced debate as to the balance to be struck in the defined Coastal Tourism Asset Zone which I note from Map 3.3 is broadly equivalent to the extent of the Norfolk Coastal AONB. The Council argued for the policy's precautionary and restrictive approach to new build un-serviced accommodation, on the grounds that it was very difficult in practice to prevent such accommodation becoming, over time, *de facto* second homes, and eventually permanent dwellings contrary to the CS Spatial Strategy and harmful to the purposes of the area's landscape designation. An experienced leisure operator, active in the locality, said that the approach was too restrictive and not consistent with national policy in PPS7 paragraphs 34(ii) and 40, as repeated in Annex A of the Tourism Good Practice Guide.
- 6.188 In the round, given the attractive, largely open and quiet, unspoilt natural character of the Coastal AONB, I conclude that the submitted policy would achieve a generally sound balance between the need to foster sustainable tourism development, including accommodation, while also conserving the locally distinctive natural environment which attracts many visitors to the area. The policy would permit suitable accommodation conversion schemes but in the majority of cases the representor's mooted change, to allow for the provision of new build un-serviced accommodation in the AONB, would be contrary to the Spatial Strategy and the cautionary emphasis in PPS7 and therefore it would be unsound.
- 6.189 The Council has suggested a number of minor text changes to aid clarity and comprehension, including an explanation in the accompanying text that extensions to existing caravan sites and holiday parks may be permitted under policy EC11 (MM155). Since none of these text changes would change the thrust of the policy I conclude that they could and should be made.

6.190 To make policy EC8 sound, the following changes are required:-

**Adopt MM64 – 67, MM69, MM116 and MM155**

***Policy EC9 – Retaining an adequate supply and mix of tourist accommodation***

6.191 The policy provides a criteria-based approach to the protection of the supply and mix of all types of tourist accommodation (including touring and static caravan sites) which seeks to ensure that losses are only sanctioned where there has been a clear demonstration of a lack of viability of the enterprise in question.

6.192 A footnote to the policy sets out policy thresholds indicating that small serviced establishments with less than five bedrooms and touring/static caravans/camping sites below 5 units would not be bound by the policy. This allows some flexibility at the smaller end of the market where changes would not have significant effect.

6.193 The policy does not indicate what new tourist accommodation might be encouraged consistent with the strategic policy SS5 aim of diversifying the (tourism) 'offer' and extending the season. Thus it is not as pro-active as some representors would wish. However, the 2005 Tourism Sector Study indicates the general priorities and specific investment decisions would most probably come from the private sector on a site by site basis. The plan is not unsound for not including this detail in my view.

6.194 A minor change would correct a drafting error in relation to "certificated" caravan sites. Subject to this text change, I conclude that the policy would strike an acceptable balance between necessary control and commercial freedom and flexibility.

6.195 To make policy EC9 sound, the following change is required:-

**Adopt MM68**

***Policy EC10 – Holiday and seasonal occupancy conditions***

6.196 The policy aims to control the use of new, un-serviced holiday accommodation to the purpose for which it was originally permitted and prevent it becoming permanent living accommodation. It arises because of widespread concern about the perceived abuse of holiday occupancy conditions in the absence of a clear definition of what constitutes a holiday home for planning purposes. The wider aim is to ensure the correct balance between encouraging tourism and other policy aims of controlling development in the countryside and promoting sustainable development in settlements well served by local services and facilities.

- 6.197 The aim of the policy is generally in line with government policy and guidance as set out in Annex B of the DCLG Tourism Good Practice Guide 2006 [C17]. However, the matter of the appropriate means of achieving the aim was the subject of considerable debate at the public hearing sessions. This focussed in part on achieving an acceptable and reasonable definition of what holiday accommodation actually is and how it might best be controlled, and in part on the legal differences between built accommodation and caravans for rating and land use planning purposes.
- 6.198 On the former the Council's suggested text clarification would make the policy clearer (MM156). On the latter I understand that the policy was intended to apply to permanent built accommodation and not caravans or holiday park/chalet accommodation with a limited life and different powers of control via the freeholder. If that is so, then in my view the Council's suggestion of extra explanatory text and a footnote stating that an alternative approach to holiday occupancy conditions may be appropriate on holiday parks would be the simplest way forward (HM22 and 23).
- 6.199 I conclude that the policy should be amended to clarify how it would operate in practice but that, subject to those minor changes, the policy is sound.

