

## Appendix 2: Emerging Policies (Discussion Draft)

### Coastal Erosion

**The purpose of this policy** is to reduce the risk from coastal change by managing the types of development which will be supported in potential risk areas.

**7.82** North Norfolk's coast is in places low-lying and in others it is characterised by cliffs comprising soft silts, clays, sand and gravel and other material that is susceptible to erosion. Erosion has taken place over thousands of years and these natural processes will continue to affect the coastline. Hard defences protect the settlements of Sheringham, Cromer, Overstrand, Mundesley and large sections between Happisburgh and Winterton Ness.

**7.83** The Framework states that Plans should reduce the risk from coastal change by avoiding inappropriate development in vulnerable areas and not exacerbating the impacts of physical changes to the coast. It states that Plans should identify Coastal Change Management Areas (CCMA) which cover areas likely to be affected by physical changes to the coast. The National Planning Practice Guidance (NPPG) states that a Coastal Change Management Area should be defined where change is likely to be significant over the next 100 years. The NPPG states that Shoreline Management Plans should be taken into account. The Framework states that Plans should be clear as to what development will be appropriate in the Coastal Change Management Areas and in what circumstances. The National Planning Practice Guidance states that residential development will not be appropriate within a Coastal Change Management Area but some commercial and community development may be appropriate within the area depending on the level of risk and the sustainability of the proposals.

**7.84** The Marine and Coastal Access Act (2009) sets out provisions for the creation of a continuous, signed and managed path around the entire English coast, including provision of a coastal margin. The Framework states that development should not hinder this objective. Currently the section of the coast from Horsey to Weybourne has been designated, with the western section of the District beyond Weybourne to Holkham, under consideration at the time of writing.

**7.85** Shoreline Management Plans (SMPs) set out how the coastline should be managed. They determine appropriate, strategic policies for coastal management that balance the many and often competing aspirations of stakeholders with proper regard for economic and environmental sustainability. They include policy statements for discrete lengths of coast with shared attributes, broken down into short, medium and long-term time bands. There are two SMPs covering the North Norfolk coast, SMP5: North Norfolk and SMP6: Kelling Hard to Lowestoft Ness (adopted 2012). The SMPs identify a high level 100 year strategy for each section of the coast, divided into the three time bands. The aim of the strategy is to move towards a more naturally functioning coast and to allow for cliff erosion so that this sediment supports beach levels. Since the adoption of the SMP, a number of studies have been undertaken to better understand these natural processes and schemes are being taken forward to extend the life of existing hard defences such as at Mundesley. **An innovative sandscaping scheme was completed in September 2019, which protects the local communities of Bacton and Walcott and critical infrastructure at the Bacton Gas Terminal site from the North Sea. This bold new approach is expected to offer 15-20 years of protection from coastal erosion and the effects of climate change to this stretch of North Norfolk's coastline.**

**7.86** At this time the SMP evidence remains the best available information on likely future coastal erosion and should be used as a basis for assessment of properties at risk, unless an applicant, through a Coastal Erosion Vulnerability Assessment (CEVA) provides more up

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to date, robust, site-specific information. **However, it should be noted that the relevant SMPs will be updated during the lifetime of the Local Plan.** The Coastal Change Management Area (CCMA) will be defined in the Local Plan as those areas assessed in the Shoreline Management Plan as potentially at risk over a 100 year period.

**7.87** All planning applications for development within the CCMA must be accompanied by a CEVA and take into account the potential impact upon the development of retreat of the shoreline. The vulnerability assessment should be appropriate to the degree of risk and the scale, nature and location of the development. It should demonstrate that new development provides wider sustainability benefits that outweigh the predicted coastal change impact; will be safe through its planned lifetime, without increasing risk to life or property, or requiring new or improved coastal defences; does not affect the natural balance and stability of the coastline or exacerbate the rate of change and should consider and identify measures for managing the development at the end of its planned life. The assessment will also need to demonstrate that the proposed development will not increase the risk of erosion (e.g. from surface water run-off).

