

<b>Adoption of Coastal Adaptation Supplementary Planning Document</b>	
<b>Executive Summary</b>	<p>The purpose of this report is to recommend the adoption of the Coastal Adaptation Supplementary Planning Document (SPD).</p> <p>The Coastal Adaptation SPD supports the implementation of existing and emerging planning policies relating to development within the Coastal Change Management Areas (CCMA), as well as, rollback and relocation away from the coast.</p> <p>The SPD provides overarching planning guidance in relation to the economic, social and environmental impacts of coastal change; the national and local policy frameworks; advice about different types of development within the CCMA; rollback and relocation; enabling development; and, case study examples of coastal adaptation. In addition, the SPD includes guidance and templates for Coastal Erosion Vulnerability Assessments and example planning conditions.</p> <p><b>Appendices are available</b> <a href="https://modgov.north-norfolk.gov.uk/ecCatDisplayClassic.aspx?sch=doc&amp;cat=13715&amp;path=0">https://modgov.north-norfolk.gov.uk/ecCatDisplayClassic.aspx?sch=doc&amp;cat=13715&amp;path=0</a></p>
<b>Options considered</b>	<ul style="list-style-type: none"> <li>• Make recommendations to Cabinet to adopt the Coastal Adaptation SPD.</li> <li>• Make recommendations to Cabinet to not adopt the Coastal Adaptation SPD and continue to implement planning policies with the existing North Norfolk Development Control Guidance, Development and Coastal Erosion, April 2009.</li> </ul>
<b>Consultations</b>	<p>The Coastal Adaptation SPD has been subject to public consultation during its preparation in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and the Council's Statement of Community Involvement (April 2021). The list of consultees, respondents, summaries of their comments and how these have been responded to, can be found in the Consultation Statement which is appended to this report at Appendix B.</p>
<b>Recommendations</b>	<ul style="list-style-type: none"> <li>• To recommend to Cabinet that the Coastal Adaptation SPD is adopted.</li> <li>• That the Planning Policy Manager, in consultation with the Portfolio Holder for Planning, is authorised to make any presentational or typographical amendments to the Coastal Adaptation Supplementary Planning Document prior to it being published.</li> </ul>

<b>Reasons for recommendations</b>	To provide guidance on the implementation of planning policies through a whole coast approach, from Holkham in Norfolk to Languard Point, Felixtowe, Suffolk.
<b>Background papers</b>	North Norfolk Core Strategy 2008 <a href="#">Core Strategy</a>
	<a href="#">(incorporating Development Control Policies) Adopted 2008 (north-norfolk.gov.uk)</a> North Norfolk Local Plan Proposed Submission Version <a href="#">Proposed Submission Version (Regulation 19 Publication) Local Plan (north-norfolk.gov.uk)</a>  <b>Appendices are available <a href="https://modgov.north-norfolk.gov.uk/ecCatDisplayClassic.aspx?sch=doc&amp;cat=13715&amp;path=0">https://modgov.north-norfolk.gov.uk/ecCatDisplayClassic.aspx?sch=doc&amp;cat=13715&amp;path=0</a></b>

<b>Wards affected</b>	All Wards
<b>Cabinet member(s)</b>	Cllr. Andrew Brown, Portfolio Holder for Planning
<b>Contact Officer</b>	Caroline Dodden, Senior Planning Officer <a href="mailto:caroline.dodden@north-norfolk.gov.uk">caroline.dodden@north-norfolk.gov.uk</a>

<b>Links to key documents:</b>	
Corporate Plan:	Supports delivery of the objective to continue to take a lead role nationally in coastal management initiatives recognising our position as a “frontline” authority in meeting the challenge of rising sea levels.
Medium Term Financial Strategy (MTFS)	Not Applicable.