6.200 To make Policy EC10 sound, the following changes are required:-

**Adopt MM156; HM22 and HM23**

***Policy EC11 – Static and touring caravan and camping sites***

- 6.201 The policy aims to facilitate the relocation of inappropriately sited static caravan sites (on cliff-top sites, or within the Coastal Erosion Constraint Area or the EA Flood Risk zones), by allowing an exception to the general presumption against new static caravan sites in the AONB and the Undeveloped Coast area, subject to their being no significant intensification of such uses.
- 6.202 At the hearings a representation from a leisure operator sought policy changes including to the final paragraph to enable a case to be made for new caravan sites in the AONB and Undeveloped Coast area in line with advice in paragraph 34(ii) of PPS7. While I accept that some more recent sites, such as the award winning Kelling Heath Holiday Park, provide very good quality sustainable accommodation in a well landscaped setting, there are many more examples of exposed caravan sites which have already caused very significant damage to the visual attractions of the AONB and Undeveloped Coast. For that reason I consider that the presumption against entirely new caravan sites in the AONB is appropriate and supported by the evidence at the present time. However, I accept that it should be possible to make a case for the extension of suitably located sites where an absence of harm to the

landscape can be conclusively demonstrated. I recommend, therefore, that the policy's third and fourth bullet points be amended as proposed below.

6.203 The Council has suggested a number of minor text changes to aid clarity and comprehension and these are supported. Subject to these changes I conclude that the policy would be sound.

6.204 To make policy EC11 sound, the following changes are required:-

**Adopt MM69, MM70 and MM154**

**and replace bullet points 3 and 4 with the following text:**

- **Conclusively demonstrates a very high standard of design and landscaping and minimal adverse impact on its surroundings;**
- **Is appropriate when considered against the other policies of the plan.**

## **COMMUNITY AND TRANSPORT POLICIES**

### ***Policy CT1 – Open space designations***

6.205 The policy aims to designate and protect two categories of existing open spaces within settlements which are valuable to the community, either for their recreational use, or for their visual and public amenity value. In conjunction with CS policy SS6 it also seeks to ensure that new development makes appropriate provision in line with standards set out in Appendix A and based on national guidance in PPG17. In so doing it seeks to reflect the policy aims in RSS policy ENV1 to provide networks of accessible greenspace in urban, urban fringe and adjacent countryside areas. The areas designated were selected having regard to the substantial evidence base provided by the North Norfolk Open Space and Recreation Study [H9].

6.206 Various concerns were expressed about needs of local communities and the impact of the policy and its associated Proposals Map designations in particular places which I consider briefly below. However, there was a degree of consensus about the desirability of, protecting and where possible improving the community's access to open space for both active recreation (outdoor sport and outdoor leisure pursuits) and for more passive purposes. The latter includes visual and aural relief from development and the interaction with nature to be experienced in informal open spaces and woodlands not necessarily directly accessible by the public.

6.207 In my view the interaction over time of policies CT1 (essentially 'hold on to what we have and provide suitable replacement where

necessary'), SS6 and CT2 (ensure new development meets the open space standards and helps create a network of accessible greenspace using developer contributions where necessary) and the implementation of the individual town strategies, SS7–SS14, (which highlight place-specific community needs) would meet the strategic aim of ensuring good quality open spaces to serve the community's outdoor recreational needs. Therefore, as a generality, I conclude that the policy is sound.

- 6.208 **Aldborough** – Proposals Map 33 shows the extensive Aldborough village green protected as a CT1 Open Land Area. Concern was expressed about the risk to open space to the south of the village. However, the land is outside the defined settlement boundary for this designated Service Village and thus in open countryside for policy purposes. As far as I am aware the land performs no active recreational function. If developments are proposed they would be subject to the general policy of restraint in policies SS1 and SS2 and subject to assessment of their impact on views, landscape and amenity. In my view no change to the plan is required.
- 6.209 **Cromer** – A series of detailed points were made by the Town Council and individual residents regarding the lack of a network of accessible open spaces in parts of the town, and the potential risk to the protection of the town's central North Lodge Park, shown on insert map 4 as a designated CT1 open space area. In their view this arises from the bullet point in town strategy policy SS7 concerning the need to address car parking needs near the eastern end of the town centre. The Council have indicated that the draft proposal to extend car parking in the park is no longer being pursued and hence in my view the CT1 designation would give this attractive and much cherished Park the policy protection sought by the representors. A drafting error excluding a small part of the park at the north western corner nearest the sea cliff can be corrected by the incorporation of the Council's suggested change MM158, which I recommend be made.
- 6.210 Representations were made with regard to the loss of previously protected open spaces in the town and the limited scope to provide more. While the historic loss of community accessible (or visible) open space is understandably a matter for local regret, the CS and the associated policies are mainly seeking to deal with the future uses of land and the necessary balancing judgments between the community's range of development needs. The adopted local plan designated a Proposed Playing Space at the rear of Sutherland house under its Policy 102. Concern was raised as to why this had not been carried through into a CT2 Open space designation. However, I understand that the land in question is just outside the defined settlement limit and within the AONB and as such it would be subject to countryside restraint policy SS2. The Council also said that, as the land was privately owned there was no means of delivering the previous proposal. I conclude that in this regard the plan is sound as it stands and no change is warranted.