**7.88** These affected coastal communities have already experienced blight in the form of reduced property values and investment and there is recognition of the need for a more flexible approach to coastal management which allows for natural processes while at the same time enabling coastal communities to be sustainable, economically viable and maintain attractiveness to visitors.

**7.89** SMPs provide a strategic approach to the management of the coast. As such, proposals for new coastal management works or other essential infrastructure should be in accordance with the management policies identified in the SMPs. Where there is a need and or a desire to develop a coastal management scheme that is contrary to the current Shoreline Management Plan this should be dealt with through a review of the SMP prior to a planning application being considered.

**7.90** New development or intensification of new development in a coastal location, but outside the CCMA, such as the promenade frontages of Cromer, Mundesley and Sheringham, also needs to consider the impacts of coastal change. Although these areas are protected by hard defences, the changing sea levels and increased extreme weather events as a result of climate change will impact on these areas and consideration needs to be given to future-proofing such developments so that they are designed to withstand likely future conditions.

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### Policy SD 11

#### Coastal Erosion

Within the **Coastal Change Management Area**, as defined on the Policies Map, proposals for new **permanent** residential development, including conversion of existing buildings\*, will not be permitted.

For other **development proposals** uses, planning permission will be granted subject to:

1. it being demonstrated through a **Coastal Erosion Vulnerability Assessment** that the proposal will not result in an increased risk to life, or to property;  
**and**,
2. the works are consistent with the relevant Shoreline Management Plan and **it is demonstrated that** there will be no adverse impact on the environment or elsewhere along the coast; and,
3. the proposal comprises essential infrastructure including coast protection schemes; or,
4. proposals for temporary **development**, directly related to the coast, together with, as appropriate, **planning conditions or** a legal agreement to secure the long term management potentially including the eventual demolition and removal of the development; or
5. proposals are for providing commercial, leisure or community infrastructure which provides substantial economic, social and environmental benefits to the community.

In any location, development proposals that are likely to increase coastal erosion as a result of changes in **groundwater and** surface water run-off will not be permitted. **Any development proposals shall not hinder the creation and maintenance of any coastal infrastructure.**

New development, or the intensification of existing development in a coastal location, but outside the Coastal Change Management Area, will need to demonstrate that the long-term implications of coastal change on the development have been addressed.

**\*excluding permitted development rights contained within the Town & Country (General Permitted Development) (England) Order 2015 (as amended)**

## Coastal Adaptation

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**The purpose of this policy** is to make provision for development and infrastructure that needs to be relocated away from Coastal Change Management Areas.

**7.91** The stretch of the coast from Kelling Hard to Cart Gap, Happisburgh consists of soft glacial cliffs and sandy beaches and has been subject to coastal erosion for thousands of years. The Kelling Hard to Lowestoft Shoreline Management Plan identifies areas and properties at risk from coastal erosion. The area at risk, a Coastal Change Management Area is identified in **Policy SD 11 'Coastal Erosion'** and on the Policies Map.

**7.92** The National Planning Policy Framework states that Local Plans should make provision for development and infrastructure that needs to be relocated away from Coastal Change Management Areas. The National Planning Practice Guidance advises that either formally allocating land in a Local Plan or allowing for relocation where planning permission would normally be refused are two ways in which this can be achieved.

**7.93 Policy SD 12 'Coastal Adaptation'** allows for the relocation of residential, community, agricultural and commercial properties that are within the Coastal Change Management Area to areas inland defined as the Countryside where development is normally restricted.

**7.94** In view of the likely effects of coastal erosion on coastal communities and the local economy of those areas at risk, it is considered important to enable adaptation to take place in advance of the actual loss of property. Allowing replacement development to take place in the Countryside policy area is intended to assist in minimising the blighting effects resulting from the identification of Coastal Change Management Areas and enabling communities to “roll-back” in order to help secure the long-term future sustainability of coastal areas.

**7.95** In order to be eligible residential properties must be at risk from erosion within a **50** year period. This enables property owners to take a pro-active decision to relocate to an alternative location well before erosion becomes an imminent threat. In order to maintain the sustainability of coastal settlements, relocation should take place close to the existing community.