Council Policies & Strategies	<p>Statement of Common Ground on Coastal Zone Planning, September 2018:  <a href="https://www.northernorfolk.gov.uk/media/8993/g4-norfolk-suffolk-coastalauthorities-socg-coastal-zone-planning.pdf">https://www.northernorfolk.gov.uk/media/8993/g4-norfolk-suffolk-coastalauthorities-socg-coastal-zone-planning.pdf</a></p> <p>North Norfolk Development Control Guidance, Development and Coastal Erosion, April 2009: <a href="http://www.northernorfolk.gov.uk/development-control-guidance-note-coastal-erosion-risk">Development Control Guidance Note: Coastal Erosion Risk (northernorfolk.gov.uk)</a></p> <p>North Norfolk Core Strategy, September 2008: <a href="http://www.northernorfolk.gov.uk/core-strategy-incorporating-development-control-policies-adopted-2008">Core Strategy (incorporating Development Control Policies) Adopted 2008 (north-norfolk.gov.uk)</a></p> <p>North Norfolk Local Plan Proposed Submission Version, January 2022:  <a href="https://www.northernorfolk.gov.uk/media/7466/local-plan-proposed-submissionversion-reg-19-publication.pdf">https://www.northernorfolk.gov.uk/media/7466/local-plan-proposed-submissionversion-reg-19-publication.pdf</a></p>
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<b>Corporate Governance:</b>	
Is this a key decision	No
Has the public interest test been applied	No
Details of any previous decision(s) on this matter	<p>17 August 2020: Members of the PPBHP noted the Initial Consultation Document with regards to the production of a joint Coastal Adaptation SPD, which was presented for information purposes.</p> <p>14 November 2022: Members of the PPBHP recommended to Cabinet that the draft Coastal Adaptation SPD be published for formal consultation.</p>

## 1. Purpose of the report

1.1 The purpose of this report is to recommend adoption of the Coastal Adaptation Supplementary Planning Document (SPD) (Appendix A), a planning document that will provide guidance on aligned policy using a holistic and ‘whole coast’ approach. The SPD is considered valuable in building upon the formal agreements of the Statement of Common Ground on Coastal Zone Planning (September 2018) between the partnership authorities and the ongoing partnership approach with Coastal Partnership East (CPE).

1.2 The Coastal Adaptation SPD supports the implementation of planning policies relating to development within the Coastal Change Management Areas (CCMA), and rollback and relocation away from the coast in the following local planning authorities:

- East Suffolk Council - Suffolk Coastal Local Plan (2020) and Waveney Local Plan (2019).

- Great Yarmouth Borough Council – Local Plan Part 1 (2015) and Part 2 (2021).
  - North Norfolk District Council - Core Strategy (2008) and emerging North Norfolk Local Plan (Proposed Submission Version) (2022).
  - Broads Authority – The Broads Local Plan (2019).
- 1.3 The existing North Norfolk Core Strategy planning policies are supported by the adopted Development Control Guidance on Development and Coastal Erosion (April 2009). If adopted, the Coastal Adaptation SPD would supersede this existing guidance document and would provide updated and consistent planning guidance across East Suffolk, Great Yarmouth, North Norfolk, and the Broads.
- 1.4 Adoption of the Coastal Adaptation SPD would provide guidance to assist with the implementation of the Council's existing Core Strategy policies EN11: Coastal Erosion and EN12: Relocation and Replacement of Development Affected by Coastal Erosion Risk, as well as, the emerging planning policies CC5: Coastal Change Management and CC6: Coastal Change Adaptation of the North Norfolk Local Plan, Proposed Submission Version (2022), which was submitted for independent examination in May 2023. On adoption, the Coastal Adaptation SPD would be a material consideration in the determination of planning applications within the District.