6.211 **Wells** – A representation was made that the designation under policy CT1 of garden land at Church House, Church Street, Wells as an Open Land Area, was not supported by the evidence base and, as a private garden, was not justified. However, the policy aims to roll forward the similar protection offered by the existing adopted local plan policy 8 and its designation is for visual rather than active recreational purposes. The land in question forms part of an attractive swathe of open space next to the listed church, whose setting it enhances, and the separate churchyard to the east adjoining Polka Road. The house itself is a listed building and the entire area is within a Conservation Area and hence a high degree of visual control is not unreasonable in my view. I conclude that there is no compelling evidence as to why the existing protection should not be continued and that the policy is sound in this regard.

#### **Minor Modification**

6.212 The Council's suggested editorial change (MM117) would clarify that the policy applies to both Education and Formal Recreation areas. In my view the change does not alter the intended thrust of the policy and is supported in the interests of clarity.

6.213 I conclude that the policy is consistent with the CS strategic policies SS4 and SS6 and with national policy in PPG17 and hence that subject to the minor change put forward it is sound.

6.214 To make policy CT1 sound, the following changes are required:-

**Adopt MM117 and MM158**

#### ***Policy CT2 – Developer contributions***

6.215 The policy aims to ensure that where new development places extra demands on physical infrastructure and social facilities it should contribute towards the public costs of resolving or mitigating its impact. Such a policy is expected to comply with national principles set out in government circular 5/05 and the related DCLG good practice guidance [B46, C45].

6.216 The Council intend to amplify the operation of the policy by the production of a SPD on the detailed nature and mechanism of the policy in line with the principals and advice in Circular 5/05 and the good practice guide. This would be able to take account of the government's proposals to introduce a new Community Infrastructure Levy, including if necessary any consequential changes to policy CT2 to make it compatible with the latter. Such amplification would be able to address most if not all of the concerns raised by participants at the examination hearing session on this topic.

6.217 Two minor changes suggested by the Council would avoid unnecessary duplication of part of CS policy SS2 and provide

clarification as to how and when the policy would be triggered by developments of both 10 and more dwellings and substantial commercial development, while also clarifying the types of infrastructure, services and facilities for which contributions may be sought. The latter could include a range of public services, including capital contributions to public services such as the Police, providing that such contributions were directly and proportionally related to the likely impact of the development. In my opinion none of these changes would alter the intended thrust of the policy and would aid clarity and comprehension and are thus recommended. Subject to their inclusion I conclude that the policy is consistent with government guidance, would allow sufficient flexibility for negotiation with developers, including as to possible adverse impacts on the scheme's viability, and is sound.

6.218 To make policy CT2 sound, the following changes are required:-

**Incorporate MM118 and MM119**

***Policy CT3 – Provision and retention of local facilities and services***

- 6.219 The policy aims to ensure the provision of new or improved community facilities or services in the main settlements and service villages, and where necessary the retention, of existing local facilities unless it can be shown there is no reasonable prospect of retention and/or viability. In particular health care campuses will be safeguarded and the loss of sports facilities would need to be demonstrated as unavoidable before agreement was forthcoming.
- 6.220 My understanding is that relevant voluntary groups would be consulted on relevant planning applications in line with the provisions of the approved SCI.
- 6.221 The MoJ said that consideration should be given to including a criterion based policy to deal with any prison proposal that may arise in the plan period. In my view the strategic and development control policies would provide a sufficient basis for assessing such proposals including SS2 (Countryside), EC2 (Re-use of existing buildings), and EC4 (Redundant defence establishments).
- 6.222 In the interests of clarity I support the Council's suggested change (MM72) which would make clear that the list of protected facilities included theatres and cinemas. However, I consider that it would more accurately reflect RSS policies C1 and C2 if it also referred to cultural facilities. Subject to this and two further minor editorial changes, necessary in the interests of clarity, I conclude that policy CT3 is sound.

6.223 To make policy CT3 sound, the following changes are required:-

**Adopt MM71, MM120 and MM72 but add to the latter "and other cultural facilities,..." after 'theatres and cinemas' in footnote lxx.**

***Policy CT4 – Telecommunications***

6.224 In line with government policy the policy aims to permit the provision of modern telecommunications services subject to criteria ensuring that equipment for such services is environmentally acceptable. In particular the criteria are intended to minimise visual intrusion into the Norfolk Coast AONB and other protected parts of the district including The Broads, conservation areas and the settings of listed buildings and Historic Parks or Gardens.

6.225 Concerns expressed about health fears associated with use of the equipment sought a presumption against telecommunications masts within a specified distance of housing unless an absence of suitable alternatives can be demonstrated. PPG8 indicates that health considerations and public concern can in principle be material considerations, but also the government's view that the planning system is not the place for determining health safeguards. Thus the change sought would not accord with government guidance.

6.226 The need for precluding access to sites where it can only be achieved by footpath or bridleway is noted. However, all proposals would need to satisfy the requirements of policy CT5. This provides a framework to balance the need for the facility against the environmental and accessibility impacts in each location. A blanket approach would be overly prescriptive in my view.

6.227 Finally, the need for improved broadband and digital TV signals in Cromer is not a spatial planning issues since its resolution falls within the scope of other specific legislation.