**7.96** Temporary uses for the affected properties, in advance of their loss, are to safeguard the economic and social well-being of the settlements affected and secure environmental gains. The future use of such sites or buildings should be secured (by legal agreement) in perpetuity, and in relation to vacated dwellings, interim uses will be considered if beneficial to the well-being of the local community, however, the occupancy will be time-limited to minimise risk.

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### Policy SD 12

#### Coastal Adaptation

Proposals for the relocation and replacement of community facilities, infrastructure, commercial, agricultural and business uses affected by coastal erosion will be permitted in the Countryside, provided that:

1. the proposed development replaces that which is in the **Coastal Change Management Area** and is forecast to be affected by erosion within **50** years of the date of the proposal;
2. the new development is beyond the Coastal Change Management Area shown on the Policies Map and is in a location that is well related and accessible to the coastal community from which it was displaced;
3. the site of the development / use it replaces is either cleared and the site rendered safe and managed for the benefit of the local environment, or put to a temporary use that is beneficial to the well-being of the local community, as appropriate; and,
4. taken overall (considering both the new development and that which is being replaced) the proposal should result in no **net** detrimental impact upon the landscape, townscape or biodiversity of the area, having regard to any special designations.

Proposals for the relocation and replacement of dwellings affected by erosion will be permitted, provided that:

1. the development replaces a permanent dwelling (with unrestricted occupancy), which is within the Coastal Change Management Area and is forecast to be at risk from erosion within 50 years of the date of the proposal; and,
2. the new dwelling is used as a primary residence;
3. the new development is beyond the Coastal Change Management Area shown on the Policies Map and is in a location that is well related to the coastal community from which it was displaced, and:
  - a. adjoins an existing group of dwellings;
  - b. the development does not result in an isolated form of development;
  - c. the development is in proportion to and respects the character, form and appearance of the immediate vicinity and surrounding area; and,
  - d. is consistent with other policies in the Local Plan.

If such a site is not available, the relocated development is within or adjacent to a defined **Selected Settlement**; and,

1. the site of the dwelling it replaces is either cleared, and the site rendered safe and managed for the benefit of the local environment, or put to a temporary use that is beneficial to the well-being of the local community, as appropriate. The future use of the site should be secured (by legal agreement) in perpetuity. Interim use as affordable housing will be considered beneficial to the well-being of the local community in interpreting this clause; and
2. taken overall (considering both the new development and that which is being replaced) the proposal should result in no **net** detrimental impact upon the landscape, townscape or biodiversity of the area, having regard to any special designations.

## Heritage & Undeveloped Coast

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**The purpose of this policy** is to protect the appearance and character of the coast.

**8.17** Large parts of the North Norfolk coast are protected by the Norfolk Coast AONB, the Heritage Coast, Undeveloped Coast and nature conservation designations. Outside of the main settlements the whole of the coast has an undeveloped character and appeal which is critical to North Norfolk's distinctiveness and tourism economy. Non-essential development in a coastal area can have cumulative effects on landscape, biodiversity and recreation. Government policy states that development that does not require a coastal location should not normally be provided within the coastal zone. The Heritage Coast and Undeveloped Coast designations are designed to minimise the wider impact of general development, additional transport and light pollution within the distinctive coastal area.

**8.18** Part 9 of the Marine and Coastal Access Act 2009 ("the 2009 Act") aims to improve public access to, and enjoyment of, the English coastline by creating clear and consistent public rights of way along the English coast for open-air recreation on foot. It allows existing coastal access to be secured and improved and new access to be created in coastal places where it did not already exist. Development in a coastal location should take account of the England Coastal Path and Coastal Margin.

**8.19 Policy SD 12 'Coastal Adaptation'** outlines the situations where development will be permitted in the Countryside where it re-locates that which is threatened by coastal erosion, and these exceptions will be allowed in the Undeveloped Coast.

### Policy ENV 3

#### Heritage & Undeveloped Coast

In the Heritage and Undeveloped Coast only development that can be demonstrated to require a coastal location and that will not be significantly detrimental to the open coastal character will be permitted.

Community facilities, commercial, business and residential development that is considered important to the social and economic well-being of the coastal community will be permitted where it replaces that which is threatened by coastal erosion.