## **2. Introduction & Background**

- 2.1 North Norfolk District Council in partnership with East Suffolk Council, Great Yarmouth Borough Council, the Broads Authority, and the shared Coastal Partnership East, has jointly prepared the Coastal Adaptation SPD. The document has been shaped by two rounds of public consultation, as required by the Town and Country Planning (Local Planning) Regulations 2021.
- 2.2 The Initial Consultation Document for the draft Coastal Adaptation SPD was brought to the Planning Policy & Built Heritage Working Party in August 2020, for information. This set in motion the first public consultation process that sought to inform the overall content and scope of the SPD. This initial consultation took the form of a questionnaire, to which 63 respondents made 288 comments. Summaries of the consultation responses, and how they were addressed in drafting the SPD are contained within the Consultation Statement (Appendix B).
- 2.3 The more detailed draft Coastal Adaptation SPD was presented to the Planning Policy & Built Heritage Working Party (PPBHP) in November 2022, where the content was discussed and the recommendation to Cabinet to publish the draft document for formal public consultation (Regulation 12) was agreed. Cabinet approved the matter on 3 January 2023. The details of this second consultation are set out in the next section at paragraphs 3.3 – 3.7.
- 2.4 Under the Environmental Assessment of Plans and Programmes Regulations 2004 screening was carried out on the draft Coastal Adaptation SPD to determine whether a full Strategic Environmental Assessment would be required. The screening concluded that this was not required. The final Strategic

Environmental Assessment (SEA) Screening Opinion is appended to this report (Appendix C).

2.5 Habitat Regulations Assessment screening was also undertaken, which concluded that implementation of the Coastal Adaptation SPD would not lead to likely significant effects on protected Habitat Sites and that it is, therefore, not considered necessary to undertake an Appropriate Assessment. The final Habitat Regulations Assessment Screening Statement is appended to this report (Appendix D).

### **3. Proposals and Options**

3.1 The Coastal Adaptation SPD (Appendix A) provides guidance on a range of topics including appropriate development within the Coastal Change Management Areas, the requirements in relation to rollback and relocation of development away from the coast, consideration of enabling development proposals, and coastal adaptation case studies.

3.2 The fundamental principle of risk management and planning policy in coastal areas is that of Integrated Coastal Zone Management (ICZM), which is a process that requires the adoption of a joined-up and participative approach towards the planning and management of the many different elements in coastal areas (land and marine). The partnership authorities have and continue to implement an ICZM approach, as evidenced by the Norfolk and Suffolk Coastal Authorities Statement of Common Ground for Coastal Zone Planning, and as signatories to the Coastal Concordat for England. The Coastal Adaptation SPD further supports the partnership authorities in taking a proactive approach to ICZM to ensure individuals and organisations at risk from coastal change are aware of the risks and can take action to adapt to them.

3.3 The second public consultation for the SPD ran between 25 January and 8 March 2023. The consultation was advertised on the Council's website, as well as on social media. Emails and letters were sent out at the start of the consultation to the consultees on the planning policy mailing list which includes town and parish councils, individuals and organisations, including those who were previously contacted or responded to the informal stage of the consultation. Paper copies of the documents were made available at the Council Offices and a number of local libraries. In total 52 respondents made 185 comments. Summaries of the consultation responses, and how they were addressed in refining the SPD, are contained in the Consultation Statement (Appendix B).

3.4 The main themes of the comments received are summarised below. However, some of the comments covered specific matters that are not possible to summarise in a succinct manner within this report. The full consultation responses have been published on the East Suffolk website (a link to this is provided on the Councils website) and all of the comments are summarised in the Consultation Statement (Appendix B).

3.5 The main issues raised through the consultation were that the draft SPD:

- Should address flood risk, as well as, erosion risk.
- Should alter the planning policies contained in the Local Plans.

- Should alter the coastal management approach for each stretch of the coast.
- Is difficult to understand due to the use of jargon and technical language.
- Should place greater emphasis on the sensitive natural and historic environment along the coast.
- Should address Nationally Significant Infrastructure Projects.
- Should include that development at or near the coast should not hinder opportunities to realign the England Coast Path.
- Should state that the approximate appropriate distance that development may be relocated away from a settlement should be increased.

3.6 A number of changes have been made to address many of the comments received, where appropriate, including:

- Clarification that the SPD does not address flood risk, which is assessed through other planning policies and site specific flood risk assessments.
- Clarification that the SPD cannot alter planning policies contained in a Local Plan.
- Clarification that the SPD cannot alter the coastal management approach for any stretch of coast set out in Shoreline Management Plans.
- Avoiding jargon and technical language, where possible, but acknowledging that technical language may be necessary in some circumstances.
- Greater emphasis has been placed on the sensitive environment along the coast.
- Clarification that the SPD cannot address Nationally Significant Infrastructure Projects which are determined by HM Government.
- Development at or near the coast should not hinder opportunities to realign the England Coast Path.
- The approximate appropriate distance that development may be relocated away from a settlement has been increased.