6.228 I conclude that the policy is generally consistent with the aims of national guidance and strikes the right balance between service provision need and environmental protection and hence is sound.

***Policy CT5 – The transport impact of new development***

6.229 The policy requires new development to be designed to reduce the need to travel and maximise the use of sustainable travel options. It includes performance criteria to ensure that development provides safe and convenient access by a choice of travel modes and is capable of being served by the highway network without harming the character of the environment. If development has significant transport implications a transport assessment of a scale appropriate to the nature of the proposal will be required.

6.230 Concern was expressed about the ability of the A1151 to accommodate traffic arising from the cumulative effect of new

housing in Hoveton, Stalham, Ludham and Catfield due to the narrow Wroxham bridge and other local traffic controls. However, no concern was raised by Norfolk County Council, the relevant local highway authority. In any event the policy criteria would ensure that the impact of development is subject to appraisal as to its likely impact. The ability of the road network will be monitored and operation of the policy criteria would give scope to refuse an application if its cumulative effect on any part of the network was unacceptable. The impact of coastal erosion is unlikely to affect the coast road during the plan period.

- 6.231 The use of developer contributions to assist the funding of infrastructure (both road and rail) in appropriate circumstances would be consistent with policies SS6, CT2 and CT5.
- 6.232 In my view the plan is consistent with the expectations of national policy guidance in PPG13, emerging RSS policy and CS policy SS6 and hence is sound and requires no modification.

***Policy CT6 – Parking provision***

- 6.233 The policy requires that vehicle parking provision to serve development needs be made in accordance with the parking standards set out in CS Appendix C. Together they seek to accord with national policy in PPG13 and PPS3 and to conform with emerging RSS policy T14 by building on standards produced by Norfolk County Council as local highway authority. The latter include the Parking Standards for Norfolk [E45] which are to be read alongside the Norfolk Residential Design Guide [E2]. The standards are tuned to the needs of a largely rural district where 80% of households have one or more cars and rural public transport services are limited and likely to remain so. Thus the parking standards set out a maximum provision but are open to variation to reflect the accessibility of the site by non-car modes.
- 6.234 Criticisms were made of the standards' limited flexibility and also that they were too generous in certain circumstances (eg larger houses). Since the district contains a variety of places (including urban areas with rail links to Norwich, medium sized towns without rail services, and deeply rural areas where public transport for journeys to and from work cannot be economically provided), a one-size-fits-all car parking policy is hard to impose without risking loss of character (by resulting in undesirable on-highway parking) in many places where car usage will remain a key mode of transport.
- 6.235 In my view the policy and the standards contain a degree of flexibility (eg for town centres and conservation areas) as envisaged in PPS3 while still striving, in association with the overall settlement strategy, to encourage sustainable travel. In practical day to day implementation the use of the national advice document 'Manual for Streets [C21] will help to strike a design balance between parking needs and quality design/place making most appropriate to particular locations and their accessibility credentials.

6.236 The Parking Standards include cycling parking, but the policy itself does not include it. I recommend a minor wording change to make the policy clear and consistent with policy SS6. Subject to this change I conclude, on balance, that the policy is consistent with national guidance and emerging RSS policy T14.

6.237 To make policy CT6 sound, the following change is required:-

**Insert "and cycling" after vehicle in the first line.**

### ***Policy CT7 – Safeguarding land for sustainable transport uses***

6.238 In line with the emerging RSS strategic policies T1-T10 to encourage sustainable transport and promote increased modal choice for passenger and freight transport policy CT7 seeks to protect former railway trackbeds and other railway land from development that would be prejudicial to the re-use of railway or other sustainable transport links with land defined at a range of locations on the Proposals Map.

#### **Sheringham Crossing**

6.239 Land at Sheringham is shown safeguarded for a re-instated level crossing link between the Bittern Line terminus and the North Norfolk Railway (a preserved steam railway to Holt promoted as a tourist attraction as 'the Poppy Line'). In principle this would enable railway services to operate between the outskirts of Holt and Norwich and provide improved customer services at Sheringham possibly including an integrated transport interchange. Network Rail has recently given consent for such a link's occasional use by special excursion trains and rolling stock movements, but there is no commitment to more regular passenger rail use, or to shared use of the old station, albeit that this may assist the resolution of timing and frequency constraints on the Bittern Line. The County Council are shortly to undertake a Market Town study including evaluation of the impact of such a scheme on traffic flows. In such circumstances safeguarding of the crossing land for railway use is a precautionary measure which I conclude should be supported.

#### **Fakenham to Wymondham link**

6.240 The Railfreight Strategy for Norfolk [E37] promotes re-use of the rail corridor linking Fakenham with the Mid-Norfolk Railway at County School in Breckland District, and thence southwards via Dereham to connect with the main Norwich to Thetford/Ely line at Wymondham. The existing local plan has protected the track alignment from County School northwards to Fakenham. However, at Great Ryburgh the alignment runs through a sizeable and active maltings, the owners of which are concerned that the alignment should not prejudice their business operations. As Great Ryburgh is a non-selected rural settlement the Proposals Map has not shown

the protected alignment as currently shown on the local plan Proposals Map. I understand that it is the Council's intention to include it on the final version of the CS Proposals Map.

- 6.241 Having regard to RSS policy, the Railfreight Strategy and the adopted local plan, I consider that the long term aim of retaining the Fakenham to Wymondham link is worthy of support. Since the local plan Inspector reported on this topic I understand that the Mid Norfolk Railway has continued to restore the old track north from Dereham towards County School.
- 6.242 However, the safeguarding of the historic track alignment at Great Ryburgh through private land on which permanent industrial structures have been constructed is not ideal. It begs the question as to how such a project could be implemented. In my view the District and County Councils need to re-assess the options for retaining this part of the link in co-existence with continued industrial use of the maltings site. The scope for general rail freight terminal facilities appears to be ruled out by the Railfreight strategy because of the poor local road connections. The forthcoming Site Specific Proposals DPD could be one way of addressing this issue.
- 6.243 As there is no firm evidence to warrant reversal of the local plan policy I conclude that the principle of the link and the currently protected alignment should be supported as a precautionary measure for the time being until the detail of the most appropriate alignment can be reviewed in greater detail by key stakeholders.

#### **High Kelling to Fakenham**

- 6.244 Representations were made that the former rail track bed from High Kelling (east of the Poppy Line terminus at Holt) to Fakenham should be safeguarded for rail use. It is part of an ambitious long term plan by Holt, Melton Constable and Fakenham Railway Ltd formed to create an orbital rail route round much of rural Norfolk. Its vision is to link missing parts of the old pre-Beeching network from Wymondham via Fakenham to Sheringham, incorporating the restored Mid-Norfolk and North Norfolk Railway Company routes. The company campaigned for the above Sheringham link re-instatement on behalf of the North Norfolk Railway.
- 6.245 In terms of broad principle the company's visionary proposition would accord with the spirit of current thinking in relation to sustainable access and development. Moreover, the long term tenacity of the company directors and other voluntary railway companies in pursuing restoration of closed lines in the face of seemingly insuperable odds, cannot be questioned.
- 6.246 However, in the absence of an indication of funding support in the Local Transport Plan and of limited public ownership of the old track bed between Holt and Fakenham, the likelihood of such a far reaching, expensive (and in places technically difficult) project being delivered within the plan period seems highly remote. In addition I am not aware of a Sustainability Appraisal having been

undertaken for a project which would also require considerable public consultation. The forthcoming Site Specific Proposals DPD is likely to consider some quite specific development options at Holt and Fakenham and it would remain open to the representor to engage in that process with a view to safeguarding any critical elements within the two settlements with a view to avoiding further prejudice to the longer term vision.

6.247 On the available evidence I consider that at this moment safeguarding could lead to unwarranted planning blight. I conclude, therefore, that there is presently insufficiently firm evidence to justify safeguarding the line of the Holt to Fakenham railway.

#### **Cromer Railfreight terminal**

6.248 The policy aims to bring forward a proposal from the Norfolk Railfreight Strategy for a small terminal west of the town next to the Anglia Water treatment plant replacing a former goods and coal yard now redeveloped. However, only the connecting line from the railway appears to be shown on the Proposals Map. While there is strategic support for this idea, representations to the present DPD and its very limited graphic representation on the Proposals Map suggest that the public may not have been fully aware of the location and nature of the scheme. I conclude that the link should be safeguarded on a precautionary basis on the expectation that the use of any associated land for a rail terminal would be subjected to full Sustainability Appraisal and public consultation as part of the Site Specific Proposals DPD process.

#### **Other safeguarded rail use sites**

6.249 There were no representations received objecting to the policy's Fakenham and North Walsham freight/passenger terminal safeguarding proposals. In my view they are broadly consistent with the Norfolk Railfreight Strategy and the anticipated growth proposed in the town settlement Strategies SS8 and SS10. Hence I conclude that they warrant support.

6.250 A representation was received that the employment land designation on the former HL Foods site next to North Walsham station should also provide for a mix of housing, station parking and improved disabled access. The inclusion of a parking use (and disabled access provision) would accord with my own conclusions in respect of the CS's transport strategy in policy SS6 and the strategic need to promote use of the Bittern Line. However, in the absence of SA and public consultation, including any opportunity for comment by the landowner, a safeguarding proposal would be premature. This conclusion need not prevent active consideration of the idea as part of the Site Specific Proposals DPD plan making process.

#### **Overall Conclusion on Policy CT7**

6.251 I consider that the aim of the policy is consistent with the CS strategy SS6 (as to be amended), the thrust of emerging RSS transport policies T1, T4 and T7, and national guidance on fostering sustainable development. Notwithstanding my detailed conclusion on certain aspects of the proposed safeguardings (or omitted opportunities), I conclude that for present purposes the policy is sound without the need to incorporate any of the amendments suggested by representors.