3.7 The comments made by Members at the PPBHWP meeting in November

2022, particularly in relation to flexibility and phrasing/ language used in relation to the rollback advice, were taken on board during this time and, overall, have resulted in changes to take better account of the subtle differences between the planning policies of the participating authorities. In addition, further changes have been made to address typographical and grammatical errors and to provide clarity on certain elements of the guidance.

3.8 **The recommended option** is for the Coastal Adaptation SPD to be adopted. This will mean the Council has an up-to-date SPD in place to guide the implementation of the existing and emerging coastal change planning policies.

3.9 **An alternative option** would be to not adopt the Coastal Adaptation SPD and continue to implement the existing and emerging planning

policies with the support of the existing Development Control Guidance on Development and Coastal Erosion (April 2009). However, this would be a significant missed opportunity to provide guidance and clarification on the requirements of the relevant planning policies in supporting their effective implementation.

#### **4. Corporate Priorities**

4.1 The Coastal Adaptation SPD can be linked to the Climate, Coast and Environment theme of the current Corporate Plan (2019-2023), in supporting delivery of the objective to continue *to take a lead role nationally in coastal management initiatives recognising our position as a “frontline” authority in meeting the challenge of rising sea levels.*

#### **5. Financial and Resource Implications**

5.1 The production of the Coastal SPD is undertaken through existing team resources and budget.

#### **6. Legal Implications**

The Coastal Adaptation SPD has been produced in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The Coastal Adaptation SPD has been subject to a Strategic Environmental Assessment Screening Opinion (Appendix C) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended). It has also been subject to a Habitats Regulation Assessment (HRA) Screening Statement (Appendix D) in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended). An Equality Impact Assessment (EqIA) Screening Opinion (Appendix E) was produced to meet the requirements of the Equality Act 2010.

#### **7. Risks**

The Council must produce planning documents, which comply with various regulatory and legal requirements and in determining its policy approaches, must be justified and underpinned by up to date and proportionate evidence. This includes the application of a consistent methodology which takes account of public feedback and national policy and guidance.

#### **8. Net Zero Target**

No assessment has been made against the council's Net Zero 2030 Strategy & Climate Action Plan, which is primarily a strategy with regard to its own operations.

#### **9. Equality, Diversity & Inclusion**

An Equality Impact Assessment Screening Opinion (Appendix E) was produced in October 2022 to accompany consultation on the draft Coastal Adaptation SPD. The assessment concluded no differential negative impacts on those with protected characteristics.

#### **10. Community Safety issues**

Not Applicable.

## **11. Conclusion and Recommendations**

11.1 Adoption of the Coastal Adaptation SPD will provide consistent, overarching planning guidance to assist with the implementation of the Council's existing Core Strategy policies and the emerging policies within the North Norfolk Local Plan, Proposed Submission Version.

11.2 **To recommend to Cabinet that the Coastal Adaptation SPD is adopted; and,**

**that the Planning Policy Manager, in consultation with the Portfolio Holder for Planning, is authorised to make any presentational or typographical amendments to the Coastal Adaptation SPD prior to it being published.**

**Appendix A:** Coastal Adaptation SPD (September 2023)

**Appendix B:** Coastal Adaptation SPD Consultation Statement (September 2023)

**Appendix C:** Coastal Adaptation SPD SEA Screening Opinion (October 2022)

**Appendix D:** Coastal Adaptation SPD HRA Screening Statement (October 2022)

**Appendix E:** Coastal Adaptation SPD EqIA Screening Opinion (October 2022)

**Appendices are available** <https://modgov.north-norfolk.gov.uk/ecCatDisplayClassic.aspx?sch=doc&cat=13715&path=0>