## **IMPLEMENTATION AND MONITORING**

### ***Test 8: Mechanisms for Implementation and Monitoring***

- 6.252 Section 4 of the DPD is concerned with the implementation of the DPD and monitoring of the effect and impact of both its strategic and DC policies.
- 6.253 The Implementation section addresses the needs for infrastructure investment decisions and actions to be integrated with the forward planning process to properly serve the needs of new development in a timely and cost-effective fashion.
- 6.254 Having considered the submission evidence and heard directly from representatives of some of the service providers during the public sessions I am satisfied that the CS and the DC policies, together with the forthcoming Site Specific Proposals DPD will collectively provide a sound framework for joint action. In particular I consider that the achievement of the development targets is realistic.
- 6.255 Minor modifications proposed during the examination would help make the plan sound and are recommended.

6.256 To make Section 4 sound, the following changes are required:-

**Adopt MM73–77, MM121-123, MM138 and MM157.**

### ***Test 9: Flexibility to deal with changing circumstances***

- 6.257 In a sub-section headed Flexibility and Contingency the DPD rightly notes that there needs to be a balance between, on the one hand providing certainty for the local community and the development industry, and on the other, for allowing for changes in circumstances. Several of the policies are criteria based and some make reference to viability tests and hence there is a degree of flexibility built in to their application in practice.
- 6.258 In my opinion the Core Strategy provides a clear vision of the area and the strategic policies needed to meet the defined aims and objectives leading towards sustainable development over the plan period.
- 6.259 Subject to the changes I have recommended in the previous section the proposed Development Control policies are consistent with the Core Strategy and are sufficiently flexible to deal with changed circumstances. Consequently I am satisfied that so far as it is possible to foresee, the Core Strategy and the Development Control policies DPD is sufficiently flexible to accommodate the changes in local conditions which may arise. As such I conclude that, so far as Test 9 is concerned, the DPD is sound.

## Overall Conclusions

- 6.260 I have considered the Core Strategy against the key elements set out in PPS12 and I am satisfied that it includes all the relevant fundamentals. I have tried to address the most obvious weaknesses in my recommendations, to keep the DPD as up-to-date and as consistent with national and regional policy as possible. However, I have had to have regard to the extent to which changes can be made in the light of the need for sustainability appraisal and consultation. I have also had regard to the government's priority to put in place an effective policy framework as quickly as possible. The intended flexible nature of the LDF process allows any remaining matters to be addressed by way of other DPDs or by early review of the Core Strategy or key elements.
- 6.261 I have also considered the soundness of those parts of the DPD which incorporate development control policies and the extent to which they are consistent with the strategic policies, national guidance and RSS policies. Overall, subject to minor changes which I have identified in the body of this report, I find that the collection of policies are consistent with the CS and are otherwise sound.
- 6.262 The Council's proposed minor changes included a schedule of local plan policies to be replaced (Appendix A)(MM1) which is necessary to satisfy the LDF regulations and should be included subject to the omission of Policy 29 which is to be reviewed at an early stage.
- 6.263 The Council also included a number of changes to the Proposals Map mainly intended to correct drafting errors and clarify the interpretation of the maps [I3(iv)]. Those which were the subject of discussion and debate at the hearings have been discussed in appropriate parts of my report. For the remainder I am satisfied that the Council may make the suggested changes listed in pages 32-33 of the consolidated changes schedule without affecting the soundness of the document.
- 6.264 When the DPD is adopted a number of background and contextual parts of the text will be redundant and hence would best be edited in the interests of clarity and accuracy. I am content that the Council may make the consequential changes listed at the end of Annex B without affecting the soundness of the document.
- 6.265 I conclude that, with the amendments I recommend, the 'North Norfolk Core Strategy incorporating Development Control policies DPD' satisfies the requirements of s20(5) of the 2004 Act and the associated Regulations, is sound in terms of s20(5)(b) of the 2004 Act, and meets the tests of soundness in PPS12.

*Philip A Goodman*

INSPECTOR

**Annex A Schedule of Changes to Core Strategy**

Chapter/Policy &/or paragraph	Proposed Change/Final Text	Reason for change	Inspector's report reference(s)
Section 1, 1.1.4	Adopt Council's change MM1, including new para 1.1.4 and Appendix A	To clarify that 'saved' LP policies will not be kept	6.262
1.3	Adopt MM2 – MM7 and MM88	Clarity	3.5
1.4	Adopt MM8 – MM10	Clarity	3.6
2.1.3	Adopt MM12	Clarity	3.7
2.1.7	Adopt MM13	Clarity	3.8
2.1.16	Adopt MM90	Clarity	3.9
2.2	Adopt MM11, MM14 & MM15	Clarity	3.10
SS1 & Key Diagram	Adopt MM16 – MM18	Clarity	5.36-7
SS2	Adopt MM126	Consistency with PPS7	5.43
SS3	Adopt MM19 – MM25 & MM127	Clarity, and consistency	5.75
SS4	Adopt MM26, MM27 – MM29	Clarity & consistency with PPS25	5.88
SS5	Adopt MM30–MM34, MM91–MM93, MM128 (first part only) & MM128(i), and MM142	Clarity & consistency with RSS	5.126
SS6	Adopt MM35, and  Add to the policy's transport strategy section, at the end of the second sentence after the words "...and by promoting public transport and sustainable tourism" the following words: " including by supporting increased use of the Bittern Railway line."  Add to the end of paragraph 2.8.6 the following sentence: "In relation to new development planned within and adjoining settlements served directly by the Bittern Line, opportunities to help improve the frequency, timings and passenger carrying capacity of the line, and associated interchange facilities, will be examined and, where environmentally acceptable, supported and promoted."	Clarity and consistency with RSS and Core Aims	5.139 & 5.144
SS7 Cromer	Adopt MM94	Clarity	5.209
SS8 Fakenham	Adopt MM95, MM129 & MM143	Clarity	5.209
SS9 Holt	Adopt MM130	Consistency	5.209
SS10 North Walsham	Adopt MM96 & MM131-133 and insert the word "Primary" before "School" in the policy's final bullet point.	Clarity	5.209
SS12 Sheringham	Adopt MM97	Clarity	5.209
SS13 Stalham	Adopt MM98	Clarity	5.209
SS14 Wells-next-the-Sea	Adopt MM99 & MM134	Clarity	5.209

## Annex B Schedule of Changes to Development Control Policies

Chapter/Policy &/or paragraph	Proposed Change/Final Text	Reason for change	Inspector's report reference(s)
HO1	Adopt MM135, and  Add the following words as a final paragraph: "The provision of purpose built and/or specialist accommodation for the elderly, in appropriate locations within selected settlements in accordance with Policy SS1, and well served by public transport and local services, will be supported provided that it does not: detract from the character of the surrounding area; involve the use of land safeguarded for employment purposes where the need for such safeguarding remains"	Clarity & consistency	6.6
SS3, HO2 and HO3	Adopt MM41 – MM45, and HM08  Amend Policy SS3 in the third paragraph from the end by deleting 80% and replacing it with: '70-80%'.	Clarity & internal consistency	6.23 & 6.32
HO4	Adopt MM100 & MM101, and  Replace the heading and first clause of the policy with the following: "Sites for Gypsies & Travellers, and for Travelling Showpeople"  "Development to meet the needs of Gypsies and Travellers and of Travelling Showpeople, will be permitted provided that....."	Clarity	6.35
HO5 & HO6	Adopt MM136 & MM137	Clarity	6.39
HO7	Adopt MM41  In the policy's second sentence insert "indicative" between "minimum" and "densities".	Clarity & flexibility	6.42
HO8	In the first bullet point and the second main paragraph replace the word "significant" by "disproportionately large".	Clarity & flexibility	6.46
HO9	Withdraw policy HO9 and draft a revised policy having regard to my conclusions herein and the balance to be struck between national guidance in PPS1, PPS3, PPS7, PPG13 and PPG15;  Remove Policy 29 from the proposed Schedule of replaced Local Plan Policies in MM1 until such time as the new replacement policy can be brought forward and add the following explanatory text: "The saved North Norfolk Local Plan policy 29 allows for the re-use and adaptation of buildings in the Countryside for residential purposes where a building is adjacent to the boundary of Growth Towns, Small Towns,	Consistency with national policy	6.55

	<p>Large Villages or Selected Small Villages. These are shown on the Local Plan Proposals Maps (available on (<a href="http://www.northnorfolk.org">www.northnorfolk.org</a>)). This policy* and the previous boundaries will be used to determine applications for the conversion of buildings in the Countryside to residential purposes only. Policy EC2 will be used to determine applications for the re-use of buildings for purposes other than residential. The Council intends to review this policy at an early date."</p> <p>Add Footnote: "* For the avoidance of doubt Local Plan policy 29's cross reference to 'Policy 127' no longer applies and the cross reference now applies to CS/DC Policy EC10 'Holiday and Seasonal Occupancy Conditions'."</p>		
EN1	Adopt MM103	Clarity	6.60
EN2	Adopt MM46, MM102i	Clarity	6.63
EN3	Adopt MM48, MM57	Clarity	6.67
EN4	Adopt MM49 & MM50	Clarity	6.69
EN5	Adopt MM51	Clarity	6.71
EN6	Adopt MM104, MM144, MM145	Clarity	6.77
EN7	Adopt MM52 & MM53	Clarity	6.82
EN8	<p>Insert the following sentence at the end of the policy:</p> <p>"The character and appearance of conservation areas will be preserved, and where possible enhanced, and, in consultation with all relevant stakeholders, area appraisals and management plans will be prepared and used to assist this aim and to encourage the highest quality building design, townscape creation and landscaping in keeping with the defined areas."</p>	Clarity & consistency	6.84
EN9	Adopt MM54 & MM105	Clarity and to ensure geo-diversity covered	6.86
EN10	Adopt MM106, MM106(i), MM107(i), MM108, MM108(i), MM109(i) and MM110(i)	Clarity & consistency	6.92
EN12	Adopt MM55, MM56, MM111	Clarity	6.107
EC1	Adopt MM146, MM147, MM153	Clarity & consistency	6.114
EC2	Delete the third bullet point	Clarity & consistency with PPS7	6.117
EC3	Adopt MM112	Clarity	6.122
EC4	Adopt MM148 and Following adoption of the CS and DC Policies DPD, consider reviewing that part of policy EC4 concerned with Sculthorpe Airbase with a view to evolving a more proactive approach to the necessary environmental improvement of that part of the area marked X on the adopted Proposals Map.	Clarity and consistency with core aims	6.154

EC5	Adopt MM58–MM60, MM82 & MM149–152	Clarity	6.175
EC7	Omit Policy EC7	Consistency with PPS6	6.183
EC8	Adopt MM64-67, MM69, MM116 & MM155	Clarity & comprehension	6.190
EC9	Adopt MM68	Correction	6.195
EC10	Adopt MM156, HM22 & HM23	Clarity	6.200
EC11	Adopt MM69, MM70 and MM154 and replace bullet points 3 and 4 with the following text: <ul style="list-style-type: none"> <li>• Conclusively demonstrates a very high standard of design and landscaping and minimal adverse impact on its surroundings;</li> <li>• Is appropriate when considered against the other policies of the plan.</li> </ul>	Clarity & consistency with Core Aims	6.204
CT1	Adopt MM117 and MM158	Clarity	6.214
CT2	Adopt MM118 & MM119	Clarity & to avoid duplication	6.218
CT3	Adopt MM71, MM120 and MM72 but add to the latter "and other cultural facilities,..." after 'theatres and cinemas' in footnote lxx.	Clarity	6.223
CT6	Insert "and cycling" after vehicle in the first line	Clarity & consistency	6.237
Section 4 Implementation & Monitoring	Adopt MM73–77, MM121-123, MM138 and MM157	Clarity and corrections	6.256
Proposals Map(s)	Adopt MM79-87, MM139-141	Clarity & consistency	6.263
Minor text changes required by adoption of the DPD	Forward: Re-draft to reflect Core Strategy adoption.  Para 1.1.4: Amend the 2 <sup>nd</sup> sentence to read: '...replacement Design Guide SPD is adopted and Local Plan policy 29 which is saved until a replacement policy is prepared.'  Para 1.1.8: Delete paragraph and renumber subsequent paragraph nos in section 1.1  Para 1.1.10: Delete the last sentence  Paras 1.1.13-15: Delete paragraphs  Para 1.2.1: Update dates of examination, receipt of binding report and adoption of Core Strategy	Clarity and accuracy	6.264

## Annex C – Abbreviations

<b>Abbreviation</b>	<b>Full text – organisation, author etc</b>
ACPO	Association of Chief Police Officers
AH	Affordable Housing
BDC	Broadland District Council
BHHPA	British Holiday & Home Parks Association
BKDC	Breckland District Council
CA	Countryside Agency
CABE	Commission for Architecture & the Built Environment
CEDP	County Economic Development Partnership
CS	Core Strategy
DC	Development Control
DCLG	Department for Communities & Local Government
DEFRA	Department for Environment, Food and Rural Affairs
DfT	Department for Transport
DPD	Development Plan Document
EA	Environment Agency
EEDA	East of England Development Agency
EERA	East of England Regional Assembly
EESDR	East of England Sustainable Development Roundtable
EH	English Heritage
EN	English Nature (now Natural England)
EST	Energy Savings Trust
GoEast	Government Office for the East of England
GTLG	Gypsy & Traveller Liaison Group
GYBC	Great Yarmouth Borough Council
KLBC	Kings Lynn & West Norfolk Borough Council
HBF	Home Builders Federation
LDD	Local Development Documents
LPA	Local Planning Authority
LSP	Local Strategic Partnership
MoD	Ministry of Defence
MoJ	Ministry of Justice
NBP	Norfolk Biodiversity Partnership
NCC	Norfolk County Council
NCP	Norfolk Coast Partnership
NCSP	Norfolk County Strategic Partnership
NNDC	North Norfolk District Council
NPS	Norfolk Property Services
NWT	Norfolk Wildlife Trust
ODPM	Office of the Deputy Prime Minister (Now DCLG:

	Department for Communities & Local Government)
PO	Programme Officer
POS	Planning Officers Society
RAB	Renewables Advisory Board
RCC	Rural Community Council
RTPI	Royal Town Planning Institute
SCI	Statement of Community Involvement
SHMA	Strategic Market Housing Assessment
SNDC	South Norfolk District Council
SPA	Special Protection Area
SuDS	Sustainable Drainage Systems
TCPA	Town & Country Planning Association
UCS	Urban Capacity Study